

# **Penalty Relief Program**

CDE-011

**Purpose:** On July 13, 2010, the Sonoma County Board of Supervisors approved a "Code Enforcement Penalty Relief Program" that will run for six months, beginning on August 1, 2010 and ending February 1, 2011. This Program will provide property owners the opportunity to voluntarily disclose undocumented construction and avoid mandatory investigation and penalty fees for permits obtained to correct unpermitted construction.

## **The basic parameters of the Program are:**

- The Program will last for 6 months, starting August 1, 2010 and ending February 1, 2011. During this period, no investigation fees or civil penalties will apply to any qualified application submitted during this period.
- The Program will provide a "no-jeopardy" opportunity to discuss your project with PRMD staff. No record will be maintained of your inquiry if you decide not to apply for a permit.
- The Program will apply to self-disclosed violations of residential structures and is limited to work completed prior to August 1, 2010.
- If a permit is submitted under this Program, all applicable codes currently in effect will apply and all normal permit and development fees will apply.

Violations already on county record will not qualify for this Program.

## **Frequently asked questions regarding this Program are:**

**Q:** How can I find out if there has been undocumented construction on my home?

**A:** There are several avenues that property owners may follow. Property owners may be made aware of unpermitted construction from a disclosure statement when they purchase a property. Another possibility is a termite report that identifies non-permitted construction. Property owners may already know of improvements they completed on their own or had a contractor complete. This is a limited time opportunity to obtain necessary permits without the imposition of investigative fees or civil penalties.

**Q:** What is a "self-disclosed" violation?

**A:** A "self-disclosed" violation means there is a no violation of record and a permit application is submitted to address unpermitted construction.

**Q:** What is a "violation of record"?

**A:** A "violation of record" is a verified violation of Sonoma County Code that is documented in the official County database (Permits Plus) and a Notice of Violation has been sent that identifies the violation.

**Q:** Will the Program apply to related permits such as residential septic replacement systems or zoning permits required to address second dwelling units?

**A:** If the septic serves an approved, or soon to be approved residential use, the answer is yes.

Installation of residential septic systems where the structure served is unlawful and is not being addressed under this Program may not qualify. Zoning permits to address residential uses will qualify under this Program.

## **Sonoma County Permit and Resource Management Department**

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- Q:** Will the Program apply to zoning permits for home occupations?
- A:** No, the Program applies to permit applications for residential construction and residential repairs for which a permit is required.
- Q:** Is there any discussion on expanding the Program to include commercial building or uses?
- A:** No. However, we are considering expanding the Program to include 501 (c) 3 non-profit owned properties.
- Q:** Will the Program apply to projects currently under construction?
- A:** No. The Program is limited to construction completed prior to August 1, 2010. However, if you have a partially completed project that stagnated and was never finished, we recommend that you take pictures of the project to take advantage of our "no-jeopardy" discussions with staff to see if you qualify.
- Q:** How long will permits issued under this Program be active?
- A:** Permits issued under this Program will be active for three years, like most other permits.
- Q:** Will I have to expose concealed construction during the inspection process?
- A:** Yes. Permits issued under this Program will be subject to [PRMD Policy 1-4-2](#) for Concealed Construction Verification Guidelines.
- Q:** How can I determine if there is a "violation of record" on my property?
- A:** PRMD has a Self-Help counter where you may research property records. An on-line website is also available to research records at: <http://www.sonoma-county.org/prmd/>. Click the "PERMIT HISTORY" button.

For further information, contact Customer Service at (707) 565-1923.