

# BUILDING PERMIT APPLICATION

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#  

Inspection: [permits.mynevadacounty.com/citizenaccess/](http://permits.mynevadacounty.com/citizenaccess/)



## COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY BUILDING DEPARTMENT

950 MAIDU AVE SUITE 170 NEVADA CITY, CA 95959-8617 (OFFICE [530] 265.1222)

**Permits become null and void if work is not commenced within 12 months (1 year) from date of issuance, if work is suspended at any time for more than 180 days and/or if work is done in violation of any County or State laws and/or ordinances.**

Project Address		APN #:		- -	
Applicant's Name		Phone #			
Property Owner		Phone #			
Address	City	State	Zip		
Applicant's email address:			Cross Street:		
Engineer:	Address	City	State	Zip	License #
Architect:	Address	City	State	Zip	License #

### Project scope of Work:

Occupancy Type:	Construction Type:	Sq.Ft.		Manufactured / Modular: Yes No	
Occupancy Type:	Construction Type:	Sq.Ft.		Septic Sewer  Well P.Water	
Occupancy Type:	Construction Type:	Sq.Ft.		Number of Dwellings :	
Project Valuation: \$			Snow Load : lbs.		

### STATEMENT OF INTENT

No work has started on this project regarding the work proposed.

If my project exceeds 600 sq.ft. or project cost estimates are greater than fifty thousand dollars (\$50,000), I agree to use the McCourtney Road Transfer Station, the Eastern Regional Landfill in Truckee Region, a Construction and Demolition materials Recycling Service provided by a franchise waste hauler agreement or another Construction and Demolition recycling facility.

I hereby certify that I have read this application, that the above information is correct and that I am the Owner or duly Authorized Agent of the Owner. I agree to comply with all County Ordinances and State Laws relating to building construction. I hereby authorize representatives of the County of Nevada to enter upon the above-mentioned property for inspection purposes and to take photographs. I agree to save, indemnify and keep harmless Nevada County CDA against liabilities, judgments, costs and expenses which may accrue against Nevada County in consequence of the granting of this permit.

#### Asbestos and Lead Paint Removal

- Is asbestos presumed to be present?  Yes  No
- Is asbestos NESHAP notification required?  Yes<sup>1</sup>  No<sup>2</sup>
- Is lead based paint presumed to be present?  Yes<sup>3</sup>  No
- Performing renovation, repair and/or painting on a residential home, childcare facility, or preschool that was built prior to 1978?  Yes<sup>4</sup>  No

<sup>1</sup>If yes, a copy of the notification that has been submitted to NESHAP shall be required.

<sup>2</sup>If no, a copy of the disposal receipts shall be required prior to final occupancy.

<sup>3</sup>If yes, contact NCDEH at 530-265-1222 for review and written approval for the proposed project

<sup>4</sup>Submit a copy of EPA certified renovator certification (does not apply to homeowners working on their own property)

All work for which a permit is issued shall be completed within 2 years from the date of issuance. If the work is not completed within 2 years of issuance the permit shall expire. Upon written request and a showing of good cause, the Building Official may extend the permit for an additional period, not to exceed 3 years from the date the permit was issued. Ord. 2374 Sec.L-V 2.8 C

## LICENSED CONTRACTOR DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Profession Code, and my license status is in full force and effect.

Contractor: \_\_\_\_\_ License Class: \_\_\_\_\_ License #: \_\_\_\_\_ Exp. Date : \_\_\_\_\_

Address: \_\_\_\_\_ Phone # : \_\_\_\_\_ Email: \_\_\_\_\_

## WORKERS' COMPENSATION DECLARATION

-WARNING-

Failure to secure Workers' Compensation Coverage is unlawful and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000) in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest and attorney's fees.

Check **ONE BOX** only: I hereby affirm ***under penalty of perjury*** one of the following declarations:

- I have and will maintain a certificate of consent to self-insure for Workers' Compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

Policy #: \_\_\_\_\_

- I have and will maintain Workers' Compensation Insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number is:

Carrier : \_\_\_\_\_ Policy #: \_\_\_\_\_ Exp: \_\_\_\_\_

- I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation laws of California, and agree that, if I should become subject to the Workers' Compensations provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

**My signature below certifies the Workers' Compensation information is true and correct.**

## OWNER-BUILDER DECLARATION

Check **ONE BOX** only: I hereby affirm ***under penalty of perjury*** one of the following declarations:

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason shown by the checkmark below: (Section 7031.5 Business and Professions Code) Any city or county that requires a permit to construct, alter, improve, demol-ish, or repair any structure, prior to issuance, shall also require the applicant to file a signed statement that he or she is licensed pursuant to the provision of the Contractors' State License Law (Chapter 9 [commencing with section 7000] of Division 3 of the Business and Profession Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).

I, as owner of the property, or my employees with wages as their sole compensations, ( ) will do all ( ) or portions of the work, and the structure is not intended or offered for sale (Section 7044, Business and Profession Code: The Contractor's State license Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provide that the improvements are not intended or offered for sale. If however, the building or improvement is sold with in one year of completion, the Owner-Builder will have the burden of proving that he or she did not build or improve for the purpose of sale).

I, as owner of the property, am exclusively contracting with Licensed contractors to construct the project (Sec.7044, Business and Profession Code: The Contractor's State license Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a licensed contractor pursuant to the Contractor's State License Law).

I am exempt from licensure under Contractors' State Law for the following reason: \_\_\_\_\_

By my signature I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an Owner-Builder if it has not been constructed in its entirety by Licensed Contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Profession Code, is available upon request when this application is submitted or at the following web site: [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)

## CONSTRUCTION LENDING DECLARATION

I hereby affirm under penalty and perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 8172, Civil Code). Lender Name: \_\_\_\_\_ Branch Designation: \_\_\_\_\_ Lender Address: \_\_\_\_\_

## APPLICANTS DECLARATION

By my signature below, I certify that I am  a California licensed contractor or  authorized agent for the California licensed contractor\* or  the property owner or  authorized to act on the property owner's behalf\*. I have read this permit application and the information I have provided is correct. I agree to comply with all applicable City and County ordinances and state laws relating to building construction. I authorize representatives from the County to enter upon the above-identified property for inspection purposes. *I understand this permit will expire 12 months (1 yr) from issue date or 180 days from last passed inspection.* \*requires separate authorization form

**Signature:** \_\_\_\_\_

**Print:** \_\_\_\_\_

**Date:** \_\_\_\_\_



# COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY

Building Department  
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
(530) 265-1222 FAX (530) 265-8794 <http://mynevadacounty.com>  
Craig Griesbach, Building Director

## RESIDENTIAL PLAN SUBMITTAL CHECKLIST

**THE FOLLOWING ITEMS ARE REQUIRED FOR A COMPLETE PLAN SUBMITTAL. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED; PLEASE READ CAREFULLY! THIS COMPLETED AND SIGNED FORM MUST ACCOMPANY A BUILDING PERMIT AND/OR SEWAGE DISPOSAL PERMIT APPLICATION**

**JOB ADDRESS:** \_\_\_\_\_

**APN:** \_\_\_\_\_

	<p><b>THREE (3) SITE PLANS AND THREE (3) COMPLETE BUILDING SETS ARE REQUIRED.</b> <i>(additional sets may be required for larger projects; see the Building Department staff with questions)</i> Plans must be to scale drawn in blue or black ink, on clear unlined paper; minimum size is 11" x 17", maximum size 24" X 36". An additional two (2) sets are required for septic permit, if applicable. Structural Minimum Scale is 1/8"=1'-0", 1/4"=1'-0" is preferred. The <b>Scope of Work</b> must be fully stated and detailed on the plans. For building plans to be useful, they must be <b>legible and drawn to scale</b>. Plans should be prepared with lettering of sufficient contrast to be readable when scanning. Photocopies or prints may be submitted. <b>Pencil, whiteout, taped notes/details and any other submittal that is illegible or not completed in a workmanlike manner will not be accepted.</b></p>
	<b>SITE PLAN:</b> See site plan requirements on back of this sheet
	<b>GRADING AND DRAINAGE PLANS:</b> See site plan requirements on back of this sheet
	<b>FLOOR PLANS:</b> Fully dimensioned with square footage summary, room uses labeled, hold-down and shear wall locations/schedules, fire separation between house and garage, window/door sizes and types, mechanical and plumbing appliance locations, ceiling heights, all energy components shown (insulation, window efficiencies, equipment, HERS testing requirements, etc), compliance with Wildland Urban Interface (WUI) requirements, stairs and stair details, etc.
	<b>ELEVATIONS:</b> All four sides of the structure showing doors, windows, chimneys, roof pitch, building height, type of exterior finishes, grade level and slopes, roof type and classification, etc.
	<b>CROSS SECTIONS:</b> Structural sections, insulation locations/R-values, ceiling heights, referenced details, earth to wood clearances, typical finishes, etc.
	<b>ELECTRICAL PLANS:</b> Smoke/Carbon Monoxide locations/requirements, lights, switches, receptacle outlets, GFCI/AFCI outlet locations, minimum electrical notes, main/sub-panel locations, energy lighting requirements, etc.
	<b>MECHANICAL/FUEL GAS PLANS:</b> Duct supply and makeup type/size/location, duct sizing, and register sizing per the CMC, CEC & CGBSC (if applicable). Gas line sizing plans for high demand gas appliances (instantaneous water heaters, swimming pool heaters, etc).
	<b>TITLE 24 ENERGY CALCULATIONS:</b> ( <i>registered documents and signed by plan design professionals as required</i> ) included as part of the plan sheets. All energy components shall be reflected throughout the plan sheets.
	<b>GREEN BUILDING STANDARDS:</b> CA Green Building Standards Mandatory Measures Checklists shall be made part of the plans for new construction of additions of conditioned space
	<b>FIRE SPRINKLER PLANS/CALCULATIONS:</b> For new construction and substantial improvements. 2 sets prepared by a licensed fire sprinkler contractor and/or a CA licensed fire sprinkler engineer (wet stamped/signed)
	<b>FOUNDATION PLAN:</b> Fully dimensioned, location of braced/shear walls and hold-downs, shear/hold-down schedules, grade of rebar, strength of concrete, pier sizes/locations, reinforcement, footing locations, cripple walls, etc.
	<b>FLOOR FRAMING PLAN:</b> Floor joist size/type/spacing, girder size/type/spacing, species and grades, post locations, girder to post connections, cripple wall framing, mechanical hardware, blocking, floor sheathing type/attachment, etc
	<b>TRUSS CALCULATIONS:</b> 2 wet stamped/signed sets indicating the applicable ground/roof snow load with a wet stamped/signed letter of compliance from Engineer of Record
	<b>ROOF FRAMING PLAN:</b> Truss and/or rafter type/spacing, top plate connection details, bracing details, ceiling joist framing/attachment, beam types/sizes, material species/grades, mechanical hardware, post sizes/locations, ventilation, bearing walls identified, etc.
	<b>STRUCTURAL ENGINEERING CALCULATIONS:</b> 2 wet stamped/signed sets for nonconventional framing and/or high snow loading
	<b>STRUCTURAL DETAILS/NOTES:</b> Foundation/slab details, raised floor details, shear transfer, post and beam connections, ledger connections, guardrail attachments, stair framing connections, etc.
	<b>GEOTECHNICAL REPORT:</b> If applicable per 2019 CBC Section 1803.1 or if expansive soils are known to exist
	<b>SPECIAL INSPECTION AGREEMENT FORM:</b> Completed/submitted for any required special inspections (welding, soil compaction, high strength bolting, etc)
	<b>DEFERRED SUBMITTAL APPLICATION:</b> Completed/submitted for any items requesting to be deferred (fire sprinklers and/or truss calculations)
	<b>APPROVAL FROM CITY OF NEVADA CITY:</b> If project is located within the City Limits of Nevada City
	<b>APPROVAL LETTERS WITH DEVELOPMENT CONDITIONS FROM THE PLANNING DEPARTMENT</b> (If applicable)

**APPLICANT'S SIGNATURE/DATE** \_\_\_\_\_ **STAFF'S SIGNATURE/DATE** \_\_\_\_\_

THIS DOCUMENT IS INTENDED ONLY AS A GUIDE. SPECIFIC REQUIREMENTS OR DOCUMENTS MAY DIFFER BASED UPON YOUR SPECIFIC APPLICATION AND THE BUILDING CODE. ALL PLANS SUBMITTED BECOME THE PROPERTY OF THE COUNTY OF NEVADA.

It is unlawful to alter the substance of any official form or document of Nevada County.

## SITE PLAN REQUIREMENTS

	<p>The entire property must be shown on the site plan (including all property lines &amp; dimensions). If the property is too large then a smaller scale may be used; however, a second site plan will need to be provided of the area of development at a recognized scale. <i>Minimum sheet size 11"x17", minimum 3 sets of plans.</i></p>	
	<p><b>Site Plan Recognized Scales: 1"= 10', 1"= 20', 1"= 30', 1"= 40', 1"= 50', 1"= 60'</b></p>	
	<p><b>GENERAL INFORMATION TO BE INCLUDED ON TITLE SHEET</b></p>	
	<ul style="list-style-type: none"> <li>➤ Owner's Name, Phone #, Mailing Address</li> <li>➤ Project Site Address</li> <li>➤ Assessor's Parcel Number (APN)</li> <li>➤ Vicinity Map</li> <li>➤ North Arrow &amp; Scale</li> <li>➤ Occupancy Type(s) per CBC</li> <li>➤ Construction Type per CBC</li> </ul>	<ul style="list-style-type: none"> <li>➤ Sheet Index</li> <li>➤ Statement of Compliance (CA codes used)</li> <li>➤ Preparer's Name/Address</li> <li>➤ Date of Preparation/Revision Dates</li> <li>➤ Architect/Engineer Name/Address</li> <li>➤ Project Description</li> <li>➤ Square Footage of Each Occupancy Group</li> </ul>
	<p><b>Identify all existing and proposed structures and ground-mounted equipment.</b> Please note on the site plan if the existing structures were built with the benefit of a permit or were built prior to 1962. (AS-BUILT permits are required for structures that were not built with a permit after 1962 and do not qualify for an exemption per County Ordinance.)</p>	
	<p><b>Location of all wells, water storage tanks, bodies of water, year round or seasonal watercourses, drainage ditches, NID ditches, agricultural/ irrigation lines and 100 year flood plains.</b> Include distance from project to any well/water source closer than 100 ft. Water storage tanks used for fire prevention require a permit &amp; Fire Dept. approval.</p>	
	<p><b>Location of all utilities</b> (above and underground sources &amp; lines) including water, sewage, electrical and phone lines.</p>	
	<p><b>Indicate location and layout of existing or proposed septic system.</b> Including leach lines, septic and pump tanks, clean-outs, distribution system, layout and location of the 100% repair area, slope within the primary and repair area. If a M.U.S.D.A. has been designated and is shown on a recorded map, please include. Setback for a septic tank to any foundation is 5 ft and leach field to foundation is 8 ft.</p>	
	<p><b>Indicate the approximate location and surfacing of all existing conforming and/or permitted driveways.</b></p>	
	<p><b>Identify all easements</b> (PG&amp;E, telephone, water (NID), road, driveway, "No Access", etc.).</p>	
	<p><b>Identify all building setbacks.</b> Please show all setbacks along the front, rear, interior and exterior sides. If a building envelope has been designated and is shown on a recorded map, please include. <b>Please refer to Sec. L-II 4.2.5 of the zoning ordinance for assistance in determining accurate building setbacks.</b></p>	
	<p><b>Indicate distances from and uses of all structures, wells/septic (existing and proposed) that are close to building setbacks along the property lines.</b></p>	
	<p><b>Characterization of slope and topography:</b></p> <ul style="list-style-type: none"> <li>• The characterization of slope in the area of proposed work may be provided by the owner if the slope is less than 10% and a note is placed on the plans that the topography is depicted as per owner's representation.</li> <li>• Contour intervals should be at a two (2') foot minimum and extend 50' feet beyond the proposed area of construction.</li> <li>• If the slope in the area of construction exceeds 10% or if an engineered grading plan is required, provide a topographic survey prepared by a licensed Land Surveyor or Civil Engineer. If a professional survey is conducted, the surveyor or engineer must provide a wet stamp of certification on the site plan.</li> </ul>	
	<p><b>Boundary Line Verification:</b> Development nearer than twice the building setback to any property line shall have said property line flagged by a licensed Land Surveyor or Civil Engineer authorized to practice land surveying. Prior to foundation inspection, a Boundary Line Verification Form (or the like) must be completed and submitted to CDA Staff or inspector. <b><u>Clearly note this on the cover sheet of the plans.</u></b></p>	
	<p><b>Percentage of coverage/square footage of all impervious surfaces</b> including all structures, covered decks, paved driveways, concrete areas, swimming pools, etc.</p>	
	<p><b>Location of propane tank</b> (if applicable) indicating setbacks to structures and property lines. NOTE: 10 ft. minimum to structures and property lines, 5 ft. to septic tanks, 8 ft. to leach field (See CA Fire Code for more stringent setbacks depending on tank type/size). Aboveground tanks must meet minimum Building Setback requirements. All tanks above 4,000 ft elevation, or underground require a permit and Fire Dept. approval.</p>	
	<p><b>Erosion Control</b> – Temporary and Permanent (Please refer to the Erosion Control and Best Management Practices Handout)</p>	
	<p><b>Identify all stand-alone retaining walls.</b> Retaining walls over 4 ft in height from footing to top of wall <b>OR</b> support a surcharge require a permit and engineered calculations.</p>	
	<p><b>Defensible space vegetation clearances.</b> Shown and noted (30' radius and 100' radius) per PRC Sec. 4291-4299 &amp; County Ordinance</p>	
	<p><b>Location and nature of any known or suspected soil or geological hazard areas.</b> (ie: mines, architectural sites, mineral resources, etc.)</p>	
	<p><b>Indicate total amount and location of soil disturbance in square feet</b> (include driveway, house pad, septic system and other clearing).</p>	
	<p><b><u>Grading Only:</u></b> Grading that is not exempt from permit per County Ordinance L-V 13.3 requires a grading permit. See the handout regarding engineered grading plans to determine if you need engineering. Indicate extent of cuts and fills (i.e. top &amp; toe cut/fill) and the limits of grading for all the proposed grading work including borrows and stockpile areas. <b>An estimate of the quantities</b> of cuts and fills, including quantities to be moved on and off site. If material is leaving the site, provide location. Retaining wall plans/calculations and culvert drainage calculations (if applicable)</p>	
	<p><b><u>Grading Only:</u></b> Site-specific cross sections (two or more) of all existing and proposed graded areas and locations of maximum cut and fills.</p>	
	<p><b><u>New Construction Only:</u></b> Accurate location of all soils pit testing for septic system done on site with numbering corresponding with Environmental Health Site Approval Report. (perk and mantel)</p>	
	<p><b><u>New Construction Only:</u></b> Identify all notes from any Recorded Map/Supplemental information that may restrict the use of property (required setbacks, fire flow requirements, dedicated right-of-way, archaeological sites, heritage oak trees over 36" in diameter, wetland/riparian areas).</p>	
	<p><b><u>New Construction Only:</u></b> Also include a copy of encroachment permits, indicate the driveway width, slope, surface and curve radius. A complete driveway profile is required for grades greater than 15%. Please show the parking and turnaround area. Identify all culverts and drainage ditches. Driveways in excess of 400 ft require turnouts and a Fire Dept. approved turnaround area.</p>	
	<p><b><u>New Construction Only:</u></b> Approved Legal Lot (If no previous development has been approved) See the handout on what a Legal Lot is. If you need assistance on determining if the subject parcel has been legally created please meet with the Planning Dept. for clarification.</p>	
	<p><b><u>New Construction Only:</u></b> CBC Chapter 7A Fire Clearance Requirements – 30' radius and 100' radius</p>	

# **DO IT ONCE...**

# **DO IT RIGHT!**



***Don't let your project get delayed ...  
( or worse UNBUILDABLE) by grading a site  
prior to an approval of a building (grading) permit***

Not only is it not permitted, but also can cause serious problems when not done properly:

- Newly exposed soil can erode easily, moving from areas where you want it (e.g., on the hill behind your house) to areas where you don't want it (e.g., up against your house, in a street or creek, or on a neighbor's property).
- If soil placed under a building is not compacted enough or if the density varies too much, the building may settle and suffer damage.
- Excessive grading causes loss of natural vegetation and damages other natural Resources for years to come.
- Even minor grading can change the way water drains across your property, which can cause erosion problems for a neighbor and a liability for you.
- Building sites can also be rendered unusable through incorrect grading.

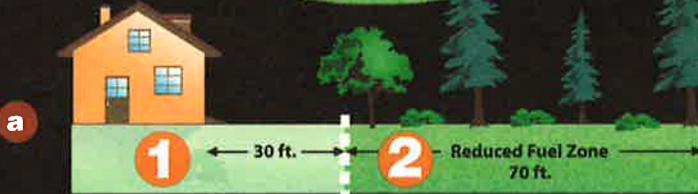
Grading permits are required for all but the smallest earth-moving operations. Even when a permit is not required, you should still provide grading erosion control measures to preserve your own property and to protect adjoining properties, public roads and watersheds.

## ***Take Note...***

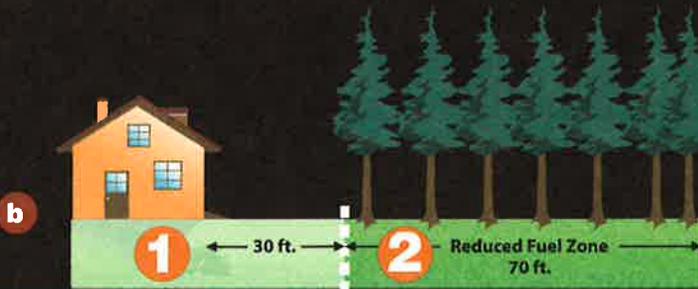
If the Owner/Developer violates the requirements of the County Building Standards by grading without an approved permit:

- A violation may result in delays in obtaining approval of proposed projects;
- Sensitive environmental resources may have to be partially or completely restored to their pre-grading condition at the owner expense and fees may be doubled.

# 100' DEFENSIBLE SPACE Make Your Home FIRE SAFE



or



Contact your local CAL FIRE office, fire department,  
or Fire Safe Council for tips and assistance.

[www.fire.ca.gov](http://www.fire.ca.gov)

## Why 100 Feet?

Following these simple steps can dramatically increase the chance of your home surviving a wildfire!

A **Defensible Space** of 100 feet around your home is required by law.<sup>1</sup> The goal is to protect your home while providing a safe area for firefighters.

### 1 "Lean, Clean and Green Zone."

– Clearing an area of 30 feet immediately surrounding your home is critical. This area requires the greatest reduction in flammable vegetation.

### 2 "Reduced Fuel Zone."

– The fuel reduction zone in the remaining 70 feet (or to property line) will depend on the steepness of your property and the vegetation.

Spacing between plants improves the chance of stopping a wildfire before it destroys your home. You have two options in this area:

**a** Create horizontal and vertical spacing between plants. The amount of space will depend on how steep the slope is and the size of the plants.

**b** Large trees do not have to be cut and removed as long as all of the plants beneath them are removed. This eliminates a vertical "fire ladder."

When clearing vegetation, use care when operating equipment such as lawnmowers. One small spark may start a fire; a string trimmer is much safer.

Remove all build-up of needles and leaves from your roof and gutters. Keep tree limbs trimmed at least 10 feet from any chimneys and remove dead limbs that hang over your home or garage. The law also requires a screen over your chimney outlet of not more than ½ inch mesh.

<sup>1</sup> These regulations affect most of the grass, brush, and timber-covered private lands in the State. Some fire department jurisdictions may have additional requirements. Some activities may require permits for tree removal. Also, some activities may require special procedures for, 1) threatened and endangered species, 2) avoiding erosion, and 3) protection of water quality. Check with local officials if in doubt. Current regulations allow an insurance company to require additional clearance. The area to be treated does not extend beyond your property. The State Board of Forestry and Fire Protection has approved Guidelines to assist you in complying with the new law. Contact your local CAL FIRE office for more details.



June 2008

OSP 08 109256

# DID YOU KNOW THAT 65% OF CONSTRUCTION WASTE MUST BE DIVERTED?

## WASTE MANAGEMENT OF NEVADA COUNTY IS HERE TO HELP

We have the experience and resources to help you meet California's C & D waste reduction requirements. Our compliment of services will help simplify local and state regulations and ensure your project is in compliance. We delivery local solutions backed with the knowledge and resources of Waste Management, the nation's largest recycler.

### RECYCLING

Glass  
Plastics  
Aluminum

Tin  
Paper  
Cardboard



### CONSTRUCTION & DEMOLITATION (C&D)

**Asphalt** (roads and roofing shingles)  
**Brick**  
**Carpet**  
**Doors**  
**Concrete** (4" or smaller)  
**Glass**  
**Linoleum**  
**Metal**  
**Plastics**

**Plumbing fixtures** (sinks, toilets, etc.)  
**PVC piping**  
**Sheetrock**  
**Sheet insulation**  
**Windows**  
**Wood** (including painted)  
**Inerts** (small rocks, dirt and fines)  
**Tile**

**NOT ACCEPTED:**  
Treated wood waste including pressure treated wood, telephone poles and railroad ties.



### YARD WASTE

Yard trimmings  
Grass  
Tree branches  
Leaves

Pine needles  
Brush



### HOUSEHOLD HAZARDOUS WASTE

Chemicals  
Batteries  
Florescent lights  
Paint

Public: Fri. - Sun.  
Businesses: call 530-274 -0120 for an appointment.  
Fees may apply.



### METAL

**Anything with a cord and no digital display** (vacuums, electric tools, etc.)  
**Appliances** with or without Freon  
**Electrical wire** (Christmas lights, extension cords, etc.)  
**Heavy metal items** (cast iron tubs, motors, stoves, etc.)  
**Gas operated tools** (weed eaters, saws, mowers, BBQ's, etc.)



### ELECTRONICS

**Computers**  
**Monitors**  
**Printers**  
**Electronic accessories** such as keyboard, mouse, speaker, etc.  
**Televisions**  
**VCR's and DVD player**  
**Stereos**  
**Cable boxes**

**Fax machines,**  
**Copiers**  
**Toner cartridges**  
**Phones**  
**Microwaves**  
**Electric alarm clocks**

E-waste accepted Wed. - Sun at the HHW facility only.



Contact us today to schedule a free job site assessment, (530) 274-3090

**McCourtney Road Transfer Station**  
14741 Wolf Mountain Road  
Grass Valley, CA 95949

**Hours of Operation**  
Wednesday - Sunday · 8 a.m. to 3:30 p.m.





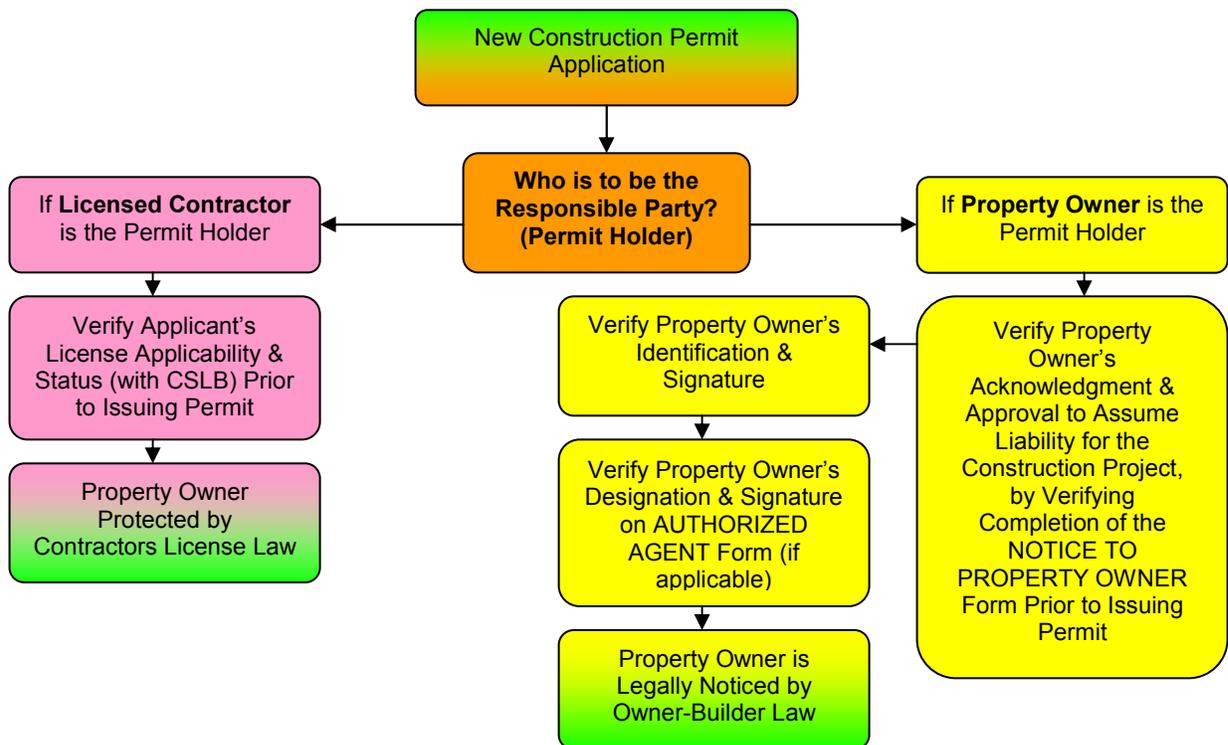
# NOTICE

## Effective January 1, 2009

Assembly Bill 2335 amends California Health and Safety Code, Section 19825, regarding disclosures and verifications required for all applicants seeking Owner-Builder construction permits. These new application requirements provide an enhanced level of consumer awareness and protection for property owners accepting the risks associated with Owner-Builder construction permits.

“The Legislature hereby finds and declares that there is an urgent and statewide public interest in assuring that building contractors comply with the Contractors License Law...and provisions of law relating to Workers' Compensation Insurance for building construction, that property owners are informed about, and protected from, fraudulent representations, liability for worker's injuries, liability for material and labor costs unpaid by contractors, licensing requirements, and employer's tax liabilities when improving their property as owner-builders”

**THIS OFFICE WILL BE ENFORCING THESE REQUIREMENTS AS FOLLOWS:**





**NEVADA  
COUNTY**  
CALIFORNIA

**COMMUNITY DEVELOPMENT AGENCY  
BUILDING DEPARTMENT**

PO Box 599002, 950 Maidu Ave Ste 170, Nevada City, CA 95959  
Phone: (530) 265-1222 Email: [buildingdept@nevadacountyca.gov](mailto:buildingdept@nevadacountyca.gov)  
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## Considering Becoming an Owner-Builder?



**Important information you need to know BEFORE pulling your permit!**

**The term "Owner-Builder" can mean three different things:  
"Owner as *Worker*", "Owner as *Contractor*" or "Owner as *Employer*"**

**Understand each has Benefits or Risk, and it is possible to combine them!**

**Hiring a California Licensed Contractor** means you do not personally perform any of the construction work, the permit is not taken out in your name, you are not personally responsible for the construction and you are *not* an Owner-Builder. Instead, you become a "Customer" and California law provides you the benefit of protection from poor workmanship, failure to finish the job and financial risk due to worker injury.

**Benefit/Risk:** Highest Benefits and the Least amount of Risk

**Owner-as-Worker** is a type of Owner-Builder where you *personally perform* the construction work, the permit is taken out in your name and you are *personally responsible* for the construction management, knowledge, workmanship, and completion of the job. You benefit by not paying others to perform this work for you and your risk depends on your own ability to complete the job successfully.

**Benefit/Risk:** Possible Benefit with Low Financial Risk

**Owner-as-Contractor** is a type of Owner-Builder where you personally act as your own General Contractor, the permit is taken out in your name and you hire California licensed sub-contractors to perform portions of the construction work. **WARNING:** The benefit of protection provided by law when you hire only California licensed sub-contractors can turn to serious financial risk if you hire *unlicensed* contractors to perform *any* of the work.

**Benefit/Risk:** Possible Benefit and Significant Financial Risk

**Owner-as-Employer** is a type of Owner-Builder where you pay *any* unlicensed individual to perform *any* construction work valued at more than \$500.00, the permit is taken out in your name and you are personally responsible for their employment requirements, supervision, performance, safety and welfare while on your property. **WARNING:** Cost savings benefit can turn to serious financial risk if you fail to deduct *payroll taxes* or provide *workers compensation insurance* for each worker.

**Benefit/Risk:** **Possible Benefit** with **Significant Financial Risk**

**(Health and Safety Code Section 19827)** The California Legislature declares an “urgent and statewide public interest in assuring” that contractors comply with Contractors’ License Law, Business and Professions Code and Workers’ Compensation Insurance requirements to ensure property owners are informed about, and protected from the following when improving their property as Owner-Builders:

Fraudulent representations ▪ Liability for worker’s injuries ▪ Liability for material and labor costs unpaid by contractors ▪ Licensing requirements ▪ Employers tax liabilities

**Over 20,000 consumer complaints are filed each year.** Many complaints relate to owner/builder projects and include workmanship and workers’ compensation issues Homeowners suffer financial harm due to defective workmanship and injured employees.

**Following are alarming examples of what has occurred with Owner-Builder permits:**

**Example 1:** Homeowner received insurance money to rebuild burned-down home.

- Owner/Builder permit pulled to rebuild structure.
- Unlicensed contractor built substandard structure – must be torn down and replaced.
- Estimated financial injury is \$225,000.
- Additional financial injury - IRS threatened to tax insurance payout if house not completed by the end of the year.

**Example 2:** Brother-in-law had active license but filed an exemption from Workers Comp.

- Owner-Builder hires brother-in-law to install a new roof.
- Employee falls and sustains multiple spinal and extremity fractures as well as a head injury and remains in a coma to this day.
- The Owner-Builder, who has sold the home, is now a defendant in a lawsuit for reimbursement for benefits paid to the injured worker.

**Example 3:** Employee of contractor without Workers Comp is hired by Owner-Builder to install septic system and suffers injury that results in permanent disability.

- The Owner-Builder did not have a homeowner’s insurance policy on the house against which to submit a claim.
- The Owner-Builder is now a defendant in a lawsuit for reimbursement for benefits paid to the injured worker.

**Did you know** – unlicensed persons frequently have the property owner obtain an “Owner-Builder” building permit which erroneously implies that the property owner is providing his or her own labor and material personally?

**Did you know** – your homeowner’s insurance may not provide coverage for injuries sustained on your property by an unlicensed contractor and his/her employees?

**Did you know** – if you are considered an “employer” under state and federal law, you must register with the state and federal government, withhold payroll taxes, provide workers compensation and disability insurance and contribute to unemployment compensation for each “employee”?

**Did you know** – that if you fail to abide by these laws you may be subjected to serious financial risk?

**OWNERS BEWARE AND CONSIDER THE RISK BEFORE ACCEPTING FULL RESPONSIBILITY  
FOR YOUR CONSTRUCTION PERMIT**



## **PROPERTY OWNER'S PACKAGE**

### **Disclosures & Forms for Owner-Builders Applying for Construction Permits**

#### **IMPORTANT! NOTICE TO PROPERTY OWNER**

Dear Property Owner:

An application for a building permit has been submitted in your name listing yourself as the builder of the property improvements specified at \_\_\_\_\_.

We are providing you with an Owner-Builder Acknowledgment and Information Verification Form to make you aware of your responsibilities and possible risk you may incur by having this permit issued in your name as the Owner-Builder. **We will not issue a building permit until you have read, initialed your understanding of each provision, signed, and returned this form to us at our official address indicated.** An agent of the owner cannot execute this notice unless you, the property owner, obtain the prior approval of the permitting authority.

#### **OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF INFORMATION**

*DIRECTIONS: Read and initial each statement below to signify you understand or verify this information.*

\_\_\_\_ 1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an Owner-Builder and am aware of the limits of my insurance coverage for injuries to workers on my property.

\_\_\_\_ 2. I understand building permits are not required to be signed by property owners unless they are *responsible* for the construction and are not hiring a licensed Contractor to assume this responsibility.

\_\_\_\_ 3. I understand as an "Owner-Builder" I am the responsible party of record on the permit. I understand that I may protect myself from potential financial risk by hiring a licensed Contractor and having the permit filed in his or her name instead of my own.

\_\_\_\_ 4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.

\_\_\_\_ 5. I understand if I employ or otherwise engage any persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500), including labor and materials, I may be considered an "employer" under state and federal law.

\_\_\_\_ 6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.

\_\_\_\_ 7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless *all* work is performed

by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.

\_\_\_ 8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.

\_\_\_ 9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about licensed contractors.

\_\_\_ 10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address:

\_\_\_\_\_

\_\_\_ 11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.

\_\_\_ 12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form. Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage.

**Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the agency responsible for issuing the permit. Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.**

Signature of property owner \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

*Note: The following Authorization Form is required to be completed by the property owner only when designating an agent of the property owner to apply for a construction permit for the Owner-Builder.*

**AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF**

Excluding the Notice to Property Owner, the execution of which I understand is my personal responsibility, I hereby authorize the following person(s) to act as my agent(s) to apply for, sign, and file the documents necessary to obtain an Owner-Builder Permit for my project.

Scope of Construction Project (or Description of Work): \_\_\_\_\_

Project Location or Address: \_\_\_\_\_

Name of Authorized Agent: \_\_\_\_\_ Tel No \_\_\_\_\_

Address of Authorized Agent: \_\_\_\_\_

I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy. *Note: A copy of the owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.*

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **CONSTRUCTION PERMIT APPLICATION**

### **#1 IDENTIFY YOUR BUILDING PROJECT**

Property Location or Address: \_\_\_\_\_

**This permit is to be issued in the name of the ( ) Licensed Contractor or ( ) the Property Owner as the permit holder of record who will be responsible and liable for the construction.**

Property Owner Information: Name \_\_\_\_\_ Tel No \_\_\_\_\_

Mailing Address \_\_\_\_\_

Licensed Design Professional (Architect or engineer in charge of the project) Information:

Name \_\_\_\_\_ License No. \_\_\_\_\_ Tel No \_\_\_\_\_

Mailing Address \_\_\_\_\_

Description and valuation of work to be performed: \_\_\_\_\_

### **#2 IDENTIFY WHO WILL PERFORM THE WORK (Complete *either 2a or 2b*)**

#### **2a – CALIFORNIA LICENSED CONTRACTOR'S DECLARATION**

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Contractor Name and Address: \_\_\_\_\_

License Class and No. \_\_\_\_\_ Contractor Signature \_\_\_\_\_

#### **2b – OWNER-BUILDER'S DECLARATION**

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

**( ) I, as owner of the property, or my employees with wages as their sole compensation, will do ( ) all of or ( ) portions of the work**, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale.).

I, as owner of the property, am exclusively contracting with licensed Contractors to construct the project (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a licensed Contractor pursuant to the Contractors' State License Law.)

I am exempt from licensure under the Contractors' State License Law for the following reason:

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By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following Web site: <http://www.leginfo.ca.gov/calaw.html>.

Property Owner or Authorized Agent signature \_\_\_\_\_ Date \_\_\_\_\_

### #3 IDENTIFY WORKERS' COMPENSTATION COVERAGE AND LENDING AGENCY

**WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.**

#### WORKERS' COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. Policy No. \_\_\_\_\_

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier \_\_\_\_\_ Policy No \_\_\_\_\_ Expiration Date \_\_\_\_\_

Name of Agent \_\_\_\_\_ Tel No \_\_\_\_\_

I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

#### DECLARATION REGARDING CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civil Code).

Lender's Name and Address \_\_\_\_\_

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### #4 DECLARATION BY CONSTRUCTION PERMIT APPLICANT

By my signature below, I certify to each of the following:

I am  a California licensed contractor or  the property owner\* or  authorized to act on the property owner's behalf\*\*.

I have read this construction permit application and the information I have provided is correct.

I agree to comply with all applicable city and county ordinances and state laws relating to building construction.

I authorize representatives of this city or county to enter the above-identified property for inspection purposes.

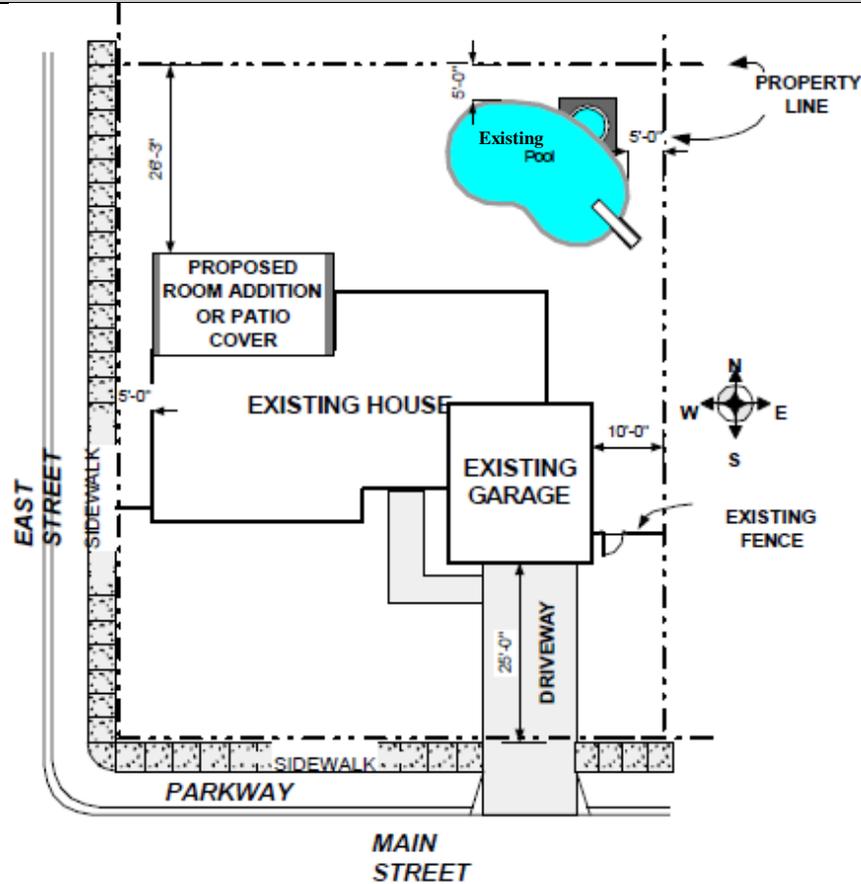
*\*requires separate verification form*

California Licensed Contractor, Property Owner\* or Authorized Agent\*\*: *\*\*requires separate authorization form*

Signature \_\_\_\_\_ Date \_\_\_\_\_



**SAMPLE SITE PLAN**



**Provide the following:**

1. Minimum 11" x 17" size sheet(s). (Fill sheet with site plan; do not use edge of paper for property lines)
2. Show North arrow and include all streets and alleys.
3. Show all dimensions and locations for property lines and setbacks. (include lot size)
4. Show all buildings, carports, pools, walls, patio covers, fences, slopes, etc. (Label all existing structures/appurtenances "Existing")
5. Clearly show all grading/drainage away from structures to an approved drainage way.
6. Indicate the owners name, address, phone number, and Assessor's Parcel Number (APN).
7. Plans are to be completed in a workmanlike manner and must be legible.
8. Three (3) sets of site plans (minimum) are required for all building permits.
9. Indicate all easement locations (refer to your title report for this information)

*Note: All Dimensions shown on this sample plan are for reference only. Your site plan must show the actual dimensions for the lot located at the address. Site plans are required for new structures, additions, some interior alterations, decks, patios, swimming pools, etc.*



## COMMUNITY DEVELOPMENT AGENCY BUILDING DEPARTMENT

P O Box 599002, 950 Maidu Ave Ste 170, Nevada City, CA 95959  
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# BUILDING PERMIT APPLICATION HANDBOOK

CUSTOMER SERVICE CENTER COUNTER OPEN

8:00am to 5:00pm, Monday-Friday

New applications are accepted between 8:00am to 3:30pm

## NEVADA COUNTY BUILDING CODES

2025 California Residential Code (2024 IRC)	2025 California Energy Code
2025 California Green Building Standards Code	2021 International Property Maintenance Code
2025 California Building Code (2024 IBC)	2025 California Fire Code (2024 IFC)
2025 California Plumbing Code (2024 UPC)	2025 California Existing Building Code
2025 California Mechanical Code (2024 UMC)	2025 California Historical Building Code
2025 California Electrical Code (2023 NEC)	2021 International Swimming Pool & Spa Code
Nevada County Land Use and Development Code (Title 14)	

Building permits are required for all construction not specifically exempted (see exempted work list listed on page 4). This includes houses, garages, most decks, commercial projects, installation of propane appliances, grading, projects requiring framing, electrical, mechanical, plumbing, etc. Each item must be listed on the permit; work not listed will not be covered by the permit. Building permits are active for one (1) year from permit issuance and are eligible for one (1) year extension, based upon justifiable cause. Permits are extended for one (1) year when there has been construction progress with an approved building inspection, up to final inspection.

Some permits will require approval from other departments (County Planning, Environmental Health, Fire, Nevada City Planning, etc.) prior to submittal or issuance (i.e. cell towers, second dwelling units and commercial projects). Please consult with the Nevada County Community Development Agency (CDA) (530) 265-1222 before submittal of building permit application.

Permits are issued to an owner-builder, contractor, and an agent with a letter of authorization from the owner, an agent with an original power of attorney, or a lessee with a copy of a signed lease.

Building permit fees do not include all fees. **Other fees may include:**

- Fire mitigation fees
- School mitigation fees - **living/accessible area only**
- Park & Recreation fees - **new residence (including second dwellings)**
- Road fees - **new residence (including second dwellings)**

### **PLAN CHECK:**

- Plan check fees are due at the time of application
- Plans are checked in order received

- It is the responsibility of the applicant to track the status of the permit.

Permit status may be checked on our [permitting portal](#) and following the guidelines in [this handout](#).

#### **FOR NEW RESIDENCE:**

- 3 sets of building plans (structural) including 3 site plans
- 2 sets of wet signed energy calculations (Title 24) as a page of the plans
- 2 sets of wet stamped/signed truss calculations- (if manufactured trusses are used)
- 2 sets of wet stamped/signed engineered calculations (if required)
- Site Plan Checklist must be completed and signed at the time of submittal
- A residential permit will not be issued without evidence of septic and well permits (if applicable)
- **Keep in mind that we also accept Electronic Project Plan Submittals. Visit our website at <https://permits.nevadacountyca.gov/CitizenAccess/Default.aspx> for complete information.**

#### **FOR RESIDENTIAL ADDITIONS, REMODELS, DECKS OR ACCESSORY STRUCTURES (i.e., barn, garage or workshop):**

- 3 sets of building plans (structural) including 3 site plans
- 2 sets of wet or digitally signed energy calculations (if applicable) as a page of the plans
- 2 sets of wet or digitally stamped/signed truss calculations (if manufactured trusses are used)
- 2 sets of wet or digitally stamped/signed engineered calculations (if required)
- Site Plan checklist must be completed and signed at the time of submittal

#### **REQUIREMENTS FOR PLANS TO BE ACCEPTED:**

- Shall be drawn to scale (must be 1"=10', 1"=20', 1"=30', 1"=40', 1"=50', 1"=60' - scales for site plan only) and fully dimensioned
- Shall be dark lined on light background, clear and legible (no graph lines)
- Shall be no smaller than **11" x 17"** (larger recommended)
- Detailed site plan (see [Comprehensive Site Plan Development Checklist](#))
- Detailed foundation plan: (Scale ¼" = 1' minimum) Show all wall and footing outlines, access doors, piers, girders, floor joists and dimensions.
- Floor plan(s) showing **use** of each/every area: (Scale ¼" = 1' minimum) One (1) plan for each story. If building has a crawl space, provide separate foundation plan. Direction, size and spacing of all floor and ceiling framing members, columns and piers. Location of all partitions. Indicate door and window sizes and direction of swing. Location and size of all permanently installed equipment, such as kitchen cabinets, closets, storage, plumbing fixtures, water heater, heating system, etc. Location of all electrical equipment, including main service panel, switches, outlets, fixtures, etc.
- Four (4) exterior elevations: (Scale 1/8" = 1' minimum) Show front, rear, and both side elevations (use directions N, S, E, W). Wall finishes where more than one type is used. Depth of all footings, if stepped type. Finish floor line. Finish grade lines at building.
- Details and cross sections: (Scale 3/8" = 1' minimum) Section through exterior wall: showing all details of construction from footings to highest point of roof. Where more than one type of wall or roof material is used, show each type. Section through all stairs, landing, and stairwells, including headroom clearances. Where trusses are used, provide stress diagram and gusset details. Section through fireplace.
- Two (2) copies of wet or digitally signed (Title 24) energy calculations as a page of the plans.
- Indicate square footage of **each** area and show the occupancy and construction type(s).
- List total square footage of **each** occupancy area on Title sheet (residence, garage, deck, etc.) ☒
- Electrical plan (can be shown on the floor plan).
- Two (2) copies of wet or digitally stamped/signed engineered truss calculations.

**Note:** If building is located on a lakefront lot, or in an extreme snow load area, the site plan must be stamped and signed (wet signature) by an engineer. Show all existing and proposed structures, septic, leach field, well, driveway, easements, etc. on each site plan.

**PERMIT ISSUANCE:**

- Inspection fees are due at permit issuance
- Plan check approval
- Site plan approval
- Environmental Health approval (septic and water)
- School mitigation fees paid-receipt
- Fire mitigation fees paid-receipt
- Park and Recreation fees paid (if applicable)
- Road fees paid (if applicable)

Construction may begin

**PERMIT FINAL:**

- Required department signatures (Planning, Fire, Environmental Health, etc.) completed on permit card
- Final inspection must be made prior to permit expiration
- All construction must be completed per approved plans and minimum code requirements

**GENERAL INFORMATION:**

- It is recommended that you keep your approved building plans for future additions or alterations.
- All pages of engineered plans, calculations, specifications, details, etc., shall be signed (wet signature) by the engineer or architect and shall show an up-to-date California stamp of his/her seal or his/her registration number.
- Plan Review and Permit fees quoted over the phone or at the counter are **estimated** and **approximate**.
- Fee estimates for the School District and Fire Districts must be obtained from those agencies.
- All other agency approvals and signatures are required prior to final occupancy approval.
- Please follow these instructions when preparing plans for a permit. This is necessary in order to provide uniformity in filing and future reference to plan documents, and to provide a more effective and efficient building inspection service. Deviations may be accepted for unusual circumstances.

**Licensed Architect or Licensed Engineer:**

If construction deviates from conventional light frame construction requirements for wood frame construction, plans must be prepared by a licensed architect or registered engineer. The documents prepared shall bear the stamp and original signature of the licensee who is responsible for their preparation.

**ENGINEERING:**

Engineering is required on all steel frame, concrete buildings and concrete or concrete block walls over four (4) feet high (measured from the bottom of the footing to the top of the wall). Front page of engineering shall contain all design criteria. All call outs shall be detailed on the plans (beams, hold-downs, connections, retaining walls, shear panels, etc.). All engineering submitted requires the stamp and wet signature of the California licensed architect or registered engineer on all pages of the plans.

**WHO MAY DRAW PLANS:**

Individuals (owners) may prepare plans for the following:

- Single family dwelling of light wood frame conventional construction, not more than two stories and basement in height.

- Multiple dwellings containing no more than four (4) dwellings, of light wood frame conventional construction not more than two (2) stories and basement in height.
- Garages, patio covers, decks or other structures appurtenant to buildings described above.
- Agricultural buildings of conventional light wood frame construction.

**DRIVEWAY/GRADING:**

See [“Driveway Construction Standards” handout](#).

**ENCROACHMENT PERMIT:**

An encroachment permit is required when the driveway encroaches onto a county-maintained road. Contact the Department of Public Works for this permit and bring the receipt to the building department prior to issuance.

**SEPTIC PERMIT AND WATER SUPPLY:**

Proof of issued septic permit and water supply from the Environment Health Department is required prior to issuance of a new residence permit. You must apply for Environmental Health approval through that department. Concurrent permit applications are recommended.

**ADDITIONS AND ALTERATIONS:**

Building plans and site plans require the same information as a new building.

**SNOWLOAD:**

Nevada County is a declared snow area. Snow loads vary throughout the county. To obtain a snow load, please supply the building department with your Assessor’s Parcel Number (APN) or go to <https://experience.arcgis.com/experience/45d30af79b1e45f792844b897a45131a>. All snow loads over 70-psf ground snow load will require engineering design, signature and approval.

**EXEMPTED WORK:** Section 14.02.050, Land Use and Development Code, Work Exempt from a Permit **A Building Permit shall not be required for the following:**

- One-story detached accessory structures without electrical, mechanical or plumbing not intended for habitation provided the projected floor area does not exceed 200 square feet, with a maximum of 2 (two) foot eaves. One structure per parcel. Must meet setbacks.
- Residential playground equipment
- Masonry walls, which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- Detached trellis or arbor **accessory** (snow load not required) to single family residential property provided the projected roof area does not exceed 200 square feet.
- For other exemptions see the 2022 California Residential Code and/or Building Department staff member.

**Site plan review and a letter of exemption issued by the Building & Planning Departments required for the following:** Agriculture structures, not intended for habitation, **accessory** to residential property in zoning districts “AG”, “AE”, “RA”, “FR”, and “TPZ”, that meet all the following conditions:

- Not a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.
- Of simple construction using conventional construction methods or specifically approved manufactured structures (concrete, steel frame, masonry and other technologies that generally require engineering are not exempt).

- Structures must meet the following limits:
  - **POLE BARNs:** Limited in size to **1,000** square feet maximum. One pole barn per parcel or per 20 acres. Open from ground to eaves on all sides. Distance to other structures must be equal to its height, minimum of 20 feet. Minimum of 100 feet from property line.
  - **SHADE STRUCTURES:** Cover limited to woven shade fabric.
  - **ANIMAL HUSBANDRY BARNs:** Limited in size to **400** square feet maximum. One structure per parcel or per 5 acres. Single wall construction, dirt or gravel floor. Minimum 10 foot distance from other structures, 40 feet from property line.
  - **PUMP HOUSEs:** Limited in size to **100** square feet. Meet setbacks.
  - **GREENHOUSEs:** Limited in size to **400** square feet. One structure per parcel or per 10 acres. Wood or PVC construction with plastic or fiberglass cover; dirt or gravel floor. Meet setbacks.
  - **STORAGE CONTAINERs:** Limited in size to 320sqft. One container per parcel or 5 acres. Container is used for light nonhazardous agricultural storage and shall not be structurally modified or have any electrical, mechanical or plumbing utilities.
  - **HIGH/LOW TUNNEL GREENHOUSEs MEETING THE FOLLOWING CRITERION:**
    - \*\**This exemption allows for employees if structure is used for cultivation only*\*\*
      - Easily moveable
      - Constructed of metal or plastic tubing and covered with agricultural cloth, plastic film, or shade screening.
      - Exits are in compliance with the most recently adopted editions of the California Building and Fire Codes.
      - Structures meet vegetation management clearance requirements in accordance with the most recently adopted edition of the California Fire Code and Public Resource Code Section 4291.
      - Setbacks and height limitations in accordance with Chapter II of the Nevada County Land Use and Development Code.
        - i) Parcels 3 acres or greater in size shall meet the following size and setback standards:
          - 3,600sqft per acre maximum
          - 35ft in width maximum
          - One story
          - 5 feet separation between structures minimum
          - Clustering of structures is allowed
        - ii) Parcels less than 3 acres in size shall meet the following size and setback standards:
          - 3,600sqft maximum
          - 35ft in width maximum
          - One story
      - 5ft separation between structures minimum
      - All structures require site plan review and approval and letter of exemption issued by the Building Official and Planning Director.

**PROPERTY TAXES:** Construction and some miscellaneous improvements will result in a supplemental tax bill

for the change in value for the fiscal year in which the improvement is completed. Speculation builders should request “claim for Builders Exemption.” Questions pertaining to value may be directed to the Assessor’s Office at (530) 265-1232.

**OWNER/BUILDERS:** May perform their own work without workmen’s compensation insurance; they must perform the work themselves or with their immediate family (no wages or contracts are allowed), or they may also contract with licensed contractors.

With workmen’s compensation insurance (proof of insurance required), an owner/builder may hire by the hour, contract with licensed contractors, or contract with unlicensed persons for up to \$500.00. Violation of this law may result in the revoking of a permit and substantial penalties.

**OWNER/BUILDER AGENTS:** May be required to have a letter specifically authorizing permit application, and a completed “owner-builder verification” form

**SMOKE/CARBON MONOXIDE DETECTORS:** In new construction, smoke and carbon monoxide detectors are required as indicated in 2025 California Residential Code.

In residential additions, alterations or repairs (for which a permit is required) smoke detectors are required to be in sleeping rooms, halls and/or stairways serving sleeping rooms and on every level. Carbon monoxide detectors are required in halls/room serving sleeping rooms and on over level. (Carbon monoxide detectors are not required if you do not have any gas appliances or an attached garage.)

**JOB SITE SANITATION:** Both County Ordinance and the California Health and Safety Code requires that approved water closets be provided at all construction sites, for obvious reasons. A minimum of one (1) water closet is required for every 20 employees.

The water closet will normally be a patented chemical-type toilet with routine servicing by a septic pumper licensed to operate within Nevada County. It must be located within reasonable distance to all persons at the job site. No permit is required for this type of toilet facility.

The building inspector will check for chemical toilets during job site inspections. Lack of compliance will result in referral to the Environmental Health Department for follow-up enforcement action. This includes monetary penalties beginning at \$100 per day per violation plus reimbursement for staff time utilized in the abatement of the violation at the department hourly rate approved by the Nevada County Board of Supervisors.

**Address & Street Names:** All projects for which a permit has been issued are required to have a street address posted. This address must be visible from the street and also at the building if there are multiple buildings onsite. The address numerals must be a minimum 4” in height with a minimum ½” stroke width.

The address must be posted prior to scheduling for an inspection. You will be charged a re-inspection fee in the event the inspector cannot find your project location due to an address not being posted.

## **Inspection Requests:**

Inspections are performed Monday-Friday

**Truckee area inspections are scheduled on TUESDAYS AND THURSDAYS ONLY**

Inspections are required to be scheduled online at

<https://permits.nevadacountyca.gov/citizenaccess/Cap/CapHome.aspx?module=Building>

Inspections can be scheduled 24/7. If you would like a next day inspection, the online request shall be completed by 12:00am the day before your inspection request. Best practice is to schedule inspections several days in advance to ensure your inspection date as some days fill up quickly. Inspections can be scheduled as much as 15 days in advance. Make sure to leave gate codes or any special instructions with your appointment request so the inspector can do their best to accommodate your specific need.

Please call the Building Department at (530) 265-1222 to cancel an inspection before 8:30am. A reinspection fee will be charged if the project is not ready for a scheduled inspection.

**Only permits in good standing will receive inspections; re-inspection fees must be paid prior to scheduling your next inspection.**

**CHANGES IN WORK:** Plans must be resubmitted to the Building Department for approval. Some changes may require a new permit. Minor changes may be field revised/approved. A fee based on our current plan review hourly rate is due for each change. Two (2) sets of revised plans shall be submitted to the Building Department for review and approved prior to inspection of revised work OR if plans were submitted digitally, changes can be uploaded to the portal along with an explanation of the revisions or changes that were made.

**REFUND OF FEES:** Refunds will be made on basic plan check or inspection fees. Administration and archiving fees are non-refundable. Plan check fees will be refunded if examination of plans has not begun. Inspection fees will be refunded on projects if construction has not begun and if no inspections have been made. See our refund policy on our refund request form for complete refund information. "As-Built" building permits may not be voided and fees will not be refunded.

**Please call or visit the Building Department for further assistance. Informational handouts, applications, etc. are available at the Building Department or on our website at**

<https://www.nevadacountyca.gov/1114/Building-Department>

**Be sure that if you are building a spec house or house for sale that you complete the "Claim for Builder's Exemption Form" and file the form with the Assessor's office within 30 days from the start of construction.**



**COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT**  
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
(530) 265-1222 <https://nevadacountyca.gov>

Trisha Tillotson  
Community Development Agency Director

Brian Foss  
Planning Director

## **Private Driveway Construction Standards (Sec. 4.03.020 Nevada County Code)**

All newly constructed single family residences shall be served by a driveway. Any subdivision proposing that two (2) lots be served by a common driveway shall have the driveway constructed prior to the map recordation. The driveway shall meet the following construction standards as administered by the Building Department through a driveway permit when a grading permit is not applicable.

### **A. Driveway Grade**

1. Below 4,000 feet elevation, driveway grade shall not exceed sixteen percent (16%) unless a Petition for Exceptions is supported by the County Fire Marshal or his or her appointed designee and granted by the planning agency having jurisdiction over the land use entitlement. Notwithstanding Sec. 4.02.060, Exceptions to Standards, there shall be no exceptions granted for grades in excess of twenty-five percent (25%).
2. At or above 4,000 feet elevation, driveway grade shall not exceed sixteen percent (16%) maximum. Notwithstanding Sec. 4.02.060, Exceptions to Standards, there shall be no exceptions granted for grades in excess of sixteen percent (16%) where elevations range above 4,000 feet.

### **B. Driveway Surface**

1. Driveway surfaces shall be capable of supporting a 40,000 pound legally-loaded vehicle as outlined below:
  - a. Driveways and segments thereof that are between zero (0%) and sixteen percent (16%) grade shall be capable of supporting a 40,000 pound legally loaded vehicle as certified by a registered civil engineer, or a minimum of four (4) inch Class II aggregate base (see detail above).
  - b. Driveways and segments thereof that are sixteen point one percent (16.1%) grade and above, shall be designed and certified by a registered civil engineer. Prior to foundation inspection, the engineer shall provide stamped and signed written verification to the County Fire Marshal or his or her appointed designee that the rough grade complies with the site plan. Prior to, or concurrent with, final inspection, the engineer shall provide stamped and signed written verification that the final driveway complies with the site plan.

2. Driveways between sixteen point one percent (16.1%) and twenty percent (20.0%) grade shall be engineered with an all-weather surface.

### **C. Driveway Design**

1. At least the first thirty (30) feet of the driveway encroachment from the edge of pavement of the primary roadway shall be paved and shall conform to the design standards for driveway encroachments as illustrated in the Nevada County Department of Public Works Standards Drawings, available from the Department of Public Works (see detail above).
2. The driveway must be built to within fifty (50) feet of the nearest point of each dwelling unit.
3. Surface width shall be ten (10) feet minimum with one (1) foot shoulders and fourteen (14) feet unobstructed horizontal clearance for driveway grades up to sixteen percent (16%). For grades between sixteen point one percent (16.1%) and twenty percent (20%), a twelve (12) foot minimum

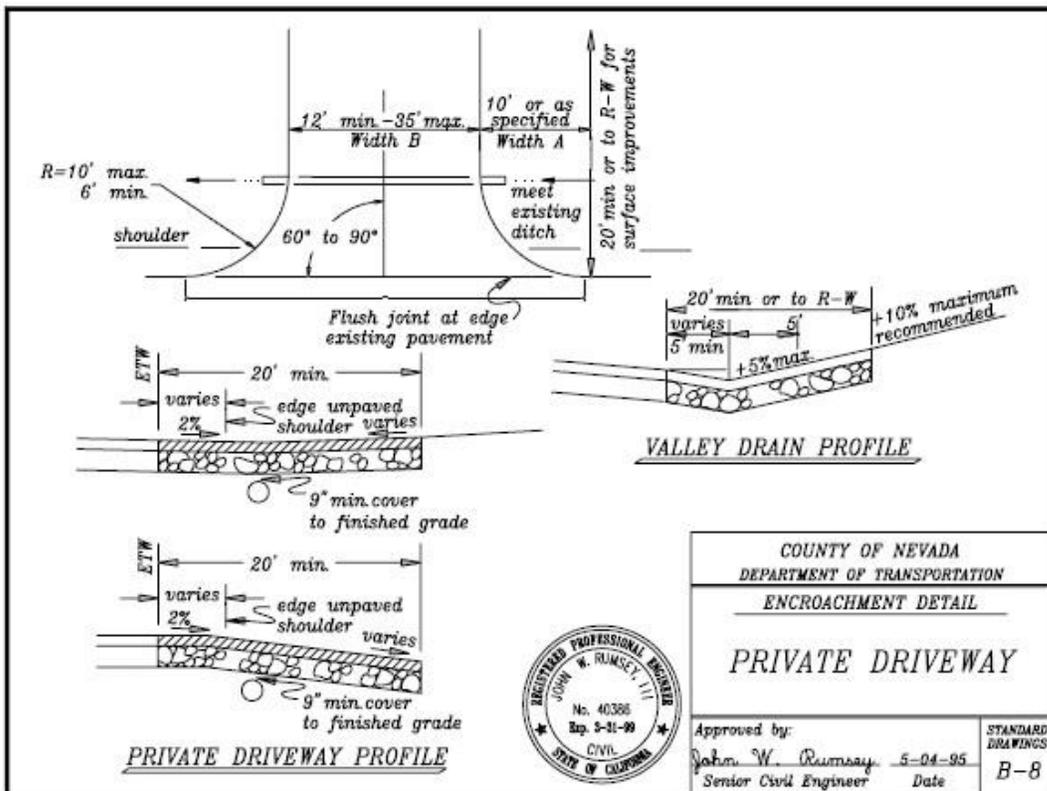
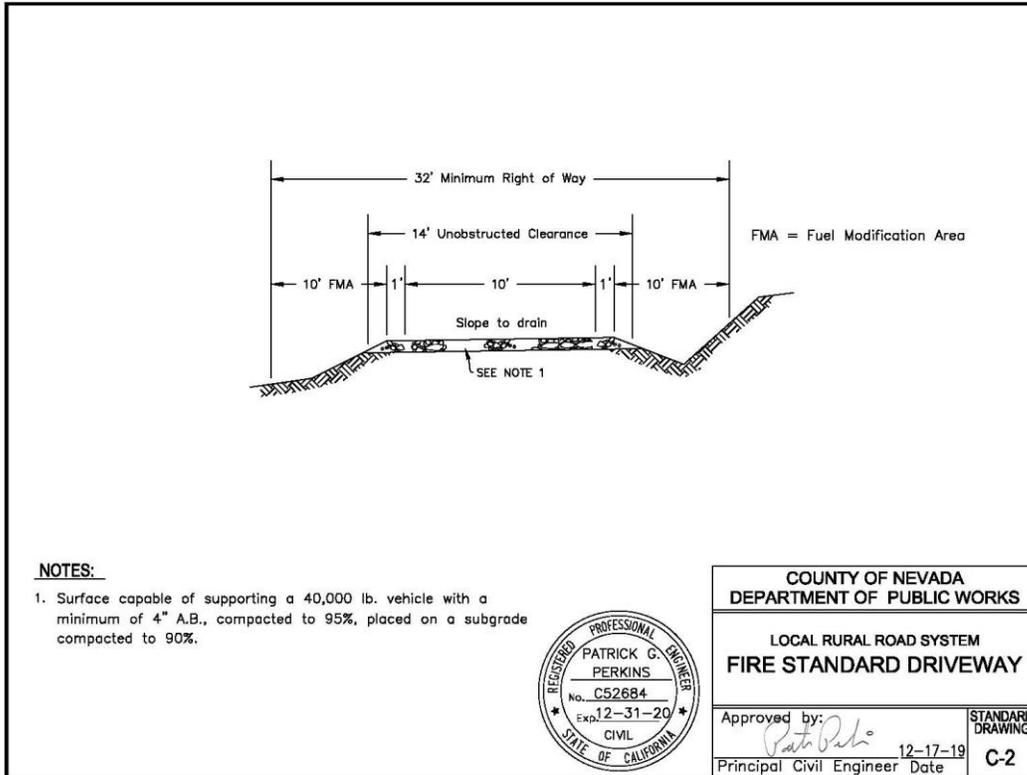
surface width with additional one (1) foot shoulders is required.

4. Vertical clearance shall be fifteen (15) feet minimum, measured from the outside edge of the shoulder.
5. Curve radius shall be fifty (50) feet minimum from centerline. For all driveway radii less than one hundred (100) feet, an additional four (4) feet of surfacing shall be provided on said curves. For all driveway radii between one hundred (100) and two hundred (200) feet, an additional two (2) feet surfacing shall be provided on said curves. All driveways shall also comply with Nevada County Code Section 16.10.040, Design Geometrics: Curve Widening (see detail above).
6. Back-out maneuvering area in front of parking garages and open parking stalls shall be twenty-four (24) feet.
7. Turnouts and Turnarounds
  - a. For driveways that are three hundred (300) feet or more in length, a turnaround or hammerhead with a maximum grade of twelve (12) percent shall be provided within fifty (50) feet of the dwelling (see hammerhead detail above).
  - b. Driveways exceeding one hundred fifty (150) feet in length, but less than eight hundred (800) feet in length, shall provide a turnout near the midpoint of the driveway.
  - c. Driveways exceeding eight hundred (800) feet shall provide turnouts no more than four hundred (400) feet apart.
  - d. Turnaround: The terminus bulb shall have a minimum forty (40) foot radius.
  - e. Hammerhead T: The long axis shall be a minimum of sixty (60) feet and the leg shall be a minimum of forty (40) feet (see detail above).
8. Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.
8. All bridge and culvert portions of the driveway shall support a 40,000 pound legally loaded vehicle
9. Roadside vegetation: A fuel modification area shall be provided for a distance of ten (10) feet on each side of the driveway measured from the shoulder.
10. All appropriate grading, drainage and erosion control shall be included pursuant to Title 14, Chapter 12 of the Nevada County Code.
11. Lateral slopes must be designed and installed to accommodate a minimum two percent (2%) and maximum four percent (4%) cross slopes, taking topography into consideration.

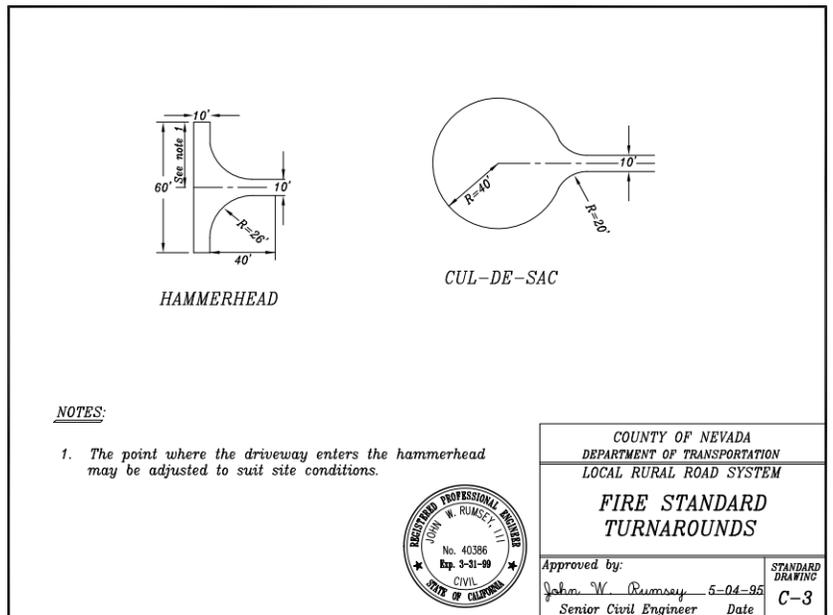
#### D. Gates on Driveways.

1. Gate entrances shall be at least two feet wider than the width of the traffic lanes serving the gate and shall provide a minimum width of fourteen (14) feet unobstructed horizontal clearance.
2. All gates providing access from a road to a driveway or another road shall be located at least thirty (30) feet away from the edge of pavement of the primary roadway and shall open to allow a vehicle to stop without obstructing traffic on that primary road. (Ord. 2323)
3. Security gates shall not be installed without approval of the Fire Marshal's Office of the fire authority having jurisdiction. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

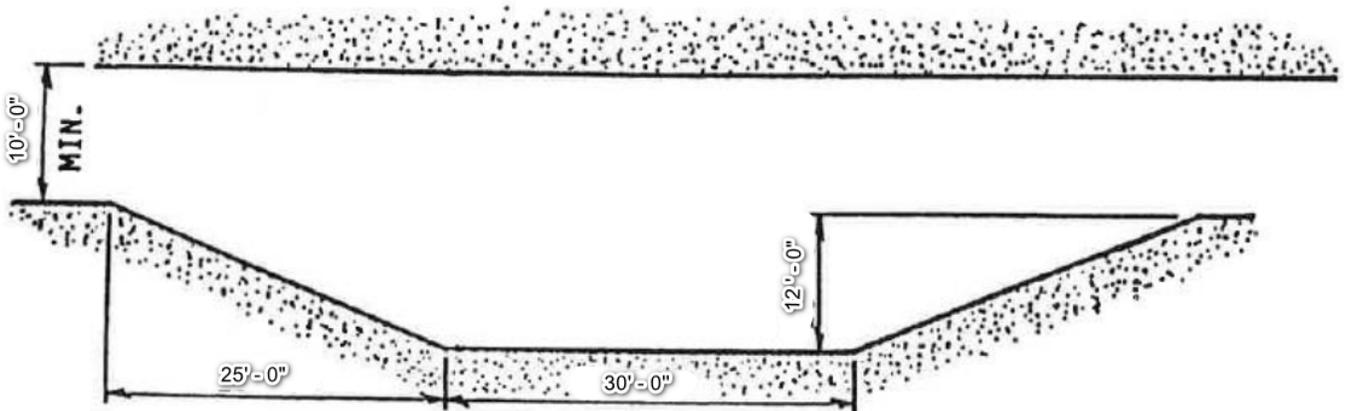
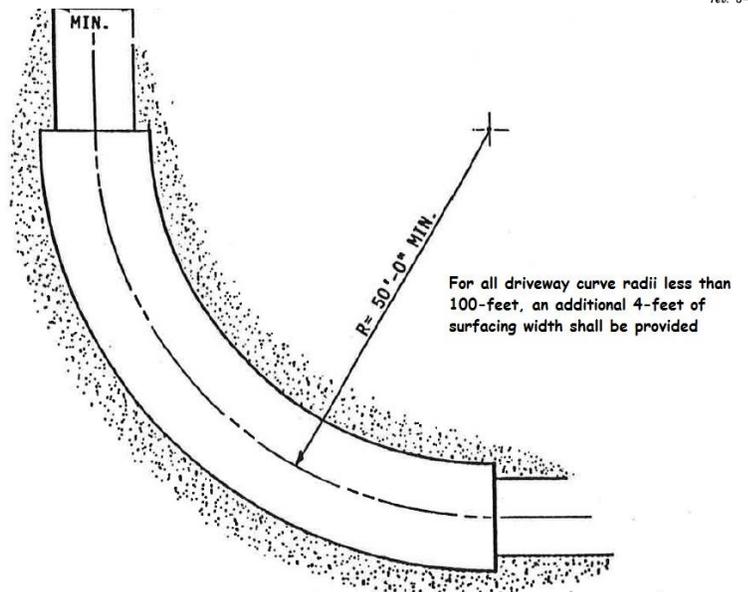
# Private Driveway Construction Details



TYPICAL HAMMER HEAD TURNAROUND



TYPICAL CURVE RADIUS DETAIL



TYPICAL TURNOUT DETAIL



## **EROSION AND SEDIMENT CONTROL PLANS**

### What is an Erosion /Sediment Control Plan?

- An erosion/sediment control plan includes specific construction techniques identified on the site plan or grading plan, to ensure that no sediment leaves the construction site.

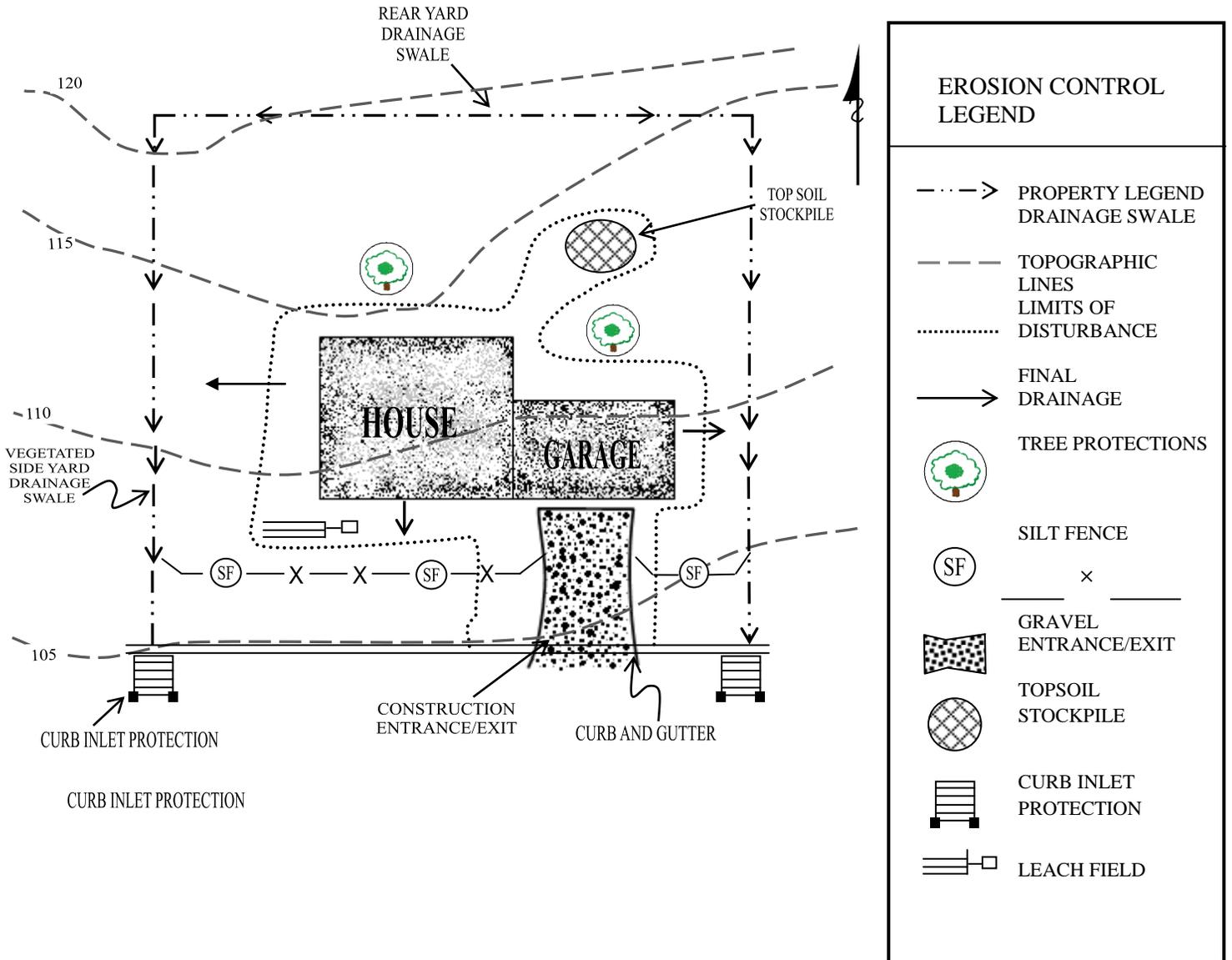
### Information on Erosion/Sediment Control Plans:

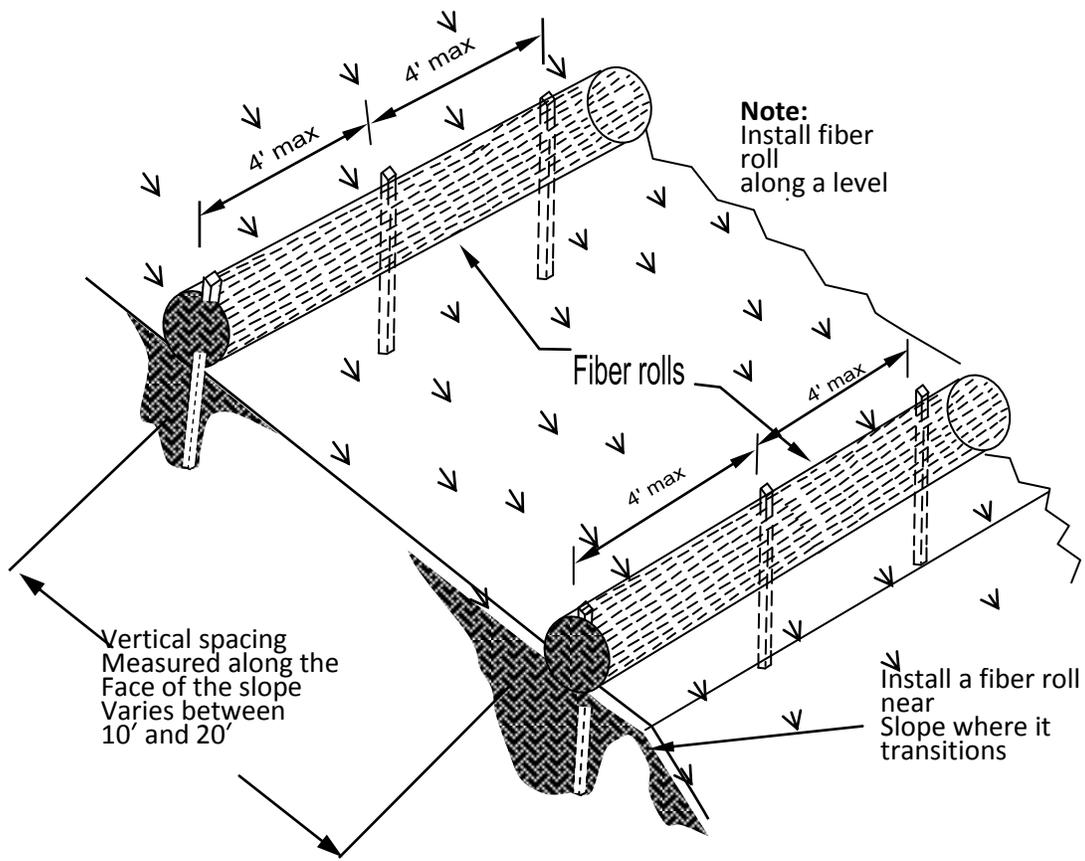
- Location of proposed building site
- Property lines
- Existing slope direction and grade identified.
- Proposed contour lines (if grading permit required)
- Location and any needed details of erosion/sediment control measures
- Construction entrance/exit
- Drainage plan with details of drainage control devices
- Limits of land disturbance
- Septic and leach field
- Re-vegetation plan to include all disturbed soils shall be seeded and covered with mulch

### NOTE:

- Straw bales are not recommended for steep sloping site
- Silt fencing is recommended for bottom of steep sites
- Straw rolls/wattles are recommended for gently sloping site with lots of grading
- Erosion control blankets are recommended for steep slopes with gradients over 3"1.
- Land disturbance of one acre (43,560 SF) or more requires filing of a Notice of Intent (NOI) with the State.

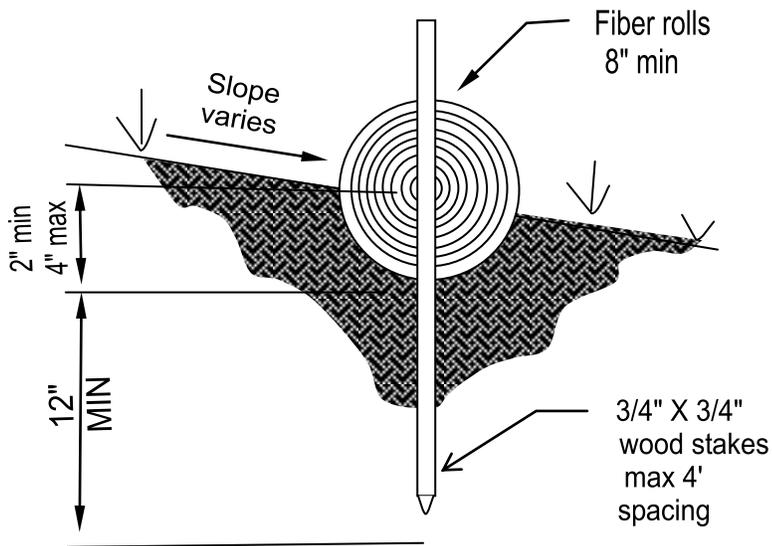
# SAMPLE EROSION /SEDIMENT CONTROL PLAN FOR A SINGLE FAMILY RESIDENCE UNDER CONSTRUCTION





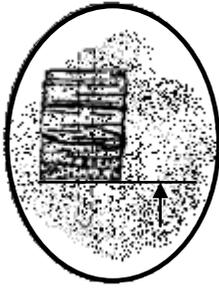
**TYPICAL FIBERT ROLL INSTALLATION**

N.T.S.

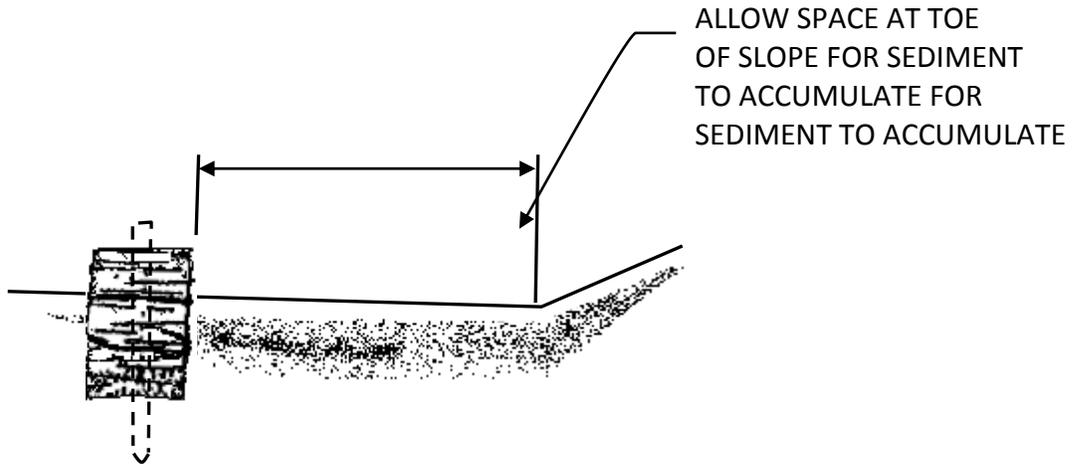
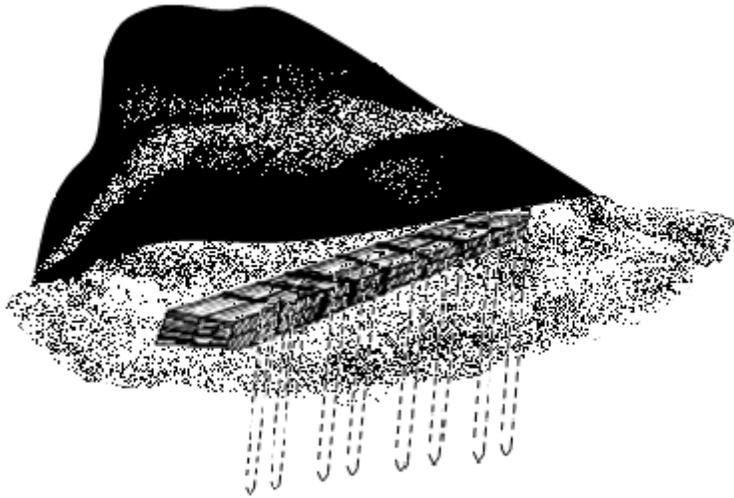


**ENTRENCHMENT DETAIL**

N.T.S.



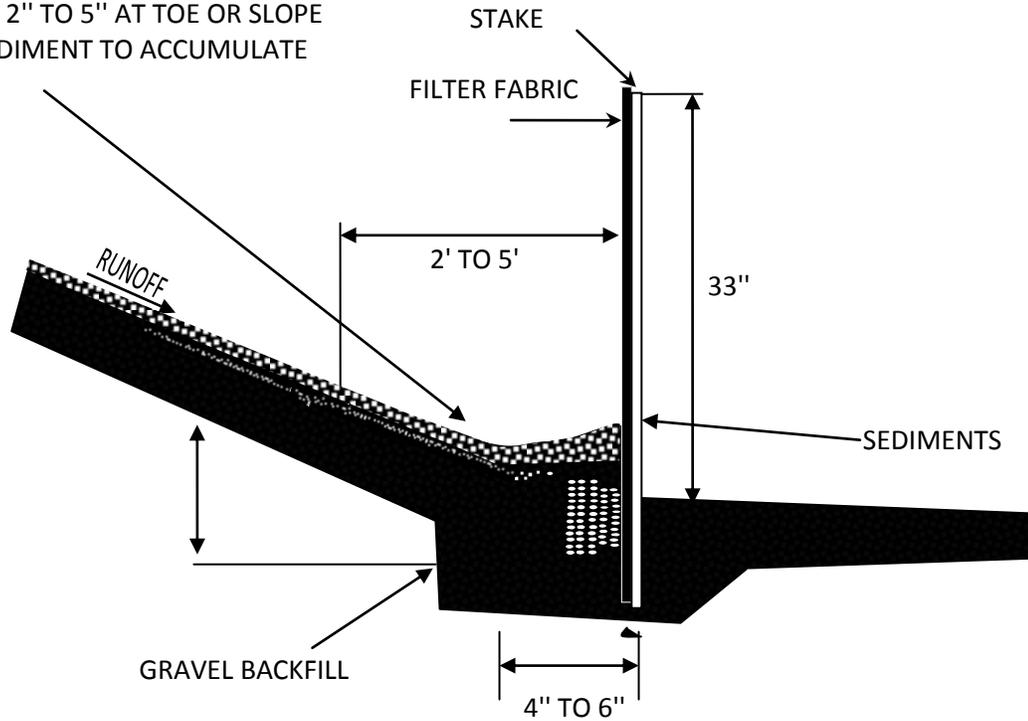
SOIL NOTE:  
EMBED  
STRAW BALE  
4" MIN. INTO



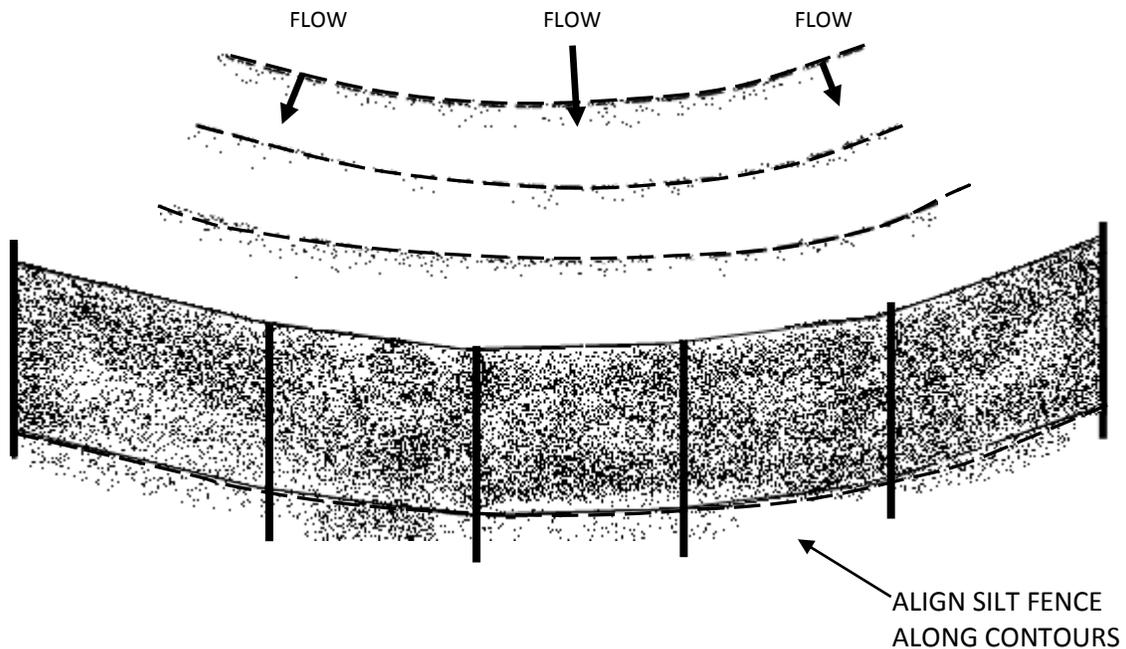
1

## STRAW BALE DIKE

ALLOW 2" TO 5" AT TOE OR SLOPE  
FOR SEDIMENT TO ACCUMULATE



### RECOMMENDED INSTALLATION OF SILT FENCE



**NOTE:** Erosion and sediment control measures must remain functional and be maintained throughout the winter season. Failure to adequately maintain erosion and sediment control measures constitute a violation of the issued building or other permit. Maintain positive drainage away from all structures. Seed and cover all disturbed soil with mulch.

**Seeding Mixtures for Temporary Cover  
Foothill Areas Mix**

<u>Mixture</u>	<u>Lbs/1000 Sq. Ft.</u>	<u>Lbs/Acre (Broadcast)</u>
1) or	Annual Rye	1 24
2)	Briggs Barley	4 180

**Mountainous Conifer Area**

<u>Mixture</u>	<u>Lbs/1000 Sq. Ft.</u>	<u>Lbs/Acre (Broadcast)</u>
1) or	Cereal Rye	2 90
2) Briggs Barley	4	180

**Seeding Mixtures for Permanent Cover  
Foothill Areas**

<u>Mixture</u>	<u>Lbs/1000 Sq. Ft.</u>	<u>Lbs/Acre (Broadcast)</u>
1) Zorro annual fescue	0.2	6
Rose clover *	0.2	9
Shallow soil w/south or west exposure or		
2) Blando brome	0.3	12
Rose clover* (deeper soils or north exposure)	0.2	9
3) Blando brome	0.3	12
Lana woollypod vetch* (Deeper soils- Forage for grazing)	0.4	45

**Mountainous Conifer Zone**

<u>Mixture</u>	<u>Lbs/1000 Sq. Ft.</u>	<u>Lbs/Acre (Broadcast)</u>
1) Luna pubescent wheatgrass	0.6	24
Palestine orchard grass	0.2	8
“Sherman” big bluegrass	0.2	6
“Durar” hard fescue	0.2	6

Legume seed must be inoculated with proper nitrogen fixing bacteria.

The application of mulch is necessary to reduce the impact of rainfall, help hold soil in place, and provide a moist soil surface for seed germination. The mulch should be applied in such a manner that 80-100% of the surface is covered to a depth of 1-2 inches. The most common mulch used is clean grain straw. It should be applied at the rate of 2 tons per acre. This rate is equivalent to:

<u>Mulch</u>	<u>Bales/1000 Sq. Ft.</u>	<u>Bales/Acre</u>
Straw (3 wire-80 Pound Bales)	1	50



**COMMUNITY DEVELOPMENT AGENCY  
BUILDING DEPARTMENT**

PO Box 599002, 950 Maidu Ave Ste 170, Nevada City, CA 95959  
Phone: (530) 265-1222 Email: [buildingdept@nevadacountyca.gov](mailto:buildingdept@nevadacountyca.gov)  
Web: [nevadacountyca.gov/1114](http://nevadacountyca.gov/1114)

**GRADING BOND FORM**

A grading bond is collected before permit issuance to ensure that grading work will be performed and erosion control methods are in place. The following are the deposit funds required for grading bonds:

- 500 cubic yards or less \$500.00
- 501 to 1,500 cubic yards \$2,000
- 1,501 and up \$2,000 plus \$1 for every cubic yard over 1,500 cubic yards.

**IF THE GRADING PERMIT EXPIRES THE BOND MAY BECOME FORFEIT AND WILL NOT BE REFUNDED**

Grading bond funds will be released after final inspection approval upon an active building permit. Refund processing time is approximately two to three weeks.

**JOB SITE ADDRESS:** \_\_\_\_\_ **PERMIT NO.** \_\_\_\_\_

**APN:** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ **APPLICANT NAME:** \_\_\_\_\_

**APPLICANT ADDRESS:** \_\_\_\_\_

**PHONE NO.** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

*ARE YOU THE OWNER OF THE PROPERTY:* YES \_\_\_ NO \_\_\_

*BOND AMOUNT:* \$ \_\_\_\_\_

**As the owner or authorized representative I fully understand and agree to conform to the provisions of this application and any conditions associated to the grading permit and/or bonding requirements**

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

<b><u>OFFICE USE ONLY</u></b>	
<b>Bond Payment Amount:</b> \$ _____	<b>Processed By:</b> _____
<b>Bond Released By:</b> _____	<b>Date:</b> _____
<b>Director of Building Signature:</b> _____	<b>Date:</b> _____

# EXHIBIT A

## Article 13 Grading

### Sections:

Sec. L-V 13.1	Purpose
Sec. L-V 13.2	Scope
Sec. L-V 13.3	Permits Required
Sec L-V 13.4	Hazards
Sec L-V 13.5	Definitions
Sec L-V 13.6	Grading Permit Requirements
Sec L-V 13.7	Grading Fees
Sec L-V 13.8	Bonds
Sec L-V 13.9	Cuts
Sec L-V 13.10	Fills
Sec L-V 13.11	Setbacks
Sec L-V 13.12	Drainage and Terracing
Sec L-V 13.13	Road and Driveway Standards
Sec L-V 13.14	Erosion Control
Sec L-V 13.15	Grading Inspection
Sec L-V 13.16	Completion of Work

### Sec. L-V 13.1 Purpose

The purpose of this article is to safeguard life, limb, property and the public welfare by regulating grading and construction activities that result in a land disturbance on private property.

### Sec. L-V 13.2 Scope

- A. This Article sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes standards of required performance in preventing or minimizing water quality impacts from storm water runoff; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction, drainage, and erosion and sediment controls at construction sites.

Vehicular ways shall conform to the grading requirements of this Chapter.

- B. The standards listed below are recognized standard:

1. Testing.
  - a. ASTM D 1557, Moisture-Density Relations of Soils and Soil Aggregate Mixtures
  - b. ASTM D 1556, In Place Density of Soils by the Sand-Cone Method
  - c. ASTM D 2167, In Place Density of Soils by the Rubber-Balloon Method
  - d. ASTM D 2937, In Place Density of Soils by the Drive-Cylinder Method
  - e. ASTM D 6938, In Place Moisture Content and Density of Soils by Nuclear Methods

### Sec. L-V 13.3 Permits Required

- A. Except as specified in Sec. L-V 13.3(B) of this section, no person shall do any grading without first having obtained a grading permit from the Building Official.

1. No drainage culvert, piping, V-ditch or energy dissipater shall be installed, replaced, altered or repaired without first obtaining a permit from the Building Official.
2. No pond shall be installed, repaired or altered without first obtaining a permit from the Building Official.

## EXHIBIT A

EXCEPTION: Performance of emergency work necessary to protect life or property when an urgent necessity therefore arises. The person performing such emergency work shall notify the Building Official promptly of the problem and work required and shall apply for a permit therefore within ten (10) calendar days after commencing said work.

- B. Except in flood plains as regulated in section L-II 4.3.10 of the Land Use and Development Code, a grading permit is not required for the following, provided no unstable or erodible slopes are created and no encroachment onto sewage disposal systems, water supply systems or hazardous material sites, areas or setbacks is created.

NOTE: Owners/operators of sites may still need NPDES storm water permit coverage with the State if the construction activity is part of a larger common plan of development or sale that would result in a land disturbance of greater than or equal to one acre.

1. When approved by the Building Official, grading which does not exceed 250 cubic yards in an isolated, self-contained area, with cuts, fills and erosion control conforming to the requirements of this Article, provided there is no danger to private or public property, it does not pose a significant erosion or sediment discharge hazard and is not intended to support a building or structure on fill.
2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet (1524, mm) after the completion of such structure.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells or tunnels or utilities.
6. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory excavations under the direction of soil engineers, engineering geologists, or registered environmental health specialists limited to sewage disposal systems. Such work shall be backfilled and shaped to the original contour of the land after the investigation.
8. An excavation that is less than 2 feet (610 mm) in depth, does not create a cut slope greater than 5 feet (1524, mm) in height and steeper than 1 unit vertical in 1 1/2 units horizontal (66.7% slope) and does not exceed 50 cubic yards.
9. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.
10. Land disturbance by plowing under or burial of less than 10,000 square feet of vegetation on slopes ten percent or steeper or any amount of vegetation, up to one acre, on slopes flatter than ten percent.
11. Grading done by or under the supervision or construction control of a public agency that assumes full responsibility for the work to the extent required by this law.
12. Cultivation of land to raise crops, or other clearing and grading of land for agricultural operations pursuant to criteria enacted and codified in Article 11 of this chapter.
13. Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its original condition.
14. Timber harvest and management activities when approved and carried out consistent with the California Forest Practices Act. Activities that are not exempt from the local regulation pursuant to Public Resources Code Section 4516.4 are subject to these regulations. Permits are required for private roads within timber harvest areas where the proposed

## EXHIBIT A

improvements are in excess of the minimum road standards required by the California Department of Forestry for timber harvesting activities.

15. Clearing for fire protection purposes within 100 feet of a dwelling unit. Any additional clearing for fire prevention, control or suppression purposes is exempt when authorized or required in writing by a fire prevention or suppression agency.
- C. The County may prepare and adopt a more comprehensive exemption for grading for agricultural operations than the existing exemption for cultivation of land to raise crops as part of Article 11 to this Chapter, provided that the exemption does not involve construction of any building or site preparation for any development project and that the purpose of such exemption is to promote long-term viable agricultural use of agricultural lands while protecting natural resources and provide reasonable minimum standards that define desired performance in the prevention of man-induced land failures, and control erosion, drainage, and sediment discharge.

Exemption from the permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction.

### **Sec L-V 13.4 Hazards**

- A. Whenever the Building Official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Building Official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

Adequate protection from hazards shall be provided at excavations. All pits, shafts, etc. shall be barricaded or covered. Upon completion of exploratory excavations and other similar operations, temporary trenches, wells, pits, shafts, etc. shall be backfilled.

### **Sec L-V 13.5 Definitions**

- A. For the purpose of this Article, the definitions listed hereunder shall be construed as specified in this section.
1. AGRICULTURAL OPERATION for grading purposes is any land-related activity for the purpose of cultivating or raising plants or animals or conserving or protecting lands for such purpose and is not surface mining or borrow pit operations.
  2. AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) is a membership society that is the foremost United States source of information on the specifications and testing of materials.
  3. APPROVAL shall mean that the proposed work or completed work conforms to this chapter in the opinion of the Building Official.
  4. AS-GRADED is the extent of surface conditions on completion of grading.
  5. BEDROCK is in-place solid rock.
  6. BENCH is a relatively level step excavated into earth material on which fill is to be placed.
  7. BORROW is earth material acquired from an off-site location for use in grading on a site.
  8. BEST MANAGEMENT PRACTICES (BMPs) are physical and managerial practices that, when used separately, or in combination, prevent or reduce erosion, sedimentation, or pollution of water. An example of a guide for BMPs is the State Water Resources Control Board Best Management Practices Construction Handbook.
  9. CERTIFIED EROSION CONTROL PROFESSIONAL (CPESC) is a recognized specialist in soil erosion and sediment control.

## EXHIBIT A

10. CIVIL ENGINEER is a professional engineer registered in the state to practice in the field of civil works.
11. CIVIL ENGINEERING is the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.
12. CLEARING is the destruction or removal of vegetative surface cover by manual, mechanical, or chemical methods resulting in exposed soils that may be subject to erosion. This does not include clearing techniques that retain vegetation and natural drainage patterns.
13. COMPACTION is the densification of a fill by mechanical means.  
CONSTRUCTION ACTIVITIES include, but are not limited to: clearing, grading, demolition, excavation, construction of new structures, and reconstruction of existing facilities involving removal and replacement that results in soil disturbance. This includes construction access roads, staging areas, storage areas, stockpiles, and any off-site areas that receive run-off from the construction project such as discharge points into a receiving water. Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility.
15. CUT. See Excavation.
16. DEPTH OF FILL is the vertical dimension from the exposed fill surface to the original ground surface.
17. DEPTH OF EXCAVATION (CUT) is the vertical dimension from the exposed cut surface to the original ground surface.
18. EARTH MATERIAL is any rock, natural soil or fill or any combination thereof.
19. EMBANKMENT. See Fill.
20. ENGINEERING GEOLOGIST is a geologist experienced and knowledgeable in engineering geology.
21. ENGINEERING GEOLOGY is the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.
22. ENGINEERED GRADING PLAN is a plan prepared by registered design professional authorized to do so by the state of California, describing the vertical and horizontal alignment and/or arrangement of grading.
23. EROSION is the wearing away of the ground surface as a result of the movement of wind, water or ice.
24. EXCAVATION is the mechanical removal of earth material.
25. EXPANSIVE SOIL is any soil which exhibits expansive properties in excess of index rating of 20 as determined by the procedures defined in the California Building Code.
26. FILL is a deposit of earth material placed by artificial means.
27. GEOLOGIC HAZARD is any condition in naturally occurring earth materials which may endanger life, health or property.
28. GEOTECHNICAL ENGINEER. See "soils engineer."
29. GRADE is the vertical location of the ground surface.
30. GRADING PLAN See engineered grading plan.
31. EXISTING GRADE is the grade prior to grading.
32. FINISH GRADE is the final grade of the site that conforms to the approved plan.
33. ROUGH GRADE is the stage at which the grade approximately conforms to the approved plan.
34. GRADING is any excavating or filling or combination thereof.

## EXHIBIT A

35. GRADING WORK is grading and related work such as, but not limited to, drainage improvements and erosion and sediment control.
36. KEY is a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.
37. LAND DISTURBANCE is any activity that results in a change in the soil cover or the soil topography that may result in soil erosion from water or wind and the movement of sediments off site, including, but not limited to, clearing, grading, excavating, transporting, and filling of land.
38. PROFESSIONAL INSPECTION is the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include that performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.
39. RAINY SEASON is the period of the year during which there is a substantial risk of rainfall. For the purpose of this Chapter, the rainy season is defined as from October 15<sup>th</sup> to April 15<sup>th</sup>, inclusive.
40. REGISTERED ENVIRONMENTAL HEALTH SPECIALIST (REHS) is an environmental health professional educated and trained within the field of environmental health who is registered with the State.
41. SEDIMENT is any material transported or deposited by water, including soil debris or other foreign matter.
42. SITE is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.
43. SLOPE is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
44. SLOPE, DETERMINATION OF means the cross-slope of a parcel by measurement, at established intervals not crossing defined grade breaks, of the average slope perpendicular to the contour lines.
45. SOIL is naturally occurring superficial deposits overlying bedrock.
46. SOILS ENGINEER (GEOTECHNICAL ENGINEER) is an engineer experienced and knowledgeable in the practice of soils engineering (geotechnical) engineering.
47. SOILS ENGINEERING (GEOTECHNICAL ENGINEERING) is the application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.
48. STORM WATER POLLUTION PREVENTION PLAN (SWPPP) is a plan required for various construction and industrial activities pursuant to the Federal Clean Water Act and related State regulations.
49. TERRACE is a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.
50. VEHICULAR WAY is any public or private roadway or driveway designed for or used by vehicles (as defined by the California Vehicle Code).
51. WATERCOURSE is any natural or manmade channel flowing continuously or intermittently in a definite direction and course or used for the holding, delay or storage of waters, which functions at any time to convey or store storm water runoff. Natural channels shall generally be limited to those designated by a solid line or a dash and three dots as shown in blue on the most recent U.S. Geological Survey 7.5 minute series of topographic maps. At the discretion of the Building Official, the definition of natural Channel may be limited to those channels having a watershed area of 50 acres or more, and this definition will be commonly used in connection with the administration of this Chapter except for those cases in which the Building Official determines that the definition must be extended to a natural channel with a watershed smaller than 50 acres in order to prevent a condition which is a

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menace to life and limb, endangers property, is a hazard to public safety, adversely affects the safety, use or serviceability of adjacent property, public way or drainage channel, or could adversely affect the water quality of any water bodies or watercourses were the definition not extended to a particular natural channel with a watershed below 50 acres.

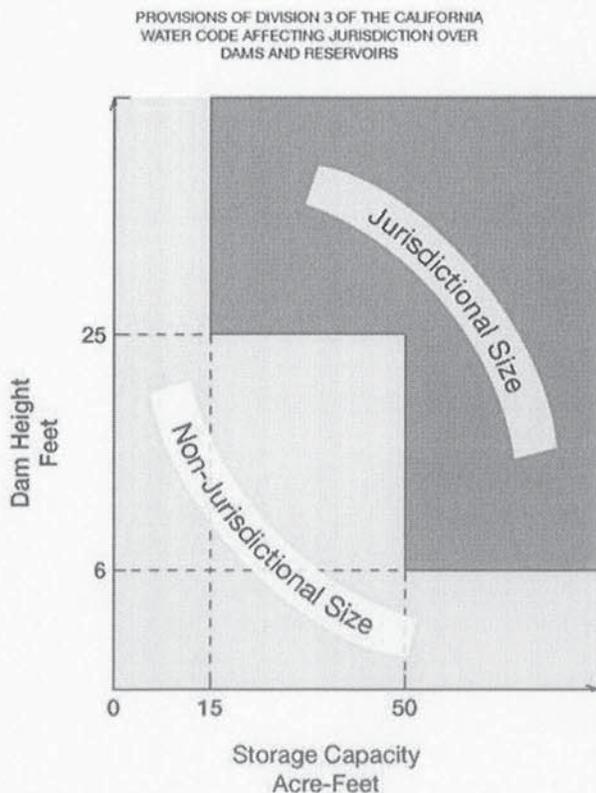
### Sec L-V 13.6 Grading Permit Requirements

A. Except as exempted in Sec. L-V 13.3 of this Code, no person shall do any grading without first obtaining a grading permit from the Building Official. A separate permit shall be obtained for each site, and may cover both excavations and fills.

1. No person shall do or permit to be done any grading in such a manner that quantities of dirt, soil, rock, debris, or other material substantially in excess of natural levels are washed, eroded, or otherwise moved from the site, except as specifically provided for by a permit.
2. No person shall do or permit to be done any grading which may obstruct, impede or interfere with the natural flow of storm waters, whether such waters are unconfined upon the surface of the land or confined within land depressions or natural drainage ways, unimproved channels or watercourses, or improved ditches, channels or conduits, in such manner as to cause flooding where it would not otherwise occur, aggravate any existing flooding condition or cause accelerated erosion except where said grading is in accordance with all applicable laws, including but not limited to, these permit requirements.

Dam construction of "Jurisdictional Size" are regulated and permitted by the Department of Water Resources, Division of Dam Safety. Dam construction of "Non-Jurisdictional Size" are regulated and permitted by the Building Department" (See Figure A).

Figure A



The construction of dams and reservoirs in excess of five feet in height but 25 feet or less in height from the natural bed of the stream or watercourse at the downstream toe of the

## EXHIBIT A

barrier, regardless of storage capacity, or which have a storage capacity in excess of 15 acre feet but less than 50 acre feet, regardless of height, shall be subject to County regulatory jurisdiction administered by the Building Department as part of this Chapter. Construction of all dams and reservoirs shall follow the current practices of the Department of Water Resources, Division of Safety of Dams, as dictated in the publication, "Guidelines for the Design and Construction of Small Embankment Dams" (with the exception of contact agency and application process).

3. Pond Construction and design shall be done in conformance with the most recent Conservation Practice Standard, "Pond" (Code 378) as published by the Natural Resources Conservation Service.
- B. The provisions of Section 105, Chapter 1, Division II, are applicable to grading. Additionally, the application shall state the estimated quantities of work involved.
- C. Grading shall be performed in accordance with the approved grading plan prepared by registered design professional, and shall be designated "engineered grading" The Building Official may waive this requirement if the proposed grading is minor in nature and would not endanger the public health, safety and welfare. This grading shall be designated "regular grading".
- D. Engineered Grading Requirements

1. For engineered grading requirements applications for a grading permit shall be accompanied by three set of plans and two sets of specifications and supporting data. A soils/geotechnical engineering report shall be provided in accordance with the California Building Code.
  - a. When the proposed grading includes a cut or fill exceeding ten feet in-depth at any point, or a cut or fill exceeding seven feet in depth at any point with the slope of the natural ground exceeding twenty (20) percent;
  - b. When highly expansive soils are present; or
  - c. In areas of known or suspected geological hazards, including landslide hazards and hazards of ground failure stemming from seismically induced ground shaking.

An engineering geology report shall be included with the supporting data when the proposed grading is in excess of 5,000 cubic yards. (See Sec. L-V 13.6(F)).

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.

2. The plans shall include the following information:
  - a. General vicinity of the proposed site.
  - b. Property limits and accurate contours of existing ground and details of terrain and area drainage.
  - c. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
  - d. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains.
  - e. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet (4572, mm) of the property or that may be affected by the proposed grading operations.

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- f. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference.
  - g. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.
  - h. Cross sections (not less than two) of existing and proposed graded areas taken at intervals not exceeding 200 feet and at locations of maximum cuts and fills.
  - i. An estimate of the quantities of excavation and fill, including quantities to be moved both on and off site.
  - j. A detailed erosion and sediment control plan including specific locations, construction details and supporting calculations for temporary and permanent sediment control structures and facilities.
  - k. A landscaping plan, including temporary erosion control plantings, permanent drought-resistant slope plantings, replacement or temporary groundcover, and irrigation facilities.
  - l. The location of any borrow site or location for disposal of surplus material.
- E. The soils engineering report required by Sec. L-V 13.6(D) shall include:
- 1. An index map showing the regional setting of the site;
  - 2. A site map that shows the topographic features of the site and locations of all soil borings and test excavations accompanied with a log for each soil boring and test excavation;
  - 3. Classification of the soil types and data regarding the nature, distribution and strength of existing soils;
  - 4. A suitable scaled map and cross sections showing all identified areas of land slippage;
  - 5. A description of any encountered groundwater or excessive moisture conditions;
  - 6. Conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary;
  - 7. Opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.
- F. The engineering geology report required by Sec. L-V 13.6(D) shall include:
- 1. An adequate description of the geology of the site and geology of the adjacent areas when pertinent to the site;
  - 2. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development;
  - 3. Opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors; and
  - 4. Recommendations for mitigation of geologic hazards.
- G. The Building Official may require a geotechnical investigation in accordance with the California Building or Residential Code when, during the course of an investigation, any of the following conditions are discovered, the report shall address the potential for liquefaction:
- 1. Shallow ground water, 50 feet (15240, mm) or less;
  - 2. Unconsolidated sandy alluvium;
  - 3. Seismic Design Category C,D, E or F.
- H. Regular Grading Requirements

## EXHIBIT A

1. Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:
  - a. General vicinity of the proposed site;
  - b. Limiting dimensions and depth of cut and fill;
  - c. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures with fifteen (15) feet (4572, mm) of the proposed grading;
  - d. Property limits and accurate contours of existing ground;
  - e. Typical cross section(s) of the existing and proposed graded area(s) at locations of maximum cut and fill;
  - f. An estimate of the quantities of excavation and fill, including quantities to be moved both on and off site.
- I. The provisions of those applicable sections of Division II of the California Building Code are applicable to grading permits. The Building Official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.
- J. The Building Official may require professional inspection and testing. When the Building Official has cause to believe that geologic factors may be involved, the grading will be required to conform to engineered grading.
- K. In issuing a permit, the Building Official may impose conditions as prescribed by this Chapter necessary to protect the health, safety and welfare of the public, to prevent the creation of a hazard to public or private property, and to assure proper completion of the grading, including, but not limited to:
  1. Mitigation of adverse environmental impacts as disclosed by any environmental document findings;
  2. Improvement of any existing unstable grading affected by this permit to comply with the standards of this Chapter;
  3. Protection of grading which would otherwise be hazardous;
  4. Dust, erosion and sediment control, and season of work, weather conditions, sequence of work, access roads and haul routes;
  5. Safeguard watercourses from excessive deposition of sediment or debris;
  6. Safeguard areas reserved for on-site sewage disposal, water supply and hazardous material storage;
  7. Assurance that the land area in which grading is proposed and for which habitable structures are proposed is not subject to hazards of land slippage or significant settlement or erosion;
  8. Compliance with all applicable provisions of the Nevada County Land Use and Development Code;
- L. If grading operations are commenced before first securing a proper permit, no permit will be issued until illegal grading has stopped. In the event that no grading permit, erosion control permit or land use permit can be issued for such operation, the site shall be restored to its original condition to the extent feasible, and to the extent full restoration is not possible mitigation measures may be imposed to remediate any damage caused. Restoration shall be in conformity to an approved restoration plan;
- M. Winter operations shall not be allowed if an immitigable high potential for accelerated erosion exists due to slope, rock or soil type, proximity to a stream or drainage course, magnitude or duration of

## EXHIBIT A

disturbance, or other characteristics of the project and the site. Approval shall be obtained from the Building Official prior to any grading activity during the Rainy Season.

### **Sec L-V 13.7 Grading Fees**

Permit and plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec L-V 13.8 Bonds**

- A. As a condition for the issuance of a permit, the Building Official may require the deposit of improvement security in sufficient amount deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions or, in the case of a subdivision, where the permittee does not proceed with preparation and obtaining the approval of a final map. Said security shall be in the form of cash, a certified or cashier's check, a letter of credit, or a faithful performance bond executed by the applicant and a corporate surety authorized to do business in this state. The form of security shall be acceptable to County Counsel. Public agencies are exempted from this provision by law.
- B. In the case of subdivisions, the improvement security shall remain in effect until final inspections have been made and the Building Official has accepted all grading work and subdivision improvements as being complete or until the subdivider has entered into an agreement to complete all unfinished work and improvements and furnished improvement security pursuant to Section L-V 13.8, whichever first occurs.
- C. For projects other than subdivisions, the improvements security shall remain in effect until final inspections have been made and the Building Official has accepted all grading work as being complete.
- D. In addition to the improvement security, the Building Official may also require the deposit of maintenance security in a sufficient amount deemed necessary by him to guarantee and maintain the grading work to assure the proper functioning of drainage systems and adequate erosion and sedimentation control. Said maintenance security shall be in the form of cash, a certified or cashier's check, a letter of credit, or a faithful performance bond executed by the applicant and a corporate surety authorized to do business in this state and shall remain in effect for a period of one (1) year after the date of expiration of the improvement security as designated in Subsection B and C above.
- E. Any bond or deposit required by the Building Official pursuant to this Section shall be payable to the Nevada County Building Department.
- F. Upon satisfaction of applicable provisions of this Chapter, the improvement and maintenance security deposits or bonds will be released. However, upon failure to complete the work, failure to comply with all of the terms of the permit, or failure of the completed site to function properly to provide proper drainage or erosion and sedimentation control, the County may do the required work, or cause it to be done, and collect from the permittee or surety all costs incurred thereto, including administrative and inspection costs. Any unused portion of a deposit or bond shall be refunded to the permittee after deduction by the County of the cost of the work.

### **Sec L-V 13.9 Cuts**

- A. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts shall conform to the provisions of this section.  

In the absence of an approved soils engineering report, these provisions may be waived for minor cuts not intended to support structures.
- B. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope) unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated

## EXHIBIT A

and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

EXCEPTION: A cut surface may be at a slope gradient of 1.5 horizontal to 1 vertical (67 percent) provided that all of the following are met:

1. It is not intended to support structures or surcharges.
2. It is adequately protected against erosion.
3. It is no more than 8 feet in height.
4. The soil is not classified as CH, CL, or MH.
5. It is approved by the Building Official

### **Sec L-V 13.10 Fills**

- A. Unless otherwise recommended in an approved soils engineering report, fills shall conform to the provisions of this Section.
1. Where fill is intended to support any permanent structure, an engineered grading plan shall be required. The placement and compaction requirements shall be as stated in the engineering report.
  2. Where fill is intended to support any paved surface, or is part of a fire access road or driveway, the requirements of Sec. L-V 13.10 shall be followed.
  3. The guidelines of Sec. L-V 13.10 shall be followed for all other fills except compaction to a minimum of 90 percent of maximum density need not be provided for minor fills not intended as a buildable area. Lots with non-engineered fills or fills not compacted in compliance with Sec. L-V 13.10(D) shall be documented. Future development on the lots shall require a qualified person to determine the proposed work is not within the fill area or can adequately be built in the fill area.
- B. Fill slopes shall not be constructed on natural slopes steeper than 1 unit vertical in 2 units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than 1 unit vertical in 5 units horizontal (20% slope) and the height is greater than 5 feet (1524, mm), by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 1 unit vertical in 5 units horizontal (20% slope) shall be at least 10 feet (3048, mm) wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet (3048, mm) wide but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill.
- C. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the Building Official, no rock or similar irreducible material with a maximum dimension greater than 12 inches (305 mm) shall be buried or placed in fills.
- EXCEPTION: The Building Official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:
1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan;
  2. Rock sizes greater than 12 inches (305 mm) in maximum dimension shall be 10 feet (3048, mm) or more below grade, measured vertically;
  3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
- D. All fills shall be compacted to a minimum of 90 percent of maximum density.
- E. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope).

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### Sec L-V 13.11 Setbacks

- A. Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in Figure A-33-1.

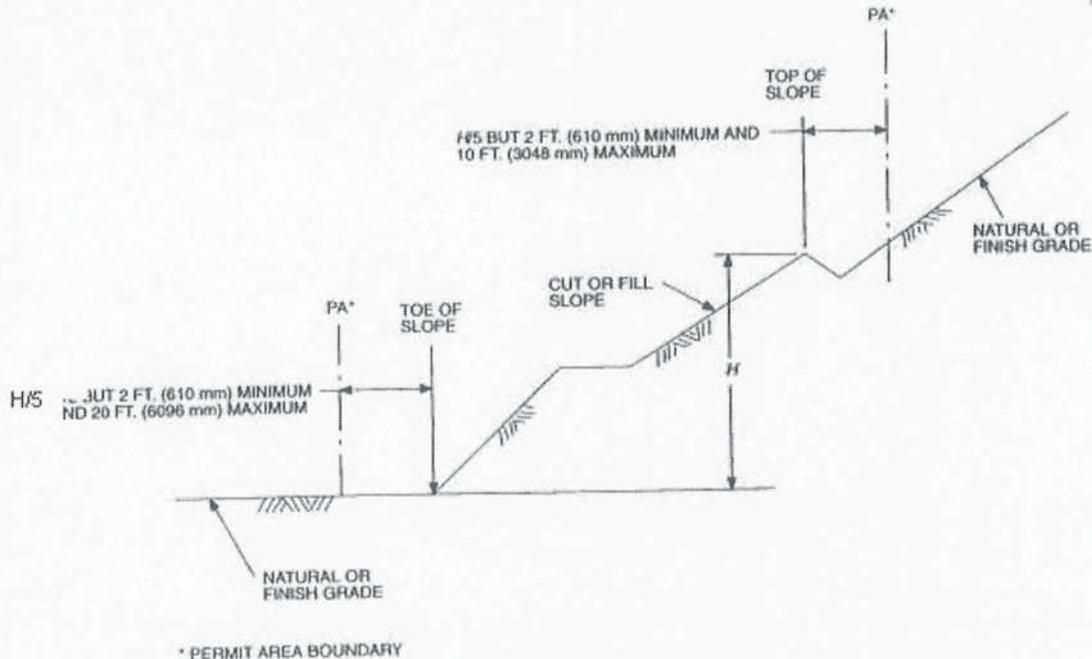


FIGURE A-33-1—SETBACK DIMENSIONS

- B. The top of cut slopes shall not be made nearer to a site boundary line than one fifth of the vertical height of cut with a minimum of 2 feet (610 mm) and a maximum of 10 feet (3048 mm). The setback may need to be increased for any required interceptor drains.
- C. The toe of fill slope shall be made not nearer to the site boundary line than one fifth the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the Building Official deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:
1. Additional setbacks;
  2. Provision for retaining or slough walls;
  3. Mechanical or chemical treatment of the fill slope surface to minimize erosion;
  4. Provisions for the control of surface waters.
- D. The Building Official may approve alternate setbacks. The Building Official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

### Sec L-V 13.12 Drainage and Terracing

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- A. Unless otherwise recommended by a registered design professional, drainage facilities and terracing shall be provided in accordance with the requirements of this section.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

All areas shall be graded and drained so that water will not pond or accumulate. Drainage shall be effected in such a manner that it will not cause erosion or endanger the stability of any cut or fill slope or any building or structure.

Storm drainage and design standards not otherwise specified herein shall comply with Article 5 "Storm Drainage", Chapter XVII, of the County of Nevada Land Use and Development Code.

- B. Terraces at least 6 feet (1829, mm) in width shall be established at not more than 30-foot (9144, mm) vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 60 feet (18288, mm) and up to 120 feet (36576, mm) in vertical height, one terrace at approximately mid-height shall be 12 feet (3658, mm) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36576, mm) in height shall be designed by the civil engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of 5 percent and must be paved with reinforced concrete not less than 3 inches (76 mm) in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of 1 foot (305 mm) and a minimum paved width of 5 feet (1524, mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1254.2, m<sup>2</sup>) (projected) without discharging into a down drain.

- C. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

- D. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Building Official or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down-drains or other devices.

Building pads shall have a drainage gradient of five (5) percent toward approved drainage facilities, unless waived by the Building Official.

EXCEPTION: The gradient from the building pad may be two (2) percent if all of the following conditions exist throughout the permit area:

1. No proposed fills are greater than 10 feet (3048, mm) in maximum depth.
2. No proposed finish cut or fill slope faces have a vertical height in excess of 10 feet (3048, mm).
3. No existing slope faces steeper than 1 unit vertical in 10 units horizontal (10% slope) have a vertical height in excess of 10 feet (3048, mm).

When surface drainage is discharged onto any property, it shall be discharged in such a manner that it will not cause erosion or endanger any cut or fill slope or any building or structure. A grading and discharge plan shall be required which includes the analysis of the effect of the discharge.

- E. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet (12192, mm) measured horizontally. Interceptor drains shall be paved with a minimum of 3 inches (76 mm) of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches (305 mm) and a minimum paved width of 30 inches (762 mm) measured horizontally across the drain. The slope of drain shall be approved by the Building Official.

- F. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains and other devices.

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### **Sec L-V 13.13 Road and Driveway Standards**

- A. The construction and design of all roadways shall be done in conformance with Article 3, "Road Design Standards", Chapter XVII, LUDC.
- B. The construction and design of all driveways shall be done in conformance with Article 3, "Driveways", Chapter XVI, LUDC.
  - 1. At no place along the length of a driveway shall the grade be in excess of the established grades in Article 3, "Driveways" Chapter XVI, LUDC.

### **Sec L-V 13.14 Erosion Control**

- A. The following shall apply to the control of erosion and sediment from grading and construction activities resulting in land disturbance:
  - 1. Plans shall be designed with long-term erosion and sediment control as a primary consideration;
  - 2. Grading and construction activities during the rainy season shall provide erosion and sediment control measures except upon a clear demonstration to the satisfaction of the Building Official that at no stage of the work will there be any substantial risk of increased sediment discharge from the site;
  - 3. Should land disturbance be permitted during the rainy season, the smallest practicable area of erodible land shall be exposed at any one-time during grading operations and the time of exposure shall be minimized;
  - 4. Natural features, including vegetation, terrain, watercourses and similar resources shall be preserved wherever possible. Limits of land disturbance shall be clearly defined and marked to prevent damage by construction equipment;
  - 5. Permanent drought-resistant vegetation and structures for erosion and sediment control shall be installed as soon as possible;
  - 6. Provision shall be made for long-term maintenance of permanent erosion and sediment control structures and vegetation;
  - 7. No topsoil shall be removed from the site unless otherwise directed or approved by the Building Official. Topsoil overburden shall be stockpiled and redistributed within the graded area after rough grading to provide a suitable base for seeding and planting. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water;
  - 8. Runoff shall not be discharged from the site in quantities or at velocities substantially above those that occurred before land disturbance, or channeled, concentrated or redirected except into drainage facilities whose design has been specifically approved by the Building Official;
  - 9. The permittee shall take reasonable precautions to ensure that vehicles do not track or spill earth materials into public streets and shall immediately remove such materials if this occurs.
- B. Should increased sediment discharge occur or become imminent, the permittee shall take all necessary steps to control such discharge. Such steps may include construction of additional facilities or removal or alteration of facilities required by approved erosion and sediment control plans. Facilities removed or altered shall be restored as soon as possible afterward or appropriate changes in the plan shall be immediately requested pursuant to this Chapter. Permittee shall take prompt action to resolve emergency problems; otherwise, the Building Official may take such actions as required to abate a hazardous public nuisance.
- C. Erosion and sediment control plans prepared pursuant to this Chapter shall comply with all of the following:

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1. The erosion and sediment control plan need not be a separate sheet if all facilities and measures can be shown on the grading sheets without obscuring the clarity of either the grading plan or the erosion and sediment control plan.
2. An erosion and sediment control plan shall be required for any grading project required to have a grading permit.  
EXCEPTION: The Building Official determines that the grading and/or construction activity will not impose a significant erosion or sediment discharge hazard.
3. Erosion and sediment control plans shall include an effective re-vegetation program to stabilize all disturbed areas that will not be otherwise protected. All such areas where construction activities have been completed between April 15<sup>th</sup> and October 15<sup>th</sup> shall be planted no later than November 1<sup>st</sup>. Land disturbance areas completed at other times of the year shall be planted within 15 days. If re-vegetation is infeasible or cannot be expected to stabilize an erodible area with assurance during any part of the rainy season and the unstable area exceeds 2,500 square feet, additional erosion and sediment control measures or irrigation of planted slopes may be required as appropriate to prevent increased sediment discharge.
4. Erosion and sediment control plans shall be designed to prevent increased discharge of sediment at all stages of grading and construction activities from initial disturbance of the ground to project completion. Every feasible effort shall be made to ensure that site stabilization is permanent. Plans shall indicate the implementation period and the stage of construction where applicable.
5. Erosion and sediment control plans shall comply with the recommendations of any Civil Engineer, Geotechnical Engineer, Engineering Geologist, Architect, or Soil Erosion Control Specialist involved in preparation of the grading plans.
6. The structural and hydraulic adequacy of all storm water containment or conveyance facilities shown on the erosion and sediment control plans shall be verified by a Civil Engineer, and he shall so attest on the plans. Sufficient calculations and supporting material to demonstrate such adequacy shall accompany the plans when submitted.
7. Erosion and sediment control plans shall be designed to meet anticipated field conditions.
8. Erosion and sediment control plans shall provide for inspection and repair of all erosion and sediment control facilities at the close of each working day during the rainy season, and for specific sediment clean-out and vegetation maintenance criteria.
9. Erosion and sediment control plans shall comply with any and all standards and specifications adopted herein for the control of erosion and sedimentation on grading sites. These standards and specifications shall be in general compliance with the Erosion and Sediment Control Guidelines for Developing Areas of the Sierras published by High Sierra Resource Conservation and Development Council.
10. For projects subject to the State requirements to prepare a SWPPP (Storm Water Pollution Prevention Program) a preliminary SWPPP may be submitted in lieu of the erosion and sediment control plan required by these regulations.
11. Erosion control measures shall be installed in accordance with the issued grading and/or construction plans prior to any rain event. Any grading completed between October 15<sup>th</sup> and April 15<sup>th</sup> shall have all erosion control materials that are required be installed in accordance with the issued construction and grading plans onsite.

### **Sec L-V 13.15 Grading Inspection**

- A. Grading operations for which a permit is required shall be subject to inspection by the Building Official. Professional inspection of grading operations shall be provided by the civil engineer, soils engineer, and the engineering geologist retained to provide such services in accordance with Sec L-V 13.15(E) for engineered grading and as required by the Building Official for regular grading.

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- B. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work, they shall be prepared by the civil engineer.
- C. The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the Building Official and the civil engineer.
- D. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.
- E. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.
- Periodic progress reports may be required to be rendered by the permittee at commencement and completion of major key grading and erosion and sediment control operations.
- No permittee shall be deemed to have complied with this Chapter until the Building Official has made a final inspection of the work and he has certified in writing that the work has been completed in accordance with all requirements and conditions of the permit.
- The permittee shall provide adequate access to the site for inspection by the Building Official during the performance of all work and for a minimum period of one year after acceptance by the Building Official of all improvements pursuant to this Chapter.
- F. The Building Official shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.
- G. If, in the course of fulfilling their respective duties under this Chapter, the civil engineer, the soils engineer, or the engineering geologist finds that the work is not being done in conformance with this Chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the Building Official.
- H. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.
- I. As a condition of the permit, the Building Official may require the permittee to provide, at permittee's expense, a Geotechnical Engineer or Civil Engineer to perform continuous inspection work, and upon completion of the work to provide a written statement acknowledging that he has inspected the work and that in his professional judgment the work was performed in accordance with the approved plans and specifications. The permittee shall make contractual arrangements for such services and be responsible for payment of all costs. Continuous inspection by a Geotechnical Engineer or Civil Engineer shall include, but not be limited to, the following situations:
1. During the preparation of a site for the placement of fills which exceed five (5) feet in depth on slopes which exceed ten percent (10%) and during the placing of such fills; however,

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for vehicular pathways, fill placement shall be continuously inspected when fills exceed ten (10) feet in height.

2. During the preparation of a site for the placement of any fill and during the placement of such fill which is intended to support any building or structure.
3. During the installation of subsurface drainage facilities.

Reports filed by the Geotechnical Engineer or Civil Engineer regarding special inspection shall state in writing that from his personal knowledge the work performed during the period covered by the report has been performed in substantial accordance with the approved plans and specifications.

The use of a Geotechnical Engineer or Civil Engineer for inspections shall not preclude the Building Official from conducting inspections using his or other authorized inspectors as may be necessary.

### **Sec L-V 13.16            Completion of Work**

A. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is performed for regular grading, as applicable.

1. An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with Sec L-V 13.15(E) showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer.

Civil engineers shall state that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan.

2. A report prepared by the soils engineer retained to provide such services in accordance with Sec. L-V 13.15(C) of this Chapter, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter.
3. A report prepared by the engineering geologist retained to provide such services in accordance with Sec L-V 13.15(E), including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter.
4. The grading contractor shall submit, in a form prescribed by the Building Official, a statement of conformance to said as-built plan and the specifications.

B. The permittee shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted.

# Summary of National Pollution Discharge Elimination System (NPDES) Storm Water Permitting Requirements for Construction Activity

## Requirements for Construction Sites

Any construction activity that includes clearing, grading, excavation, stockpiling, or reconstruction of existing facilities involving removal and replacement, resulting in land disturbance of 5 acres or greater, must be conducted in accordance with the NPDES General permit for Discharges of Storm Water Runoff Associated with Construction Activity (referred to as the Construction Activities Storm Water General Permit). Sites less than 5 acres are also required to obtain a permit if the project is part of a "larger common plan of development" that will exceed five acres. In March 2003, a Phase 2 rule for "Small Construction Activity" will take effect, requiring permits for all construction sites 1 acre or larger.

This general permit is issued by the State Water Resources Control Board (SWRCB) and enforced locally by the Central Valley Regional Water Quality Control Board (RWQCB).

## General Storm Water Permit for Construction Activities

The provisions of the Construction Site General Permit are summarized below.

**Prohibitions.** The permit prohibits the discharge of materials other than storm water and states that storm water discharges shall not cause pollution. In addition, storm water discharges shall not contain a hazardous substance in excess of "reportable quantities" established by 40 Code of Federal Regulations (CFR) 117.3 or 40 CFR 302.4.

Elimination or reduction of non-storm water discharges is a major goal of the general permit. Non-storm water discharges include a wide variety of sources including improper dumping, spills, or leakage from storage tanks, or transfer areas. The program recognizes, however, that certain non-storm water discharges (e.g., landscape irrigation of erosion control measures, pipe flushing and testing, street washing, and dewatering), may be necessary for the practical performance and completion of construction projects. The Non-storm water discharges are allowed only if they:

1. do not contribute to a violation of a water quality standard
2. are controlled through implementation of Best Management Practices
3. are infeasible to eliminate

**Effluent Limits.** Sections 301 and 402 of the federal Clean Water Act require controls of pollutant discharges to use "best available technology economically achievable" (BAT) and "best conventional pollutant control technology" (BCT) to

reduce pollutants, and any more stringent controls necessary to meet water quality standards. The SWRCB has determined that it is not feasible to establish numeric effluent limits. Therefore, the permit contains narrative effluent limits only, including the requirement to implement appropriate Best Management Practices (BMPs). The BMPs emphasize erosion control and pollution prevention methods and may also include structural controls to manage sediment.

**Receiving Water Limits.** The permit requires that construction related activities that cause or contribute to exceedance of a water quality standard must be corrected immediately and a report made to the RWQCB within 14 days.

**Storm Water Pollution Prevention Plan (Site Specific).** Each permitted construction site must prepare a site specific SWPPP prior to disturbing the site. The major objectives of the SWPPP are to:

1. help identify the sources of sediment and other pollutants that affect the quality of storm water discharges, and
2. describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.

The SWPPP must include a site description and identify BMPs that address erosion and sediment controls and management of construction waste. The SWPPP must also include post-construction controls and management of non-storm water.

**Monitoring Program.** Under the permit, dischargers are required to conduct inspections before and after storm events to identify areas contributing to storm water discharge and to evaluate the effectiveness of pollutant control measures. Equipment, materials and personnel must be available to respond to any maintenance needs identified in the inspections. If corrective measures are warranted, they must be performed as soon as possible.

**Retention of Records.** The SWPPP must be retained, monitoring results, and any associated data for at least three years. Records do not need to be submitted to the SWRCB or RWQCB, other than the Notice of Intent and reports of non-compliance.

The owner of the land where the construction takes place is responsible for filing the Notice of Intent (NOI) and fee, complying with the terms of the General Permit, and seeing that all contractors comply with the General Permit as well.

### **Notice of Intent**

An NOI must be filed for each permitted site. A blank NOI and instructions can be obtained from the SWRCB web page at: <http://www.swrcb.ca.gov/stormwtr/construction.html>. The NOI form includes information about how the permit requirements will be implemented, including preparation of a SWPPP, statements about a monitoring program, and identification of the individual responsible for permit compliance. The landowner is responsible for ensuring that an

NOI is filed when appropriate and a SWPPP developed in accordance with Section A of the General Permit, prior to the start of any construction activity. The NOI form can be filled out by a consultant or contractor, but should be submitted to the SWRCB by the landowner or his/her representative. A \$500 annual fee must accompany the NOI.

When construction is complete, a Notice of Termination (NOT) needs to be filed to revoke coverage under the Construction Site General permit. The NOT form should be completed and submitted for filing with the SWRCB. The NOT certifies that:

1. construction activity has been completed,
2. all elements of the site specific SWPPP have been completed,
3. construction materials and waste have been disposed of properly,
4. the site is in compliance with all local storm water management requirements,
5. a post-construction storm water operation and management plan is in place.

**Who should I contact if I have questions?**

If you have questions concerning the general Permit, please e-mail the State Water Resources Control Board at [stormwater@swrcb.ca.gov](mailto:stormwater@swrcb.ca.gov) or call (916) 341-5537.