



Town of Woodside, Building Division
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Notice of Health and Safety Requirements for Unpermitted ADUs Constructed Prior to January 1, 2020, pursuant to AB 2533

The purpose of this document is to provide notice to homeowners of State Law applicable to unpermitted Accessory Dwelling Units (ADUs) or Junior ADUs constructed prior to January 1, 2020. The law is codified in [Government Code Section 66322 \(leginfo.legislature.ca.gov\)](http://leginfo.ca.gov/GovernmentCode/66322.html).

A. Assembly Bill (AB) 2533 (Effective January 1, 2025)

State Law prohibits local agencies from denying permits for an unpermitted ADU or unpermitted Junior ADU that was constructed before January 1, 2020, due to either of the following listed below, *unless* the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health Safety Code.

1. The ADU or Junior ADU is in violation of building standards pursuant to Article 1 (Commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code.
2. The ADU or Junor ADU does not comply with this article or Article 3 (commencing with Section 66333), as applicable, or any local ordinance regulating ADUs or Junior ADUs.

B. Basic Health and Safety Requirements

ADUs and Junior ADUs are required to comply with the [California Health and Safety Code Section 17920.3](#) to ensure the ADU is not a substandard building. A checklist of the conditions specified in Section 17920.3 of the Health and Safety Code that would deem a building substandard is provided on the following pages.

Health and Safety Code Section 17920.3 Checklist <i>Health and Safety Code Section 17920.3, Effective January 1, 2025</i>				
<input checked="" type="checkbox"/>	Substandard Building Conditions			
<input type="checkbox"/>	<u>Inadequate Sanitation</u> due to a lack of, or improper:	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Water closet, lavatory, bathtub or shower	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Improper kitchen sink	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hot and cold running water to plumbing fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Adequate heating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Operation of required ventilating equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Minimum amounts of natural light and ventilation required by the Health and Safety Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Room and space dimensions less than required by the Health and Safety Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Required electrical lighting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dampness of habitable rooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Infestation of insects, vermin, or rodents as determined by a Health	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Officer			
Visible mold growth as determined by a Health Officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General dilapidation or improper maintenance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connection to required sewage disposal system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequate garbage and rubbish storage and removal facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<u>Structural Hazards</u> including but not limited to:	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Deteriorated or inadequate foundations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Defective or deteriorated flooring or floor supports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Flooring or floor supports of insufficient size to carry imposed loads with safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Members of walls, partitions, or other vertical supports insufficient in size to carry imposed loads with safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split, or buckle due to defective material or deterioration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fireplaces or chimneys that list, bulge, or settle due to defective material or deterioration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<u>Any nuisance</u>	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<u>All wiring</u> , except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<u>All plumbing</u> , except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	All mechanical equipment , including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.	Yes	No	TBD
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Faulty weather protection including but not limited to:	Yes	No	TBD

<input type="checkbox"/>	Deteriorated, crumbling, or loose plaster	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint of other approved protective covering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Broken, rotted, split, or buckled exterior wall coverings or roof coverings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or the chief's deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.	Yes	No	TBD
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	All materials of construction , except those that are specifically allowed or approved by this code, and that have been adequately maintained in good and safe condition.	Yes	No	TBD
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.	Yes	No	TBD
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.	Yes	No	TBD
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by the Health and Safety Code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.	<u>Yes</u>	<u>No</u>	<u>TBD</u>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<u>Inadequate structural resistance to horizontal forces.</u>	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<u>“Substandard building” includes a building not in compliance with Section 13143.2.</u> However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.	<u>Yes</u>	<u>No</u>	<u>TBD</u>
	Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C. Inspection and Fee Requirements

The following requirements are applicable to unpermitted ADUs and Junior ADUs constructed prior to January 1, 2020.

1. Third-Party Code Inspection: Before submitting an application for a permit, the homeowner may

obtain a confidential third-party code inspection from a licensed contractor to determine the unit's existing condition of potential scope of building improvements before submitting an application for a permit.

2. Impact Fees or Connection or Capacity Charges: A homeowner applying for a permit for a previously unpermitted ADU or Junior ADU constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code and when the fee is authorized by subdivision (e) of Section 66324.
3. Buildings Deemed Substandard: For buildings deemed substandard pursuant to Section 17920.3 of the Health and Safety Code, upon receiving an application to permit a previously unpermitted ADU or Junior ADU constructed before January 1, 2020, an inspector from the local agency may inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards, the local agency shall not penalize an applicant for having the unpermitted ADU or Junior ADU and shall approve necessary permits to correct noncompliance with health and safety standards.