

CODE APPLICATION NOTICE**Subject:** Time Limitations for Approval**CAN NO.** 1-7-129**EFFECTIVE:** 5/18/09

CODE SECTION

Section 7-129
2007 California Administrative Code (CAC)

2007 California Administrative Code**7-129. Time limitations for approval.**

(a) Final construction documents shall be submitted to the Office within one year of the date of the Office's report on preliminary plans and outline specifications or the application shall become void unless an extension has been requested and approved. The architect or engineer in responsible charge may request one extension of up to 180 calendar days; however, the Office may require that the construction documents meet current regulations. The extension must be requested in writing and justifiable cause demonstrated.

(b) The procedures leading to obtaining written approval of final construction documents shall be carried to conclusion without suspension or unnecessary delay. Unless an extension has been approved by the Office, the application shall become void when either paragraph 1 or 2 occurs:

1. Prints from corrected construction documents are not filed for backcheck within 90 calendar days after the date of return of checked construction documents to the architect or engineer in responsible charge. Backcheck submittals that do not contain a written response to all comments in accordance with Section 7-125 (d) shall not be considered an official submittal to the Office. The architect or engineer in responsible charge may request one extension of up to 90 calendar days; however, the Office may require the construction documents to be revised to meet current regulations. The extension must be requested in writing and justifiable cause demonstrated.
2. A set of prints of the stamped construction documents are not submitted to the Office within 45 calendar days after the date shown with the identification stamp by the Office.

(c) Construction, in accordance with the approved construction documents, shall commence within one year after obtaining the written approval of construction documents, or this approval shall become void. Prior to the approval becoming void, the applicant may apply for one extension of up to one year. The Office may require that the construction documents be revised to meet current regulations before granting an extension. The extensions must be requested in writing and justifiable cause demonstrated.

(d) If the work of construction is suspended or abandoned for any reason for a period of one year following its commencement, the Office's approval shall become void. Prior to the approval becoming void, the applicant may apply for one extension of up to one year. The Office may require that the construction documents be revised to meet current regulations before granting an extension. The extensions must be requested in writing and justifiable cause demonstrated.

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PURPOSE

The purpose of this Code Application Notice is to clarify the types of projects that the regulatory deadlines/time limitations in Section 7-129 apply to, and which projects may be exempt from complying with them.

BACKGROUND

Section 7-129 of the 2007 CAC has regulatory deadlines/time limitations by which plans must be resubmitted to the Office to prevent a project from being canceled or closed because of inactivity. Effective August 18, 2008, the regulatory deadlines/time limitations were reduced to reflect concerns regarding overall time to obtain approvals for plans submitted to the Office. These deadlines/time limitations apply to active, standard review projects. The Office has other plan review programs for which these deadlines/time limitations are not applicable.

INTERPRETATION

Managed projects, such as Phased Plan Reviews and Incremental Reviews, have schedules negotiated between Office staff and the applicants. The time limitations for managed projects are not subject to the deadlines/time limitations in Section 7-129. Also, projects approved to be managed projects will not be subject to the plan review turnaround policies of the Office for active, standard review process projects, such as 60-30-30 for "S" projects, etc.

It has been the policy of the Office to accept only large projects, usually with a construction cost greater than \$10 million, as managed projects. However, because of the current economic conditions, some projects may be budgeted over more than one fiscal year or may face other budget uncertainties. Therefore, the Office will consider any project as a managed project upon written request from the health facility. Upon acceptance of the project as a managed project by the Office, the applicant must negotiate a plan review schedule with the appropriate Regional Supervisor for projects in plan review and the construction schedule with the appropriate Regional Compliance Officer for projects with plan approval. The applicant must meet the agreed upon deadlines/time limitations to the greatest extent possible. Failure to meet the agreed upon deadlines/time limitations may cause the project to revert to the standard review process or to become void.

<u>Original Signed</u>	<u>5/18/09</u>
Paul Coleman	Date