



Planning & Development Department  
Building and Safety Division  
Housing Code Enforcement

## EXTERIOR ELEVATED ELEMENTS INSPECTION PROGRAM EXEMPTION DECLARATION

Property owners or property managers: Please complete this declaration only if the inspection certification requirements of Section 601.4 of the Berkeley Housing Code do not apply to your property. Submit this declaration online at [www.cityofberkeley.info/E3/](http://www.cityofberkeley.info/E3/) or by mail to be removed from the City's inventory of buildings subject to the program.

### PROPERTY INFORMATION:

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

**Building Type:** (Select one)

- |                                                                                                                                                                     |                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Apartment House                                                                                                                            | <input type="checkbox"/> Residential Condo Building |
| <input type="checkbox"/> Congregate/Boarding/Dormitory/Fraternity/Sorority                                                                                          | <input type="checkbox"/> Hotel/Motel                |
| <input type="checkbox"/> Other (Live/work, Tenants in Common, Clubhouse, Convent, Residential Assisted Living Facility, Social Rehabilitation Residential Facility) | <input type="checkbox"/> N/A (See Below)            |

### REASON FOR EXEMPTION:

**Inspection Certification requirements do NOT apply to this building because** (select all that apply):

- Wood-framed or steel-framed exterior elements (i.e. exterior balconies, decks, stairs, landings, terraces, walkways, similar appurtenances) elevated more than six feet above adjacent grade **DO NOT EXIST** at this building.
- This building is not an R-1 or R-2 occupancy. It does not have 3 or more dwelling units and is not one of the other building types listed above. (Please note, R-1 and R-2 occupancies as defined in the California Building Code do not correspond to Berkeley's R-1 and R-2 zoning districts.)
- There are more than 2 units on the parcel BUT no more than 2 units in any building.
- This a Single Family Dwelling (SFD) or Duplex.

### PROPERTY OWNER:

Name of Property Owner: \_\_\_\_\_  
 Name of Property Management Company (if applicable): \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

Name	Signature	Date
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If you have any questions, contact Housing Code Enforcement staff at (510) 981-5444. **Submit completed & signed declarations online at [www.cityofberkeley.info/E3/](http://www.cityofberkeley.info/E3/) or send to Housing Code Enforcement at 1947 Center Street, 3<sup>rd</sup> Floor, Berkeley, CA 94704.**



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## **Notice of Inspection Requirement for Balconies, Stairways, Decks, Walkways and other Exterior Elevated Elements for Group R-1 and R-2 Occupancies to Comply with Berkeley Housing Code Section 601.4**

Section 601.4 of the Berkeley Housing Code requires inspection and certification of weather-exposed elements elevated more than six feet above adjacent grade.

As the property owner, you must either hire a licensed professional to inspect and submit the Inspection Certification for your property or complete the Exemption Declaration if the requirements of Section 601.4 of the Berkeley Housing Code do not apply to your property. This requirement applies to R-1 and R-2 occupancies as defined by the 2013 California Building Code and identified below. The inspection certification is due **March 31, 2022** and every five years thereafter. Go to [www.cityofberkeley.info/E3/](http://www.cityofberkeley.info/E3/) to submit the forms online, for answers to Frequently Answered Questions (FAQs) and periodic updates.

**What is the Inspection Requirement?** Section 601.4 of the Berkeley Housing Code requires property owners to have all projecting exterior elevated wood and metal decks, balconies, landings, stairway systems, guardrails, handrails, or any parts thereof inspected by a licensed general contractor, or structural pest control operator, or licensed professional architect or engineer, verifying that the elements are in a general safe condition, adequate working order, and do not exhibit signs of deterioration, decay, corrosion or similar damage that could pose a safety concern and there is no evidence of active water intrusion in concealed spaces of the inspected elements.

**Does the Inspection Requirement apply to my building?** Yes, if your building is a residential building containing three or more dwelling or sleeping units with exterior elevated elements listed below:

- Apartment houses, condominiums, tenants in common and live/work units
- Dormitories, fraternities, sororities, convents and monasteries
- Hotels, motels and vacation timeshare properties, boarding houses and congregate residences (transient with more than 10 occupants and nontransient with more than 16 occupants)
- Residential Assisted Living Facilities and Social Rehabilitation Residential Facilities

**Why do I have to submit the Exemption Declaration if the Inspection Requirement does not apply to my building?** The City of Berkeley does not have an inventory of buildings with exterior elevated elements. The Exemption Declaration is needed to inform the City the requirement does not apply to your building and for you to avoid potential penalties.

**Residential Condominiums:** In most cases, the homeowner's association (HOA) is responsible for exterior maintenance. Occasionally, balconies are not part of the common interest and the individual owner is responsible. The responsible party must hire a professional to complete the inspection certification.

**Enforcement for Failure to Comply:** Code enforcement proceedings under BMC Chapter 19.40 will be initiated against property owners who do not file an Inspection Certification or complete corrective work within the established timeframe. If corrective work is required, owners must apply for a permit within 60 days of the date of the certification, respond to plan check comments within 10 days of the date of the correction letter, obtain a building permit within 10 days of notification of plan approval and complete all work within 90 days of permit issuance.