

# REQUEST TO DUPLICATE PLANS

California Health and Safety Code (HSC) Sections 19850 to 198523 requires the building department to follow certain procedures when requests for duplication of building plans are made. Per HSC Section 19851, retained official copies of building plans must be maintained and made available for inspection only on the premises. However, they can be duplicated in whole or in part upon receipt of (1) the written permission of the certified, licensed, or registered design professional who signed the original documents and the written permission of the original or current owner of the building; or (2) a court order or a request from any state agency.

**RESTRICTIONS:** In accordance with HSC Section 19853, the reproduction of drawings shall not apply to buildings containing banks, other financial institutions or public utilities.

## Plan Duplication Request Process:

The person requesting building plan copies must submit a signed and notarized "Request to Duplicate Plans" form.

Plans that bear a seal require release from the architect and/or engineer of record **and** the original or current property owner. If the building is part of a common interest development, written permission of the board of directors or governing body of the association established to manage the common interest development is required. In the case of a deceased architect or engineer of record, proof must be provided that they are no longer alive which can be in the form of a printout from the California Architects Board or California Professional Board of Engineers & Land Surveyors of their license status indicating "DECEASED".

Once permission is granted to duplicate plans, the person requesting the copies must arrange with a licensed & bonded reprographics company to retrieve the plans from the City, make the copies, and return the plans back to the City. The person requesting the plans arranges pick up & drop off of the plans and payment for copying.



CITY OF SIMI VALLEY
Request to Duplicate Plans

Building Address: \_\_\_\_\_

Assessor's Parcel Number: \_\_\_\_\_

PROPERTY OWNER:

Company Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

REQUESTOR: [ ] Same as PROPERTY OWNER

Company Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

AFFIDAVIT:

I, the undersigned, do hereby agree and acknowledge the following:

- 1. That the copy of the drawings requested shall only be used for the maintenance, operation and use of the subject building(s).
2. That the drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed, or registered professional of record.
3. That subdivision (a) of Section 5536.25 of the Business and Professions Code states that a licensed architect who signs plans, specifications, reports, or documents shall not be responsible for damage caused by subsequent changes to, or use of, those plans, specifications, reports, or documents where the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed architect who originally signed the plans, specifications, reports, or documents, provided that the architectural service rendered by the architect who signed the plans, specifications, reports, or documents was not also a proximate cause of the damage.
4. In consideration for the City's approval of this request, I do hereby agree to indemnify and hold harmless the City of Simi Valley from liability which may arise due to my receipt of the copy of the official plan and any use to which my copy of the plans may be applied.

(Requestor's Signature) \_\_\_\_\_ Date: \_\_\_\_\_

(Typed or Printed Name of Requestor) \_\_\_\_\_

Signature must be notarized by a Commissioned Notary Public

## HEALTH AND SAFETY CODE

### SECTION 19850-19853

19850. The building department of every city or county shall maintain an official copy, which may be on microfilm or other type of photographic copy, of the plans of every building, during the life of the building, for which the department issued a building permit.

"Building department" means the department, bureau, or officer charged with the enforcement of laws or ordinances regulating the erection, construction, or alteration of buildings.

Except for plans of a common interest development as defined in Section 4100 or 6534 of the Civil Code, plans need not be filed for:

(a) Single or multiple dwellings not more than two stories and basement in height.

(b) Garages and other structures appurtenant to buildings described under subdivision (a).

(c) Farm or ranch buildings.

(d) Any one-story building where the span between bearing walls does not exceed 25 feet. The exemption in this subdivision does not, however, apply to a steel frame or concrete building.

19851. (a) The official copy of the plans maintained by the building department of the city or county provided for under Section 19850 shall be open for inspection only on the premises of the building department as a public record. The copy may not be duplicated in whole or in part except (1) with the written permission, which permission shall not be unreasonably withheld as specified in subdivision (f), of the certified, licensed or registered professional or his or her successor, if any, who signed the original documents and the written permission of the original or current owner of the building, or, if the building is part of a common interest development, with the written permission of the board of directors or governing body of the association established to manage the common interest development, or (2) by order of a proper court or upon the request of any state agency.

(b) Any building department of a city or county, which is requested to duplicate the official copy of the plans maintained by the building department, shall request written permission to do so from the certified, licensed, or registered professional, or his or her successor, if any, who signed the original documents and from (1) the original or current owner of the building or (2), if the building is part of a common interest development, from the board of directors or other governing body of the association established to manage the common interest development.

(c) The building department shall also furnish the form of an affidavit to be completed and signed by the person requesting to duplicate the official copy of the plans, which contains provisions stating all of the following:

(1) That the copy of the plans shall only be used for the maintenance, operation, and use of the building.

(2) That drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed, or registered professional of record.

(3) That subdivision (a) of Section 5536.25 of the Business and

Professions Code states that a licensed architect who signs plans, specifications, reports, or documents shall not be responsible for damage caused by subsequent changes to, or use of, those plans, specifications, reports, or documents where the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed architect who originally signed the plans, specifications, reports, or documents, provided that the architectural service rendered by the architect who signed the plans, specifications, reports, or documents was not also a proximate cause of the damage.

(d) The request by the building department to a licensed, registered, or certified professional may be made by the building department sending a registered or certified letter to the licensed, registered, or certified professional requesting his or her permission to duplicate the official copy of the plans and sending with the registered or certified letter, a copy of the affidavit furnished by the building department which has been completed and signed by the person requesting to duplicate the official copy of the plans. The registered or certified letters shall be sent by the building department to the most recent address of the licensed, registered, or certified professional available from the California State Board of Architectural Examiners.

(e) The governing body of the city or county may establish a fee to be paid by any person who requests the building department of the city or county to duplicate the official copy of any plans pursuant to this section, in an amount which it determines is reasonably necessary to cover the costs of the building department pursuant to this section.

(f) The certified, licensed, or registered professional's refusal to permit the duplication of the plans is unreasonable if, upon request from the building department, the professional does either of the following:

(1) Fails to respond to the local building department within 30 days of receipt by the professional of the request. However, if the building department determines that professional is unavailable to respond within 30 days of receipt of the request due to serious illness, travel, or other extenuating circumstances, the time period shall be extended by the building department to allow the professional adequate time to respond, as determined to be appropriate to the individual circumstance, but not to exceed 60 days.

(2) Refuses to give his or her permission for the duplication of the plans after receiving the signed affidavit and registered or certified letter specified in subdivisions (c) and (d).

19852. The governing body of a county or city, including a charter city, may prescribe such fees as will pay the expenses incurred by the building department of such city or county in maintaining the official copy of the plans of buildings for which it has issued a building permit, but the fees shall not exceed the amount reasonably required by the building department in maintaining the official copy of the plans of buildings for which it has issued a building permit. The fees shall be imposed pursuant to Section 66016 of the Government Code.

19853. This chapter shall not apply to any building containing a

bank, other financial institution, or public utility.

---

