COUNTY OF HUMBOLDT

PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H SIREET EUREKA CA 95501
PHONE: {707) 445-7245

AFFIDAVIT FOR DUPLICATING PLANS

(To be completed by customers requesting copies of approved plans)

I/We, _____,
(Name of Individual{s} Requesting Copies)
hereby request that the County of Humboldt release a copy of the approved plans for the building or property located at:

_____

Plan number/or sheets being requested

_____

I understand that certain conditions apply to copies of official building department-approved plans and that the licensed, certified or registered professional of record is afforded certain protections associated with the plans/documents which they prepared. I have read and will abide by the following conditions in accordance with the Health and Safety Code Section 19851.

1. The copy of the plans shall only be used for the maintenance, operation and use of the building.
2. Drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed, or registered professional of record.
3. Subdivision (a) of Section 5536.25 of the Business and Professions Code states that a licensed architect who signs plans, specifications, reports or documents shall not be responsible for damage caused by subsequent changes to, or use of, those plans, specifications, reports or documents where the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed architect who originally signed the plans, specifications, reports, or documents, provided that the architectural service rendered by the architect who signed the plans, specifications, reports, or documents was not also a proximate cause of the damage.

_____ _____
Signature Date

I, _____, hereby acknowledge the terms and conditions
(Licensed Professional or Building Owner)
associated with acquiring copies of official plans maintained by the Building Division as set forth in Health and Safety Code Section 19851:

_____
Print Name

_____ _____
Signature Date

COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245

VIA REGISTERED MAIL

Re: Request for Copy of Building Plans

Dear _____:
(Licensed Professional and Building Owner)

The County of Humboldt Building Division has received a request for the duplication of official copies of building plans. Pursuant to requirements of Health and Safety Code §19851, the permission of the professional who signed the plans, and the original or current owner of the building, is required before the plans can be duplicated. The specific plans involved in this request for duplication are listed on the attached Affidavit.

Please consider this registered letter the statutorily required format request for your permission to all the duplication of plans identified on the Affidavit. As required by State Law, we have
enclosed a copy of a declaration signed by the person requesting the copy. The declaration contains language limiting the use of any copy of the plans and acknowledgements of certain limitations on the use of any previously prepared plans. We have also provided space below for your signature of release and license number. **Please sign, complete and mail this form to the Building Division, County of Humboldt at the address listed or fax the form to (707) 445-7446.**

Please also be aware the State Law requires your response to this request within thirty (30) days, and limits your ability to refuse to give your permission for the copying of the plans. Any questions you have regarding these provisions of law should be directed to legal counsel. For your convenience, a copy of Health and Safety Code §19851 is attached.

Thank you for your time and attention to this matter. We look forward to hearing from you within thirty (30) days from the date of this letter.

Respectfully,

Building Division
County of Humboldt

Enclosures

I, _____ hereby give my permission for release of indicated plans.
(Licensed Professional / Owner)

License number _____

California Health and Safety Code

§ 19851. Inspection of records; duplication of plans

(a) The official copy of the plans maintained by the building department of the city or county provided for under Section 19850 shall be open for inspection only on the premises of the building department as public record. The copy may not be duplicated in whole or in part except (1) with the written permission, which permission shall not be unreasonably withheld as specified in subdivision {f), of the certified, licensed or registered professional or his or her successor, if any, who signed the original documents and the written permission of the original or current owner of the building, or, if the building is part of a common interest development, with the written permission of the board of directors or governing body of the association established to manage the common interest development, or (2) by order of a proper court or upon the request of any state agency.

(b) Any building department of a city or county, which is requested to duplicate the official copy of the plans maintained by the building department, shall request written permission to do so from the certified, licensed, or registered professional, or his or her successor, if any, who signed the original documents and from (1) the original or current owner of the building or (2), if the building is part of a common interest development, from the board of directors or other governing body of the association established to manage the common interest development.

(c) The building department shall also furnish the form of an affidavit to be completed and signed by the person requesting to duplicate the official copy of the plans, which contains provisions stating all of the following:

(1) That the copy of the plans shall only be used for the maintenance, operation, and use of the building.

(2) That drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed, or registered professional of record.

(3) That subdivision (a) of Section 5536.25 of the Business and Professions Code states that a licensed architect who signs plans, specifications, reports, or documents shall not be responsible for damage caused by subsequent changes to or use of, those plans, specifications, reports, or documents where the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed architect who originally signed the plans, specifications, reports, or documents, provided that the architectural service rendered by the architect who signed the plans, specifications, reports, or documents was not also a proximate cause of the damage.

(d) The request by the building department to a licensed, registered, or certified professional may be made by the building department sending a registered letter to the licensed, registered, or certified professional requesting his or her permission to duplicate the official copy of the plans and sending with the registered letter, a copy of the affidavit furnished by the building department which has been completed and signed by the person requesting to duplicate the official copy of the plans. The registered letters shall be sent by the building department to the most recent address of the licensed, registered, or

certified professional available from the California State Board of Architectural Examiners.

(e) The governing body of the city or county may establish a fee to be paid by any person who requests the building department of the city or county to duplicate the official copy of any plans pursuant to this section, in an amount which it determines is reasonably necessary to cover the costs of the building department pursuant to this section.

(f) The certified, licensed, or registered professional's refusal to permit the duplication of the plans is unreasonable if, upon request from the building department, the professional does either of the following:

(1) Fails to respond to the local building department within 30 days of receipt by the professional of the request. However, if the building department determines that professional is unavailable to respond within 30 days of receipt of the request due to serious illness, travel, or other extenuating circumstances, the time period shall be extended by the building department to allow the professional adequate time to respond, as determined to be appropriate to the individual circumstance, but not to exceed 60 days.

(2) Refuses to give his or her permission for the duplication of the plans after receiving the signed affidavit and registered letter specified in subdivisions (c) and (d).