

DEFINITION OF “COMMENCED CONSTRUCTION” AND SIMILAR PHRASES

The City of Los Angeles has enacted several ordinances that contain a provision which exempts a project from compliance to the provisions of the ordinances, provided development pursuant to a valid building permit is “commenced” or is “under construction” by a specific date. At times, these ordinances fail to provide a definition of “commenced construction” or “under construction.”

In order to provide a uniform enforcement policy, the Department of Building and Safety will interpret the terms “commenced construction,” “under construction,” “started construction” or similar phrases to mean that construction pursuant to a valid building permit has progressed to the point that at least one of the inspections required by Sections 108.5 or 108.9 (with the exception of Item 1 of Section 108.9, Initial Meeting/Inspection) of the Los Angeles Building Code has been validly requested and a full/partial approval or a correction has been obtained from the Department.