

## **I Didn't Get A Permit, So Now What Do I Do?**

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After much soul searching, countless sleepless nights, and endless guilt ridden days, you have decided you can no longer live with the fact that you remodeled your house without benefit of City permits. Okay, so you don't feel that bad about it, but in any case, you have decided to make it right. What do you do now? You have a few choices. You can continue to live with the guilt of breaking the law, hoping the City never finds out what you did. Or you can voluntarily come down to City Hall and enroll in the "Amnesty Program for the Legalization of Undocumented Construction."

Why would you want to put yourself through the ordeal of a City review process? There are four main reasons to enter the Amnesty Program:

- 1) Legalization of undocumented construction will give you the assurance that the work was done safely and meets minimum life safety codes.
- 2) The Amnesty Program may also allow you to legalize work that would not be allowed today. For instance, an undocumented third or fourth unit built prior to the enactment of Measure A could be legalized. Failure to enroll in the Amnesty Program would mean these units would have to be removed.
- 3) Additionally, once you enroll in the Amnesty Program, whether you are eventually approved or not, you are exempt from all investigation fees. Investigation fees, equal to four times the normal permit fees, are charged on all code enforcement cases.
- 4) You will sleep better.

Since 1998, the City of Alameda has offered an amnesty program to property owners who have undocumented construction. The Amnesty Program allows property owners, who voluntarily come forward, to obtain permits for undocumented construction. Coming forward voluntarily is the critically important first step. Once a code enforcement complaint has been filed against a specific property, amnesty is no longer an option and investigation fees are applied. The rules for entering the Amnesty Program are pretty simple. You must come forward voluntarily, the undocumented construction is required to have been legal at the time the work was originally done and the work and materials must comply with current minimum Code requirements. The Amnesty Program can be used to legalize undocumented construction projects regardless of their size. This includes the ability to legalize undocumented dwelling units.

To participate in the Amnesty Program, you must first complete an application for amnesty – which is available on the City's website (<http://www.cityofalamedaca.gov/Business/Documents-and-Forms>) or at the Permit Center –, provide all applicable submittal items and pay the \$40 application fee. The first step following the application process is for the City to determine the date of the

undocumented construction. Through a combination of physical inspection and review of available evidence, the Building Official will establish the presumed date of construction.

Once the date of construction is established, the City can make a determination about whether or not the work was legal at the time of construction. Projects will either be approved or denied for amnesty; either way, at this point, the investigation fees are waived. Applicants with projects accepted for amnesty will pay an additional \$210 inspection fee. A City Building Inspector will then conduct an inspection of the undocumented construction and will provide you with a report identifying all health and life safety issues that must be resolved. The inspector will also identify the necessary permits and zoning approvals you will need in order to have the City legalize your undocumented construction. After this step, all that is left to do is pull permits and have the work inspected. The highly qualified and dedicated City of Alameda Building Inspectors will patiently walk you through the inspection process. The inspectors may ask you to open up small areas of the building to verify code compliance. Disruption of your property will be kept to a minimum.

It is in the best interest of property owners to have buildings that are safe, habitable and in compliance with all City ordinances. This is as true today as it was when the Amnesty Program was first introduced nearly 15 years ago. I would encourage anyone who has undocumented construction to review the Amnesty Program package and call the Permit Center with your questions.

Obtaining a permit is the law, and it is also a good idea. Planning & Building staff are ready to assist you as you navigate through the amnesty process. We are located in Room 190 on the first floor of City Hall, located at 2263 Santa Clara Avenue. We can be reached by phone at 510-747-6850.