

AT RISK GRADING CHECKLIST

Per the Fresno Municipal code Chapter 12, Article 12- At Risk Development, please provide the following documentation and approvals to obtain the Grading and Paving At Risk Permit.

1. No Resubmittal review status or Comment in the most recent grading review comment list. ⁽¹⁾
2. **If FMFCD is required to sign the plans**, provide an email from FMFCD stating they are okay with the site moving forward with at risk grading. ⁽²⁾
3. **If FID is required to sign the plans**, provide an email from FID stating they are okay with the site moving forward with at risk grading. ⁽²⁾
4. Verify with your planner for the project that the site can move forward with at risk grading. ⁽²⁾
5. Complete and Return the At-Risk grading Permit Documentation attached to this document.
6. Pay At Risk Grading Permitting Fees.

Please contact Kevin.Rein@Fresno.gov for any questions regarding At Risk Grading Permit.

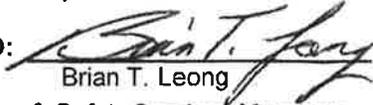
FYI: Upon issuance of an At-Risk Permit, applicants shall respond within 30 days to plan review comments through the submittal of revised plans until the At-Risk Permit is converted to a formal permit, or the At-Risk Permit could be revoked. Two additional 30 days extensions may be granted by the Building Official. ⁽³⁾

⁽¹⁾ https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOFR_CH12IMFEHIREOTMITO_ART22SKDE_S12-2202AUISSKPE

⁽²⁾ https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOFR_CH12IMFEHIREOTMITO_ART22SKDE_S12-2203COIS

⁽³⁾ https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOFR_CH12IMFEHIREOTMITO_ART22SKDE_S12-2204HOPROWRI

POLICY MANUAL

<p>City of FRESNO </p>	<p>NO. 02-109</p>
<p>PLANNING AND DEVELOPMENT DEPARTMENT BUILDING AND SAFETY SERVICES</p>	<p>SUBJECT: Individuals Authorized to Obtain Permits</p> <p>EFFECTIVE: June 1, 2001 REVISED: May 2, 2007</p> <p>APPROVED:  Brian T. Leong Building & Safety Services Manager</p>

PURPOSE:

Establish a uniform policy and procedure for the issuance of Building, Plumbing, Mechanical, Electrical, and Grading permits within the City of Fresno.

POLICY:

The following individuals shall be considered as having the authority to obtain Building, Plumbing, Mechanical, or Electrical permits from the City of Fresno:

1. Owner of the property for which the permit is applicable.
2. Licensed architect or engineer whose professional work product is the basis for the permit.
3. Licensed contractor who will be performing the designated work under contract or is licensed as a General Building Contractor ("B") with overall supervision of the project.
4. Licensed Specialty Contractor (Plumbing: "C-36", Mechanical: "C-20", Electrical: "C-10")
5. An authorized agent of the contractor who has written authorization to act on behalf of the license holder.
6. Other agents as approved by the director, division manager, or other designated management staff member as necessary.

The following individuals shall be considered as having the authority to obtain Grading permits from the City of Fresno:

1. Engineer of record responsible for the preparation of the site grading and drainage plan.
2. Architect of record responsible for the preparation of the site grading and drainage plan, except where such plans are pursuant to the Subdivision Map Act.
3. Licensed General Engineering Contractor ("A")
4. Specialty Grading Contractor ("C-12")
5. Licensed General Building Contractor ("B") whose principal contract is in connection with a structure built for the support, shelter and enclosure of people, animals, equipment, or movable property of any kind.

ARTICLE 22 - AT-RISK DEVELOPMENT

SEC. 12-2201. - AT RISK DEFINED.

"At-Risk" shall be defined as construction up to and including wall and roof framing.

(Added Ord. 2022-008, § 1, eff. 6-6-22).

Editor's note— Ord. 2022-008, § 1, eff. June 6, 2022, amended the Code by renumbering former §§ 12-2201—12-2205 as new §§ 12-2202—12-2206, and adding a new § 12-2201.

SEC. 12-2202. - AUTHORITY TO ISSUE AT-RISK PERMITS.

For residential, commercial, and industrial projects, after receipt of "first round" comments regarding any infrastructure improvement plans (including grading plans), and a finding the infrastructure improvement plans are substantially acceptable, or submittal of a completed application for a building permit, the appropriate official, and/or building official, is authorized to issue an "at-risk" permit for grading, sewer, water, dry utilities, buildings and structures (including model and production homes) before the relevant construction documents have been finally approved, and before the final map records. For the purpose of this article, a model home shall be a home without an identified buyer constructed for marketing purposes to show the design, structure and appearance of units in a development. A production home is a home without an identified buyer built on speculation that shall not be sold, leased, financed, or offered for sale until a final map records.

(Added Ord. 2018-17, § 1, eff. 8-2-18; Am. Ord. 2022-008, § 1, eff. 6-6-22).

Note— Former § 12-2201. See editor's note, § 12-2201.

SEC. 12-2203. - CONDITIONS OF ISSUANCE.

An applicant must pay required application and inspection fees and charges, and provide evidence of required insurance and compliance with all conditions of third party agencies (including but not limited to Pacific Gas and Electric Company, Fresno Metropolitan Flood Control District, San Joaquin Valley Air Pollution Control District, and similar agencies), all as a condition precedent to issuance of an "at-risk" permit. Up to twenty-five (25) "at-risk" permits for buildings and structures (including model and production homes) may be granted per tract, provided appropriate Fire Department approval is granted. An additional twenty-five "At-Risk" permits may be granted by the Planning and Development Director provided that Fire approval is granted and the respective Final Map for the subdivision is submitted and deemed technically correct by the Public Works Department.

Upon issuance of an At-Risk Permit, applicants shall respond within 30 days to plan review comments through the submittal of revised plans until the At-Risk Permit is converted to a formal permit, or the At-Risk Permit could be revoked. Two additional 30 days extensions may be granted by the Building Official.

(Added Ord. 2018-17, § 1, eff. 8-2-18; Am. Ord. 2022-008, § 1, eff. 6- 6-22).

Note— Former § 12-2202. See editor's note, § 12-2201.

SEC. 12-2204. - HOLDER TO PROCEED AT ITS OWN RISK.

The holder of such "at-risk" permit shall proceed at the holder's own risk, including all risk of liability, and without assurance that a notice of acceptance of infrastructure improvements will be recorded, or that a certificate of occupancy for a building or structure will be granted. The holder must receive all necessary inspections during the course of "at-risk" construction. Corrections or modifications in work performed may be required to meet the requirements of the technical codes and final approved plans. Occupancy will not be permitted until all plans are approved, all conditions of approval required for occupancy are met, and the final map, if required for the property, is recorded.

(Added Ord. 2018-17, § 1, eff. 8-2-18; Am. Ord. 2022-008, § 1, eff. 6- 6-22).

Note— Former § 12-2203. See editor's note, § 12-2201.

SEC. 12-2205. - RULES AND REGULATIONS.

The Development and Resource Management Department may set forth additional policies and procedures for the issuance of "at-risk" permits consistent with and to carry out the intent of this article. Any additional policy or procedure issued pursuant hereto shall be approved by the Council.

(Added Ord. 2018-17, § 1, eff. 8-2-18; Am. Ord. 2022-008, § 1, eff. 6- 6-22).

Note— Former § 12-2204. See editor's note, § 12-2201.

SEC. 12-2206. - ONE YEAR REVIEW.

The operation of this article shall be reviewed by the Council within one (1) year of its effective date. The City Manager shall provide a report to the Council with findings and recommendations.

(Added Ord. 2018-17, § 1, eff. 8-2-18; Am. Ord. 2022-008, § 1, eff. 6- 6-22).

Note— Former § 12-2205. See editor's note, § 12-2201.



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(559) 621-8084

Jennifer K. Clark, AICP, HDFP
Director

**COMMERCIAL/INDUSTRIAL/MULTI-FAMILY/SFR
AT-RISK PERMIT APPLICATION**

PROJECT ADDRESS: _____

GRADING PERMIT RECORD NO. _____

If the requested At-Risk building permit is issued, it is expressly understood and acknowledged that:

1. The plans for the entire building have not, at this time, been approved for compliance with applicable State and City of Fresno building regulations. No work will be performed until the at risk permit is issued and all fees are paid.
2. For multifamily residential, commercial, and industrial projects, after receipt of "first round" comments regarding any infrastructure improvement plans (including grading plans), and a finding the infrastructure improvement plans are substantially acceptable, or submittal of a completed application for a building permit, the appropriate official, and/or building official, is authorized to issue an "at-risk" permit for grading, sewer, water, dry utilities, buildings and structures (including model and production homes) before the relevant construction documents have been finally approved, and before the final map, if required, records.
3. If as a result of the plan check for the remainder of the building, it is subsequently determined that any elements constructed which are not in compliance with the pending approved plans, I/we shall assume full responsibility and all risk of loss which may result due to changes/corrections. I/we agree that the building shall conform to the approved final plans as amended, and in compliance with the California Building Code and local ordinances, without regard to the stage of construction and cost.
4. I/we are proceeding at my/our own risk without assurance by the City of Fresno that a permit for the entire building will be granted.
5. All permit fees will be paid for at the time of At Risk permit issuance. Occupancy will not be permitted until all plans are approved, all conditions of approval required for occupancy are met, and the final map, if required for the property, is recorded.
6. Indemnification. To the furthest extent allowed by law, Permittee shall indemnify, hold harmless and defend City and each of its officers, officials, employees, agents, and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by City, Permittee or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fees, litigation and legal expenses incurred by City or held to be the liability of City, including plaintiff's or petitioner's attorney's fees if awarded, in connection with City's defense of its actions in any proceeding), arising or alleged to have arisen directly or indirectly out of performance or in any way connected with: (i) the making of this Permit; (ii) the performance of this Permit; (iii)

CONTRACTOR: Name: _____

Company: _____

Address: _____

Signature: _____ Date: _____



City of
FRESNO
Planning and Development Department
Building and Safety Services Division

Project Address _____

Grading Permit No. _____

APPLICATION TYPE: BLDG _____ ELEC _____ PLBG _____ MECH _____ GRAD _____ OTHER _____

DRAW DOWN _____ ACCT NO. _____ CREDIT CARD _____ ACCT NAME _____

SPECIAL CONDITIONS

WORKERS COMPENSATION

Section 3800 of the State Labor Code provides that every county or city which requires issuance of a permit as a condition precedent to the construction, alteration, improvement, demolition, or repair of any building or structure shall require that each applicant for permit have on file with the City of Fresno:

(Please initial as applies below)

- _____ A valid Certificate of Workers' Compensation Insurance or,
- _____ A signed statement of a Firm Without Employees or,
- _____ A Certificate of Consent to self-insure by the Director of Industrial Relations.

EXCLUSIONS

(Please initial as applies below)

- _____ Permits for work costing \$100.00 or less.
- _____ Applicants for permits who sign the following certifications:
"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."

If after signing this certificate, the applicant desires to employ any person for work covered by this permit, the applicant must obtain Workers' Compensation Insurance as required by Section 3700 of the State Labor Code, or this permit shall be deemed revoked.

CA CONTRACTOR'S LICENSE NO. _____

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

EXEMPTION FROM STATE REQUIRED LICENSING

(Please initial as applies below)

- _____ I am the owner of the property addressed on the subject permit application. The building or improving of structures hereon, or appurtenances thereto, will be done by myself or through my own employees with wages as their sole compensation. The structure or structures, with or without the appurtenances thereto, is not intended to be and will not be offered for sale within one year after completion of same (B&P Code Section 7044).
 - _____ As owner of the property the building or improving structures or appurtenances thereto will be contracted with licensed contractors. (B&P Code Section 7044)
 - _____ Aggregate total of the contracts is not more than \$500.00 for labor, materials, and all other work. (B&P Code Section 7048)
 - _____ I am a licensed architect, engineer, or structural pest control operator within the scope of my license. (B&P Section 7051)
- Print Firm Name:** _____

HAZARDOUS WASTE AND SUBSTANCE SITES

I declare that I have made application for a permit to develop property at Fresno California. I have consulted the list of Hazardous Waste and Substance Sites developed by the State Office of Planning and Research pursuant to GC Section 65962.5.

(Please initial as applies below)

- _____ I have determined that the said property is **not** included on a list compiled pursuant to this section.
- _____ I have determined that the said property is included on a list compiled pursuant to this section.

I further declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

PRINT NAME _____ DATE _____

SIGNATURE _____ PHONE NUMBER _____

Staff Initials _____



Planning and Development Department

JENNIFER K. CLARK DEPARTMENT DIRECTOR

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HOLD ON OCCUPANCY

DATE: _____

TO: BUILDING OFFICIAL

FROM: _____

Address: _____

APN: _____

Tract/Lot: _____

This is a request to WITHHOLD OCCUPANCY at the above address, APN or Tract/Lot No. for the following reasons:

[] This action is being taken at the request of _____ Owner/Agent for favorable consideration of _____ permit application prior to satisfying the conditions of approval of special permit No. _____. (It is understood that a nonrefundable fee, in accordance with the Master Fee resolution, will be charged to release this hold on occupancy.)

[] A refundable cash deposit may be accepted in the amount of \$ _____ in lieu of work being done prior to occupancy.

[] A refundable cash deposit may NOT be taken because the condition is hazardous to life and property.

[] A refundable cash deposit may NOT be taken because of the requirements of the Subdivision Agreement

Acknowledged by: _____

Date: _____

Building Official Signature Action Date