

Permit Simplicity Program

Auditing & Appeal Procedures

(Reference Oxnard City Code Chapter 26)

Auditing

Auditing is effectively the traditional plan check process, however in the Permit Simplicity Program, it is called Auditing and it takes place after the permit has been issued. The City reserves the right to Audit every project. General Audit criteria are as follows:

All permit simplicity certified plans are subject to audit by the department to determine whether the plans and/or projects are in compliance with the requirements of the city's building codes, and other applicable laws pertaining to public health and safety. The selection criteria are as follows:

(A) The first four projects submitted by the permit simplicity certified professional are automatically selected for audit.

(B) Any project submitted where the permit simplicity certified professional has not been previously audited in the past 12 months shall be automatically selected for audit.

(C) Any project submitted by a permit simplicity certified professional that failed an audit twice shall automatically be selected for audit during the following 12 months.

(D) Any project submitted by a permit simplicity certified professional during the 12 months after having been reinstated following a suspension from the program shall automatically be selected for audit during the following 12 months.

(E) Any project over 100,000 square feet or greater than three stories shall be automatically selected for audit.

(F) A random sample of between 10% and 20% of remaining permit simplicity certified projects shall be selected for audit.

Plan Changes due to Field Inspections:

(B) Mandatory field revisions -

(1) When a department inspector determines that the permit simplicity certified plans contain code violations or are missing critical information, the inspector shall get a second opinion from his or her supervisor prior to requiring changes to the project.

(2) If the item is confirmed to be a code violation or the department requires more information critical to ensuring that the project meets the building codes, or other applicable laws pertaining to public health and safety, the inspector will inform the contractor and the permit simplicity certified professional in writing (e-mail is sufficient). Corrections and/or additional information will be required to reach a resolution.

(3) If plan revisions are required, the permit simplicity certified professional will be directed to submit the revisions within a reasonable time period. Failure to submit plan revisions as directed will result in revocation of the permit simplicity certified professional's certification.

(4) Regardless of the method used to resolve the violation, all violations will be tracked by the inspection supervisor. The violations will be scored in accordance with the department's Permit Simplicity Certified Audit Procedures, and any project that accumulates a cumulative score of five or greater will be subject to a mandatory audit.

Additional Auditing Notes:

- 1) A Mandatory Field Revision resulting in a score of 5 or more will cause the project plans to be subjected to a mandatory Audit (if the project plans are not already under Audit). The Field Inspection Supervisor may issue a Stop Work Notice to the project while the Audit is being conducted, depending on the significance of the violation.
- 2) The Building Official or his/her designee will make a determination of Auditing Pass/Failure based on the nature of the plan check comments and/or field revision issues discovered. Should an Audit Failure determination be made, the Suspension and Revocation procedures outlined in Sec. 26-42 will be applied. A Stop Work notice may be issued to the project based on the nature of the Audit or Field Revision findings.

Appeal Procedures

1) Appeal of Project requirements determination:

If the building official, or his or her designee, determines that any of the Permit Simplicity Certification Program requirements have not been met, he or she shall reject the project for submittal to the Permit Simplicity Certified Program and shall notify the permit simplicity certified professional and the applicant within one business day. A project that is rejected from the Permit Simplicity Program may be submitted through the city's normal permit application process. Rejection from the Permit Simplicity Certification Program may be appealed to the building board of appeals.

2) Appeal of Audit Results, Suspensions, or Revocations from the Program:

Adverse audit results, suspensions or revocations of permit simplicity certified professional status are subject to appeal to the building board of appeals. If the permit simplicity certified professional has reason to believe that adverse audit results, or the suspension or revocation of permit simplicity certification privileges is not warranted, the permit simplicity certified professional has the right to request in writing, within ten business days of the date on which notice is mailed, a hearing before the building board of appeals. A hearing before the building board of appeals is solely to determine whether adverse audit results, or the suspension or revocation of permit simplicity certification privileges is warranted. If a hearing under this rule is requested in a timely manner, such hearing shall be commenced within 45 business days of receipt of such request. If no hearing under this rule is requested in a timely manner, or if a hearing is requested in a timely manner but the permit simplicity certified professional fails to appear at such hearing, the permit simplicity certified professional shall be deemed to have waived the right to such hearing and such privileges shall be deemed, by operation of law, to have been revoked by the building official on the date stated on the notice of revocation required by this rule. Conversely, if the permit simplicity certified professional submits a written request for a hearing, but fails to appear at such hearing, the building official may, upon a showing of good cause, reschedule the hearing. The permit simplicity certified professional may appeal, within 15 business days of the date on which the decision is mailed, an adverse ruling by the building board of appeals to the city council.