City of Anderson Building Department

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SB 721 Informational Handout

SB 721 - "BALCONY INSPECTION LAW" OR "E3 LAW"

In 2018, California passed SB 721, the Balcony Inspection Law or Elevated Exterior Elements (E3) law.

City of Anderson Summary

City staff have prepared the following summary of the requirements of the law, but it is not a replacement for the full law. You should consult the law and/or a licensed professional for any questions or a complete understanding of compliance with this law.

Summary of Requirements

- Qualifying properties - Apartments with 3+ units. Owners of apartment buildings with three or more units are subject to the law if they have exterior elevated elements that are located more than six feet above adjacent grade, such as decks or stairways. 15% of these exterior elevated elements are required to be inspected per item, per property.
- Purpose of inspection - The purpose of the required inspections is to determine that exterior elevated elements and associated waterproofing materials and methods are in a generally safe condition, adequate working order, and free from any hazardous condition caused by fungus, deterioration, decay, or improper alteration to the extent that the life, limb, health, property, safety, or welfare of the public or the occupants is not endangered.

- The deadline is January 1, 2025. Except as otherwise provided by the E3 law, the required safety inspection must be completed before the deadline of January 1, 2025, and by January 1, every six years after that.
- The inspector must be a licensed professional. A current City of Anderson employee cannot perform the inspection. You must hire a licensed professional who qualifies as at least one of the following:
- Licensed architect
- Licensed civil or structural engineer
- An individual certified as a building inspector or building official from a recognized state, national, or international association
- A building contractor holding any of the "A," "B," or "C-5" license classifications issued by the Contractors State License Board, with a minimum of five years' experience in constructing multistory wood frame buildings and as a holder of the classifications above
- **Written report**- The licensed professional must provide a stamped/signed written report of the evaluation to the owner of the building or the owner's designated agent within 45 days of inspection completion.
- If findings include safety threats. The licensed professional must provide a copy of the report to the owner of the building and to the local enforcement agency within 15 days of completing the report. If there are any findings or recommendations regarding immediate repairs or advising that any building assembly poses an immediate threat to the safety of the occupants, or that preventing occupant access or emergency repairs, including shoring, are necessary. See How to Submit a Report below.
- Take immediate preventive measures for an emergency condition. If the inspector advises that an exterior elevated element poses an immediate threat to the safety of the occupants or finds that occupant access should be prevented or that emergency repairs, including shoring, are needed, this constitutes an emergency condition, and the owner of the building shall perform required preventive measures immediately. Immediately preventing occupant access to the exterior elevated element until emergency repairs can be completed constitutes compliance.

- Normal corrective work. The owner of the building requiring corrective work to an exterior elevated element that, in the opinion of the inspector, does not pose an immediate threat to the safety of the occupants, shall apply for a permit within 120 days and correct the condition within 120 days of permit issuance.
- Ongoing maintenance is a compliance requirement. The continued and ongoing maintenance of exterior elevated elements in a safe and functional condition in compliance with E3 inspection law shall be the responsibility of the owner of the building.
- Please note that a building permit ***will be required*** for any work that requires correction.

HOW TO SUBMIT A REPORT

Please email questions and reports to plan.pub.works@ci.anderson.ca.us

What to Submit

The licensed professional shall submit the following saved as PDF files:

-A thorough report of the findings

-The stamped or signed report

When to Submit a Report

For properties in Anderson, the licensed professional who conducts the E3 inspection must submit an inspection report to the Building Department as specified in SB 721, whether corrections are needed or not.

Please feel free to contact our office with any questions you may have. We are happy to assist you in this process.