



Policy for Applications and Permits Submitted and Approved Prior to January 1, 2008

I. Application Expiration

- A. Projects submitted for plan check prior to January 1, 2008, will be reviewed under the 2001 California Code unless otherwise requested by the applicant and agreed to by the building official to review the project under the 2007 California Code.
- B. Applications for which a permit has not been issued within one hundred eighty (180) days following the date of application submission shall expire by limitation.
- C. The building official *may* extend the time for request by the applicant **showing that circumstances beyond the control of the applicant have prevented action from being taken on the application before expiration.**

In the past, extensions were granted on a regular basis. However, due to change in code and the anticipated volume of applications submitted to beat the January 1, 2008, date, the Building and Development Services Division will be adhering to the Modesto Municipal Code strictly and will not be granting extensions other than rare circumstances.

- D. According to the Modesto Municipal Code, extensions for expired applications require the applicant to resubmit; therefore all applications that expire after January 1, 2008, will require the plan to be submitted under the 2007 California Code.

II. Permit Expiration

- A. Every permit issued by the building official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of said permit, or if such building or work authorized by such permit is suspended or abandoned at any time after the work has commenced for a period of one hundred eighty (180) days, or if the building or work authorized by such permit is not completed seven hundred thirty (730) days from the date of such permit.

- B. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half (1/2) the amount required to obtain a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one (1) year.
- C. The building official ***may*** extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the ***permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.***
- D. ***In the past, extensions were granted on a regular basis. However, due to change in code and the anticipated volume of applications submitted to beat the January 1, 2008, date, the Building and Development Services Division will be adhering to the Modesto Municipal Code strictly and will not be granting extensions other than rare circumstances.***

III. Master Plans

- A. A Master Plan is defined as follows:

Subject to approval of the building official, a single-family dwelling plan submitted to Building and Development Services for construction in a subdivision in which multiple dwellings of the same design and type will be constructed continually from that plan. The plan can be used in lieu of individual submittals for the life of that subdivision unless a new building code is adopted.
- B. After January 1, 2008, previously approved master plans cannot be used for construction and will not be valid.
- C. Applications for permits for these master plans will be subject to application expiration as described in Section I of this policy.
- D. Issued permits for these master plans will be subject to permit expiration as described in Section II of this policy.

Examples:

1. Plan for New Dwelling is submitted November 2, 2007:
 - Applicant is notified plan is ready for pick up November 13, 2007.
 - Applicant fails to pick up permit within one hundred eighty (180) days of the application date and application expires.
 - Applicant must resubmit plans under the 2007 California Code.

2. Plan for Office Building is submitted December 15, 2007:
 - Applicant is notified plan is ready for pick up January 5, 2008.
 - Applicant requests extension June 14, 2008.
 - The request indicates funding was not there for the project; therefore applicant could not afford to pick up permit. Applicant will be able to pay for the permit October 30, 2008.
 - Extension ***will not*** be granted and applicant must resubmit plans under the 2007 California Code.

3. Master Plan approved September 19, 2007:
 - Application for permit submitted on January 4, 2008.
 - Application will be denied.
 - Master plan must be submitted to be reviewed under the 2007 California Building Code.

4. Master Plan approved September 19, 2007:
 - Application for permit submitted on December 31, 2007.
 - Application will be accepted and reviewed for accuracy and approved if in compliance.
 - Application expiration will be subject to Section II of this policy.
 - Issued permits for these master plans will be subject to permit expiration as described in Section II of this policy.