EMERGENCY EXECUTIVE ORDER NO. 6 Return and Rebuild

Issue Date: April 22, 2025

Subject: Self-Certification Pilot Program

INTRODUCTION

The Wildfires of January 2025 caused devastating impacts to people and property, tragically destroying thousands of homes in the City of Los Angeles (City).

Recognizing the critical importance of supporting community rebuilding and recovery efforts and addressing the critical housing shortage in the City of Los Angeles, I am ordering that a range of measures be taken. To aid in safely and swiftly recovering from this disaster I issued Emergency Executive Order No. 1, directing that certain zoning regulations and discretionary processes be waived for rebuild projects and that permits be accelerated.

That original version of that order further directed the Department of Building and Safety (LADBS) to report back on what permit review(s) could potentially be replaced by a self-certification procedure by a licensed architect to expedite the reconstruction of single-family residential structures damaged or destroyed by the Wildfires of January, 2025.

Establishing a self-certification program can be an important tool to rebuild neighborhoods quickly and safely, and allow impacted Angelenos to get back home. Several cities, including New York, Chicago, Phoenix, Dallas, San Diego, Bellflower, Oxnard, and the County of San Diego have implemented self-certification programs proven to reduce permitting timelines. LADBS currently has an express permit program in which certain smaller-scope permit types can be obtained online without plan check review.

A self-certification process would allow a licensed architect in the State of California to assume responsibility to verify compliance with all or some of the building and zoning codes applicable to construction projects on private property in the City of Los Angeles. Self-certified plans would not be reviewed and approved by LADBS and the necessary permit(s) would be issued relying on the self-certification by the licensed architect, eliminating the need for a plan check process via LADBS.

While we must build back quickly to allow impacted Angelenos to come home, we also must build back safely, and with resilience. Self-certification has the potential to positively impact the rebuild process. A self-certification program, however, must also be designed with safety and accountability in mind.

Building codes and related standards continue to become more complex with each code cycle. Code revisions occur on a three-year cycle and an 18-month intervening cycle, that are in addition to local ordinances. Further, any errors found on self-certified plans during

field inspection would cause delays in construction and/or additional expense by the owner as a result.

For a self-certification program to be effective and successful, architects performing self-certification work will need to have a strong understanding of current building codes, and a regular evaluation of how well the program is working is critical. As a result, it is important to administer a self-certification program with a comprehensive audit system, training and/or testing of participants, and to provide information and continually evaluate the effectiveness of a self-certification pilot program.

Therefore, to provide a streamlined path for the rebuilding of the City of Los Angeles' fire-devastated communities, pursuant to City Charter Section 231, subsection (i), and under the provisions of the Los Angeles Administrative Code Section 8.29 that authorize me to promulgate, issue and enforce emergency rules, regulations, orders, and directives, I hereby declare the following order to be necessary for the protection of life and property and I hereby order, effective immediately, that the Department of Building and Safety shall establish a self-certification pilot program. The pilot program shall be limited to reconstruction projects that are on a site with a structure substantially damaged or destroyed by the Wildfires, as determined by the City, and that meet the project eligibility requirements set forth below, and shall be subject to the following parameters:

- 1. The self-certification pilot program allows a licensed architect registered in the State of California to self-certify compliance of construction plans with the California Residential Code, as adopted and amended by the City of Los Angeles, for projects meeting the Project Eligibility requirements below.
- 2. All applicable reviews and approvals by City departments other than LADBS shall continue to be required.
- 3. All required inspections and related sign-offs by LADBS and other applicable City departments for the issuance of a Temporary Certificate of Occupancy and/or Certificate of Occupancy shall continue to be required.
- 4. Projects utilizing the self-certification pilot program remain subject to all other regulatory requirements, including but not limited to: inspection, code enforcement, revocation, expiration, and any other enforcement authority of the City for noncompliant construction.
- 5. Grading review shall be required for self-certification projects as outlined in Information Bulletin: P/BC 2025-157 and the LADBS implementation guidelines.
- 6. LADBS shall issue implementation guidelines for the self-certification program within 30 working days of the issuance of this Order.
- 7. The self-certification pilot program shall be implemented on a temporary pilot basis. In coordination with the Mayor's Office and other applicable City departments,

LADBS shall conduct an evaluation of the pilot program. This evaluation shall be conducted at the conclusion of the first year of the pilot program, unless determined to be necessary at an earlier time. The parameters of this evaluation shall be set forth in the LADBS implementation guidelines, and shall include considerations of the record of safety and code compliance of projects built under this self-certification program.

8. Project Eligibility.

- a. The self-certification program shall be limited to the construction of single-family dwellings that repair or replace structures damaged or destroyed in the January 2025 Wildfires, and up to three stories only (within the scope of the California Residential Codes), including associated accessory structures such as Accessory Dwelling Units, Accessory Living Quarters, and recreation rooms.
- i.However, pools are not eligible for the self-certification program unless they are standard plan pools that are approved by LADBS. LADBS shall include criteria for self-certification of pools in the implementation guidelines.
 - ii. "Wildfires" shall mean, individually or collectively, the Palisades, Hurst, Kenneth, Archer, and Sunset Fires that occurred in January 2025, in whole or in part within the City of Los Angeles.
 - b. A project and lot shall not be located in whole or in part within a Geologically Sensitive Area. For the purposes of this Order, Geologically Sensitive Areas are defined in <u>Information Bulletin: P/BC 2025-157</u>.
- 9. Participant Requirements. Participating architects in the pilot program must meet all of the criteria listed below.
- a. Possess a valid architect's license issued by the State of California.
 - b. Successfully complete a test and/or demonstrate knowledge of the applicable California Residential Code as required by LADBS. LADBS will collaborate with the International Code Council (ICC) to create a test and/or a certification program for architects wishing to participate in the program.
 - c. Possess professional liability insurance in an amount to be determined by LADBS in its implementation guidelines.
 - d. Agree to being removed from the program at the discretion of LADBS if the architect has made material errors in compliance with the required California Residential Code, as amended by the City of Los Angeles and as set forth in LADBS' implementation guidelines. Participants shall remain subject to inspections and code enforcement activities.

- 10. Other Requirements.
- a. Structural plans shall be signed and stamped by a structural engineer with a valid license from the State of California.
 - b. Energy calculations shall be signed and stamped by an engineer with a valid license from the State of California, as determined by LADBS and as set forth in the implementation guidelines.
 - c. An affidavit, to the satisfaction of the City, signed by the architect, structural engineer and the property owner indemnifying the City. This affidavit shall be recorded with the County Recorder's office. A copy of the recorded affidavit shall be provided to LADBS prior to building permit issuance.
 - d. Other requirements as deemed necessary by LADBS.
- 11. Any fees that may be required by LADBS for administering the self-certification pilot program shall be addressed in the LADBS implementation guidelines and may be based on the hourly rate specified in Section 98.0415(e) of the Los Angeles Municipal Code (LAMC) to recoup the cost. Applicable surcharges may apply as required by the LAMC.
- 12. LADBS shall establish an audit system in which a certain proportion of the self-certified plans will be reviewed by LADBS plan check staff, to be set forth in the implementation guidelines. The scope, requirements, and fees of the audit system shall be provided in the implementation guidelines issued by LADBS. Fees to recoup the cost of auditing may be based on the hourly rate specified in Section 98.0415(e) of the LAMC. Applicable surcharges may apply as required by the LAMC.
- 13. LADBS shall evaluate the feasibility of including zoning review as part of the self-certification pilot program, solely for Eligible Projects, as defined under the Mayor's Emergency Executive Order No. 1 and consistent with the Governor's previously adopted Executive Orders N-4-25, N-9-25, N-14-25, and N-20-25. If found to be feasible, LADBS shall include zoning self-certification for Eligible Projects within the implementation guidelines. The implementation guidelines shall also establish related documentation and submittal requirements, in relation to zoning review.