

BUILDING DIVISION – POLICIES AND PROCEDURES

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APPLICATION OF RE-INSPECTION FEES

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ISSUE: When and under what circumstances is it appropriate for the building inspector to assess a Reinspection Fee?

ANALYSIS: Section 109.1.3 of the 2021 IBC as amended by the City of Golden, states The building official shall be authorized to assess a re-inspection fee for each inspection or re-inspection when such portion of work for which inspection is called is not complete; when previously cited corrections called for are not made; when the inspection record card is not properly posted or otherwise available on the work site; when the approved plans are not readily available to the inspector; for failure to provide access on the date for which inspection is requested; or for deviating from plans requiring the approval of the building official. Said re-inspection fee shall be as set forth by City Council resolution. In instances where re-inspection fees have been assessed, the building official is authorized to suspend or withhold additional inspection of the work until the required fees have been paid.

The practice of calling for inspections before they are ready also leads to the following abuses:

- a. The inspectors become improperly utilized as the builder's site superintendent to develop a punch-list and function as their quality control personnel.
- b. The inspectors waste considerable time driving to projects that are not ready.
- c. When inspectors choose to perform inspections on incomplete projects, or when the required permit documents are not present, the inspectors are more likely to overlook code violations due to the general condition of the project or the lack of accurate information. At subsequent inspections additional code violations may be noted and new corrections issued. This leads to complaints of incomplete or inaccurate initial inspections and complaints of "add-on" or "nit-picky" corrections. The initial inspection also tends to consume more of the inspectors' time due to of the large number of corrections.

The purpose for assessing a Reinspection Fee is to control the practice of calling for inspections before the job is ready. This fee also helps recover the cost associated with the administration, travel, and inspection time and resources wasted on these inspections.

The code clearly authorizes the assessing of Reinspection Fees. However, issues of uniform, consistent, and just application arise. Although experienced contractors and other design professionals may be aware of these fees, homeowners or less experienced trade persons may not. It is also more difficult to effectively schedule single trade or other minor inspections (i.e. Hot Water Heaters, Air Conditioning Units, Furnaces, Service changes, etc.) where the homeowner is generally required to provide access. The indiscriminate or frequent application of these fees also tends to foster resentment and a general lack of cooperation between the building inspectors and the affected homeowners/contractors.

POLICY & PROCEDURE: Building Inspectors may assess a reinspection fee for each inspection or reinspection when portions of work, for which the inspection is called, is not complete or when corrections called for are not made. Reinspection fees may also be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

For inspections associated with homeowner permits, or for those inspections associated with minor permits where the responsibility for access is generally delegated to the homeowner, two warnings shall be given prior to the issuance of a reinspection fee. On the third such offense a reinspection fee shall be assessed.

For all other inspections, one warning shall be given prior to the issuance of a reinspection fee. At the second such offense a reinspection fee may be assessed at the discretion of the building inspector. At the third such offense a reinspection fee shall be assessed.

A reinspection fee may be assessed at the first offense for contractors or individuals improperly requesting inspections who have established a pattern of requesting such inspections. This pattern may be established by the history of inspections performed associated with concurrent or previous permits. A pattern shall be considered as having been established when four or more inspections for which a reinspection fee could have been assessed has occurred, or when two or more reinspection fees have been assessed. Either of these patterns shall be established within a maximum of a 2-year time frame.

The assessed Reinspection Fee shall be that adopted by City Council.

No additional inspections of the work will be performed until the required fees have been paid.
