



REQUEST FOR DUPLICATION OF COPYRIGHTED BUILDING PLANS B-43

Development Services

Building Division 1635 Faraday Avenue 442-339-2719 www.carlsbadca.gov

On this the ___ day of ___ 20___ do hereby request permission to duplicate plans, specifications, reports, or documents associated with:

Site Address: _____ Plan/Permit # _____

Requestor's Name(s): _____ Requestor's Email: _____

Requestor's Address: _____ Phone Number: _____

This information is requested in conjunction with Sections 19850 and 19851 of the California Health and Safety Code relating to buildings as amended in Chapter 767 on September 9, 1988. The requestor hereby attests, under penalty of perjury, to the following:

- (c) (1) That the copy of the plans shall be used only for the maintenance, operation, and use of the building. (2) That the 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 subsequent changes or uses, including uses made by State and 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.

The following paragraphs are copied from sections 19850 and 19851 of the California Health and Safety Code and are provided to inform both the requestor and the professional.

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

Requestor's Signature: _____ Date: _____

Note: The following Authorization Form is required to be completed by the property owner only IF designating an agent to request duplication of plans on their behalf.

AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF

I hereby authorize the following person(s) to act as my agent(s) to request for, sign, and gather the records and plans under this Affidavit Request for Duplication of Copyrighted Plans. Name of Authorized Agent: _____ Address of Authorized Agent: _____ Tel No: _____

I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy. Note: A copy of the owner's driver's license, form notarization, or other verification acceptable to the department is required to be presented to verify the property owner's signature.

Notary Stamp

Property Owner's Name: _____ Email: _____

Property Owner's Signature: _____ Date: _____

For Official Use Only

Design Professional: _____ License Number: _____

Cashier, please collect fee for one hour of building staff time per the current fee schedule.

For the Duplication of Building Plans Fee: \$ 164.00 Account: 001-3610-4999 (BLDG)

Informational Only

In general, the homeowner or agent reviews archived plans and other building documents that have mostly been converted to digital files. If the homeowner or agent desires copies of plans, structural calculations or other documents that are marked with a design professional's seal or signature, the department follows the procedure outlined in the California Health and Safety Code Sections 19850 – 19853 to notify the design professional that a copy of his/her plans or structural calculations, etc. has been requested.

Typically, the design professional has 30 days to respond to the request from the date of the letter (this time period can be extended in certain circumstances, for example, if the design professional is out of town or ill.) The plans are then released when either the design professional responds or the 30-day period is over but no longer than 60 days after submittal.

NOTE: We are prohibited by the Health & Safety Code to release plans for banks or other financial institutions or public utilities.

To obtain copies of professional drawings, calculations or other documents, our department follows the procedures detailed below:

1. If you are not the current owner, request permission from the property owner. See Authorization of Agent to Act on Property Owner's Behalf at the top of this page or submit written permission from the current owner.
2. Review the archived files of the property.
3. Complete this Affidavit for Duplication of Copyrighted Plans and have it notarized by a notary clerk.
4. Pay the administrative fee and submit this Affidavit for Duplication of Copyrighted Plans, along with written permission from the current owner, if necessary.

Upon submittal of the above documents and required fee, the department will process the request and contact the requestor no longer than 60 days from submittal to arrange duplication of the official documents.