	<b>CITY OF OCEANSIDE</b> Building Division 300 N Coast Highway Oceanside, CA 92054 760-435-3950 <a href="http://www.ci.oceanside.ca.us">www.ci.oceanside.ca.us</a>	I.B. 136
		1/1/2025 - 12/31/2028 <i>Effective Date</i>

## Exterior Elevated Element Required Inspections

The purpose of this Information Bulletin (IB-136) is to provide property owners and condominium associations with information regarding California Senate Bill 721 (SB 721), passed in 2018, and California Senate Bill 326 (SB 326), passed in 2019 and as amended by California Assembly Bill 2114, passed in 2024. These bills focus on enhancing the safety of multi-family residential and condominium buildings by requiring regular private inspections of exterior elevated elements (EEEs). Property owners are responsible for hiring licensed professionals to inspect these structures every six years for buildings with three or more multifamily dwelling units and every nine years for condominium projects to identify potential safety risks due to water damage, decay, or other deterioration. The goal is to ensure that these EEEs are maintained in good condition, reducing the risk of accidents and ensuring the safety of residents and visitors.

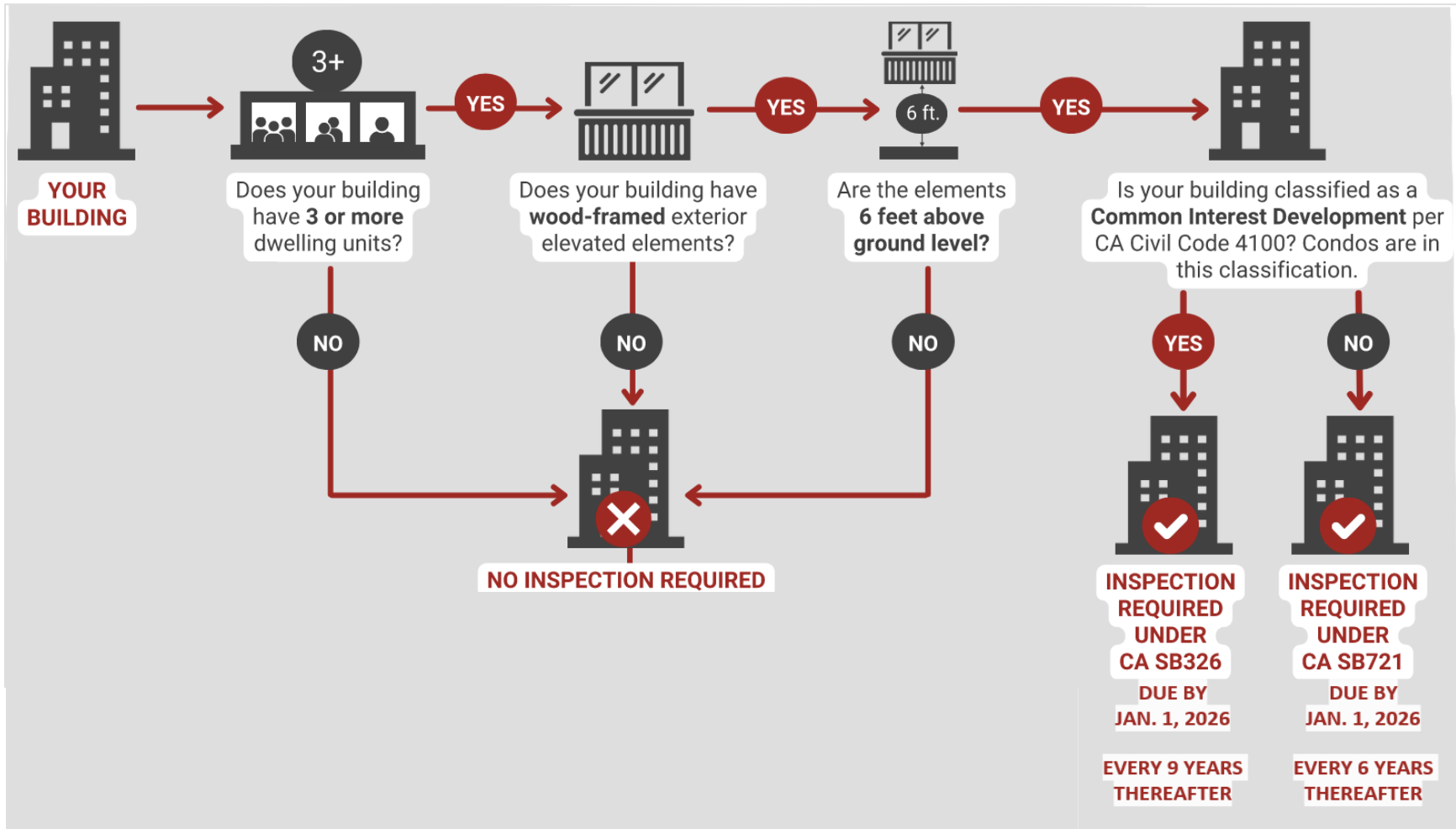
### WHAT IS AN EXTERIOR ELEVATED ELEMENT (EEE)

An EEE, as defined in SB 721 and SB 326, refers to any load-bearing component of a building, and its associated waterproofing system, that extends beyond the exterior walls and is elevated more than six feet above ground level. These elements are primarily designed for occupancy or use and include balconies, decks, porches, walkways, stairways, and platforms supported in whole or in substantial part by wood or wood-based materials. The construction and exposed nature of these structures leave them susceptible to damage from environmental factors such as moisture, leading to decay and weakening over time.

### WHEN IS AN INSPECTION REQUIRED

An inspection of EEEs is required every six years for buildings with three or more multifamily dwelling units with the first inspection to have been completed by January 1, 2025, with an extension to January 1, 2026, granted for multifamily buildings in accordance with California 2023-2024 Assembly Bill 2579, passed in 2024. For condominium projects, an inspection is required every nine years with the first inspection to have been completed by January 1, 2025. More frequent inspections shall be performed, as needed, if there is reason to believe that the EEEs are unsafe or have sustained damage that could compromise their structural integrity, such as following a significant weather event, water intrusion, or other damage. Property owners are responsible for ensuring that periodic inspections, as well as any additional inspections needed, are conducted to maintain compliance with SB 721 and SB 326 and protect the safety of the building’s occupants.

Please see the flowchart on the next page for additional information.




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**WHO PROVIDES INSPECTION SERVICES**

Pursuant to California Health and Safety Code (HSC) Section 17973(a) and California Civil Code (CCC) Section 5551(b) only specific licensed professionals are authorized to conduct inspections of EEEs. These individuals include:

1. Licensed Architects – Professionals licensed by the California Architects Board, qualified to evaluate the structural integrity of buildings.
2. Licensed Civil or Structural Engineers – Professionals licensed by the California Board for Professional Engineers, Land Surveyors, and Geologists, with expertise in structural analysis and safety.
3. Licensed General Contractors – Individuals holding any or all of the “A,” “B,” or “C-5” license classifications issued by the Contractors’ State License Board, with a minimum of five years’ experience, as a holder of the aforementioned classifications or licenses, in constructing multistory wood frame buildings may inspect buildings with three or more multifamily dwelling units only.
4. Licensed Building Inspectors – Certified building inspectors employed or retained by a local jurisdiction or a recognized inspection service who are qualified to assess building safety and compliance may inspect buildings with three or more multifamily dwelling units only.

These professionals must be appropriately licensed and experienced to ensure that their evaluations of EEEs are reliable and meet the legal and safety requirements set forth by SB 721 and SB 326. These individuals shall not be employed by the local jurisdiction while performing these inspections. The person or business performing the inspection shall be retained by the owner of the building.

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**INFORMATION REQUIRED WHEN NOTIFIED OF IMMEDIATE THREAT**

Following the inspection of the EEEs, the licensed professional must provide a written inspection report to the building owner or the board of the association of the condominium project (association) containing the findings of their inspection as set forth by SB 721 and SB 326. This written report must include details of the current condition, expectations of future performance and projected service life, recommendations of any further necessary inspections of the EEEs, and any necessary repairs or replacements that may be required. Additionally, HSC Section 17973(d)(1) and CCC Section 5551(g)(1) mandate that the licensed professional submit a copy of the inspection report to the Authority Having Jurisdiction within 15 calendar days if any EEE poses an immediate threat to the safety of the occupants, or if preventing occupant access or conducting emergency repairs, including shoring is necessary. All inspection reports submitted to the Code Enforcement Division by the licensed professional must include specific and detailed information as follows:


1. Description of the Hazard: A clear and thorough explanation of the safety hazard discovered, including the nature and severity of the issue, such as structural damage, decay, or other conditions compromising the EEE(s).
2. Location of the Hazard: The exact location of the affected EEE(s), including the unit number or area within the property where the issue was found.
3. Photographs and Supporting Evidence: Visual documentation, such as photographs or drawings, highlighting the damaged or hazardous areas of the EEE(s).
4. Required Actions: Recommendations for immediate action, including whether the affected EEE(s) should be restricted or closed off to prevent use until repairs are made and/or if temporary shoring is required.
5. Timeline for Repairs: A proposed timeline for addressing and completing the necessary repairs to eliminate the hazard.

This report must be submitted to both the property owner and the Authority Having Jurisdiction promptly, ensuring swift action to mitigate the risk. Non-compliance can result in penalties. Failure to obtain the required permit before starting the work may result in penalties and delays in completing the necessary repairs. Please note it is the responsibility of the building owner or the association to meet all required inspection deadlines and remain in compliance with the legal and safety requirements set forth by SB 721 and SB 326, respectively. The local jurisdiction is not tasked with ensuring compliance and will only be responsible for ensuring corrective action for an EEE(s) indicated as requiring action in the inspection report is completed and the issuance of permits for associated repairs.

**WHERE TO FILE OR ADDRESS NOTIFICATION**

A copy of all reports recommending immediate repairs, advising that the EEE(s) poses an immediate threat to the safety of the building occupants, or that the prevention of access or emergency repairs, including shoring, are necessary, should be submitted through the City’s website at the following link:

<https://www.ci.oceanside.ca.us/government/development-services/building/applications-and-forms>

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**WHERE TO FILE AN APPLICATION FOR A BUILDING PERMIT**

If the inspection reveals that repair or replacement of EEEs is necessary, the property owner is required to obtain a building permit from the Building Division before starting any work. This permit ensures that all repairs or replacements are performed in compliance with the standards adopted in the City of Oceanside Municipal Code and California Building Code. For additional information on how to apply for and obtain a building permit, please visit the Building Permits webpage at the following link:

<https://www.ci.oceanside.ca.us/government/development-services/building/building-permits>