# THE FLORIDA BUILDING CODE

## BROWARD COUNTY AMENDMENTS

### CHANGE OF ADDRESS

In order to receive Amendments to this Code, notify this office (954) 765-4500, ext. 9892 / 9883, of new address.

**BROWARD COUNTY AMENDMENTS**
**TO THE 5th Edition (2014) FBC--Building**
**Effective Date: June 30, 2015**
With amendments through March 2017

# BROWARD COUNTY BOARD OF RULES AND APPEALS

# 2015

# MEMBERS

**Ron Burr, Swimming Pool Contractor, Chair**
**Jeffrey Lucas, Deputy Fire Chief, Vice Chair**

**Voting Board Members**

Gregg D'Attile, Mechanical Contractor
Gary Elzweig, PE, Structural Engineer
John Famularo, Roofing Contractor
Shalanda Giles Nelson, General Contractor
Allan A. Kozich, PE, Electrical Engineer
John Sims, Master Electrician
Kenneth B. Wynn, Representative of the Disabled Community
TBA, Master Plumber
Abbas H. Zackria, AIA, Architect
TBA, Consumer Advocate
TBA, Mechanical Engineer

**Non-Voting Alternates**

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Alberto Fernandez, General Contractor
Daniel Lavrich, PE, Structural Engineer
Jeff Moral, Assistant Chief, CFO, Fire Service Professional
David Rice, PE, Electrical Engineer
TBA, Master Plumber
David Tringo, Master Electrician
William Flett, Roofing Contractor
TBA, Architect

# STAFF

**James DiPietro – Administrative Director**
**Charles M. Kramer, Esq. – Attorney**

Rolando O. Soto – Chief Code Compliance Officer (Mechanical)
Kenneth Castronovo – Chief Code Compliance Officer (Electrical)
D. Cris Fardelmann – Chief Code Compliance Officer (Structural)
William G. Dumbaugh – Chief Code Compliance Officer (Structural)
Otto Viñas – Chief Code Compliance Officer (Plumbing)
Bryan C. Parks – Chief Code Compliance Officer (Fire)

**NOTES**

This Special Act was incorporated in the Broward County Charter by public referendum as of March 9, 1976.

## Chapter 71-575

AN ACT relating to Broward County repealing Chapter 69-917 and Chapter 70-616 Laws of Florida; adopting the Dade County 1970 edition of the South Florida Building Code as amended as the standard for Broward County; enforcement and inspection shall be the responsibility of elected or appointed officials in each municipality in the county; providing a penalty; removal from office for nonfeasance, misfeasance or malfeasance; provided that all laws, ordinances or resolutions in existence in any municipality or unincorporated area of Broward County in conflict herewith are repealed; the Board of County Commissioners, nor any municipality, may pass a law in conflict herewith; amending Section 203 of the South Florida Building Code relating to secretary to the Board of Rules and Appeals; amending Section 203 of the South Florida Building Code relating to secretary to the Board, office space, equipment and additional personnel by adding a new Sub-section (a); amending Sub-section (a) of Section 203.1 of the South Florida Building Code relating to membership of the Board of Rules and Appeals; amending Sub-section (b) of Section 204.1 of the South Florida Building Code relating to the term of Board membership, providing that all Board members appointed under Chapter 70-616 Laws of Florida are held over and reaffirmed to complete the terms appointed for; amending Section 203.2 relating to compensation for Board members, amending Sub-section (b) of Section 203.3 of the South Florida Building Code relating to officers and procedure; amending Sub-section (e) of Section 203.3 of the South Florida Building Code as it relates to a quorum; amending Sub-section (d) (2) of Section 203.4 of the South Florida Building Code as it relates to revisions to the Code; repealing Sub-section (d)(3) of Section 203.4 of the South Florida Building Code by adding new Sub-section (e) and a new Sub-section (f) relating to costs of appeal and procedure of appeal; amending Sub-section (a) (2) of Section 203.5 relating to the powers of the Board of Rules and Appeals; repealing Sub-section (c) of Section 203.6 of the South Florida Building Code; providing an effective date.

Be It Enacted by the Legislative of the State of Florida:

Section 1. Chapter 69-917 and Chapter 70-616 of the Special Acts, Laws of Florida are hereby repealed.

Section 2. The South Florida Building Code, Dade County 1970 edition, as amended , hereafter referred to as the South Florida Building Code, shall apply to all municipalities and unincorporated areas of Broward County, Florida.

(a) The South Florida Building Code as applicable to Broward County shall apply countywide in both incorporated and unincorporated areas to all new buildings and structures both private and public and to all operations, additions and repairs in any new or existing building or structure, both private and public, including but not limited to all public or private school facilities, notwithstanding the provisions of Section 8 of the Florida Education Finance Act of 1973; county buildings or structures; municipal and state buildings or structures; hospitals and any other building or structure of any governmental authority.

(b) The South Florida Building Code shall take precedence over and supersede the Southern Standard Building Code in Broward County regardless of whether the Southern Standard Building Code may be more or less stringent that the South Florida Building Code.

Section 3.

(a) Inspection and enforcement of the South Florida Building Code (as amended for Broward County) by competent and qualified building inspectors shall be the responsibility of elected or appointed city commissioners, city councilmen and mayor of each municipality; and the responsibility of elected and appointed members of the Board of County Commissioners in all unincorporated areas within Broward County.

(b) Inspection of all school facilities shall be based on the minimum standards of the South Florida Building Code as applicable to Broward County, notwithstanding the provisions of Section 8, Sub-section 4, of the Florida Education Finance act of 1973.

(c) The Board of Rules and Appeals shall certify each and every Building Department after it has determined to its satisfaction that the Building Inspectors which include the Building Official, Chief Plumbing Inspector and Chief Electrical Inspector are properly competent and qualified by the provisions of the South Florida Building Code as amended from time to time by the Broward County Board of Rules and Appeals. Those building departments not certified by the Board must utilize architects or engineers or professional architectural or consulting engineering firms meeting the requirements for a Building Official as prescribed in Section 201 of the South Florida Building Code or other certified building departments for inspections until they are capable of being certified by the Board. Violation of this Section by any appointed or elected official or officials shall constitute a misdemeanor of the second degree, punishable as provided in Florida Statutes, Sections 775.082 or 775.083.

Section 4.

(a) For the purpose of inspection, competent and qualified building inspectors shall be employed by these elected or appointed officials charged with the responsibility of enforcing this act. If any of the elected or appointed officials named in Section 3 of this act knowingly allow or permit any new buildings or structures, both private and public or any alterations, additions and repairs in any new or existing building or structure, both private and public, including but not limited to public schools, county buildings or structures, municipal and state buildings or structures, hospitals, and any other building or structure of any governmental authority, to be erected within Broward County in violation of the South Florida Building Code , or if any of the elected or appointed officials prohibit , by any means, directly or indirectly, the use of any materials, types of construction and methods of design authorized by the Code or alternate materials, types of construction and methods of design approved by the provisions of the Code , then the elected or appointed official or officials may be removed from office for nonfeasance, misfeasance or malfeasance in office. Violation of this Section by an appointed or elected official shall constitute a misdemeanor of the second degree, punishable as provided in Florida Statutes Section 775.082 or 775.083.

(b) Any Inspector (such as and including but not limited to structural, engineering, plumbing, mechanical, or electrical) or other building official charged with enforcing or otherwise supervising or inspecting any work covered under any section of the South Florida Building Code as applicable to Broward County pursuant to Chapter 71-575, Laws or Florida, and who is required to hold or who otherwise holds a Certificate of Competency in any area of construction shall not use that Certificate of Competency to engage in free enterprise thereby competing against persons or firms whose work he may also inspect, nor may he allow his Certificate of Competency to be used by another person or firm.

Section 5. Any laws, ordinances of resolutions now in existence in the unincorporated areas in Broward County, or in any municipality in conflict herewith are hereby repealed.

Section 6. Neither the Board of County Commissioners nor any municipality may pass any law in conflict with this act, specifically but not limited to raising or lowering any standards in the South Florida Building Code.

History: Chapters 69-917, 70-616, 72-482, 72-485, 73-427, 74-435, 74-437, 74-448, and Referendum 11/6/84. (See Sec. 203 for legislative enactment concerning the Broward County Board of Rules and Appeals).

**Section 9.02** **BUILDING CODE AND THE BOARD OF RULES AND APPEALS**

A. Purpose.

(1) It shall be the function of the Broward County Board of Rules and Appeals, to exercise the powers, duties, responsibilities, and obligations as set forth and established in Chapter 71-575, Laws of Florida, Special Acts of 1971, as amended by Chapters 72-482 and 72-485, Laws of Florida, Special Acts of 1972; Chapter 73-427, Laws of Florida, Specials Acts of 1973; 74-435, 74-437, and 74-448, Laws of Florida, Special Acts of 1974; and Chapter 98-287, as amended by Chapter 2000-141, Laws of Florida, or any successor building code to the Florida Building Code applicable to the county, as amended.

(2) The provisions of the Florida Building Code shall be amended only by the Board of Rules and Appeals and only to the extent and in the manner specified in the Building Code. The County Commission or a Municipality shall not enact any ordinance in conflict with Chapter 98-287 and Chapter 2000-141, Laws of Florida, as may be amended from time to time.

(3) The Board of Rules and Appeals shall conduct a program to monitor and oversee the inspections practices and procedures employed by the various governmental authorities charged with the responsibility of enforcing the Building Code.

(4) The Board of Rules and Appeals shall organize, promote and conduct training and educational programs designed to increase and improve the knowledge and performance of those persons certified by the Board of Rules and Appeals pursuant to the Building Code and may require the completion of certain minimum courses, seminars or other study programs as a condition precedent to the issuance of certificates by the Board of Rules and Appeals pursuant to the Building Code.

B. Effective January 1, 2003, there shall be a Broward County "Board of Rules and Appeals" composed of thirteen (13) members and nine (9) alternates as follows:

(1) Six (6) members and three (3) alternates shall be appointed by the County Commission. Each County Commissioner shall nominate one (1) member or one (1) alternate by lot to the Board of Rules and Appeals subject to approval by a majority of the County Commission.

(2) Seven (7) members and six (6) alternates shall be appointed by the Broward County League of Cities.

(3) The membership of the Board of Rules and Appeals shall be comprised of one (1) of each of the following trades or groups: architect, general contractor, structural engineer, mechanical engineer, electrical engineer, master electrician, master plumber, air conditioning contractor, swimming pool contractor, roofing contractor, fire service professional, a disabled person, and a consumer advocate.

(4) Alternate membership for the Board of Rules and Appeals shall be comprised of one (1) of each of the following trades or groups: architect, general contractor, structural engineer, mechanical engineer, electrical engineer, master electrician, master plumber, roofing contractor, and fire service professional.

(5) No more than one (1) member and no more than one (1) alternate shall be appointed to represent the same category.

(6) The County Commission and Broward County League of Cities shall coordinate appointments to the Board of Rules and Appeals in order to ensure they are consistent with the requirements of this Section.

(7) Except for consumer advocates and disabled persons, all members and alternates appointed by the County Commission and the Broward County League of Cities to the Board of Rules and Appeals shall be qualified to serve on the Board of Rules and Appeals by being registered as a professional or by having been licensed as a contractor, and by having been active in their respective profession or trade for not less than ten (10) years.

(8) Members and alternates to the Board of Rules and Appeals shall be residents of the County and shall have served in their professional capacity in the State of Florida for a period of two (2) years.

(9) Eleven (11) members and/or seated alternates shall constitute a quorum, and a majority vote of those members voting on a measure shall be necessary for the Board of Rules and Appeals to take affirmative action.

(10) All appointments to the Board of Rules and Appeals shall be for a term of three (3) years. A member shall be permitted to serve a maximum of three (3) consecutive terms. Service prior to the effective date of this Section shall be considered in determining the member's ability to be reappointed. All members and alternates shall continue in office until their successors are duly appointed.

(11) The Board of Rules and Appeals shall adopt rules of procedure to seat alternates in the event all board members are not present for a scheduled meeting of the Board.

(12) The County Commission or Broward County League of Cities, whichever is the appointing authority, may remove, either by its own action or upon recommendation of the majority of the Board of Rules and Appeals, any member or alternate for misconduct, incompetence, or neglect of duty.

(13) Any vacancy occurring on the Board of Rules and Appeals shall be filled for the remainder of the former member's or alternate's term of office by appointment of the County Commission when the former member or alternate was a County Commission appointee, or by the Broward County League of Cities when the former member or alternate was a Broward County League of Cities appointee.

C. In order to carry out the objects and purposes stated in the Building Code and in this Section of the Charter, the Board of Rules and Appeals shall employ administrative and clerical personnel as shall be required to perform the duties and functions provided in the Building Code and in this Section of the Charter. The Board of Rules and Appeals shall determine in its sole discretion those positions which shall be subject to civil service classifications and procedures. The funding of the personnel for the Board of Rules and Appeals shall be subject to the County Commission's budgetary process.

D. In order to carry out the objects and purposes stated in the Building Code and in this Section of the Charter, the County Commission shall establish reasonable fees and charges to be collected from the above described governmental authorities within the County. Any fees and charges paid to the County shall be deposited in a special fund for the exclusive use and benefit of the Board of Rules and Appeals.

E. The County Commission may adopt ordinances that establish ethical standards and regulations concerning potential conflicts of interest regarding the members, alternates and staff of the Board of Rules and Appeals.

## Chapter 1 – Administration - Broward County

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# 102Chapter 1
# Administration — Broward County

## SECTION 101
## GENERAL

**101.1 Title.** These regulations shall be known as the "Florida Building Code" hereinafter referred to as FBC or "this Code."

**101.2 Scope.** The provisions of this Chapter shall govern the administration and enforcement of the FBC, Fire Protection Provisions of this Code and FFPC and shall apply countywide in both incorporated and unincorporated areas of Broward County, Florida. The provisions of this Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exceptions:**

**A**. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the FBC, Residential.

**B**. Existing buildings undergoing repair, alterations or additions or change of occupancy shall comply with Chapter 34 of this Code.

**101.2.1 Appendices:** Provisions in the appendices shall not apply unless specifically adopted by BORA.

**101.2.2 Definitions:**

- **A. AHJ** (means Authority Having Jurisdiction) shall be a federal, state, local (Building or Fire Service Provider), or individual such as a Building Official, Assistant Building Official; Chief Electrical / Mechanical / Plumbing / Structural Inspector; Fire Chief; Fire Marshal / Fire Code Official; or Broward County Board of Rules and Appeals.
- **B. BORA** means the Broward County Board of Rules and Appeals.
- **C. Architect** means Registered Architect, registered in the State of Florida.
- **D. Engineer** means licensed Professional Engineer, licensed in the State of Florida.
- **E. BCAIB** means The Building Code Administrators and Inspectors Board.
- **F. FFPC** means the Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code.
- **G. HVHZ** means the High Velocity Hurricane Zone.
- **H. State** means the State of Florida.
- **I. FAC** means Florida Administrative Code
- **J.** Fire Service Provider means Fire Department
- **K.** Fire Code Manager / Administrator means Fire Code Official or Fire Marshal
- **L.** SFBC means South Florida Building Code, Broward Edition.

**101.3 Intent.** The purpose of this Code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment including, but not limited to, alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems and to provide safety to fire fighters and emergency responders during emergency operations.

**101.3.1 Violations and Penalties.** Any person, firm or corporation, who violates a provision of this Code, or FFPC or fails to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code or FFPC is committed or continued, and upon conviction of any such violation, such person shall be punishable by a fine of not less than fifty ($50) nor more than five hundred ($500) dollars, or by imprisonment not exceeding sixty days, or by both such fine and imprisonment.

**101.3.2 Quality control.** Quality control of materials and workmanship is not within the purview of this Code except as it relates to the purposes stated herein.

**101.4 Referenced Codes.** The other codes listed in Sections 101.4.1 through 101.4.11 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

**101.4.1 Electrical.** The provisions of Chapter 27 of the FBC, Building, Fire Protection Provisions of this Code and FFPC shall apply to electrical systems. It shall be unlawful to perform or commence any installation of heat, light, power or low voltage systems (burglar alarms, central vacuums, communications, computer systems, fiber optics, fire alarms, telephone, television and all other systems 98 volts and less) either permanent or temporary wiring, or to make extensions and/or changes to existing installations of light, heat, power or low voltage systems, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto upon premises, inside, outside and/or attached to buildings or structures of any character without having filed an application and obtained an electrical permit. Electrical wiring, apparatus and equipment, and all installations for light, heat, power or low

voltage systems as are required and/or regulated in provisions of Chapter 27 of the FBC, Building, Fire Protection Provisions of this Code and FFPC shall be maintained in a safe condition and all devices and safeguards maintained in good working order.

**101.4.2 Gas.** The provisions of the FBC, Fuel Gas, Fire Protection Provisions of this Code and FFPC shall apply to the installation of gas piping, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances, and the installation and operation of residential and commercial gas appliances and related accessories.

**101.4.3 Mechanical.** The provisions of the FBC, Mechanical, Fire Protection Provisions of this Code and FFPC shall apply to the installation of mechanical systems, including, but not limited to, alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, vacuum, compressed air and pneumatic systems, incinerators and other energy-related devices.

**101.4.4 Plumbing.** The provisions of the FBC, Plumbing, Fire Protection Provisions of this Code and FFPC shall apply to every plumbing installation, including, but not limited to, alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances when connected to a water or sewerage systems, compressed air systems, lawn sprinkler systems and all aspects of a medical gas system.

**101.4.4.1** All installations regulated by this Code or related drainage work shall be maintained and executed in such a manner as not to constitute a nuisance or to threaten or impair the life, health, or safety of any individual or the public in general. The contents of such installations shall not be permitted to overflow in a building, on a premise or upon the surface of the ground, street or sidewalk.

**101.4.4.1.1** Rainwater or other liquid wastes from any premises shall be disposed of where same originates and/or falls. The disposal of any rainwater or other liquid wastes by causing or allowing same to be disposed of or flow on or across any adjoining property or sidewalk, either public or private, shall be deemed a nuisance, and shall be corrected by properly disposing of same.

**101.4.4.2** It shall be unlawful for any person, firm or corporation, whether owner or agent, to create, keep, cause, maintain, propagate and permit the existence of a public nuisance as defined in the provisions of the FBC, Plumbing Code.

**101.4.4.3** The Chief Plumbing Inspector or Building Official shall have the power to abate any nuisance by the issuance of a notice in writing, to correct and/or eliminate the nuisance within a reasonable amount of time.

**101.4.5 Property maintenance. Reserved**.

**101.4.6 Fire prevention.** For provisions related to fire prevention, refer to FFPC as referenced in Florida Statute 633, Broward County Local FFPCs as adopted and the Fire Protection Provisions of this Code as referenced above. FFPC shall apply to matters affecting or relating to structures, new or existing; processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**101.4.7 Energy.** The provisions of the FBC, Energy Conservation, shall apply to all matters governing the design and construction of buildings for energy efficiency.

**101.4.8 Accessibility.** For provisions related to accessibility, refer to the FBC, Accessibility.

**101.4.9 Manufactured buildings.** For additional administrative and special code requirements, see section 458, FBC, Building, Rule 61-41 FAC, and 69A-60.006 FAC.

**101.4.10 Units of measure.** The inch/pound system of measurement is applicable to the provisions of this Code. Metric units indicated in parenthesis following inch-pound units are approximate equivalents and are provided for informational purposes only.

**101.4.11 Federal and State authority.** The provisions of this Code shall not be held to deprive any Federal or State agency, or any applicable governing AHJ of any power which it had on the effective date of the adoption of this Code or of any remedy then existing for the enforcement of its orders.

## SECTION 102
## APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

**102.1.1** The FBC, Fire Protection Provisions of this Code and FFPC does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the FBC, and FFPC. Additionally, a local code enforcement agency may not administer or enforce the FBC, Building to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or

public education facilities, as provided by law.

**102.2 Building.** The provisions of the FBC and FFPC shall apply to the placement, construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, relocation, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 of the FBC and FFPC. The following buildings, structures and facilities are exempt from the FBC as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

**A**. Building and structures specifically regulated and preempted by the federal government.

**B.** Railroads and ancillary facilities associated with the railroad.

**C**. Nonresidential farm buildings on farms.

**D**. Temporary buildings or sheds used exclusively for construction purposes.

**E**. Mobile or modular structures used as temporary offices, except that the provisions of Part II (Sections 553.501-553.513, Florida Statutes) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures.

**F**. Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.

**G**. Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises; except as required in 102.2.6 of this Code.

**H**. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.

**I.** Family mausoleums not exceeding 250 square feet (23 $m^2$) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

**J.** Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

**K.** A building or structure having less than 1,000 square feet (93 m) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure :

1. Is not rented or leased or used as a principal residency;
2. Is not located within the 100-year floodplain according to The Federal Emergency Management Agency's current Flood Insurance rate Map; and
3. Is not connected to any offsite electric power or water supply.

**L.** Swings and other playground equipment accessory to a one- or two-family dwelling.

**Exception**: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this Code.

**102.2.1** In addition to the requirements of Sections 553.79 and 553.80 Florida Statutes, facilities subject to the provisions of Chapter 395 Florida Statutes and Part II of Chapter 400 Florida Statutes shall have facility plans and/or specifications reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395 Florida Statutes and Part II of Chapter 400 Florida Statutes and the certification requirements of the Federal Government.

**102.2.2.** Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

**A**. The building or structure is structurally sound and in occupiable condition for its intended use;

**B**. The occupancy use classification for the building or structure is not changed as a result of the move;

**C**. The building is not substantially remodeled;

**D**. Current FFPC requirements for ingress and egress are met;

**E**. Electrical, gas, mechanical and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and

**F**. Foundation plans are sealed by an Engineer or Architect, if required by the FBC, Building and Residential for all residential buildings or structures of the same occupancy class.

**102.2.3** The Building Official shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

**102.2.4** This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned buildings and boilers.

**102.2.5** The Broward County Building and Fire Code enforcement district shall be governed by BORA.

**102.2.6 Temporary Sets.** All temporary plumbing installations shall be installed so as not to create a sanitary nuisance as defined by Section 386.01, Florida Statutes, and the Building Official may at reasonable times inspect such plumbing

installations to determine that such installations are not a threat to the life, health, welfare and safety of the public; and provided further, the producer shall comply with the provisions of Article 530 of the National Electrical Code. A permit shall be required and issued to the producer, upon the filing of an application by the producer, for one electrical permit to cover each complete motion picture production or television series, which need not be accompanied by plans and/or specifications but such application shall be accompanied by a shooting schedule listing the different locations and sets and times when the electrical equipment will be installed or reinstalled at such locations and sets for the purpose of providing opportunity for inspections of such installations or reinstallations by the Building Official and the producer shall advise the Building Official of any changes in such schedule for the same purpose. The permit fee shall be based upon the number of such installations and reinstallations and shall be calculated upon the established fee for generator installations. (See also FFPC for applicable requirements.)

**102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this Code.

**102.4 Referenced codes and standards.** The Codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced Codes and standards, the provisions of this Code shall apply. Permissive and advisory provisions in a standard shall not be construed as mandatory except as provided by Sections 553.73 and 633, Florida Statutes.

**102.5 Partial invalidity. Reserved**.

**102.6 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, or the Fire Protection Provisions of this Code and FFPC, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

**102.6.1 Existing Building Code violations** that are discovered by the AHJ, owner and/or an owner's representative(s) and/or any interested party shall be cited by the Building Official and/or Fire Marshal/Fire Code Official for such violations. All such violations shall be repaired and corrected in accordance with the SFBC

and/or FBC in effect on the date of the structure received a building permit. Existing buildings shall comply with FFPC and this Code.

**102.7 Relocation of manufactured buildings.**

**1**. Relocation of an existing manufactured building does not constitute an alteration.

**2**. A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the FBC (after March 1, 2002), the wind speed map of the FBC shall be applicable.

**3.** A relocated building shall comply with the flood hazard area requirements of the new location, if applicable.

**102.8 Existing mechanical equipment.** An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the FBC except *during re-roofing** when the equipment is being replaced or moved ~~*during reroofing**~~ and is not in compliance with the provisions of the FBC relating to roof mounted mechanical units.

## SECTION 103
## DEPARTMENT OF BUILDING SAFETY
## RESERVED

## SECTION 104
## POWERS AND DUTIES OF THE BUILDING OFFICIAL, ASSISTANT BUILDING OFFICIAL, FIRE CODE OFFICIAL, CHIEF INSPECTOR, PLAN EXAMINER, AND INSPECTOR

**104.1 Building Official.** As set forth herein:

**104.1.1 Appointment of a Building Official.** There shall be appointed by each governmental AHJ a person qualified as set forth in Section 104.1.3 to serve as a Building Official. To be eligible for appointment as a Building Official, such person shall be certified by BORA. The Building Official shall be the principal enforcing officer of this Code. Based on current technology, the Building Official does not have to be personally present at the governmental department as long as he or she is available by telephone/computer etc. and can perform his or her duties.

**104.1.1.1 Appointment of an Interim Building Official.**

**a)** In the event that the Building Official is not available to perform his or her duties, each governmental AHJ shall appoint an Interim Building Official provided such person is qualified as set forth in Section 104.1.3 of this Code, BORA shall be notified in writing by the Building Official or governmental AHJ of the starting date and period of time that the Interim Building Official or Assistant Building Official will assume the Building Official's duties. The name of the Interim Building Official will be recorded by BORA, but he or she will not be issued a certification card as a Building Official. If there is one Inspector hired by a governmental AHJ in Broward County, that Inspector shall be a Building Official. The Building Official shall have the authority to delegate powers, duties and assignments to subordinate regular employees working under his or her authority, but only to those employees certified by BORA as qualified to perform such powers, duties and assignments. It shall be his or her duty and

responsibility to supervise and coordinate the work of all subordinate Assistant Building Officials, Chief Inspectors, Plans Examiners and Inspectors.

**b)** In the event that the Building Official's employment with the jurisdiction is terminated, an Interim Building Official may be appointed while the Building Official is being replaced with a permanent appointee. A completed application for the Building Official's position must be submitted to BORA prior to the expiration of the 90 days. An Interim Building Official shall be qualified as a Building Official as specified in 104.1.3. The name of the Interim Building Official will be recorded by BORA, but he/she will not be issued a certification card as a Building Official.

**104.1.2 Powers and Duties of the Building Official.** The Building Official shall be vested with the powers and subject to regulations, as provided by Chapter 468 Florida Statues and BORA, as set forth in Section 113 of this Code. The Building Official is hereby authorized and directed to enforce the provisions of this Code. The Building Official shall delegate powers, duties and assignments to BORA certified Chief Inspectors to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of the technical provisions of this Code in categories in which the Building Official is not certified. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code.

**104.1.3 Certification of the Building Official and the Assistant Building Official.** To be eligible for appointment as a Building Official, such person shall be certified as required by the State of Florida, BCAIB as a Building Code Administrator. Such person shall be certified by BORA and shall meet at least one of the following qualifications.

**104.1.3.1** An Architect or an Engineer having practiced within the HVHZ for at least three (3) years; or

**104.1.3.2** Ten (10) years combined experience as an Electrical Contractor, General Contractor, Mechanical Contractor or Plumbing Contractor, Chief Inspector, Plans Examiner, Inspector employed by a municipality or private company contracted with a municipality, Bachelor or Associate of Science Degree in Engineering, Architecture or Building Construction from an accredited school may be credited for a maximum of three (3) years for Bachelor Degree or a maximum of one (1) year for an Associate Degree. Minimum five (5) years construction experience within the jurisdiction of the HVHZ.

**104.1.3.3** An applicant for Certification as Building Official and Assistant Building Official under the provisions of this section who has passed BORA HVHZ competency exam may substitute experience within the State of Florida for the required BORA HVHZ experience requirements as specified in section 104.1.3.1, 104.1.3.2.

**In addition to the aforementioned requirements:**

**104.1.3.4** Each of the applicants shall possess a current Certificate of Competency issued by at least one of the following entities:

- **A**. Florida Construction Industry Licensing Board as a General Contractor, Mechanical Contractor or Plumbing Contractor.
- **B**. Florida Electrical Contractors Licensing Board as an Electrical Contractor.
- **C**. Broward County Central Examining Board of Building Construction Trades. (As Class "A" Unlimited General Contractor).
- **D**. Broward County Central Examining Board of Electricians as a Master Electrician or an Electrical Contractor.
- **E**. Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors as a Mechanical Contractor or Class A Air Conditioning Contractor.
- **F**. Broward County Central Examining Board of Plumbers as a Plumbing Contractor
- **G**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968, for any of the above-referenced disciplines.
- **H**. Florida Department of Business and Professional Regulation as an Architect or Engineer

**104.2 Assistant Building Official:** As set forth herein:

**104.2.1 Appointment of an Assistant Building Official.** There may be appointed by each governmental AHJ a person qualified as set forth in Section 104.1.3 to serve as an Assistant Building Official. To be eligible for appointment as an Assistant Building Official, such person shall be certified by BORA and shall meet the qualifications equal to the requirements for Building Official. No other title is recognized for certification by BORA.

**104.2.2 Powers and Duties of the Assistant Building Official.** The Assistant Building Official shall be vested with the powers and subject to regulations, as provided by Chapter 468 Florida Statues and BORA, as set forth in Section 113 of this Code. The Assistant Building Official shall be responsible for duties as assigned by the Building Official. The Assistant Building Official shall fulfill the duties of the Building Official during the absence of the Building Official with full responsibilities of the position.

**104.3 Appointment of the Chief Electrical, Mechanical, Plumbing and Structural Inspector:** As set forth herein.

There shall be appointed by each governmental AHJ a person qualified as set forth in the below Sections to serve as Chief Inspector in each discipline stated above. If there is one Inspector (each discipline stated above) hired by a governmental AHJ in Broward County, that Inspector shall be a Chief Inspector (Chief or Head of the Division). Based on current technology that the Chief Inspector (Chief or Head of the Division) does not have to be personally present at the governmental department as long as he or she is available by telephone/computer etc. and

can perform their duties. To be eligible for appointment as a Chief Inspector (each discipline stated above), such person shall be certified by BORA.

**104.3.1 Interim Chief Inspector.** In the event that a Chief Inspector's employment is terminated with a jurisdiction, an Interim Chief Inspector may be appointed for up to 90 days while the Chief Inspector is being replaced with a permanent appointee. An approved application for a Chief Inspector must be submitted to BORA prior to the expiration of the 90 days. The Interim Chief Inspector shall be qualified as a Chief Inspector as specified in 104.5, 104.6, 104.7 or 104.8 of this code. BORA shall be notified in writing by the Building Official of the name and starting date of the Interim Chief Inspector. The name of the Interim Chief Inspector will be recorded by BORA but he or she will not be issued a certification card as the Chief Inspector.

**104.4 Powers and Duties of the Chief Electrical, Mechanical, Plumbing and Structural Inspector.** The Chief Inspector (each discipline stated above) shall be vested with the powers and subject to regulations by BORA as set forth in Section 113 of this Code. The Chief Inspector shall have the power to delegate powers, duties and assignments to subordinate regular employees working under his or her authority, but only to those employees certified by BORA as qualified to perform such powers, duties and assignments within his or her particular discipline. It shall be his or her duty and responsibility to supervise and coordinate the work of all subordinate Plans Examiners and Inspectors within his or her particular discipline. The Chief Inspector shall have the sole authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions within his or her particular discipline. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waving requirements specifically provided for in this Code. The Inspection Department shall consist of one (1) Chief Inspector, one (1) or more Plans Examiner and one (1) or more Inspectors within his or her particular discipline. The Chief Inspector may hold any or all of these positions within his or her particular discipline.

**104.5 Certification of the Chief Electrical Inspector.** To be eligible for appointment as a Chief Electrical Inspector, such person shall be certified as required by the State of Florida, BCAIB as an Electrical Plans Examiner and as an Electrical Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.
**104.5.1** Six (6) years of combined experience as an Engineer in the discipline requested and having practiced for a minimum three (3) years and a minimum one (1) year as an Electrical Plans Examiner employed by a municipality or private company contracted with a municipality or School Board within the State of Florida and a minimum two (2) years as an Electrical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

**104.5.2** Eight (8) years of combined experience as a Master Electrician Contractor or Electrical Contractor or Journeyman Electrician, five (5) years of which shall have been construction experience in the Electrical discipline and a minimum of one (1) year as an Electrical Plans Examiner employed by a municipality or private company contracted with a municipality or School Board within the State of Florida and a minimum two (2) years as an Electrical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

An applicant for Certification as a Chief Electrical Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Electrical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required eight (8) years of experience.

**In addition to the aforementioned requirements:**

**104.5.3** Each of the applicants shall possess a current Certificate of Competency as a Master Electrician Contractor or Electrical Contractor issued by at least one of the following entities:

**A.** Florida Electrical Contractors Licensing Board.
**B.** Broward County Central Examining Board of Electricians.
**C.** Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D.** Florida Department of Business and Professional Regulation as an Engineer.

**104.6 Certification of the Chief Mechanical.** To be eligible for appointment as a Chief Mechanical Inspector, such person shall be certified as required by the State of Florida, BCAIB as a Mechanical Plans Examiner and as a Mechanical Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.6.1** Six (6) years of combined experience as an Engineer in the discipline requested and having practiced for a minimum of three (3) years and a minimum one (1) year as a Mechanical Plans Examiner employed by a municipality or private company contracted with a municipality or School Board within the State of Florida and a minimum two (2) years as a Mechanical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

**104.6.2** Eight (8) years of combined experience as a Mechanical Contractor or Class "A" Air Conditioning Contractor or Class "B" Air Conditioning Contractor or Mechanical Journeyman, five (5) years of which shall have been construction experience in the Mechanical discipline and a minimum of one (1) year as a Mechanical Plans Examiner employed by a municipality or private company contracted with a municipality or School Board within the State of Florida and a minimum two (2) years as a Mechanical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

An applicant for Certification as a Chief Mechanical Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Mechanical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required eight (8) years of experience.

**In addition to the aforementioned requirements:**

**104.6.3** Each of the applicants shall possess a current Certificate of Competency as a Mechanical Contractor or Class "A" Air Conditioning Contractor issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board
**B**. Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968
**D**. Florida Department of Business and Professional Regulation as an Engineer.

**104.7 Certification of the Chief Plumbing Inspector.** To be eligible for appointment as a Chief Plumbing Inspector, such person shall be certified as required by the State of Florida, BCAIB as a Plumbing Plans Examiner and as a Plumbing Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.7.1** Six (6) years of combined experience as an Engineer in the discipline requested and having practiced for a minimum three (3) years and a minimum one (1) year as a Plumbing Plans Examiner employed by a municipality or private company contracted with a municipality or School Board within the State of Florida and a minimum two (2) years as a Plumbing Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

**104.7.2** Eight (8) years of combined experience as a Master Plumber or Plumbing Contractor or Journeyman Plumber, five (5) years of which shall have been construction experience in the Plumbing discipline and a minimum of one (1) year as a Plumbing Plans Examiner employed by a municipality or private company contracted with a municipality or School Board within the State of Florida and a minimum two (2) years as a Plumbing

Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

An applicant for Certification as a Chief Plumbing Inspector Under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Mechanical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required eight (8) years of experience.

**In addition to the aforementioned requirements:**

**104.7.3** Each of the applicants shall possess a current Certificate of Competency as a Master Plumber or Plumbing Contractor issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board.
**B**. Broward County Central Examining Board of Plumbers.
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Engineer

**104.8 Certification of the Chief Structural Inspector.** To be eligible for appointment as a Chief Structural Inspector such person shall be certified as required by the State of Florida, BCAIB as a Structural Plans Examiner and Structural Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications.

**Exception:** Architects and Engineers are exempt from BCAIB certification only.

**104.8.1** Six years combined experience as an Architect or an Engineer having practiced within the HVHZ for a minimum three (3) years, a minimum of one (1) year as a Structural Plans Examiner within the HVHZ employed by a municipality or private company contracted with a municipality and a minimum of two (2) years as an Structural Inspector within the HVHZ employed by a municipality or private company contracted with a municipality~~.~~, of which one year may be Florida School Board Inspector experience, within the HVHZ.

**104.8.2** Eight (8) years combined experience as a licensed General Contractor (Unlimited), minimum two (2) years construction experience in the Structural discipline within the HVHZ, Bachelor or Associates of Science Degree in Engineering, Architecture or Building Construction from an accredited school may be credited for a maximum of three (3) years for Bachelor Degree or a maximum of one (1) year for an for Associate Degree, minimum of one (1) year as a Structural Plans Examiner employed by a municipality or private company contracted with a municipality and a minimum of two (2) years as a Structural Inspector employed by a municipality or private company contracted with a municipality, of which one year may be Florida School Board Inspector experience, within the HVHZ.

**104.8.3** An applicant for Certification as Chief Structural Inspector under the provisions of this section, who has passed BORA HVHZ Competency exam may substitute experience within the State of Florida for the required HVHZ experience requirements as specified in Section 104.8.1 or 104.8.2.

**In addition to the aforementioned requirements:**

**104.8.4** Each of the applicants shall possess a current Certificate of Competency as a General Contractor (Unlimited) issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board.
**B**. Broward County Central Examining Board of Building Construction Trades (as Class "A" Unlimited General Contractor).
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Architect or Engineer.

**104.9 Appointment of the Electrical, Mechanical, Plumbing and Structural Plans Examiner.** As set forth herein: There shall be appointed by each governmental AHJ a person qualified as set forth in the above and below Sections to serve as Plans Examiner in each discipline as stated above. To be eligible for appointment as a Plans Examiner, such person shall be certified by BORA.

**104.10 Powers and Duties of the Electrical, Mechanical, Plumbing and Structural Plans Examiner.** The Plans Examiner shall be responsible for duties as assigned by the Chief Inspector within his or her particular discipline. The Plans Examiner shall fulfill the duties of the Chief Inspector during the absence of the Chief Inspector with full responsibilities of the position within his or her particular discipline. The Plans Examiner shall examine all plans and/or specifications and applications for permits within his or her particular discipline. When approvals by other agencies having authority may logically be required to be affixed to the plans and/or specifications before approval by the Plans Examiner, such approval shall be affixed to the plans and/or specifications before examination by the Plans Examiner. If the application or plans and/or specifications do not conform to the requirements of all pertinent laws or regulations, the Plans Examiner shall reject such application in writing, stating the reasons therefore and citing the relevant code section(s). Plans and/or specifications which are rejected, as stated herein above, shall be returned for correction. Pen notations on mechanically reproduced plans and/or specifications may be accepted for only minor corrections. If the applications, plans and/or specifications, upon examination, are found to comply with the requirements of this Code, the plans and/or specifications shall be signed and marked approved.

**104.10.1 Certification of the Structural Plans Examiner:** To be eligible for appointment as a Structural Plans Examiner, such person shall be certified as required by the State of Florida, BCAIB as a Structural Plans Examiner and Structural Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Architects and Engineers are exempt from BCAIB certification only.

**104.10.1.1** An Architect or an Engineer in the discipline requested and having practiced within the HVHZ for a minimum of three (3) years, and a minimum two (2) years as an Structural Inspector employed by a municipality or private company contracted with a municipality within the HVHZ.

**104.10.1.2** Seven (7) years' of combined experience as a licensed General Contractor (Unlimited), five (5) years of which shall have been construction experience in the Structural discipline within the HVHZ, and a minimum of two (2) years as a Structural Inspector, of which one year may be Florida School Board Inspector experience, employed by a municipality or private company contracted with a municipality within the HVHZ.

**104.10.1.3** Five (5) years' experience as a Structural Plans Examiner or Structural Inspector, and three (3) years of construction experience in the Structural discipline, which shall have been within the HVHZ, and certified by BCAIB.

**104.10.1.4** An applicant for Certification as a Structural Plans Examiner under the provisions of this section who is a graduate from an accredited school holding a Bachelor or Associate of Science Degree in Engineering, Architecture or Building Construction may be credited for three (3) years for Bachelor Degree or one (1) year for an Associate Degree of the required seven (7) years of combined experience for the Structural discipline.

**104.10.1.5** An applicant for Certification as a Structural Plans Examiner under the provisions of this section, who has passed BORA HVHZ Competency exam may substitute experience within the State of Florida for the required HVHZ experience requirements as specified in Section 104.10.1.2, 104.10.1.3 and 104.10.1.4.

**In addition to the aforementioned requirements**

**104.10.1.6** Each of the applicants shall possess a current Certificate of Competency as a General Contractor (Unlimited) issued by at least one of the following entities:

**A.** Florida Construction Industry Licensing Board
**B.** Broward County Central Examining Board of Building Construction Trades (as Class "A" Unlimited General Contractor)
**C.** Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968
**D.** Florida Department of Business and Professional Regulation as an Architect or Engineer.
**E.**

**104.10.2 Certification of the Electrical Plans Examiner.** To be eligible for appointment as an Electrical Plans Examiner, such person shall be certified as required by the State of Florida, BCAIB as an Electrical Plans Examiner and as an Electrical Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.10.2.1** An Engineer in the discipline requested and having practiced for a minimum of three (3) years~~,~~ and a minimum of two (2) years as an Electrical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

**104.10.2.2** Seven (7) years of combined experience as a Master Electrician Contractor or Electrical Contractor or Journeyman Electrician, five (5) years of which shall have been construction experience in the Electrical discipline and a minimum of two (2)

years as an Electrical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

An applicant for Certification as an Electrical Plans Examiner under the provisions of this section who is a graduate from an accredited school holding a Bachelor or Associate of Science Degree in Electrical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required seven (7) years of experience.

**In addition to the aforementioned requirements:**

**104.10.2.3** Each of the applicants shall possess a current Certificate of Competency as a Master Electrician Contractor or Electrical Contractor issued by at least one of the following entities:

**A**. Florida Electrical Contractors Licensing Board.
**B**. Broward County Central Examining Board of Electricians.
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Engineer.

**104.10.3 Certification of the Mechanical Plans Examiner.** To be eligible for appointment as a Mechanical Plans Examiner, such person shall be certified as required by the State of Florida, BCAIB as a Mechanical Plans Examiner and as a Mechanical Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.10.3.1** An Engineer in the discipline requested and having practiced for a minimum of three (3) years and a minimum of two (2) years as a Mechanical Inspector employed by a municipality or private company contracted with a municipality~~,~~ or School Board within the State of Florida.

**104.10.3.2** Seven (7) years of combined experience as a Mechanical Contractor or Class "A" Air Conditioning Contractor or Class "B" Air Conditioning Contractor or Mechanical Journeyman, five (5) years of which shall have been construction experience in the Mechanical discipline and a minimum of two (2) years as a Mechanical Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

An applicant for Certification as a Mechanical Plans Examiner under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Mechanical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required seven (7) years of experience.

**In addition to the aforementioned requirements:**

**104.10.3.3** Each of the applicants shall possess a current Certificate of Competency as a Mechanical Contractor or Class "A" Air Conditioning Contractor or Class "B" Air Conditioning Contractor issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board
**B**. Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Engineer.

Exception: Individuals holding licenses as a Class "B" Air Conditioning Contractor, with a current Certificate of Competency issued by the above mentioned Boards, may be certified with duties limited to the review plans of air conditioning and mechanical work within the scope of his or her Certificate of Competency. Plans Examiners employed under this exception shall be required to attend the first available formal educational course as approved by BORA immediately following employment.

**104.10.4 Certification of the Plumbing Plans Examiner.** To be eligible for appointment as a Plumbing Plans Examiner, such person shall be certified as required by the State of Florida, BCAIB as a Plumbing Plans Examiner and as a Plumbing Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.10.4.1** An Engineer in the discipline requested and having practiced for a minimum of three (3) years and a minimum of two (2) years as a Plumbing Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

**104.10.4.2** Seven (7) years of combined experience as a Master Plumber or Plumbing Contractor or Journeyman Plumber, five (5) years of which shall have been construction experience in the Plumbing discipline~~,~~ and a minimum of two (2) years as a Plumbing Inspector employed by a municipality or private company contracted with a municipality or School Board within the State of Florida.

An applicant for Certification as a Plumbing Plans Examiner under the provisions of this section who is a graduate from an accredited school holding a Bachelor or Associate of Science Degree in Mechanical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required seven (7) years of experience.

**In addition to the aforementioned requirements:**

**104.10.4.3** Each of the applicants shall possess a current Certificate of Competency as a Master Plumber or Plumbing Contractor issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board.
**B**. Broward County Central Examining Board of Plumbers.
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.

**D**. Florida Department of Business and Professional Regulation as an Engineer.

**104.11 Powers and Duties of the Electrical, Mechanical, Plumbing, Roofing and Structural Inspector.** The Electrical, Mechanical, Plumbing, Roofing, and Structural Inspectors shall comply with rules and regulations of this Code, enforcing all the laws, rules and regulations relating thereto in the area of jurisdiction and enforcing all the provisions of this Code. If defects, omissions or violations exist on any other part relating to work for which approval is requested, the issuance of the Approval shall be withheld until corrections have been made to the defective portion and the same are made to comply with this Code. The Inspector shall serve notice to the contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s) of this Code.

**104.12 Electrical Inspector.** As set forth herein:

**104.12.1 Appointment of an Electrical Inspector.** There shall be appointed by each governmental AHJ a person qualified as set forth in Section 104.12.3 to serve as an Electrical Inspector. To be eligible for appointment as an Electrical Inspector, such person shall be certified by BORA.

**104.12.2 Powers and Duties of the Electrical Inspector.**

**104.12.2.1** Such employee shall have the duties and powers as delegated by the Chief Electrical Inspector except that the Chief may not delegate authority to subordinates to interpret provisions of this Electrical Code.

**104.12.2.2** It shall be the duty of the Electrical Inspector to inspect any work on electrical installations shall be held to include and govern all work and materials used in installing, maintaining and/or extending a system of electrical wiring for the use of light, heat, power or low voltage systems, and all appurtenances, apparatus, or equipment used in connection therewith, inside of or attached to any building or structure, lot or premise) and every electrical system or device, (all wiring, apparatus and equipment, and all installations for light, heat, power and low voltage systems), installed in new construction, additions, alterations or repairs to existing electrical systems, apparatus or equipment in existing construction.

**104.12.2.3** The Electrical Inspector shall issue an Approval for all installations of light, heat, power and low voltage systems (burglar alarms, central vacuums, communications, computer systems, fiber optics, fire alarms, telephone, television and all other systems 98 volts and less) that comply with the rules and regulations of this Electrical Code.

**104.12.2.4** A 30-day temporary electrical service connection shall be approved by the Electrical Inspector, where the need for electrical power exists, if the wiring installation, apparatus or equipment is found to be in a safe operating condition. Under these circumstances, an application for temporary service shall be made in writing by the electrical contractor, firm, corporation, or owner requesting a temporary service connection to the public utility system or isolated generating plant.

**104.12.2.5** The Electrical Inspector is hereby empowered to inspect or re-inspect any wiring, equipment or apparatus used in the installation of light, heat, power or low voltage systems and if this wiring, equipment, apparatus or low voltage system is found to be unsafe to life or property, the Electrical Inspector shall serve notice to the owner and/or operator, in writing, stating the reasons therefore and citing the relevant code section(s) of this Electrical Code, that the hazardous wiring, or equipment exists and shall be corrected within a reasonable period of time.

**104.12.2.6** The Electrical Inspector is hereby given the power to disconnect extension cords, temporary wiring, branch circuits, feeder conductors or the main service supplying electrical energy to any portion of an electrical wiring system in buildings, or on premises, if this wiring is in the opinion of the Electrical Inspector, considered to be hazardous to life or property. Any person, firm or corporation supplying current, shall disconnect service from the source of supply upon instructions from the Chief Electrical Inspector where hazards are deemed to exist, after receiving written notice citing the appropriate Code Section(s) of this Electrical Code from the Electrical Inspector.

**104.12.3 Certification of the Electrical Inspector.**
To be eligible for appointment as an Electrical Inspector, such person shall be certified as required by the State of Florida, BCAIB as an Electrical Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.12.3.1** An Engineer in the discipline requested and having practiced for at least three (3) years.

**104.12.3.2** Either five (5) years construction experience in the electrical discipline in a supervisory capacity or five (5) years construction experience in the electrical discipline and five (5) years as an active State Certified Electrical Inspector.

An applicant for Certification as an Electrical Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Electrical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required five (5) years' experience.

**Exception**: Prior to certification by BORA, persons applying for certification as an Electrical Inspector with an Electrical Journeyman license shall comply with the following:

- **A.** Be a Certified Electrical Journeyman for not less than five (5) years and shall have no less than seven (7) years of practical electrical experience.
- **B.** Possess a Standard Inspector license (Electrical) from BCAIB.

**C.** Be approved to take one (1) of the following three (3) exams and pass it within two (2) years after being certified by BORA:
   i. The Florida Electrical Contractor license from ECLB or
   ii. A Certificate of Competency as a Master Electrical Contractor from Broward County Central Examining Board of Electricians or
   iii. A Certificate of Competency as a Master Electrician from Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.

**In addition to the aforementioned requirements:**

**104.12.3.3** Each of the applicants shall possess a current Certification of Competency as a Master Electrician Contractor or an Electrical Contractor or a Journeyman Electrician issued by at least one of the following entities:

**A**. Florida Electrical Contractors Licensing Board
**B**. Broward County Central Examining Board of Electricians
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968
**D**. Florida Department of Business and Professional Regulation as an Engineer.

**104.13 Mechanical Inspector**: As set forth herein:

**104.13.1 Appointment of a Mechanical Inspector.** There shall be appointed by each governmental AHJ a person qualified as set forth in Section 104.13.3 to serve as Mechanical Inspector. To be eligible for appointment as a Mechanical Inspector, such person shall be certified by BORA.

**104.13.2 Powers and Duties of the Mechanical Inspector.**
**104.13.2.1** Such employee shall have the duties and powers as delegated by the Chief Mechanical Inspector except that the Chief may not delegate authority to subordinates to interpret provisions of this Mechanical Code.
**104.13.2.2** The Mechanical Inspector shall issue an Approval for all installations of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, including ventilating, heating, cooling, air conditioning and refrigeration systems and other energy-related systems that comply with the rules and regulations of this Mechanical Code.

**104.13.2.3** It shall be the duty of the Mechanical Inspector to inspect all installations of ventilation, air conditioning and refrigeration systems and equipment. Existing installations not conforming to the requirements of this Mechanical Code shall be made to comply, when relocated, or when altered or repaired, in compliance with the FBC, Existing Building. The Mechanical Inspector shall enforce all the laws, rules and regulations relating thereto in the area of jurisdiction and to enforce all the provisions of this Mechanical Code.

**104.13.3 Certification of the Mechanical Inspector.** To be eligible for appointment as a Mechanical Inspector, such person shall be certified as required by the State of Florida, BCAIB as a Mechanical Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.

**104.13.3.1** An Engineer in the discipline requested and having practiced for at least three (3) years.

**104.13.3.2** Either five (5) years construction experience in the mechanical discipline in a supervisory capacity or five (5) years construction experience in the mechanical discipline and five (5) years as an actives State Certified Mechanical Inspector.

An applicant for Certification as a Mechanical Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Mechanical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required five (5) years' experience.

**Exception**: Prior to certification by BORA, persons applying for certification as a Mechanical Inspector with a Mechanical Journeyman license shall comply with the following:

**A.** Be a Certified Mechanical Journeyman for not less than five (5) years and shall have no less than seven (7) years of practical mechanical experience.
**B.** Possess a Standard Inspector license (Mechanical) from BCAIB.
**C.** Be approved to take one (1) of the following three (3) exams and pass it within two (2) years after being certified by BORA:
   i. The Florida Mechanical Contractor license from CILB or
   ii. A Certificate of Competency as a Mechanical Contractor from Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors or
   iii. A Certificate of Competency as a Master Mechanical from Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.

**In addition to the aforementioned requirements:**

**104.13.3.3** Each of the applicants shall possess a current Certificate of Competency as a Mechanical Contractor, Class "A" Air Conditioning Contractor, Class "B" Air Conditioning Contractor or Mechanical Journeyman issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board.

**B**. Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors.
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Engineer.

**Exception:** Individuals holding licenses as a Class "B" Air Conditioning Contractor, with a current Certificate of Competency issued by the above mentioned Boards, may be certified with duties limited to the inspection of air conditioning and mechanical work within the scope of his or her Certificate of Competency. Inspectors employed under this exception shall be required to attend the first available formal educational course as approved by BORA immediately following employment.

**104.14 Plumbing Inspector.** As set forth herein:

**104.14.1 Appointment of a Plumbing Inspector.** There shall be appointed by each governmental AHJ a person qualified as set forth in Section 104.14.3 to serve as Plumbing Inspector. To be eligible for appointment as a Plumbing Inspector, such person shall be certified by BORA.

**104.14.2 Powers and Duties of the Plumbing Inspector.**

**104.14.2.1** Such employee shall have the duties and powers as delegated by the Chief Plumbing Inspector except that the Chief may not delegate authority to subordinates to interpret provisions of this Plumbing Code.

**104.14.2.2** The Plumbing Inspector shall issue an Approval for all installations of plumbing and sanitary systems, appliances, plumbing fixtures, fittings and/or appurtenances thereto, including heating and storing water, backflow and backsiphonage, public and private sewer disposal and drainage systems that comply with the rules and regulations of this Plumbing Code.

**104.14.2.3** It shall be the duty of the Plumbing Inspector to inspect all new plumbing or drainage systems or parts thereof or additions, alterations, repairs or changes to the existing plumbing or drainage installations or fixtures or appliances shall conform to the requirements of this Plumbing Code. The Plumbing Inspector shall enforce all the laws, rules and regulations relating thereto in the area of jurisdiction and to enforce all the provisions of the Plumbing Code.

**104.14.2.4** It shall be the duty of the Plumbing Inspector to inspect any Plumbing system, he or she has reason to believe has become unsanitary or deflective. Nothing contained in this Plumbing Code shall be deemed to require any plumbing or drainage system or part thereof, or any other work regulated by this Plumbing Code and existing prior to the effective date of this Plumbing Code, to be altered, changed, reconstructed, removed or demolished if such work was installed in accordance with all applicable laws in effect prior to the date this Plumbing Code became effective, except when any such plumbing or drainage system or other work regulated by this Plumbing Code is dangerous, unsafe, unsanitary or a menace to life, health or property, in the opinion of the Plumbing Inspector.

**104.14.2.5** All installations regulated by this Plumbing Code or related drainage work shall be maintained and executed in such a manner as to not constitute a nuisance or to threaten or impair the health of any individual or the public in general. The contents of such installations shall not be permitted to overflow in a building, on a premise or upon the surface of the ground, street or sidewalk. It shall be unlawful for any person, firm or corporation whether owner or agent, to create, keep, cause, maintain, propagate or permit the existence of a nuisance as defined in this Plumbing Code. Any building or premises found to be unsanitary or inadequate, or which constitute a health or safety hazard, or which by reason of illegal use or improper use, occupancy or maintenance constitute a violation of the provisions of this Plumbing Code, shall be deemed to be unsafe. The Plumbing Inspector shall have the power to abate any nuisance by the issuance of a notice to correct and/or eliminate the nuisance within a reasonable length of time.

**104.14.3 Certification of the Plumbing Inspector.** To be eligible for appointment as a Plumbing Inspector, such person shall be certified as required by the State of Florida, BCAIB as a Plumbing Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications:

**Exception:** Engineers are exempt from BCAIB certification only.
**104.14.3.1** An Engineer in the discipline requested and having practiced for at least three (3) years.
**104.14.3.2** Either five (5) years construction experience in the plumbing discipline in a supervisory capacity or five (5) years construction experience in the plumbing discipline and five (5) years as an actives State Certified Plumbing Inspector.

An applicant for Certification as a Plumbing Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Mechanical Engineering may be credited for three (3) years for a Bachelor Degree or one (1) year for an Associate Degree of the required five (5) years' experience.

**Exception**: Prior to certification by BORA, persons applying for certification as a Plumbing Inspector with a Journeyman Plumber license shall comply with the following:

**A.** Be a Certified Journeyman Plumber for not less than five (5) years and shall have no less than seven (7) years of practical plumbing experience.
**B.** Possess a Standard Inspector license (Plumbing) from BCAIB.
**C.** Be approved to take one (1) of the following three (3) exams and pass it within two (2) years after being certified by BORA:

i. The Florida Plumbing Contractor license from CILB or
ii. Certificate of Competency as a Master Plumber from Broward County Central Examining Board of Plumbers or
iii. A Certificate of Competency as a Master Plumber from Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.

**In addition to the aforementioned requirements:**

**104.14.3.3** Each of the applicants shall possess a current Certificate of Competency as a Master Plumber or Plumber Contractor or Journeyman Plumber issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board.
**B**. Broward County Central Examining Board of Plumbers.
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Engineer.

**104.15 Roofing Inspector.** As set forth herein:

**104.15.1 Appointment of a Roofing Inspector.** There shall be appointed by each governmental AHJ a person qualified as set forth in Section 104.15.3 to serve as a Roofing Inspector. To be eligible for appointment as a Roofing Inspector, such person shall be certified by BORA.

**104.15.2 Powers and Duties of the Roofing Inspector:**

**104.15.2.1** Such employee shall have the duties and powers as delegated by the Chief Structural Inspector except that the Chief may not delegate authority to subordinates to interpret provisions of this Code. A Roofing Inspector, if properly certified, may be assigned to perform Roofing Inspections and such other duties as delegated by the Chief Structural Inspector. Certified Structural Inspectors may be assigned duties as a Roofing Inspector.

**104.15.2.2** The Roofing Inspector shall serve notice to the Roofing Contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s).

**104.15.3 Certification of the Roofing Inspector.** To be eligible for appointment as a Roofing Inspector, such person shall be certified by the State of Florida, BCAIB as a Roofing or Structural Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications.

**Exception:** Architects and Engineers are exempt from BCAIB certification only.

**104.15.3.1** An Architect or an Engineer in the discipline requested (roofing expertise) and having practiced within the area of HVHZ for at least three (3) years; or

**104.15.3.2** Five (5) years construction experience in the Roofing discipline and expertise of which at least two (2) years shall have been within the jurisdiction of the HVHZ code. An applicant for certification as Roofing Inspector under the provisions of this section, who has passed BORA HVHZ Exam may substitute experience within the State of Florida for the required HVHZ Experience.

**104.15.3.3** An applicant for Certification as a Roofing Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or Associate of Science Degree in Engineering, Architecture or Building Construction may be credited for three (3) years for Bachelor Degree or one (1) year for an Associate Degree of the required five-year experience.

**In addition to the aforementioned requirements:**

**104.15.3.4** Each of the applicants shall possess a current Certificate of Competency as a General Contractor (Unlimited) or a Roofing Contractor issued by at least one (1) of the following entities:

**A**. Florida Construction Industry Licensing Board.

**B**. Broward County Central Examining Board of Building Construction Trades (as Class "A" Unlimited General Contractor) or Roofing Contractor.
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Architect or Engineer.

**104.16 Structural Inspector.** As set forth herein:

**104.16.1 Appointment of a Structural Inspector.** There shall be appointed by each governmental AHJ a person qualified as set forth in Section 104.16.3 to serve as a Structural Inspector. To be eligible for appointment as a Structural Inspector, such person shall be certified by BORA.

**104.16.2 Powers and Duties of the Structural Inspector.** Such employee shall have the duties and powers as delegated by the Chief Structural Inspector except that the Chief may not delegate authority to subordinates to interpret provisions of this Code.

**104.16.2.1** The Structural Inspector shall serve notice to the Structural Contractor/representative or owner / representative in writing, stating the reasons therefore and citing the relevant code section(s)

**104.16.2.2** The Structural Inspector shall issue an Approval for installations of all building components, as listed in Section 110.3 of this Code.

**104.16.3 Certification of the Structural Inspector.** To be eligible for appointment as a Structural Inspector or Limited Structural Building Inspector or Limited Structural Residential Inspector, such person shall be certified by the State of Florida, BCAIB as a Structural Inspector. Such person shall be certified by BORA and shall meet at least one of the following qualifications.

**Exception:** Architects and Engineers are exempt from BCAIB certification only.

**104.16.3.1** An Architect or an Engineer in the discipline requested and having practiced within the area of HVHZ for at least three (3) years.

**104.16.3.2** Either five (5) years construction experience in the Structural discipline in a supervisory capacity of which at least two (2) years shall have been within the jurisdiction of the HVHZ code: or five (5) years construction experience in the Structural discipline and five (5) years as an active State Certified Structural Inspector of which at least two (2) years shall have been within the jurisdiction of HVHZ code. An applicant for certification as Structural Inspector under the provisions of this section, who has passed BORA HVHZ Exam may substitute experience within the State of Florida for the required HVHZ Experience.

**104.16.3.3** An applicant for Certification as a Structural Inspector under the provisions of this section who is a graduate from an accredited school holding a Bachelor or an Associate of Science Degree in Engineering, Architecture or Building Construction may be credited for three (3) years for Bachelor Degree or one (1) year for an Associate Degree of the required five-year experience.

**In addition to the aforementioned requirements:**

**104.16.3.4** Each of the applicants shall possess a current Certificate of Competency as a General Contractor (Unlimited) issued by at least one of the following entities:

**A**. Florida Construction Industry Licensing Board.
**B**. Broward County Central Examining Board of Building Construction Trades (as Class "A" Unlimited General Contractor).
**C**. Miami-Dade County Construction Trades Qualifying Board, Block proctored, issued on or after January 1, 1968.
**D**. Florida Department of Business and Professional Regulation as an Architect or Engineer.

**Exception:** Individuals holding licenses as a residential contractor and/or building contractor, with a current Certificate of Competency issued by the Florida Construction Industry Licensing Board or Broward County Central Examining Board of Building Construction Trades, may be certified as Limited Structural Building Inspector or Limited Structural Residential Inspector with duties limited to the type and size of work for which they are certified to build. Inspectors employed under this Exception shall be required to attend the first available formal educational course as approved by BORA immediately following employment.

**104.17 Certification of Building Departments and Building Code Inspection Enforcement Personnel.** BORA shall certify each and every Building Department after it has determined to its satisfaction that the Building Code Inspection Enforcement Personnel are qualified by the provisions of this Code. These positions shall include at a minimum the Building Official, Chief Electrical Inspector, Chief Mechanical Inspector, Chief Plumbing Inspector, and Chief Structural Inspector.

**104.17.1** Only such persons that have been examined and certified by BORA may be appointed or have the powers and duties of a Building Official, Assistant Building Official, or Chief Inspector. Each Building Official, Assistant Building Official, and Chief Inspector shall obtain a separate card for each governmental AHJ by which he or she is employed. Plans Examiners and Inspectors shall be issued a single certification card that is valid Countywide upon approval.

**104.17.2** The certification of Building Department Inspection Personnel may be revoked, for cause, by BORA. BORA may deny, refuse to renew, suspend, or revoke BORA certificate of a Building Official, Assistant Building Official, Chief Inspector, Plans Examiner or Inspector if it finds that any of the following grounds exist:

**A.** Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
**B**. Violation of FBC.
**C.** Falsification of records relating to the certificate.
**D.** Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
**E.** Failure to meet any of the renewal requirements.
**F.** Having been convicted of a crime in any jurisdiction which directly relates to the practice of the building code inspection, plan review, or administration.
**G.** Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
**H.** Failure to properly enforce applicable building codes or permit requirements within this state which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
**I.** Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child,

parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder. BORA upon verification of the above grounds, shall immediately notify the Building Official, Assistant Building Official, Chief Inspector, Plans Examiner and/or the Inspector involved, who, upon notification from BORA, shall appear before the Board to explain why his or her certification should not be revoked.

**104.17.3** When Building Departments fail to meet certification criteria, they will immediately be notified to cease activities until such time as requirements of this Code are met.

**104.17.4** Application for certification shall contain such pertinent information as is considered relevant by BORA.

**104.17.5** Certification shall be for the remainder of the current biennial certification period for initial employment and shall be renewed biennially on January 1 of each even-numbered year thereafter. When a Building Official, Assistant Building Official or Chief Inspector, resigns from his or her position, his or her card becomes inactive until he or she again returns to work for a Building Department, at which time, upon proper application, he or she will be issued a new certification card, at a renewal fee in the amount appropriate for each discipline according to BORA Fee Schedule for Certification.

**104.17.6** Applications for certification will not be considered unless the application is made on a form prescribed by BORA.

**104.17.7 Certification Fee: Reserved.**

**104.17.8** Within ten (10) days of receipt of a properly completed application, the Secretary to BORA (Administrative Director) shall, after performing a review of the application: grant temporary certification, limit certification to a particular discipline or deny it, stating the reasons for denial. Any such determination is subject to final review and approval or revision by BORA. The temporary certification shall only be effective through the date of final action by BORA with respect to the application. The Secretary of BORA may delegate this duty to the Chief Code Compliance Officers.

**104.17.9** Certification may be withdrawn, rescinded or suspended if, upon investigation, it is found that the certified person has failed to enforce the Code, abused the powers of office, or withheld or concealed information on the application which, if known to BORA, may have been cause for denying certification.

**104.17.10** Any person, whose certification has been denied, withdrawn or rescinded, may appeal to BORA in open meeting and may produce witnesses and be represented by counsel in support of his or her claim.

**104.17.11** Suspension of Certification Requirements: Upon Broward County being declared a Disaster Area, the Chairperson of BORA or designee may temporarily suspend the Broward County certification requirements for all Certified by the State of Florida, Department of Business and Professional Regulation, BCAIB as Building Code Administrators, Plans Examiners and Inspectors. The length of time that this suspension will be in effect will be for thirty (30) calendar days. The Chairperson or designee may extend this period if conditions warrant. This temporary suspension of the certification requirement shall not apply to an individual being hired on a permanent basis.

**104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel:**

**104.18.1** All Building Departments shall be recertified biennially by BORA. To be recertified, all Building Officials, Assistant Building Officials, Chief Inspectors, Plans Examiners, and Inspectors who are presently certified by BORA, shall meet the following criteria and comply with the current requirements for initial certification.

**104.18.1.1** Be currently certified by BORA.

**104.18.1.2** Be presently employed by a governmental AHJ (Building Department) within Broward County. See Section 104.17.

**104.18.1.3** All Building Officials, Assistant Building Officials, Chief Inspectors, Plans Examiners, and Inspectors, to be recertified shall obtain ~~thirty-two (32)~~ twenty eight (28) contact hours within a two (2) consecutive calendar year biennial renewal period (starting January 1, on an even year, through December 31, of the next odd year) by attending formal education courses, workshops, and seminars, any of which shall be approved by BORA, the Miami-Dade County Code Compliance Office, the BCAIB, the Construction Industry Licensing Board, or the Electrical Contractors Licensing Board, and be related to the individual's discipline. Continuing education contact hours shall include courses approved as discipline specific category (courses which are specific to the code chapters enforced by the specific discipline) and non-discipline specific category. Specific courses mandated for license holders by the State of Florida Boards' shall be classified as non-discipline specific, unless clearly indicated as discipline specific by a State agency. A minimum of one half of the ~~thirty-two (32)~~ twenty eight (28) contact hours within a two (2) consecutive calendar year biennial renewal period shall be discipline specific category. Meetings of BORA Committees shall be counted as one (1) hour in the non-discipline specific category and professional association meetings shall be counted as not to exceed one (1) hour in the discipline specific category for a maximum of ~~sixteen (16)~~ fourteen (14) contact hours within a two (2) consecutive calendar year biennial renewal period. Unless authorized by BORA Staff online education courses, workshops and seminars do not meet this requirement and shall not be accepted.

**104.18.1.4 Prorating of continuing education contact hours.** For any person newly certified, the required continuing education is prorated according to the number of months remaining in the renewal period. To determine the continuing education required, divide the number of months remaining in the renewal period from the time of certification by 24 and multiply the result by ~~32~~ 28. The result, rounded up to the next round number, is the number of continuing educational hours required. Half of these

hours shall be discipline specific. Any person newly certified within less than six (6) months remaining in the renewal period shall not be required to have any continuing educational credits.

**104.18.2** A previously employed Building Official, Assistant Building Official, Chief Inspector, Plans Examiner or Inspector may be recertified biennially upon the presentation of ~~thirty-two (32)~~ twenty eight (28) of education accumulated during the previous two (2) consecutive calendar years.

**104.18.3** If certification is not renewed and allowed to lapse, the application for recertification shall be accompanied with proof acceptable to BORA that the ~~thirty-two (32)~~ twenty eight (28) contact hour requirement of continued education has been met.

**104.18.4** By December 5 of the second year (the odd-numbered year) of a biennially renewal period, on a form as approved by BORA, each Building Official shall submit to BORA a list of currently employed personnel who are to be recertified for the ensuing new biennial renewal period, on a form as approved by BORA, accompanied by a check in the amount appropriate for each discipline according to BORA Fee Schedule for Certification for each certification, payable to the "Broward County Board of County Commissioners." Recertification is to be effective on January 1 of each biennial renewal period (the even-numbered year).

**104.18.5 Recertification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to BORA Fee Schedule for Recertification, payable to "Broward County Board of County Commissioners."

**104.19 Fire Prevention Bureau.** A Fire Prevention Bureau shall be established within the fire department, under the direction of the Fire Chief, which shall consist of such fire department personnel as may be assigned thereto, by the Fire Chief, in accordance with the requirements prescribed herein. The function of this bureau shall be to assist the Fire Chief in the administration and enforcement of the Fire Protection Provisionof this Code, and FFPC. Personnel assigned to the bureau as the Fire Marshal, Fire Code Official, Fire Plans Examiner, and/or Fire Inspector shall be certified by BORA. As set forth herein: (see also Broward Local Fire Amendments to FFPC)

**104.19.1 Appointment a Fire Marshal/Fire Code Official.** There shall be appointed by the Fire Chief, certain fire prevention personnel to be qualified as set forth in this Chapter as part of FFPC to serve as Fire Marshal/Fire Code Official. Personnel assigned to the Fire Prevention Bureau as Fire Marshal/Fire Code Official, Fire Plans Examiner, and/or Fire Inspector shall be State Certified Firefighters, State Certified Fire Inspectors, and certified by BORA. For State certification and recertification, refer to Florida State Statute 633.

**104.19.2 Powers and Duties of a Fire Marshal or Fire Code Official.** The Fire Chief shall duly authorize his or her representative of the fire department to exercise the powers and perform the duties of the Chief. He or she shall also be known as Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be authorized and directed to enforce the Fire Protection Provisions of this Code and FFPC and the sole authority to render interpretations of the Fire Protection Provisions of this Code and FFPC, and to adopt policies and procedures in order to clarify the application of its provisions, and shall have responsibility for the administration and enforcement of the Fire Protection Provisions of this Code and FFPC. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the Fire Protection Provisions of this Code and FFPC. Such policies and procedures shall not have the effect of waving requirements specifically provided for in the Fire Protection Provisions of this Code and FFPC. It shall be his or her duty and responsibility to enforce and coordinate the work of all subordinates such as Fire Plans Examiners and Fire Inspectors. Based on current technology that the Fire Marshal/Fire Code Official does not have to be personally present at the fire department as long as he or she is available by telephone/computer etc. and can perform his or her duties. In the event that the Fire Marshal/Fire Code Official is not available to perform his or her duties, the Fire Chief may appoint an interim Fire Marshal/Fire Code Official provided such person is qualified as set forth in Section 104.19.3 in this Code and FFPC. The Fire Chief or Fire Prevention Bureau shall notify in writing BORA of the starting date and period of time that the Interim Fire Marshal/Fire Code Official will assume the Fire Marshal/Fire Code Official's duties. The name of the Interim Fire Marshal/Fire Code Official will be recorded by BORA of the name of any interim Fire Marshal/Fire Code Official but he or she will not be issued a certification card as a Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be subject to the powers vested by Florida State Statute 633 and BORA in this Code. If there is one Fire Plans Examiner or Fire Inspector hired by an inspection authority, that Plans Examiner or Inspector shall be a Fire Marshal/Fire Code Official.

**104.19.2.1** Under the Fire Chief's direction, the fire department shall enforce the Fire Protection Provisions of this Code and FFPC and all Fire Codes pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, and solid and liquid materials. These inspections shall include, but are not limited to:

**A.** The inspection of equipment and maintenance of automatic, manual and other fire alarm systems and fire extinguishing equipment;
**B.** The maintenance and regulation of fire escapes;
**C.** The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction;
**D.** The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose; and

**E.** The investigation of the origin, cause, and circumstances of fires.

**104.19.2.2** No enforcing agency may issue any permit for construction, erection, alteration, repair, or demolition until the Building Official, in conjunction with the appropriate fire plans examiner, has reviewed the plans and/or specifications for such proposal and both officials have found the plans and/or specifications to be in compliance with FFPC and the applicable fire safety standards as determined by the local authority in accordance with FFPC and Chapter 633, Florida Statutes. In the event that agreement cannot be reached between the Building and Fire Officials, the dispute shall be referred to the Fire Code Committee for review and recommendation to BORA.

**104.19.2.3** Industrial construction on sites where design, construction, and fire safety are supervised by appropriate design and inspection professionals and which contain adequate in-house fire departments, is exempt; subject to local government option, from review of plans and/or specifications and inspections, providing owners certify that applicable codes and standards have been met and supply appropriate approved drawings to the building department. The enforcing agency shall issue a permit to construct, erect, alter, repair, or demolish any building when the plans and/or specifications for such proposal comply with the Fire Protection Provisions of this Code, FFPC, and Chapter 633, Florida Statues.

**104.19.2.4** It shall be the duty of the Fire Chief of the Fire Department to inspect or cause to be inspected by his or her duly authorized representatives of the Fire Prevention Bureau, as often as may be necessary, but not less than annually, during normal business hours, for the establishment in question, all buildings and premises, including common or public areas of condominium buildings, except the interior of private residential dwelling units, (unless invited therein by the owner or occupant thereof), as well as all public aisles, corridors, halls, rooms, storage areas, or other non-residential areas of such buildings, for the purpose of ascertaining and causing to be corrected, any condition liable to cause fire or any violation of the provisions or intent of FFPC by providing written notice of the code sections violated, and to otherwise enforce any violation of the Fire Protection Provisions of this Code and FFPC. Whenever the Fire Chief or his or her duly authorized representatives of the Fire Prevention Bureau determines that a violation exists, the person responsible for maintaining the building or area where such violation exists, shall be given reasonable written notice indicating the code section violated, and if the violation continues, a presumption of a violation of the Fire Protection Provisions of this Code and FFPC, shall be created against the person responsible for maintaining the building or area where such violation exists. Rejections of plans or remedies for violations found shall include specific reference to the Code Section upon which rejection is based in writing.

**104.19.2.5 Stop-Work Orders. See Section 115 Stop Work Order**

**104.19.2.6** The Fire Chief or his or her duly authorized representative upon the complaint of any person or whenever he or she shall deem it necessary shall inspect any buildings and premises within their jurisdiction.

**104.19.2.7** Approval of Fire Department accessibility and all tests of fire alarm detection and suppression systems, smoke evacuation systems and life safety systems shall be conducted prior to final structural inspection and issuance of Certificate of Occupancy. (See Section 111.)

**104.19.2.8 Orders To Eliminate Dangerous Or Hazardous Conditions.** Whenever the Fire order such Chief or his or her duly authorized representative shall find in any building or upon any premises, dangerous or hazardous conditions or materials, including, but not limited to violations of the requirements encompassed in Chapter 633, Florida Statutes, or the following Paragraphs, he or she shall violations and dangerous conditions or materials removed or remedied.

**104.19.2.8.1** Dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials.

**104.19.2.8.2** Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials.

**104.19.2.8.3** Dangerous accumulation of rubbish, wastepaper, boxes, shavings, or other flammable materials.

**104.19.2.8.4** Accumulations of dust or waste material in air conditioning or ventilation systems or of grease in kitchen or other exhaust ducts.

**104.19.2.8.5** Obstructions to, on, or under fire escapes, stairs, passageways, or doors, liable to interfere with the operations of the fire department or egress of occupants; locked exits shall constitute an unsafe condition.

**Exception:** unless permitted by the Fire Protection Provisions of this Code and FFPC.

**104.19.2.8.6** Obstruction to windows. Where windows are required to provide the second means of escape from a room or area, the following are prohibited.

**A**. Bars that cannot be opened from the inside.
**B**. Other obstructions such as security grills.

**Exception:** Only one (1) window is required to meet the above where two (2) windows are in the same room or area.

**104.19.2.8.7** Any building or other structure which, for want of repairs, lack of adequate exit facilities, automatic

or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, create a hazardous condition.

**104.19.2.8.8** Any building or structure vacated or unoccupied shall be properly secured to prevent entry by unauthorized persons.

**104.19.2.8.9** The improper storage, transporting or handling of all classes of flammable or combustible liquids or otherwise hazardous substances any place within the enforcing jurisdiction.

**104.19.3 Certification of Fire Marshal/Fire Code Official.** The Fire Marshal/Fire Code Official shall be certified by BORA, as a Fire Code Official be a certified Firefighter as defined by the Florida Firefighters Standards Council, be a State certified Fire Inspector and shall meet one or more of the following qualifications:

**104.19.3.1** An Engineer and/or a Degree in Fire Science and/or a Degree in Fire Prevention and shall have been certified as County Fire Inspector for three (3) years.

**104.19.3.2** A County Certified Fire Plans Examiner with at least five (5) years of experience within the jurisdiction of FFPC.

**104.19.3.3** Ten (10) years' experience as a Fire Inspector, with at least five (5) years of experience which shall have been within the jurisdiction of FFPC and shall be a Broward County and State of Florida Certified Fire Inspector.

**104.19.3.4** Have been fulfilling the duties of a Fire Marshal/Fire Code Official with five years continuous service as such.

**104.19.3.5** Possesses a certification issued by the State Fire Marshal as a Fire Code Manager/Administrator in accordance with NFPA 1037 with a total of six (6) years' experience as a fire plans examiner and inspector in Florida.

**104.20 Fire Plans Examiner.** As set forth herein:

**104.20.1 Appointment of a Fire Plans Examiner.** There shall be appointed by the Fire Chief of each Fire Department certain fire prevention personnel to be qualified as set forth in this Chapter as part of FFPC to serve as a Fire Plans Examiner. To be eligible for appointment as a Fire Plans Examiner, such person shall be certified by BORA.

**104.20.2 Powers and Duties of the Fire Plans Examiner.** Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret provisions of the Fire Protection Provisions of this Code, FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Plans Examiner, if properly qualified, may be certified and assigned duties in more than one category. Prior to the issuance of any permit for construction, erection, alterations, repair, or demolition, the Fire Plans Examiner shall review all plans and/or specifications in conjunction with the Building Department. One and two family detached residential dwelling units shall not be subject to plan review by the Fire Plans Examiner as described in this section or inspection by the Fire Plans Examiner as described in Florida Statutes 633.081. When approvals by other agencies having authority may logically be required to be affixed to the plans and/or specifications before approval by the Fire Plans Examiner, such approval shall be affixed to the plans and/or specifications before examination by the Fire Plans Examiner. If the application or plans and/or specifications do not conform to the requirements of all pertinent laws or regulations, the Fire Plans Examiner shall reject such application in writing, stating the reasons therefore and citing the relevant code section(s) of FFPC. Plans and/or specifications that are rejected, as stated herein above, shall be returned for correction. Pen notations on mechanically reproduced plans and/or specifications may be accepted for only minor corrections. If the applications, plans and/or specifications, upon examination, are found to comply with the requirements of the Fire Protection Provisions of this Code, FFPC, and all Fire Codes, the plans and/or specifications shall be signed and marked approved. Fire Department acceptance of fire and life safety features in buildings after performance objectives are met is required, prior to certificate of occupancy being issued.

**104.20.3 Certification of a Fire Plans Examiner.** The Fire Plans Examiner shall be certified by BORA as a Fire Plans Examiner, shall be a certified Firefighter as defined by the Florida Firefighters Standards Council, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**104.20.3.1** An Engineer and/or a Degree in Fire Science, and/or a Degree in Fire Prevention and having practiced for a minimum of three (3) years.

**104.20.3.2** Five (5) years of experience as a Fire Inspector and shall be a Broward County and State of Florida Certified Fire Inspector.

**104.20.3.3** Ten (10) years of experience as a firefighter, three (3) years of which shall have been in the jurisdiction of the Fire Protection Provisions of this Code and FFPC and shall be a Broward County and State of Florida Certified Fire Inspector.

**104.20.3.4** Have been fulfilling the duties of a Fire Plans Examiner with five (5) years continuous service as such.

**104.21 Fire Inspector.** As set forth herein:

**104.21.1 Appointment of a Fire Inspector.** There shall be appointed by the Fire Chief of each Fire Department certain fire prevention personnel to be qualified as set forth in this Chapter as part of FFPC to serve as a Fire Inspector. To be eligible for appointment as a Fire Inspector, such person shall be certified by BORA.

**104.21.2 Powers and Duties of the Fire Inspector.** Such employee shall have the duties and powers as delegated by the

Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret the Fire Protection provisions of this Code, FFPC, and all Fire Codes which authority is assigned to the Fire Marshall/Fire Code Official. A Fire Inspector, if properly qualified, may be certified and assigned duties in more than one category. Under the Fire Chief's direction, the Fire Inspector shall enforce all local ordinances of the jurisdiction pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, solid and liquid materials. The inspection of equipment and maintenance of automatic, manual, other fire alarm systems, fire extinguishing equipment, and the maintenance and regulation of fire escapes. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction. The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose. The investigation of the origin, cause, and circumstances of fire(s), if defects, omissions or violations exist on any other part of the system relating to work for which approval is requested, the issuance of the Approval shall be withheld until corrections have been made to the defective portion of the system, and the same are made to comply with this Fire Code. The Fire Inspector shall serve notice to the Fire Contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s).

**104.21.3 Certification of a Fire Inspector.** Application for certification shall be on a form containing such pertinent information as is considered relevant to BORA. To be eligible for appointment as Fire Inspector, such person shall be certified by BORA and shall meet the following qualifications:

**104.21.3.1** Be a certified Firefighter as defined by the Florida Firefighters Standards Council and shall be a state certified Fire Inspector.
**Exception:** At Fire Chief's discretion, a person may be given up to eighteen (18) months to become a Florida Certified Firefighter, from the date of hire.

**104.21.3.2** Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year, or the test may be given when requested by at least three (3) applicants.

**104.21.3.3 Retention.** Individuals currently certified under this code may, at their separation date from a local fire department as an inspector place their certification in a non-active status for one FFPC code cycle or a period of three (3) years whichever is longer, by notifying the Board of Rules and Appeals in writing of their selection. During this period the individual shall maintain continuing educational credits in Fire Prevention in the amount of 60 hours as required for renewal. At the conclusion of the code cycle or three (3) year period, as stated above, the individual previously holding a certification in a non-active status will become null and void unless the provisions for recertification are met at the conclusion of the code cycle or three (3) year period.

**104.22 Certification.** All Fire Department Inspection Personnel shall be certified by BORA.

**104.22.1 Certification Fee: Reserved**

**104.22.2** Broward County Certification is valid for a period of four years and shall expire on the same date as their State of Florida Fire Inspector Certification.

**104.22.3** The certification of Fire Department/Fire Prevention Bureau Inspection Personnel may be revoked, for cause, by BORA. BORA may deny, refuse to renew, suspend, or revoke BORA certificate of a Fire Marshal/Fire Code Official, Fire Plans Examiner, or Fire Inspector if it finds that any of the following grounds exist:

**A.** Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
**B**. Violation of Florida Statutes 633 or any local fire code amendments.
**C.** Falsification of records relating to the certificate.
**D.** Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
**E.** Failure to meet any of the renewal requirements.
**F.** Having been convicted of a crime in any jurisdiction which directly relates to the practice of the fire code inspection, plan review, or administration.
**G.** Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
**H.** Failure to properly enforce applicable fire codes or permit requirements within this State which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
**I.** Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder.

BORA upon verification of the above grounds, shall immediately notify the Fire Marshal/Fire Code Official, Fire Plans

Examiner, and/or Fire Inspector involved, who, upon notification from BORA, shall appear before the Board to explain why his or her certification should not be revoked.

**104.23 Recertification.** All Fire Department/Fire Prevention Bureau Inspection Personnel shall be recertified by BORA.

**104.23.1** To be recertified, all Fire Marshal/Fire Code Officials, Fire Plans Examiners, Fire Inspectors or a combination thereof who are presently certified by BORA, shall meet the following criteria:

**104.23.1.1** Be presently employed by a governmental fire entity within Broward County.

**104.23.1.2** Recertification shall have the same anniversary date as provided in Florida Statutes, Chapter 633, with the completion of sixty (60) contact hours in continuing education every four (4) consecutive years on Fire Protection and Fire Safety, which are approved by BORA. Attendance at BORA meetings and/or BORA committee meetings shall be counted as one (1) hour for a maximum of fifteen (15) county required contact hours within a four (4) year renewal period.

**104.23.1.3** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters (see 18 month exception), State of Florida Certified Fire Inspectors. For certification refer to Florida State Statute 633. Individuals being considered for appointment shall be required to complete an affidavit of compliance with 71-575 (see BORA Policy 14-02).

**104.23.2** If certification is not renewed and allowed to lapse, application for recertification shall be accompanied with proof that fifteen (15) contact hours per year, under the preceding 4 years in continuing education has been met. If the certification is not renewed within 8 years the individual must retake the state fire safety inspector's training and take the local fire exam, and shall be on a form containing such pertinent information as is considered relevant to BORA.

**104.23.3 Recertification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to BORA Fee Schedule for Recertification, payable to "Broward County Board of County Commissioners."

**104.24 Applications and permits. Reserved. See Section 105.**

**104.25 Notices and Orders.** The Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official or his or her duly authorized representative shall issue all necessary notices or orders to ensure compliance with this Code, the Fire Protection Provisions of this Code, FFPC, and all Fire Codes.

**104.25.1 Concealed Work:** The Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official or his or her duly authorized representative may order portions of the structural frame of a building and/or structure to be exposed for inspection when, in his or her opinion, there is a good reason to believe that a building or portion thereof is in an unsafe or dangerous condition or that there is willful or negligent concealment of a violation of this Code, the Fire Protection Provisions of this Code, FFPC, and all Fire Codes.

**104.26 Inspections. Reserved**. **See Section 110.**

**104.27 Identification. Reserved**.

**104.28 Right of Entry.** Upon presentation of proper credentials, the Building Official or his or her duly authorized representative or the Fire Chief/Fire Marshal/Fire Code Official or his or her duly authorized representative may enter, at any reasonable time, any building, structure or premises for the purpose of making any inspection or investigation, which falls under the provisions of this Code, and FFPC.

**104.29 Department records. Reserved**.

**104.30 Liability. Reserved**.

**104.31 Modifications. Reserved.**

**104.32 Alternative materials, design and methods of construction and equipment.** The provisions of the technical codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided any such alternative has been reviewed by the Building Official and/or Fire Marshal/Fire Code Official (according to the Fire Protection Provisions of this Code and FFPC). An alternative material, design or method of construction shall be approved where the Building Official and/or Fire Marshal/Fire Code Official (according to the Fire Protection Provisions of this Code and FFPC) finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method of construction offered for the purpose intended; is at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability and safety. Where alternate life safety systems are designed, the "SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings," or other methods approved by the Building Official and/or Fire Marshal/Fire Code Official (according to the Fire Protection Provisions of this Code and FFPC) may be used. The Building Official and/or Fire Marshal/Fire Code official (according to the Fire Protection Provisions of this Code and FFPC) shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternative.

**104.32.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this Code, shall consist of valid research reports from approved sources.

**104.32.2 Tests:** Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that a material or method does not conform to the requirements of

this Code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this Code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

**104.32.3 Accessibility.** Alternate designs and technologies for providing access to and usability of a facility for persons with disabilities shall be in accordance with provisions of the FBC, Accessibility.

**104.33 Standards:** The types of construction or materials or methods of design referred to in this Code shall be considered as standards of quality and strength. New types of construction or materials or methods of design shall be at least equal to these standards for the corresponding use intended.

**104.34 Approved materials and equipment.** Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

**104.34.1** Used materials and equipment. The installation of used materials which meet the requirements of this Code for new materials is permitted. Used equipment and devices shall not be installed unless approved by the Building Official

**104.35 Application for the use of alternative methods and materials.**

**104.35.1** Any person desiring to use types of construction or materials or methods of design not specifically mentioned in this Code shall file with the Building Official and/or Fire Marshal/Fire Code Official, in writing, authentic proof in support of claims that may be made regarding the sufficiency of such types of construction or materials or methods of design and request approval and permission for their use. Such documentation shall be attached to and be made a part of the permit documents.

**104.35.2** The Building Official and/or Fire Marshal/Fire Code Official shall approve such alternate types of construction or materials or methods of design if it is clear that the standards of this Code are at least equaled. If, in the opinion of the Building Official and/or Fire Marshal/Fire Code Official, the standards of this Code will not be satisfied by the requested alternate, he or she shall refuse approval.

**104.36 Appeal.** Any person, whose request for alternate types of construction and materials or methods of design has been denied by the Building Official and/or Fire Marshal/Fire Code Official, may appeal to BORA or Fire Code Committee by written request to the Secretary of the Board, and such written request shall be transmitted to BORA or Fire Code Committee if fire related. For fire related appeals see FFPC.

**104.37 Appeal by Others.** Any person, in whose considered opinion an action by the Building Official or Fire Marshal/Fire Code Official approving or disapproving construction under this Code does not satisfy the standards of the Code for reasons of safety, quality or strength, may appeal to BORA by written request to the Secretary of the Board, and such written request shall be transmitted to BORA or Board Fire Code Committee. For fire related appeals see FFPC.

## SECTION 105
## PERMITS

**105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, remove or demolish any building, structure, or any part thereof; or any equipment, device or facility therein or thereon, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this Code, or to cause any such work to be done; or to change the Occupancy of a building or structure from one use Group to another requiring greater strength, means of egress, fire and sanitary provisions; or to change to an unauthorized or prohibited use; or to install or alter any equipment for which provision is made or the installation of which is regulated by this Code; shall first make application to the Building Official and/or Fire Code Official as indicated in FFPC or a duly authorized representative and obtain the required permits. A permit shall be deemed issued when released by the Building Official and or Fire Code Official or a duly authorized representative.

**105.1.1 Annual Premise Permit.** An annual premise permit may be issued for any premise. The word "premise" shall be defined as the existing buildings, structures and facilities located on one parcel of land all of which are under one ownership or under the control of the same lessee. In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the Building Official is authorized to issue an annual premise permit for any occupancy to facilitate routine maintenance or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The Building Official shall be notified of major changes and shall retain the right to make inspections at the site as deemed necessary. An annual premise permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each premise and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

**105.1.1.1 Responsibility**. Such annual premise permit, if application is made therefore, may be issued where the Building Official finds that the person, firm or corporation having control over or occupying such premises has assigned responsibility for such maintenance work in each trade to maintenance personnel employed by such person, firm or corporation on regular salary basis; and such maintenance personnel are assigned to work directly under the supervision of certified personnel, certified in

the type of work being performed, such certified maintenance personnel to be in actual, direct and continuous supervision of all members of any work crew in the trade concerned.

**105.1.2 Annual Premise Permit Records.** The holders of an annual premise permit shall maintain a detailed record listing all work performed under such annual premise permit on forms provided by the Building Official and shall make that record available to the Building Official or his or her authorized employees upon demand, in order that the work may be inspected as deemed necessary. The holder of the annual premise permit shall be responsible for insuring that all work performed under such permit conforms to this Code and if inspection reveals that such work does not so conform, the work will be corrected or removed. The annual premise permit shall be subject to cancellation for violation of the provisions of applicable regulations.

**105.1.3 Food Permit.** In accordance with Section 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

**105.1.4 Public swimming pool**. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct its review of the building permit application upon filing and is accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

**105.2 Work exempt from permit.** Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code. Permits shall not be required for the following:

**A.** No permit shall be required, in this or any of the following Sections, for general maintenance or repairs which do not change the Occupancy and the value of which does not exceed fifteen-hundred dollars ($1,500) in labor and material as determined by the Building Official.

**B.** No permit is required for the installation of a slab in the right of way meeting the below parameters:

**1.** Concrete slabs on grade that are less than 250 square feet in total installed entirely within a public right of way and solely for the purpose of accessibility to public transportation shall not be considered a structure as described in Section 105.1.

**C.** No permit shall be required for storm water gutter systems installed on buildings of Group R3 occupancy that have an eave height of thirty (30) feet or less unless such gutters are installed behind any part of the eave drip metal.

**D. Electrical**

**1.** No permit shall be required for installations performed by companies whose work is regulated by Chapter 364, Florida Statutes, for unregulated inside telephone wiring on new construction for commercial occupancies.

**2**. No permit shall be required for installations performed by companies whose work is regulated by Chapter 364, Florida Statutes, in single family Occupancies, whether detached or townhouse.

**3.** Permits shall not be required for the installation, replacement, removal or metering of any load management control device**.**

**E. Gas:**

**1.** Portable heating appliance.

**2.** Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe

**F. Mechanical:**

**1.** Portable heating appliance.

**2.** Portable ventilation equipment.

**3.** Portable cooling unit.

**4.** Steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code.

**5.** Replacement of any part which does not alter its approval or make it unsafe.

**6.** Portable evaporative cooler.

**7.** Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

**8.** The installation, replacement, removal or metering of any load management control device.

**9.** Portable air compressors, dust collectors and their correspondent distributions systems.

**10.** Pool heating equipment. Plumbing and electrical permits are required.

**G. Plumbing:**

**1.** The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this Code.

**2.** The clearing of stoppages or the repairing of leaks in pipes, valves, faucets or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**3.** The cleaning of septic tanks, or temporary placement of chemical toilets on construction sites where such work is located within the property lines.

**H. Roofing**

**1.** No permit will be required for maintenance or repair of any roof covering, as provided in Chapter 15, for work not exceeding fifteen-hundred dollars ($1,500) as determined by the Building Official.

**105.2.1 Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official.

**105.2.2 Minor repairs.** Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; additionally, ordinary minor repairs shall not include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

**105.2.3 Public Service Agencies/Other Approvals.** An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this County, and there may be additional permits required from other governmental entities such as water management districts, state agencies or federal agencies."

In addition, the Building Official shall require that the laws, rules and regulations of any other regulatory AHJ, and where such laws, rules and regulations are applicable and are known to the Building Official, shall be satisfied before a permit shall be issued. The Building Official shall require such evidence, as in his or her opinion is reasonable, to show such other approvals. The Building Official shall not thereby be held responsible for enforcement of such other regulations as he or she is not specifically authorized to enforce. Following are some, but not necessarily all, other agencies having jurisdiction:

**105.2.3.1** The Engineering Department, Fire Department and/or Police Department for the moving of buildings, structures and heavy equipment over or the temporary blocking of streets or other public spaces, or the temporary construction, or storage of material, or construction operations on streets or other public spaces; and for land clearing adjacent to existing sidewalks; as well as for the discharge of rainwater or other water runoff on streets or other public spaces into the public sewers.

**105.2.3.2** The Fire Department for the burning of construction or demolition waste or the use or storage of explosives.

**105.2.3.3** The City and/or County Tax assessor and Collector for the moving or demolition of any building or structure.

**105.2.3.4** Broward County Environmental Protection and Growth Management Department and/or Florida Department of Environmental Regulation for (but not limited to):

**A** The adequacy of waste treatment plants receiving waste from industrial, commercial, public or dwelling units.
**B.** Waste treatment and disposal systems.
**C.** Waste disposal wells.
**D.** Waste water collection systems.
**E.** Air pollution.
**F.** Underground and above ground liquid fuel storage.

**105.2.3.5** Broward County Health Department, Florida Department of Health for (but not limited to):

**A**. Septic tank disposal systems.

**B**. Places where food or drink is prepared or served to the public.
**C**. Public water supply and supply wells.
**D**. Public swimming pools.
**E**. Chemical toilets as set forth in Section 311.1 of the Florida Plumbing Code.
**F**. Trailer park as set forth in Sections 513 and 723 Florida Statutes.

**105.2.3.6** The State Hotel Commission for the construction, alteration or addition to multiple-residential rental units or places where food and/or drink is prepared or served to the public.

**105.2.3.7** The U.S. Army Corps of Engineers, for construction of bulkheads or docks adjacent to or extending into navigable waters.

**105.2.3.8** Federal regulations limiting construction during periods of national emergency.

**105.2.3.9** The Public Works Department for bulkheads, docks, similar construction or fill along water front property.

**105.2.3.10** The Rules and Regulations of the State Fire Marshal.

**105.2.3.11** The State of Florida Bureau of Elevator Inspection and/or the Broward County Permitting, Licensing and Consumer Protection Division, Elevator Section.

**105.2.3.12** The Department of Agriculture.

**105.2.3.13** In addition to the plumbing permit, permits shall be required by other regulating authorities having jurisdiction. Following are some, but not necessarily all, other required permits:

**A**. Fire Department and Police Department before obstructing or excavating in any public thoroughfare;
**B**. Engineering Department before cutting any street paving, sidewalk curb or sewage system or part thereof or appurtenance thereof; or otherwise cutting, tapping or piercing any public sewer or appurtenance thereof;

**C**. Building Official before the addition of any fixtures or the removal or alteration of any structural or load bearing members.

**105.3 Application for Permit Required.** Any ~~qualified~~ applicant desiring a permit to be issued by the Building Official or Fire Code Official as required, shall first file an application therefore in writing or electronically on a form furnished by the Building Department or Fire Department for that purpose. ~~Application for permit will be accepted from only qualified applicants as set forth in Paragraph 105.3.0.1.~~

**105.3.0.1 Qualification of Applicant.** Application for permit will be accepted from ~~only~~ owner, qualified persons or firms, or authorized agents.

**105.3.0.1.1 Qualification of persons or firms.** ~~Qualification of~~ Persons or firms shall be qualified ~~shall be~~ in accordance with the rules of the Broward County Central Examining Board, Ordinance 78-9 and Chapter 9 of the Broward County Codes; the State of Florida, Department of Professional Regulation by authority of Chapter 489, Parts One and Two of the Florida Statutes; or other Examining Boards as specifically approved by BORA.

**105.3.0.2 Application Form.** Each application for a permit, shall be submitted with the required fee, and filed with the Building Department on the Broward County Uniform Building Permit Application (effective April 1, 2016) furnished for that purpose (see Appendix A of the Broward County Administrative Provisions). The application shall describe the property on which the proposed work is to be done, and shall include both the legal description and more commonly known address. The application shall also show the use or occupancy of the building or structure; shall be accompanied by plans and/or specifications as required hereafter; shall state the value of the proposed work; as specified in Section 109, shall give such other information as reasonably may be required by the Building Official to describe the proposed work; and shall be attested by the owner, qualified person or firm or authorized agents. ~~qualified applicant~~. The Permit Application shall be inscribed with the application date and the Edition of the Code in effect, and comply with the requirements of Section 713.135 (5) & (6) Florida Statutes. The code in effect on the date of application shall govern the project. For a building permit for which an application is submitted prior to the effective date of the FBC, the state minimum building code in effect in the permitting jurisdiction on the date of the application shall govern the permitted work for the life of the permit and any extension granted to the permit.

Local Permit Applications, as approved by the Building Official, may be used through March 31, 2016.

*Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the permit application may be submitted in person in a nonelectronic format, at the discretion of the building official.**

**105.3.0.3 Attesting of Application:** The permit application shall be signed in a space provided, before an officer duly qualified to administer oaths, by the owner, qualified person or firm, or authorized agents. ~~qualified applicant~~. The qualified person or firm ~~applicant~~ shall be the permit holder and shall be held responsible for the proper supervision and conduct, including all work accomplished by building trades personnel as required by the Broward County Central Examining Board by authority of Ordinance 78-9 and Chapter 9 of the Broward County Codes. The attested application or an amended application is required as set forth in Paragraph 105.3.4 shall serve as the basis for determination for issuing the building permit and shall be factual evidence on which the Building Official, other public officials and the public can rely during the entire progress of the work. If the Building Official will not permit application forms to be removed from his or her department and/or jurisdiction, it is the intent of this Code that he or she shall accept, in lieu of his or her official form, an application by letter, signed by the applicant before an officer duly qualified to administer oaths. Such letter shall also contain the name and legal signature of the qualifier's authorized agent who is designated to sign the permit application. A separate letter of application shall be required for each permit to be issued. Wherever permit applications or applications for permit changes or permit amendments are required in other sections of this Code, the interpretation of this Section shall apply to signature requirements.

**105.3.0.4 Changes to Application.** In the event of a change in any material fact given in the attested application which served as a basis for issuing the permit, the permit holder shall immediately file an amended attested application detailing such changed conditions. In the event the change in the attested application is a change in the person responsible for the work, the owner shall immediately stop the work and notify the Building Official in writing detailing such changed conditions and any other information required by the Building Official or in lieu thereof a new attested permit application shall be filed immediately by a new qualified applicant. If such changed conditions are determined to be in compliance with this Code and other applicable regulations, an amended building permit will be issued, without additional fee if the changed condition shall not be greater than those permitted in the original permit.

**105.3.1 Action on application.** The Building Official and Fire Code Official or his or her duly authorized representative shall examine or cause to be examined applications for permits and amendments thereto within 30 working days after plans and/or specifications are submitted and accepted for a

building permit. The Building Official or his or her duly authorized representative shall notify the applicant in writing or electronically, that a permit is ready for issuance or that additional information is required. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official and/or Fire Code Official shall reject such application in writing or electronically, stating the reasons therefore citing relevant code sections. If the Building Official and after consulting

with the Fire Code Official is satisfied that the proposed work conforms to the requirements of this Code, ~~and~~ laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable, ~~but only~~ to persons or firms qualified in accordance with 105.3.0.1.1~~.~~ and/or FFPC.1.12. When authorized through contractual agreement with a school board, in acting on applications for permits, the building official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

**105.3.1.1** Not more than 60 calendar days after the date of such notification, where such additional information has not been submitted or the permit has not been purchased, the application and/or the permit shall become null and void. If the 60th day falls on a Saturday, Sunday or a National Holiday the next business day shall be used for the 60th day. The Building Official may extend such permit application to be corrected or purchased for a single period of 60 days after the initial expiration date if the request is in writing, for a good reason and is submitted prior to the initial expiration date.

**105.3.1.2** Where an application and/or a permit has become null and void, an applicant may again apply, as set forth in Section 105.3 of this Code, and such applications shall be processed as though there had been no previous application.

**105.3.1.3** If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the FBC on buildings, structures, and facilities of state universities state colleges and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the Code.

**105.3.1.4 Permits shall be required for the following operations:**

**105.3.1.4.1** The erection or construction of any building or structure, the adding to, enlarging, repairing, improving, altering, covering or extending of any building or structure.

**105.3.1.4.2** The moving of any building or structure within, into, through or out of the area of jurisdiction, or the moving of a building or structure on the same lot.

**105.3.1.4.3** The demolition of any building or structure. (Refer to 116.1.3, 105.22.1 and 105.22.2).

**105.3.1.4.4** The installation, alteration or repair of any sanitary plumbing, water supply, lawn sprinkler or gas supply system, as provided in the FBC, Plumbing, and/or FBC Fuel Gas.

**105.3.1.4.5** The installation, alteration or repair of any electrical wiring or equipment, as provided in Chapter 27-Electrical Systems; except as allowed in section 105.17 of this Code. Any alteration or extension of an existing wiring system is not considered to be maintenance or repair.

**105.3.1.4.6** The installation, alteration or major repair of any boiler, pressure vessel, furnace, steam-actuated machinery, or heat producing apparatus, including the piping and appurtenances thereto as provided in this Code.

**105.3.1.4.7** The erection, remodeling, relocating, repair, altering, or removal of any sign, as provided in Section 3107 of this Code.

**105.3.1.4.8** The erection, alteration or repair of any awning or similar appurtenance, as defined in Section 202 of this Code.

**105.3.1.4.9** The storage and use of all volatile flammable liquids, gases and materials, but such permits shall not be issued without the endorsement of the Fire Chief, as provided in FFPC.

**105.3.1.4.10** The application, construction, or repair of any roof covering, as provided in Chapter 15, for work exceeding fifteen-hundred dollars ($1,500).

**105.3.1.4.10.1** Not more than 25% of the total roof area or roof section of any existing building or structure shall be repaired, replaced or recovered in any 12 month period unless the entire roofing system or roof section conforms to requirements of this Code.

**105.3.1.4.11** The installation, alteration or major repair of any air conditioning, refrigeration, vacuum, pneumatic or other mechanical system, as provided in the FBC, Mechanical. A permit shall not be required for repairs that do not change the location, size or capacity of a compressor, coil, or duct.

**105.3.1.4.12** The installation, alteration, or repair of any apparatus producing air contaminants.

**105.3.1.4.13** The installation, alteration, or repair of a swimming pool, as provided in Section 424 of this Code and Chapter 41 of the Florida Residential Code.

**105.3.1.4.14** The installation, alteration, or repair of any structure or facility on private property defined by this or any other regulation as being within the scope of work of an engineering contractor.

**105.3.1.4.15** The installation of exterior windows and exterior glass doors in new buildings or additions and the installation, alteration or repair of such windows and doors in existing buildings.

**105.3.1.4.16** The installation, alteration or repair of any curtain wall.

**105.3.1.4.17** The installation, alteration or repair of any garage door in any existing building.

**105.3.1.4.18** The installation, alteration or repair of any fence.

**105.3.1.4.19** The installation, alteration or repair of any screen enclosure**.**

**105.3.1.5** No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, Florida Statutes:

**1.** Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than $125,000.

**2.** Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by Chapter 633, Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.

**3.** Heating, ventilation and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity or which is designed to accommodate more than 100 persons or for which the system costs more than $125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-family, two-family, three-family or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, Florida Statutes to serve any building or addition which is designed to accommodate 100 persons or fewer and requires an air-conditioning system with value of $125,000 or less; and when a 15-ton-per-system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by an Engineer.

**Example 1:** When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each system is less than 15 tons.

**Example 2:** Consider a small single story office building, which consists of 6 individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air conditioning work is $47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system. It therefore could not be designed by a mechanical or air conditioning contractor.

**Note:** It was further clarified by the Commission that the limiting criteria of 100 persons and $125,000 apply to the building occupancy load and the cost of the total air-conditioning system of the building.

**4.** Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, clean agent fire extinguishing or fire detection and alarm system which costs more than $5,000.

**5.** Electrical documents. See Florida Statues 471.003(2)(h).

**Note:** Documents requiring an engineer seal by this part shall not be valid unless an Engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in s. 471.025, Florida Statutes.

**6.** All public swimming pools and public bathing places as defined by and regulated under Ch. 514, Florida Statues.

**105.3.2 Time Limitation.**

**105.3.2.1** Every permit issued shall become null and void if work, as defined in Paragraph 105.3.2.6 authorized by such permit is not commenced within 180 days from the date of the permit or if the work authorized by such permit is suspended or abandoned for a period of 90 days after the time the work is commenced.

**105.3.2.2** If the work covered by the permit has not commenced, or has been commenced and been suspended or abandoned, the Building Official may extend such permit for a single period of 180 days from the date of expiration of the initial permit, if request for extension is made prior to the expiration date of the initial permit.

**105.3.2.3** If the work covered by the permit has commenced, is in progress, has not been completed and is being carried on progressively in a substantial manner in accordance with Paragraph 105.3.2.6, the permit shall be in effect until completion of the job.

**105.3.2.4** If work has commenced and the permit is revoked, becomes null and void or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

**105.3.2.5** If a new building permit is not obtained within 180 days from the date the initial permit became null and void, the Building Official is authorized to require that any work which has been commenced or completed be removed from the building site; or alternately, he or she may issue a new permit, on application, providing the work in place and the required work to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of a new permit.

**Exception:** On written request from owner or the contractor, the Building Official may reinstate the permit one time. The job shall be completed under the jurisdiction of the code that the original permit was approved under. The reinstated permit shall be subject to the life safety requirements as determined by the Fire Code Official.

**105.3.2.5.1** The Building Official shall provide written notification to both the permit holder and the property owner 30 days prior to the expiration date of the permit. The notice shall include the projected expiration date and the steps necessary to continue the permit in an active status. If the Building Official fails to provide written notification, and the permit expires, the permit holder or the property owner may request a one-time 30 day extension of the permit so they have the opportunity to revalidate it.

**105.3.2.6** Work shall be considered to have commenced and be in active progress when, in the opinion of the Building Official, the permit has a full complement of workers and equipment is present at the site to diligently incorporate materials and equipment into the structure, weather permitting. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process. The fact that the property or parties may be involved in litigation shall not be sufficient to constitute an exception to the time period set forth herein.

**Exception**: to the time period.

A primary permit shall not be deemed expired while the secondary permit is considered active. (Editor's note, effective July 10, 2008)

**105.3.2.7** The fee for renewal, re-issuance and extension of a permit shall be set forth by the AHJ.

**105.3.2.8** If the work covered by the permit is subordinate to the permit issued to the general (or prime) contractor, i.e. plumbing, electrical, pool, etc., the subordinate permit will be in effect for the full time of the contract permit.

**105.3.3** An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this County, and there may be additional permits required from other governmental entities such as water management districts, state agencies or federal agencies."

**105.3.4** A building permit for a single-family residential dwelling must be issued within 30 working days of application; unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the FBC or the enforcing agency's laws or ordinances.

**105.3.5 Identification of minimum premium policy.**
Except as otherwise provided in Chapter 440, Florida Statutes, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has secured compensation for its employees as provided in Sections 440.10 and 440.38, Florida Statutes.

**105.3.6 Applicable Code for Manufactured Buildings.** Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

**105.4 Conditions of Permit:** The issuance or granting of a permit shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes. The issuance of a permit upon plans and/or specifications, shall not prevent the Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official or his or her duly authorized representative from thereafter requiring the corrections of errors on such plans and/or specifications, or from preventing building operations being carried on thereunder, when in violation of this Code or of any other regulations applicable thereto.

**105.4.1 Compliance.**

**105.4.1.1** When during the work carried on under the permit, from issuance of permit to issuance of Certificate of Occupancy, approved plans and/or specifications are found to be in violation of this Code the Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official, or his or her duly authorized representative (according to this Code and FFPC) shall notify the designer and the designer shall correct the drawings or otherwise satisfy the Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Of-

ficial or his or her duly authorized representative (according to this Code and FFPC) that the design and/or working drawings are in compliance with this Code and FFPC.

**105.4.1.2** Compliance with the Code is the responsibility of the owner, except that the safety to persons and materials during actual construction operations, as set forth in FBC Building, Chapter 33, is the responsibility of the permit holder.

**105.4.1.3** The Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official or his or her duly authorized representative (according to this Code and FFPC) shall make written or electronic notice of violation(s) of this Code and/or corrections ordered and such notice shall be served on or mailed or delivered to the permit holder or his or her job representative or may be posted at the site of the work. Refusal, failure or neglect to comply with such notice or order within ten days, except where an appeal has been filed with BORA, shall be considered a violation of this Code, and shall be subject to the penalties as set forth. In event of failure to comply with this Section, no further permits shall be issued to such person, firm or corporation.

**105.5 Expiration. Reserved.**

**105.6 Suspension or Revocation of Permit.**

**105.6.1** The Building Official may revoke a permit or approval issued under the provisions of this Code in case of any false statement or misrepresentation of fact in the application or on the plans and/or specifications on which the permit or approval was based.

**105.6.2** Whenever the work for which a permit has been issued is not being performed in conformity with plans, specifications or descriptions, or approved plans and/or specifications are not being kept at the site, it shall be the duty of the Building Official to notify the contractor or owner or his or her agent, in writing, that the permit is suspended. Written notice shall be mailed or given to the permit holder or his or her agent, and it shall be unlawful for any person or persons to perform any work in or about the building or structure except such work as may be required for the correction of the expressed violations. And if, in the judgment of the Building Official, there is imminent danger that requires immediate action, the permit may be revoked or suspended verbally and written notice served later.

**105.6.3** When a permit has been suspended, it shall not be reinstated until all existing violations have been corrected. Written notice of reinstatement shall be given the permit holder if requested.

**105.6.4** Upon request of the owner and/or permit holder and on investigation by the Building Official to determine that the work has been abandoned or that the contractor is unable or unwilling to complete the contract a second permit may be issued where there is a change of contractor without the initial permit being revoked or suspended.

**105.6.4.1** The foregoing will be permitted only when the following stated persons have filed with the Building Official a letter stating the reason for a second permit being required and holding the Building Official harmless from legal involvement. All interested parties shall be notified before action is taken.

1. Where a prime contractor is the permit holder the owner shall file such hold-harmless letter.
2. Where a sub-contractor or specialty contractor is the permit holder the owner and prime contractor shall both file such hold-harmless letters.
3. Exception: If owner is a governmental agency (such as county and /or municipality), hold harmless letter may be waived by the Building Official.

**105.7 Placement of Permit Card.** The building permit card shall be maintained in a conspicuous place on the front of the premises affected thereby during the hours of work in progress and available on demand for examination by the Building Official. Upon approval of plans, specifications and application for permit and the payment of the required fee, the Building Official or his or her duly authorized representative shall issue a permit. With each such permit, the Building Official or his or her duly authorized representative shall issue a permit card which shall bear the description of the property, the nature of the work being done, the name of the owner and contractor and other pertinent information.

**105.8 Notice of Commencement.** In accordance with Section 713.135 Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WTH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**"

**105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003 Florida Statutes and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

**105.9.1 Asbestos removal.** Moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

**Disclosure Statement**
State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

**105.10 Certificate of Protective Treatment for prevention of termites.** A weather resistant jobsite posting board shall be provided to receive duplicate Treatment Certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The Treatment Certificate shall provide the product used identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

**105.11 Notice of termite protection.** A permanent sign, which identifies the termite treatment provider and need for re-inspection and treatment contract renewal, shall be provided. The sign shall be posted near the water heater or electric panel.

**105.12 Work starting before permit issuance.** Upon prior written approval, the Building Official may, whenever there is a delay in approval of plans and/or specifications or other similar special circumstances, permit the placing, on the site, of tool sheds, materials, batterboards and construction equipment, preliminary to actual construction, or may permit exploratory uncovering of concealed structural elements of existing buildings for design information, pending completion of plans and/or specifications for proposed alterations and the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

**105.13 Phased permit approval.** After submittal of the appropriate construction documents, the Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted and upon payment of the total required fee. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

**105.14 Permit issued on basis of affidavit. Reserved**

**105.15 Opening protection.** When any activity requiring a building permit*, not including roof covering replacement or repair work associated with the prevention of degradation of the residence,** that is applied for on or after July 1, 2008, and for which the estimated cost is $50,000 or more for a building that is located in the wind borne debris region as defined in the FBC and that has an insured value of $750,000 or more, or, if the building is uninsured or for which documentation of insured value is not present, has a just valuation for the structure for purposes of ad valorem taxation of $750,000 or more. Opening protection as required within the FBC Building or FBC Residential for new construction must be provided.

Exception: single family residential structures permitted subject to the FBC are not required to comply with this section.

**105.16 Inspection of existing residential building not impacted by construction**

(a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.

(b) This subsection does not apply to a building permit sought for:
   1. A substantial improvement as defined in s. 161.54 or as defined in FBC.
   2. A change of occupancy as defined in FBC.
   3. A conversion from residential to nonresidential or mixed use pursuant to 4s. 553.507(2)(a) or as defined in FBC.
   4. An historic building as defined in FBC.

(c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:
   1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
   2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).

3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with ss. 933.20-933.30.

**105.17 Streamlined low-voltage alarm system installation permitting.**

(1) As used in this section, the term:
(a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489.
(b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in s. 489.505, operating at low voltage, as defined in the National Electrical Code Standard 70, Current Edition, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.

(2) Notwithstanding any provision of law, this section applies to low-voltage alarm system projects for which a permit is required by a local enforcement agency.

(3) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.

(4) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost of not more than $55 per label per project per unit. However, a local enforcement agency charging more than $55, but less than $175, for such a permit as of January 1, 2013, may continue to charge the same amount for a uniform basic permit label until January 1, 2015. A local enforcement agency charging more than $175 for such a permit as of January 1, 2013, may charge a maximum of $175 for a uniform basic permit label until January 1, 2015.
(a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
(b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.

(5) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premise of the low-voltage alarm system project site before commencing work on the project.

(6) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.

(7) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of Section 553.793(7), Florida statues

(8) A low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

(9) A municipality, County, district, or other entity of local government may not adopt or maintain in effect an ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.

(10) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.
The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions oh Chapter 489, Florida Statues

**105.18 Demolition:** Application for building permits for the work of demolition of buildings or structures, if such building or structure is over 12 feet in extreme height above grade or any wall of which is over 40 feet in horizontal length, shall be accepted from only qualified persons or firms. Qualifications of persons or firms shall be in accordance with separate ordinance providing for qualification and certification of construction tradesmen.

**105.18.1** A permit for the demolition of a building or structure for which an application is made voluntarily by the owner shall expire sixty (60) days from the date of issuance, and shall specifically require the completion of the work for which the permit is issued on or before the expiration date.

**105.18.2** A permit for the demolition of a building or structure issued pursuant to a judicial order or an AHJ order having jurisdiction of the building or structure shall expire in accordance with the provisions of such order, and shall require completion of the work for which the permit is issued on or before the expiration date of the permit.

**105.19 Moving of Building and Structures.**

**105.19.1** Before a building permit for moving a building or structure within or into the jurisdiction adopting this Code shall be approved or issued, such building or structures shall be inspected by the Building Official; upon request of the owner or his or her agent, and the Building Official shall ascertain that this Code and all other laws or ordinances applicable thereto shall be satisfied.

**105.19.2** Application for permit shall be submitted in such form as the Building Official may prescribe and shall be accompanied by such plans and/or specifications or other data as, in the opinion of the Building Official, is necessary to show compliance with the Code or the zoning regulations.

## SECTION 106
## FLOOR AND ROOF DESIGN LOADS

**106.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 $kN/m^2$), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

**106.2 Issuance of certificates of occupancy.** A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

**106.3 Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this Code.

**106.4 Posting floor loads.**

**106.4.1 Occupancy.** An existing or new building shall not be occupied for any purpose which will cause the floors thereof to be loaded beyond their safe capacity.

**106.4.2 Storage and Factory-Industrial Occupancies.** It shall be the responsibility of the owner, agent, proprietor or occupant of Group S and Group F occupancies, or any occupancy where excessive floor loading is likely to occur, to employ a competent Architect or Engineer in computing the safe load capacity. All such computations shall be accompanied by an affidavit from the Architect or Engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and affidavit shall be filed as a permanent record of the building department.

**106.4.3 Signs required.** In every building or part of a building used for storage, industrial or hazardous purposes, the safe floor loads, as reviewed by the Building Official on the plan, shall be marked on plates of approved design which shall be supplied and securely affixed by the owner of the building in a conspicuous place in each story to which they relate. Such plates shall not be removed or defaced, and if lost, removed or defaced, shall be replaced by the owner of the building.

## SECTION 107
## SUBMITTAL DOCUMENTS

**107.1 General.**

**107.1.1 Submittal documents.** Construction documents, special inspections and structural observation programs, and other data shall be submitted in two or more sets of plans and/or specifications as described in section 107.3 with each application for a permit. The application for permit shall be inscribed with the application date and the date of the Code in effect as set forth herein. The construction documents shall be prepared by a registered design professional where required by Chapter 471, Florida Statutes or Chapter 481, Florida Statutes and this Code. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

**107.1.2** Where required by the Building Official and/or Fire Marshal/Fire Code Official, a third copy of the plan showing parking, landscaping and drainage shall be provided.

**107.2 Construction documents.** Construction documents shall be in accordance with Section 107.2.1 through 107.2.5.

**107.2.1 Information on construction documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and FFPC, relevant laws, ordinances, rules and regulations, as determined by the Building Official and/or Fire Marshal/Fire Code Official. (See also Section 107.6).

**107.2.1.1** The elevation above Mean Sea Level **(MSL)** of the top of all first floors shall appear on all construction plans and the Building Official shall require that such elevations be transferred to the accompanying application for permit.

**107.2.1.2** At any time during the course of construction, the Building Official and/or Fire Marshal/Fire Code Official may require the submittal of a first-floor elevation survey, as built.

**107.2.1.3** For roof assemblies required by this Code, the construction documents shall illustrate, describe, and delineate the type of roofing system, materials, fastening requirements and wind resistance rating that are required to be installed. Product evaluation and installation shall indicate compliance with the wind criteria required for the specific site or a statement by an Architect or Engineer for the specific site shall be submitted with the construction documents.

**107.2.2 Fire protection system shop drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this Code, FFPC and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of this Code and FFPC.

**107.2.3 Means of egress.** The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exits discharge to the public way in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

**107.2.4 Exterior wall envelope. Reserved.**

**107.2.5 Site plan.** See 107.3.5.

**107.2.5.1 Design flood elevations. Reserved.**

**107.3 Examination of documents.** The Building Official shall examine or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, calculations (when required), and additional data, and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the technical codes and all other pertinent laws or ordinances. All plan review to be performed by persons certified per Section 104 of this code.

**Exceptions 1:** Building plans and/or specifications approved pursuant to Section 553, Part I, Florida Statutes and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to FAC 61-41.009, shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.
**Exception 2. Reserved**

**107.3.0.1** The Building Official shall have BORA Certified Plans Examiners examine all plans and/or specifications and amendments thereto.

**107.3.0.2** If the plans and/or specifications conform to all pertinent laws the plans and/or specifications shall be marked "Approved."

**107.3.0.3** If the plans and/or specifications do not conform to all pertinent laws the plans and/or specifications shall be rejected and the plans examiner shall state the reasons for rejection in writing.

**107.3.0.4** Plans and/or specifications for which only minor correction is necessary may be corrected by notation on the prints with the approval of the designer.

**107.3.0.5** Plans and/or specifications for which major correction is necessary shall be revised on the tracings by the designer and new corrected prints submitted.

**107.3.0.6** Plans and/or specifications corrected to comply with this Code and all pertinent laws shall be marked "Approved."

**107.3.0.7** When plans and/or specifications are approved such plans and/or specifications shall become a part of the permit documents.

**107.3.0.8** Approval of the permit shall not be given until plans and/or specifications, as set forth herein, are approved.

**107.3.1 Approval of construction documents.** When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp or electronically, as "Reviewed for Code Compliance." The Building Official shall retain one set of the approved (construction documents) plans and/or specifications, and the other set shall be returned to the (applicant) permit holder, who shall maintain and keep this set at the site of work and available for inspections by the Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official, or his or her duly authorized representative. The Building Official may stop the work if such plans and/or specifications are not available at the building site.

**107.3.1.1** Approved plans and/or specifications, and/or amendments thereto, retained by the Building Official shall become a part of the public record unless prohibited by law. The Building Official shall notify anyone requesting copies of copyrighted public records that they may be violating the Federal Copyright law.

**107.3.1.2** Amended construction documents. Work shall be installed in accordance with the approved construction documents and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted to the Building Official for approval as an amended set of construction documents.

**107.3.2 Previous approval. Reserved.**

**107.3.3 Phased approval. Reserved. See 105.13.**

**107.3.4 Design professional in responsible charge.**

**107.3.4.0.1 General Requirements for Professional Design.** For buildings and/or structures, except single-family residences, alterations, repairs or improvements, replacements and additions, costing five-thousand ($5,000) or over, as specified herein, the plans/or specifications shall be prepared and approved by, and each

sheet shall bear the impress seal of, an Architect or Engineer; provided that for any work involving structural design, the Building Official may require that plans and/or specifications be prepared by and bear the impress seal of an Engineer, regardless of the cost of such works.

**Exception:** Roofing as set forth in Chapter 15.

**107.3.4.0.2** Plans and/or specifications for proposed construction, where such plans and/or specifications are required by this Code to be prepared by and bear the impress seal of an Architect or Engineer, shall be submitted by the Architect or Engineer or authorized representative

**107.3.4.0.3** For alterations, repairs or improvements, replacements and additions to a single-family residence, costing ten thousand dollars ($10,000) or over, as specified herein, the plans and/or specifications shall be prepared and approved by, and each sheet shall bear the impress seal of, an Architect or Engineer; provided that for any work involving structural design, the Building Official may require that plans and/or specifications be prepared by and bear the impress seal of an Engineer, regardless of the cost of such works.

**107.3.4.0.4** Plans and/or specifications for work that is preponderantly of architectural nature shall be prepared by and bear the impress seal of an Architect, and such work that involves extensive computation based on structural stresses shall, in addition, bear the impress of seal of an Engineer.

**107.3.4.0.5** Plans and/or specifications for work that is preponderantly of mechanical or electrical nature; at the discretion of the Building Official, shall be prepared by, and bear the impressed seal of an Engineer.

**107.3.4.0.6** Compliance with the specific minimum requirements of this Code shall not be in itself deemed sufficient to assure that a building or structure complies with all of the requirements of this Code. It is the responsibility of the Architect and/or Engineer of Record for the building or structure to determine through rational analysis what design requirements are necessary to comply with this Code.

**107.3.4.0.7** Plans and/or specifications for work that is preponderantly of a structural nature shall be prepared by and bear the impress seal of an Engineer.

**107.3.4.0.8** Plans and/or specifications for new construction requiring an aggregate electrical service capacity of more than 600 amperes or more than 240 volts on residential or more than 800 amperes or more than 240 volts on commercial or industrial or an electrical system having a value greater than $125,000 or any electrical system(s) for an assembly area having an area greater than 5,000 square feet or a fire alarm and/or security alarm system(s) which cost more than $5,000.00 shall be prepared by and signed, dated and bear the impress seal of an Engineer who is competent in this field of expertise. All plans and/or specifications prepared by an Architect or an Engineer pursuant to the requirements of this Code shall be hand signed, dated and sealed by the respective Architect or Engineer who prepared such plans and/or specifications.

**107.3.4.1 Deferred submittals. Reserved.**

**107.3.4.2 Certification by contractors. Reserved.**

**107.3.4.3 Application for Examination of Plans.**

**107.3.4.3.1** Complete plans and/or specifications shall be submitted in duplicate and with a third copy of the plot plan showing parking, landscaping and drainage; or such plans may be submitted in single copy where it is evident that code interpretation is needed before final working drawings can be prepared.

**107.3.4.3.2** Plans and/or specifications for proposed construction, where such plans and/or specifications are not required to be prepared by and bear the impress seal of an Architect or Engineer shall be submitted by the designer with the application as set forth in Section 105.3.

**107.3.4.3.3 Construction Inspection.** The Professional Engineer of Record or the Architect of Record in responsible charge of the structural design shall include in the construction documents the following:

1. Special inspections required by Sub-section 110.10.2.
2. Other structural inspections required by the Professional Engineer of Record or the Architect of Record in responsible charge of the structural design.

**107.3.4.3.4** Application for permit for new construction and additions shall be accompanied by a registered land surveyor's certificate and plan in duplicate on which shall be clearly indicated the property-corner stakes, property-line dimensions, existing structures and their location, existing right-of-way, sidewalks, easements, street zoning and property zoning of record, critical elevations and building setbacks required by law, general block plan and other plan and other pertinent survey data which may be required. The Building Official may waive the requirements for such survey when property-line stakes are existing and known to be in place, and the work involved is minor and/or is clearly within building lines.

**Exceptions:**

1. The Building Official may authorize the issuance of a permit without plans and/or specifications for small or unimportant work, but in no instance where the work is of a structural nature except as set forth below.
2. The Building Official will authorize the issuance of a permit for a single-family fall-out shelter without a

professional seal on the plans where the cost of such work does not exceed $5,000.

**107.3.5 Minimum plan review criteria for buildings.** The examination of the documents by the Building Official, or his or her duly authorized representative and/or Fire Marshal/Fire Code Official, or his or her duly authorized representative for that discipline qualified under section 104 of this Code shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration penetrations; flashing; and rough opening dimensions; and all exterior elevations:

**A. Building**

**1.** Site Requirements:
- **a**. parking
- **b**. fire access
- **c**. vehicle loading
- **d**. driving/turning radius
- **e**. fire hydrant/water supply/Post Indicator Valve (PIV)
- **f**. setback/separation (assumed property lines)
- **g**. location of specific tanks, water lines and sewer lines
- **h.** flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials

**2.** Occupancy group and special occupancy requirements shall be determined.

**3**. Minimum type of construction shall be determined (see Table 503) (Table 500).

**4.** Fire resistant construction requirements shall include the following components:
- **a**. fire resistant separations
- **b**. fire resistant protection for type of construction
- **c**. protection of openings and penetrations of all rated components
- **d**. fire blocking and draftstopping
- **e**. calculated fire resistance

**5.** Fire suppression systems shall include:
- **a**. early warning
- **b**. smoke evacuation systems schematic
- **c**. fire sprinklers
- **d**. standpipes
- **e**. pre-engineered systems
- **f**. riser diagram

**6.** Life Safety systems shall be determined and shall include the following requirements:
- **a**. occupant load and egress capacities
- **b**. early warning
- **c**. smoke control
- **d.** stair pressurization
- **e**. systems schematic

**7.** Occupancy Load/Egress Requirements shall include:
- **a**. occupancy load
- **b**. gross occupancy
- **c**. net occupancy
- **d**. means of egress
- **e**. exit access
- **f**. exit
- **g**. exit discharge
- **h**. stairs construction/geometry and protection
- **i**. doors
- **j**. emergency lighting and exit signs
- **k**. specific occupancy requirements
- **l**. construction requirements
- **m**. horizontal exits/exit passageways

**8.** Structural requirements shall include:
- **a**. soil conditions/analysis
- **b**. termite protection
- **c**. design loads
- **d**. wind requirements
- **e**. building envelope
- **f**. structural calculations (if required)
- **g**. foundation
- **h**. impact resistant coverings or systems
- **i**. wall systems
- **j**. floor systems
- **k**. roof systems
- **l**. threshold inspection plan
- **m**. stair systems
- **n.** Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials

**9.** Materials shall be reviewed and shall at a minimum include the following:
- **a**. wood
- **b**. steel
- **c**. aluminum
- **d**. concrete
- **e**. plastic
- **f**. glass
- **g**. masonry
- **h**. gypsum board and plaster
- **i.** insulating (mechanical)
- **j**. roofing
- **k**. insulation

**10.** Accessibility requirements shall include the following:
- **a**. site requirements
- **b**. accessible route
- **c**. vertical accessibility
- **d**. toilet and bathing facilities
- **e**. drinking fountains
- **f**. equipment
- **g**. special occupancy requirements
- **h**. fair housing requirements

**11.** Interior requirements shall include the following:
- **a**. interior finishes (flame spread/smoke develop)
- **b**. light and ventilation
- **c**. sanitation

**12.** Special systems:
- **a**. elevators
- **b**. escalators
- **c**. lifts

**13.** Swimming Pools:
- **a**. barrier requirements
- **b**. spas
- **c**. wading pools

**B. Electrical**

**1**. Wiring Methods and materials.

**2**. Services, including riser diagram electrical and/or fire

**3**. Feeders and Branch Circuits, include circuit and location, AFCI's and GFCI's
**4**. Overcurrent Protection
**5**. Grounding and Bonding
**6**. Equipment Location, sizes all equipment
**7**. Special Occupancies
**8**. Emergency Systems
**9**. Communication Systems
**10**. Low Voltage
**11**. Load calculations and panel schedules
**12**. Design flood elevations
**13**. Short circuit analysis
**14**. Electrical legend
**15**. Lighting specifications
**16**. Accessibility requirements
**17** Selective coordination study if required by NFPA 70-2011

**C. Gas:**

**1**. Gas piping
**2**. Venting
**3**. Combustion air
**4**. Chimneys and vents
**5**. Appliances
**6**. Type of gas
**7**. Fireplaces
**8**. LP tank location
**9**. Riser diagram/shutoffs
**10.** Design flood elevation

**D. Mechanical**

Energy Calculations as required by FBC Energy Conservation
A complete duct layout with:

**1**. Specified materials
**2**. Duct sizes
**3**. Ventilation calculations, outside air intakes/make up air
**4**. CFM air volumes at each duct inlet and outlet
**5**. Diffuser sizes
**6**. Routing and location of ducts, including risers
**7**. Thermal resistance ratings for ducts and duct insulation
**8**. Heating, ventilation, air conditioning and refrigeration equipment, boilers and appliances, show:
  **a**. Equipment manufacturer
  **b**. Equipment model numbers
  **c**. Equipment locations
  **d**. Equipment efficiency ratings
  **e**. Equipment mounting/support details (Mechanical equipment exposed to the wind must comply with Section 301.15 of the Florida Mechanical Code)
**9**. Roof mounted equipment – Detail of equipment attachment to roof stand/curb and attachment of roof stand/curb to supporting structure (Must comply with requirements of the High Velocity Hurricane Zone):
  **a**. Equipment accessibility
  **b**. Equipment capacity in tonnage and/or horsepower
  **c**. Air conditioning refrigerant type and amount of refrigerant in system (pounds)
**10**. Fire protection assemblies and devices – Show make, model, type, location and installation details for:
  **a**. Fire dampers
  **b**. Ceiling dampers
  **c**. Smoke dampers
  **d**. Smoke detectors (duct)
  **e**. Heat detectors
  **f**. Automatic fire doors
**11**. Exhaust systems – Show:
  **a**. Bathroom ventilation
  **b**. Kitchen equipment exhaust
  **c**. Clothes dryer exhaust
  **d**. Specialty exhaust systems
  **e**. Laboratory
**12**. Piping – Show:
  **a**. All piping materials and sizes
  **b**. Piping locations and terminations
  **c**. Piping insulation materials and thickness
**13**. Chimneys, fireplaces and vents – Show:
  **a**. Location
  **b**. Venting requirements
  **c**. Combustion air
**14**. Other:
  **a**. Details for exterior ventilation devices
  **b**. Any available product specifications, and
  **c**. Product listings.
  **d.** Compressed air, vacuum and pneumatic systems.
**15.** Design flood elevation

**E. Plumbing**

**1**. Minimum plumbing facilities
**2**. Fixture requirements
**3**. Water supply piping
**4**. Sanitary drainage
**5.** Water heaters
**6.** Vents
**7.** Roof drainage
**8**. Backflow prevention
**9.** Irrigation
**10.** Location of water supply line
**11.** Grease traps
**12.** Environmental requirements
**13.** Plumbing riser
**14.** Design flood elevation

**F. Demolition**

**1.** Asbestos removal

**G. Residential (one and two-family) Reserved**

**107.3.5.1** Plans and/or specifications completely defining the work for each discipline (Electrical, Mechanical, Plumbing, Roofing, and Structural) shall be submitted to the Chief Inspector or Plans Examiner for each discipline when required with each application for a permit for that discipline. All construction work for each discipline shall be detailed on two sets of plans. Plans shall be electronically or mechanically reproduced prints on substantial paper showing completely all foundation, wall sections, floor plans, roof plans and elevations at a convenient scale, and the main details at a scale not less than 3/4 inch equals one foot or equivalent metric scale, together with use or occupancy of all parts of the building, a plot plan showing all occupied and unoccupied portions of the

lot or lots, and complete structural, mechanical, plumbing, electrical and fire protection plans, and such other reasonable information as may be required to clearly show the nature, character and location of the proposed work. The Chief Inspector or Plans Examiner of each discipline may authorize the issuance of a permit for that discipline without plans or specifications for relatively small and unimportant work. Electrical plans shall be drawn at a minimum scale of one-quarter inch (1/4") equals one foot for all buildings of less than 5,000 square feet or equivalent metric scale, except that an isometric or riser diagram need not be to scale. Designated Electrical Equipment Rooms and Meter Rooms shall be drawn at a minimum scale of one-half inch (1/2") equals one foot or equivalent metric scale. If in the opinion of the Chief Plumbing Inspector/ Plumbing Plans Examiner riser diagrams or isometric plans are necessary to describe the proposed work, they shall be submitted.

**107.3.5.2** Computations, stress diagrams, shop drawings, results of site tests, floor plans of existing buildings to which additions are proposed and other data necessary to show compliance with this Code, the correctness of the plans and the sufficiency of structural and mechanical design shall be included when required by the Building Official.

**107.3.5.3** When applying for a permit, calculations prepared by the designer of record for Group R3 or R2 (Townhouse only) shall be submitted for the complete building for the structural requirements of this Code.

**Exception:** Component systems covered by product approval or designed by a delegated professional.

**107.3.5.4** Any specifications in which general expressions are used to the effect that "work shall be done in accordance with the Building Code" or "to the satisfaction of the Building Official" shall be deemed imperfect and incomplete, and every reference to this Code shall be by section or sub-section number applicable to the materials to be used, or to the methods of construction proposed.

**107.3.5.5** Plans shall be adequately identified.

**107.3.5.6** Product Approvals shall be reviewed and approved by the Building Designer prior to submittal to verify that such products comply with the design specifications. Reviewed and approved Product Approvals shall then become part of the plans and/or specifications. Product Approval shall be filed with the Building Official for review and approval prior to installation.

**107.3.5.7** When applying for a permit, the Architect or Engineer of Record shall provide a framing plan. The truss system designer (delegated Engineer) shall submit to the Architect or Engineer of record a truss system shop drawing which conforms to this framing plan, plus a collation of the applicable truss designs and truss connections which denote their location on the placement plan. The truss system shop drawing does require the seal of an Engineer, and shall be reviewed and accepted by the Architect or Engineer of record for conformance to design concepts and load interaction with the building. After the Architect and/or Engineer of record have indicated their review and acceptance, the truss system shop drawings, design drawings for individual trusses, and truss to truss connection details shall be submitted to the building department. This submittal shall take place prior to the inspection of the foundation. The designs for individual trusses shall be prepared by an Engineer.

**107.3.5.8 Structural and fire resistance integrity.** Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems. Such plans shall also indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls and where joints occur in required fire resistant construction assemblies.

**107.4 Amended construction documents. Reserved**

**107.5 Retention of construction documents.** One set of approved construction documents shall be retained by the Building Official for a period of not less than ~~one (1) year from date of~~ what is required by~~.~~, 107.5.1, 107.5.2 or 107.5.3; or as required by Florida Statutes and Administrative Rules (General Records Schedule GS1-SL for State and Local Government Agencies).

**107.5.1 Architectural/Building Plans: Commercial.** For life of structure or 10 (ten) anniversary years after issuance of certificate of occupancy, completion or final inspection of the permitted work, whichever is later.

**107.5.2 Architectural/Building Plans: Residential.** For 10 (ten) anniversary years after issuance of certificate of occupancy or final inspection.

**107.5.3 Architectural/Building Plans and Permits, Abandoned/With-Drawn:** For 6 (six) months after last action.

**107.6 Affidavits. Reserved**

## SECTION 108
## TEMPORARY STRUCTURES AND USES

**108.1 General.** The Building Official is authorized to issue a special building permit for the erection of temporary structures such as seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. Such structures shall be completely removed upon the expiration of the time limit stated in the permit. The Building Official is authorized to grant extensions for demonstrated cause.

**108.2 Conformance.** Temporary structures and uses shall conform to the fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this Code as necessary to ensure public health, safety and general welfare.

**108.3 Temporary power.** The Building Official/Chief Electrical Inspector is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in Chapter 27 of FBC, Building.

**108.4 Termination of approval.** The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

## SECTION 109
## FEES

**109.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**109.2 Schedule of Permit Fees.** On all buildings, structures, electrical, plumbing, mechanical, and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application, in accordance with the schedule as established by the applicable governing authority.

**109.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at a time of application. Permit valuations, shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the Building Official.

**109.3.1** The Building Official may require an estimate of the cost utilizing RSMeans, copies of signed contract and/or other descriptive data as a basis for determining the permit fee.

**109.3.2 Accounting.** The Building Official or his or her duly authorized representative and/or Fire Marshal/Fire Code Official, or his or her duly authorized representative shall keep a permanent and accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, along with the date and amount thereof.

**109.3.3 Double Fee: Work commencing before permit issuance.** Any person who commences any work for which a permit is required, on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the Building Official's written approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees.

**109.4 Related fees. Reserved**.

**109.5 Refunds. Reserved**.

## SECTION 110
## INSPECTIONS

**110.1 General.** Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**110.1.2** The Building Official shall make the inspections called for by these requirements or he or she may accept reports of inspectors of recognized qualifications for special inspections, except that no certificate called for by any provisions of this Code shall be based on such reports unless the same are in writing and certified.

**110.1.3** No inspection shall be made until sanitary facilities have been provided, as required in Section 311.1 of the FBC Plumbing.

**110.1.4** When the services and reports of inspection and testing laboratories are required by this Code, only such services and reports shall be accepted as are submitted from impartial inspecting and testing laboratories having an Engineer in active responsible charge of the work of sampling and testing.

**110.1.5** Testing laboratories engaged in the sampling and testing of concrete and steel products shall have complied with the Standard Specification for Agencies Engaged in Construction Inspection, Testing, or Special Inspection ASTM E329-14a.

**110.1.6** Testing laboratories located out of this State and under the supervision of an Engineer legally qualified in the State in which the laboratory is located, and where such testing laboratory has complied with the above Standard, may submit test reports as required by this Code.

**110.1.7** All equipment, material, power, coordination for access and labor, necessary for inspection and/or test shall be supplied by the permit holder.

**110.2 Preliminary inspection.** Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

**110.3 Required Inspections.** The Building Official, upon notification from the permit holder or his or her agent, shall make the following inspections performed by Inspectors BORA certified in the categories involved who shall either release that portion of the work completed or shall notify the permit holder or his or her agent of any violations which shall be corrected in order to comply with the technical codes. The Building Official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

**A. Building**

1. **Piling:** To be made during the installation of piles by Special Inspector.
2. **Foundation Inspection**: Include piling/pile caps, footer/grade beams, stem-wall, and monolithic slab-on-grade to be made after necessary excavation, form erection, and reinforcing steel placement, prior to pouring of concrete.
   - **a.** In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the AHJ.
3. **Floor Slab on Grade and/or Elevated:** To be made after necessary excavations, form erection as may be required, placement of reinforcing steel, mesh, and vapor barrier when specified, and prior to pouring concrete.
4. **Concrete Columns:** To be made after the placement of reinforcing steel and prior to complete erection of forms and pouring of concrete.
5. **Concrete Unit Masonry:** To be made at each successive pour after placement of the reinforcement and prior to the pouring of grout. See Sections 110.10.2.2 and 110.10.5.
6. **Concrete Beams:** To be made after the erection of forms, placement of reinforcing steel, hangers, bracing and shoring and prior to pouring of concrete.
7. **Framing Inspection:** To be made after the installation of all structural elements, including: the roof, furring, fire stops, fireblocking, nailers, anchors, and bracing is in place, chimneys, and prior to the installation of interior cladding, but after inspection of rough in electrical, mechanical and plumbing, which shall be completed prior to request for framing inspection. See mandatory inspections for electrical, mechanical and plumbing. Framing inspection shall at a minimum include the following building components:
   - **a.** Window/door framing
   - **b.** Vertical cells/columns
   - **c.** Lintel/tie beams
   - **d.** Framing/trusses/bracing/connectors
   - **e.** Draft stopping/fire blocking/fire stopping
   - **f**. Curtain wall framing
   - **g.** Accessibility.
   - **h.** Verify rough opening dimensions are within tolerances.
8. **Roof/Floor Trusses:** To be made after the erection of truss members, permanent and temporary bracing, roof sheathing and bottom chord furring members and anchors.
9. **Roof Sheathing:** To be made after placement of panels or planking and sheathing fasteners; prior to application of base or anchor coat of roofing.
10. **Wall/Floor Sheathing:** To be made after placement of panels or planking and sheathing fasteners.

11. **Roofing Inspection:** To be made in accordance with Chapter 15 of the FBC & Chapter 44 of the Florida Residential Code and Section 611 of the FBC Existing Building.
12. **Window and Door Inspection:** Two inspections to be made, one after door and window bucks have been installed, and the second, after window and door assemblies have been installed and before attachments and connections to the building frame are concealed.
13. **Wire Lath:** To be made after installation of all metal lath and accessories prior to application of any coatings.
14. **Energy insulation:** After installation in compliance with type and "R" values stipulated in energy calculations and prior to installation of rock lath and drywall.
15. **Rock Lath:** To be made after installation of all rock lath, corner beads, strip reinforcement and nailers for molding and trim and prior to application of plaster basecoat.
16. **Drywall:** To be made after installation of drywall panels and prior to taping and spackling.
17. **Curtain Wall Inspection:** To be made at each floor level after curtain walls are installed and before curtain wall attachments are concealed.
18. **Storefront Inspection:** To be made after storefronts are installed and before store front attachments are concealed.
19. **Concealed Work:** The Building Official or his or her duly authorized representative may order portions of the structural frame of a building and/or structure to be exposed for inspection when, in his or her opinion, there is a good reason to believe that a building or portion thereof is in an unsafe or dangerous condition or that there is willful or negligent concealment of a violation of this Code.
20. **Hurricane Shutters:** To be made before the attachments and connections to the building are concealed and when job is completed. All shutters shall be installed for final inspection. On occupied buildings all required means of egress and emergency exits shall be left uncovered.
21. **Final Inspection:** To be made after installation and completion of all elements of construction, safeguards and protective devices, and after final electrical, mechanical and plumbing. Approval of Fire Department accessibility and all tests of fire alarm detection and suppression systems, smoke evacuation systems and life safety systems shall be approved prior to final inspection and issuance of Certificate of Occupancy.
    **a.** In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.
22. **Certificate of Occupancy:** This final inspection shall signify the completion of all work and that the structure is safe for Occupancy. Final adjustments to mechanical devices may be made after this inspection and during Occupancy.
23. **Fence:** Final only
24. **Swimming Pools/Spas Inspection:** First inspections to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete, gunite or shotcrete. Second inspection(s) of perimeter plumbing, pressure test, deck electrical perimeter bonding and deck structural (includes soil reports as applicable, paver type decks, special perimeter footings or deck features) is (are) to follow after the completion of each phase. Child barrier (exit) alarms (if applicable), and yard barriers that are part of the fourth wall protection as described in FBC Building Section 454.2.17, shall be completed and approved inspection prior to the swimming pool/spa being filled with water. Final zoning (if applicable) is to be completed prior to the swimming pool/spa being completed. Electrical final is to be completed prior to the swimming pool/spa being filled with water. Final structural and plumbing are to be completed after the swimming pool/spa is filled with water and the filtration system is in operation.
    **a. Structural inspections:**
        **(1)** Steel
        **(2)** Deck (includes soil reports as applicable, paver type decks, special perimeter footings or deck features)
        **(3)** Child barrier fences (if applicable) and yard barriers that are part of the fourth wall protection prior to the swimming pool/spa being filled with water
        **(4)** Final structural (after filling of the swimming pool/spa with water and the filtration system is in operation)

**B. Electrical:**

1. **General:** All Underground, Slab, low voltage and Rough Electrical Installations shall be left uncovered and convenient for examination until Inspected and approved by the Electrical Inspector.
2. **Temporary Electrical Service Installations**
    **a.** Rough.
    **b.** Final
3. **Underground Electrical Inspection:** To be made after trenches or ditches are excavated, underground conduits or cables installed, and before any backfill is put in place.
4. **Slab Electrical Inspection:** To be made and after conduits and boxes are installed, and prior to pouring concrete.
    **a**. Grounding Electrode Conductor to Foundation Steel
5. **Rough Electrical Inspection:** To be made after the roof, framing, fire blocking bracing are in place, and the building is deemed dry, and conduits, cables, panels, receptacles, etc. are installed, and prior to the installation of wall or ceiling membranes.
6. **Electrical Service Inspection:**
    **a**. Electrical rough
    **b.** Electrical Final Inspection
7. **Miscellaneous Electrical Inspection:**
8. **Swimming Pool/Spa Electrical Inspection:**
    **a**. Steel Bonding
    **b.** Underground
    **c.** Deck perimeter bonding
    **d.** Final electrical prior to the swimming pool/spa being filled with water
9. **Temporary Electrical 30-Day Power for Testing**
10. **Final Inspection:** To be made after the building is complete, all electrical fixtures are in place and properly connected, or protected, and the structure is ready for occupancy and deemed safe for power by the Building Official.

Final Electrical Inspection shall be made prior to Final Structural Inspection.

**C**. **Gas:**

1. **General:** To be made for all underground work, and at each floor and roof level where gas work is installed. All gas work shall be left uncovered and convenient for examination until inspected and approved by the Plumbing Inspector.
2. **Underground inspection:** To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
3. **Rough piping inspection:** To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
4. **Final Gas inspection:** To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this Code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.
   Final Gas Inspection shall be made prior to Final Structural Inspection.

**D**. **Mechanical:**

1. **General:** To be made for all underground work, and at each floor and roof level where mechanical work is installed. All mechanical work shall be left uncovered and convenient for examination until inspected and approved by the Mechanical Inspector.
2. **Underground inspection:** To be made after trenches or ditches are excavated, underground duct and all piping installed, and before any backfill is put in place.
3. **Rough-in inspection:** To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
4. **Final Mechanical inspection:** To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.
   Final Mechanical Inspection shall be made prior to Final Structural Inspection.

**E**. **Plumbing:**

1. **General:** To be made for all underground work, and at each floor and roof level where plumbing work is installed. All plumbing work shall be left uncovered and convenient for examination until inspected and approved by the Plumbing Inspector.
2. **Underground inspection:** To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
3. **Rough-in inspection:** To be made after the roof, framing, fire-blocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes. Floors shall be left open in all bathrooms and elsewhere above all sanitary plumbing, and water-supply piping and other plumbing work until it shall have been examined, tested and approved.
4. **Swimming Pool/Spa Plumbing Installations:**
   **a**. Main drain(s)
   **b**. Perimeter plumbing, pressure test and water features
   **c**. Final plumbing (after filling of swimming pool/spa with water and the filtration system is in operation).
5. **Final Plumbing inspection:** To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy. Water shock or hammer in the water supply system will be cause for condemnation on final inspection.

**Note:** See Section 312 of the FBC, Plumbing for required tests

Final Plumbing Inspection shall be made prior to Final Structural Inspection.

**F**. **Demolition Inspections.**

First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.

Final inspection to be made after all demolition work is completed.

**G**. **Manufactured building inspections.** The Building Department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the FBC. Additional inspections may be required for public educational facilities (see Section 423.27.20 of FBC Building).

**110.3.1 Footing and foundation inspection.** See 110.3.A Building, of this code.

**110.3.2 Concrete slab and under floor inspection.** See 110.3.A Building, of this code.

**110.3.3 Lowest floor elevation.** Reserved

**110.3.4 Reinforcing steel and structural frames.**

No reinforcing steel or structural framework of any part of any building or structure shall be covered or concealed in any manner whatsoever without the approval of the Building Official. It shall be unlawful for any person, firm or corporation, or their agents or employees, to cover or conceal any wiring for light, heat, power or low voltage systems until the appropriate Sections of the building permit card and/or inspection record are signed, signifying that the wiring has been inspected and approved.

**110.3.5 Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum boards joints and fasteners are taped and finished.

**Exception.** Reserved.

**110.3.6 Fire-and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

**110.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with FBC Energy Conservation and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water heating equipment efficiency.

**110.3.8 Other Inspections:** In addition to the inspections previously specified, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provision of this code and other applicable laws.

**110.3.9 Special inspections.** See 110.10 of this code.

**110.3.10 Final Inspection.** See 110.3 of this code.

**110.3.10.1 Flood hazard documentation.** Reserved

**110.3.11 Termites:** Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.6, Section 2304.13 or Section 2304.11.6, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the Building Official has been received. (Refer to 105.10 Certificate of Protective Treatment for prevention of termites and 105.11 Notice of termite protection.)

**110.3.12 Impact-resistant coverings inspections.** Where impact-resistant coverings or impact resistant systems are installed the Building Official shall schedule adequate inspections of impact-resistant coverings or impact resistant systems to determine the following:

**1**. The system indicated on the plans was installed.
**2**. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

**110.4 Inspection agencies. Reserved**

**110.5 Inspection requests.** It shall be the duty of the holder of the building permit or their duly authorized agent (person, firm or corporation performing the work) to notify the Building Official when work is ready for inspection. Failure to request such inspections constitutes a violation of this Code. The inspection request shall be made to the Building Department office at least one day prior to the required inspection and shall provide reasonable time for such inspections to be made. Inspections shall be made not later than the following workday after the day of the request for inspection when a request is made prior to 12:00 noon. Requests for inspections received after 12:00 noon, shall be made not later than the day after the following workday.

**110.6 Approval required.** No work shall be done on any part of a building or structure or any, electrical, mechanical or plumbing installation beyond the point indicated herein above for each successive inspection until such inspection has been made and the work approved and the Inspector has so indicated on the permit card or an inspection record pad at the job site which has been approved by the Building Official.

**110.7 Shoring.** For threshold buildings, shoring and associated formwork or false work shall be designed and inspected by an Engineer, employed by the permit holder or subcontractor, prior to any required mandatory inspections by the threshold building inspector.

**110.8 Threshold Buildings**: For structures defined in Florida Statute 553.71 as "Threshold Buildings," permitting and inspection shall be as required by Florida Statue 553.79.

**110.8.1** The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the Engineer or Architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the Building Official, the Architect or the Engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

**110.8.2** The special inspector shall determine that an Engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency.

**110.8.3** A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), may designate such building as a threshold building, subject to more than the minimum number of inspections required by the FBC.

**110.8.4** The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, Florida Statutes, as an Engineer or under Chapter 481, Florida Statutes, as an Architect.

**110.8.5** Each enforcement agency shall require that, on every threshold building:

**110.8.5.1** The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

**110.8.5.2** Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of permit documents.

**110.8.5.3** All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

**110.8.5.4** All plans for the building which are required to be signed and sealed by the Architect or Engineer of record contain a statement that, to the best of the Architect's or Engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and Chapter 633, Florida Statutes.

**110.8.5.5** No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3) (a), Florida Statutes, or to a licensed building contractor, as defined in Section 489.105(3) (b), Florida Statutes, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

**110.8.5.6** The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this Code, Section 553.73, Florida Statutes, without duplicative inspection by the building department. The Building Official is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes, or certified as a special inspector under Chapter 471 or 481, Florida Statutes. Inspections of threshold buildings required by Section 553.79(5), Florida Statutes, are in addition to the minimum inspections required by this Code.

**110.9.1** Construction inspected by the Building Department may be rejected or approval refused for reasons of incompleteness or code violation. The work shall be made to comply and the request for inspection repeated as outlined herein. It shall be assumed that the responsible individual or individuals in charge of the work shall have themselves inspected the work and found it to be in compliance with this Code and plans requirements before the request for inspection is made. It is the responsibility of the permit holder to insure that the job is accessible and means for inspections of such work that are required by this Code for all requested inspections. Failure to provide for this access shall constitute a violation of this Code.

**110.9.2** Examination of all structural, electrical, plumbing and mechanical items may be performed by Inspectors only when holding current certification in the respective disciplines issued by BORA.

**110.9.3** The Inspector shall inspect all work for which a request for inspection is made and shall, after inspection, either approve by signing the appropriate sections of the building permit card or inspection record or disapprove the work and notify the permit holder of the discrepancies found and order corrections within a reasonable period of time. Violations and/or correction notices shall be written and posted at the job site stating the specific reference to the Code Section(s) that have been violated. Any person, firm or corporation who fails to correct defective work within ten days after having been duly notified of such defects shall not be issued any further permits by the Building Department. Permits will resume after the defects have been corrected, inspected and approved or upon the filing of an appeal with BORA.

**110.9.4 Period of declared disaster.** During such periods of time that an area or areas of Broward County is deemed a Federal or State declared Disaster Area, building owners and/or their designated representatives may institute temporary repairs to their property, in order to restore the impermeability to the building envelope and/or to secure the property. Such repairs shall be temporary in nature, so as to minimize further damage to the property, and may be undertaken without repair permits and inspections by the local building department, as long as the damaged building components and their respective attachments are not permanently concealed.

**110.10 Special Building Inspector.**

**110.10.1** The Building Official upon the recommendation of the Chief Structural Inspector or upon the Building Official's initiative may require the owner to employ a special inspector for the inspection of the structural framework, or any part thereof, as herein required:

**110.10.1.1** Buildings or structures or part thereof of unusual size, height, design or method of construction and critical structural connections.

1. Placement of Piling
2. Windows, glass doors, external protection devices and curtain walls on buildings over two stories.
3. The method or pace of construction requires continuous inspection.
4. In the opinion of the Building Official, any other additional inspections that are required.

**110.10.2** The Building Official shall require the owner to employ a special building inspector for the inspections herein required:

**110.10.2.1** Precast Concrete Units
**110.10.2.2** Reinforced unit masonry
**110.10.2.3** Connections
**110.10.2.4** Metal Building Systems
**110.10.2.5** Smoke Control Systems

**110.10.3** The person employed by the owner as a Special Building Inspector shall be subject to verification of qualifications by the Chief Structural Inspector or Chief Mechanical Inspector, as applicable. (Effective August 10, 2007.)

**110.10.4** The Chief Structural Inspector or Chief Mechanical Inspector, as applicable shall require that the Architect or Engineer of record submit an inspection plan which shall specify the scope and nature of inspections to be performed. The special building inspector or their authorized representative shall make all inspections in accordance with the approved inspection plan. (Effective August 10, 2007)

**110.10.5** Special building inspector shall be an Architect or Engineer or their duly authorized representative.

**Exception 1:** Building Inspectors (structural) certified by BORA who have satisfactorily completed an approved masonry course may perform inspections of Reinforced Unit Masonry and any precast lintels incorporated into such masonry for Group R-3 Occupancy.

**Exception 2**: Special building inspector for Smoke control systems shall meet the qualifications required in FBC 909.18.8.2.

**110.10.6** The special building inspector shall be responsible for compliance with the applicable portions of the permitted construction documents as delineated in the special building inspection plan and shall submit progress reports and inspection reports to the Chief Structural Inspector or Chief Mechanical Inspector, as applicable, for submittal to the Building Official. Structural inspections performed by the special building inspector shall satisfy the requirements for mandatory inspections by the FBC.

**110.10.6.1** A log of all progress reports and inspection reports shall be maintained at the job site. (Effective: August 10, 2007)

**110.10.6.2** Signed and Sealed progress reports and inspection reports shall be submitted to the Chief Structural Inspector , or Chief Mechanical Inspector, as applicable; for submittal to the Building Official on a weekly basis. (Effective: August 10, 2007)

**Exception:** The Chief Mechanical Inspector, and or Building Official shall determine the frequency for the submitting of progress reports for Smoke Control Systems.

**110.10.6.3** The municipality shall monitor the progress of the special building inspector on a regular basis. (Effective: August 10, 2007)

**110.10.7** At the completion of the work, the special building inspector shall submit a signed and sealed Certificate of Compliance to the Chief Structural Inspector or Chief Mechanical Inspector, as applicable for submittal to the Building Official, stating that the work was done, substantially in accordance with the applicable portions of the permitted construction documents as delineated in the special building inspection plan.

**Exception:** Reports for Smoke Control Systems shall comply with FBC 909.18.8.3 Reports, and FBC 909.18.8.3.1 Report filing.

**110.11 Official Reports.** The Building Official shall keep records of inspections, Certificates of Compliance, results of tests, plans, specifications, surveys and Certificates of Occupancy for a period of not less than seven years. Such records shall become a part of the public records and open to public inspection, except as may be elsewhere specifically stipulated.

**110.12 Clean-up of Construction Site.** Upon completion of the proposed work, the permit holder shall leave the construction site cleared of rubbish, debris, construction sheds or materials of construction. In the event there has been damage to public property or that rubbish, debris, construction sheds or materials of construction have been left at the construction site, then the Building Official shall refuse to make final inspection and shall notify the permit holder to correct the condition of violation with five (5) days. For failure to comply with such notice after such period of five (5) days, the permit holder is subject to the penalties specified herein, and the Building Official shall have the clean-up work done and public property restored and shall notify the legal authority, who shall institute the necessary action to have the costs placed as a lien against the property in relation to which the permit was issued.

**110.13 Special Hurricane Inspections.** During such periods of time as are designated by the National Weather Service as being a hurricane watch, all furniture, display racks, material and similar loose objects in exposed outdoor locations, shall be lashed to rigid construction or stored in buildings. The Building Official shall issue orders to secure all construction sites. Orders shall be oral or written and shall be given to any person on the premise most logically responsible for maintenance or by facsimile to the responsible entity if such entity is known.

**110.13.1** Any person, firm or corporation receiving an order from the Building Official to comply with this section shall comply with said order within the time specified on the order.

**110.13.2 Construction Waste and Construction Materials.**

**110.13.2.1** It shall be the joint responsibility of any owner of real property upon which construction is occurring, and any contractor responsible for said construction, to ensure that all road rights-of-way remain free at all times of all

construction waste and trash resulting from such construction. After a hurricane watch or warning has been suspended, the City's Building Official shall give said owner or contractor reasonable time to clear the road rights-of-way of construction waste and trash.

**110.13.2.2** It shall be the joint responsibility of any owner of real property upon which construction is occurring, and any contractor responsible for said construction, to ensure that all waste and trash resulting from the construction are contained on the real property upon which the construction occurs. Said construction waste and trash shall be kept within an area that is either wire-fenced or otherwise secured within an enclosed containment structure, to assure that construction waste and trash are not on adjacent property. Debris in open containers shall be secured by weighting with sand, covered, lashed down or picked up by a container contractor.

**110.13.2.3** Pursuant to this section, it shall be a violation of this Code for an owner of real property upon which construction is occurring or any contractor responsible for said construction, to have on or near that property, loose construction debris. The construction site shall be cleared of loose construction debris.

**110.13.2.4** Notices issued by the National Weather Service of a hurricane watch are deemed sufficient notice to the owner of real property upon which construction is occurring, or any contractor responsible for said construction, to secure loose construction debris and loose construction materials against the effects of hurricane force winds.

**110.13.2.5** Pursuant to this section, it shall be a violation of this Code for an owner of the real property upon which construction is occurring, or any contractor responsible for said construction, to have on that property loose construction materials that are not fastened or secured to the ground or any permanent structure. Materials stockpiled on top of any structure under construction shall be permanently installed by the property owner or contractor upon a hurricane watch; provided, however, in the event such installation cannot be timely completed, then the property owner or contractor shall:

**1.** Band together the construction materials and fasten them to the top of the structure in such a manner so as not to present a threat of their becoming airborne during severe weather; or
**2.** Remove the construction materials from the top of the structure and fasten down to the ground; or
**3.** Remove the construction materials from the job site; or
**4.** Store the construction materials inside an enclosed structure.

**110.13.3** From June 1 to November 30 of each calendar year (the National Weather Service designated hurricane season), building materials shall be loaded on a roof no earlier than twenty (20) working days prior to the permanent installation of those materials.

**110.13.4** After winds of hurricane velocity are experienced and have subsided, the Building Official shall investigate to determine if damage has occurred to buildings or other structures. The Building Official will list each structure which has suffered damage in excess of 25%.

**110.13.5** No building or other structure or assembly or part thereof, which was damaged or collapsed; out of plumb or line shall be repaired or altered, or otherwise returned to its original position, without inspection and approval by the Building Official.

**110.13.6** When conducting emergency damage assessments, the Building Official shall complete the Broward County Emergency Management Division Unsafe Structures Reporting Form. The reports can be faxed, emailed, or if necessary, telephoned in to the numbers prescribed on the form within forty-eight (48) hours of a building being posted as unsafe and a secondary report shall be submitted when the building is deemed safe, also within forty-eight (48) hours. The reporting form will be approved by both the Emergency Management Division and BORA.

**110.13.7** Upon notification to the Building Official the owner shall retain the services of a licensed contractor who will be granted an emergency permit to secure, brace and perform any service required to make the structure safe. The contractor will be permitted to erect shoring and barricades as required to assure life safety. The Building Official will investigate to assure that the damaged structure is safe and that electrical service has been disconnected. The Building Official will then determine that the structure can be repaired or demolished per Section 105.22 of this Code.

**110.13.8** Within 30 days of the Building Official's determination, either a drawing indicating the reconstruction shall be submitted for a permit per Section 105, or a permit for demolition will be issued to a licensed Demolition Contractor pursuant to Section 105.22 of this Code.

**110.13.9** Physical damage occurring to meter troughs, risers and masts, weather-heads and associated electrical equipment on the exterior portion of residential structures shall be repaired by a qualified electrical contractor. Upon completion of said repairs:

**110.13.9.1** Contractor shall tag the completed work with appropriate identification including Customer Name, Customer Address, brief description of repair, Contractor Name, Contractor License Number and Contractor phone number for Florida Power & Light Company (FPL) and inspecting authorities. Tag and text shall be durable and weather resistant.

**110.13.9.2** FPL may, upon acknowledging the tag, reconnect the electrical service without inspection by the inspecting authorities. FPL shall take due care to ensure safety before energizing the service.

**110.13.9.3** Contractor shall obtain permits after the fact within thirty days of the occurrence.

**110.13.9.4** Florida Power & Light Co. shall record and submit to individual inspecting authorities a list of electrical service reconnections and locations within 30 days after the emergency or crisis conditions have subsided.

**110.13.10** During the emergency period, as proclaimed by the Governor, the Building Official may accept inspection reports as outlined in Section 110.11 Special Inspector, for structural portions, including qualified Engineers or Architects for electrical, mechanical and plumbing inspections.

**110.13.11** During the emergency period, as proclaimed by the Governor, the Building Official may at his or her option allow an Architect or an Engineer, or their duly authorized representative to perform required re-roofing inspections. The Architect or Engineer shall submit sealed inspection reports to the Building Official.

**110.14 Storm Shutter Placement during Hurricane Season.**

**110.14.1** After the termination of such periods of time that had been designated by the National Weather Service as being a hurricane watch or warning, hurricane protective devices installed on occupied buildings which impede required egress or required light and ventilation shall be removed within 15 days.

**110.15 Building Safety Inspection Program.** BORA has established a building safety inspection program for buildings and structures that have been in existence for a period of 40 years or longer. BORA by written policy shall establish the guidelines and criteria which will be the minimum requirements for the Building Safety Inspection Program. The Building Official shall enforce the building safety inspection Program. U. S. Government buildings, State of Florida buildings, buildings built on Indian Reservations, Schools buildings under the jurisdiction of the Broward County School Board, and One and Two Family Dwellings are exempt from this program.

**Exceptions:**
All single family residences, duplexes and minor structures defined as buildings or structure in any occupancy group having a gross floor area less than 3,500 square feet.
In order to implement the new Building Safety Inspection Program in an orderly manner to clear a backlog of buildings needing inspection, implementation shall proceed as follows:

**1.** 40 year or older buildings of 11,000 square feet or more – compliance in calendar year 2006
**2.** 40 year or older buildings 7,000 square feet or more – compliance no later than calendar year 2007
**3.** 40 year or older building 5,500 square feet or more – compliance no later than calendar year 2008
**4.** 40 year or older buildings 4,650 square feet or more – compliance no later than calendar year 2009
**5.** 40 year or older buildings 3,800 square feet or more – compliance no later than calendar year 2010
**6.** 40 year or older buildings 3,500 square feet or more – compliance no later than calendar year 2011

Subsequent building inspections shall be required at ten (10) year intervals -Section 110.15 Effective January 1, 2006, regardless of when the inspection report for same is finalized or filed. Any buildings or structures not otherwise excluded as set forth herein shall be inspected at the same time as the initial 40 year inspection of the building and shall be re-inspected in accordance with the schedule for the building.

## SECTION 111
## CERTIFICATES OF OCCUPANCY AND COMPLETION

**111.1 Certificate of Occupancy**

**111.1.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or nature or use or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy there for as provided herein. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing and fire protection systems, and provisions of FFPC have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the Building Official. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction.

**Exception:** Certificates of occupancy are not required for work exempt from permits under Section 105.2.

**111.2 Certificate Issued.** Upon completion of construction of a building or structure and installation of electrical, fire protection, gas, mechanical and plumbing systems in accordance with the technical codes, reviewed plans and/or specifications, and after the Building Official or his or her duly authorized representative finds no violations of the provisions of this Code or other laws that are enforced by the governmental AHJ, and after the final inspection, the Building Official shall issue a Certificate of Occupancy that contains the following:

**1.** The building permit number.
**2.** The address of the structure.
**3.** The name and address of the owner.
**4.** A description of that portion of the structure for which the certificate is issued.
**5.** A statement that the described portion of the structure has been inspected for compliance with the requirements of this Code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
**6.** For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the department of building safety.
**7.** The name of the Building Official.
**8.** The edition of the code under which the permit was issued.
**9.** The use and occupancy, in accordance with the provisions of FBC Building Chapter 3.
**10.** The type of construction as defined in FBC Building Chapter 6.

**11.** The design occupant load and the number of persons for each floor, and the allowable load live or dead per square foot for each floor in accordance with the provisions of this Code.
**12.** If an automatic sprinkler system is provided, whether the sprinkler system is required.
**13.** Any special stipulations and conditions of the building permit.

**111.3 Temporary/Partial Certificate of Occupancy.**

**111.3.1** The Building Official is authorized to issue a Temporary Certificate of Occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely providing the building to be occupied has, to the satisfaction of the Building Official, met all the code provisions related to sanitary facilities, electric service, means of egress, fire resistive separation, structural adequacy, and life safety requirements as found in the FBC, Fire Protection Provisions of this Code and FFPC for the use of a building for a period of up to ninety days.

**111.3.2** The Temporary Certificate of Occupancy may be issued for a period to 90 days and up to an additional 90 days if a request is made in writing to the Building Official prior to the expiration of the initial Temporary Certificate of Occupancy but under no circumstances can any Temporary Certificate of Occupancy exceed 180 days. In the event the Temporary Certificate of Occupancy has expired, the electric service may be disconnected, upon written notice by Certified Mail or hand delivery to the owner or tenant and a copy forwarded to the Public Service Corporation or agency providing service to the building or structure, pursuant to Section 112.2 of this Code. The building shall not be occupied until a new certificate of occupancy is obtained.

**111.3.3 Partial Certificate of Occupancy**. A Partial Certificate of Occupancy may be issued by the Building Official for portions of a building providing such portions comply with the requirements for a Certificate of Occupancy, and the portions of the building are isolated from the portions in which construction activities are continuous. Areas not included in the Partial Certificate of Occupancy shall not be occupied until such areas are completed satisfactorily for an issuance of a Certificate of Occupancy. Each area shall not be occupied until inspected and approved and additional Partial Certificates of Occupancy are issued. The final Certificate of Occupancy shall not be issued for the entire building until the requirements of Section 111.1 are complied with.

**111.4 Revocation**. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this Code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance, regulation, any of the provisions of this Code, Fire Protection Provisions of this Code and FFPC.

**111.4.1** Whenever any building or portion thereof is being used or occupied in violation of the provisions of this Code, the Building Official or his or her duly authorized representative shall order such use or occupancy discontinued and the building or portion thereof vacated. Such order shall be by notice, in writing, served on the person or persons using or causing to be used such building or portion thereof. Within a reasonable period of time after receipt of such notice or order, such building or portion thereof shall be made to comply with the requirements of this Code; however, in the event of an emergency, Sub-section 116.5 shall apply.

**111.5 Certificate of Completion.** A certificate of completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a Certificate of Occupancy.

## SECTION 112
## SERVICE UTILITIES

**112.1 Connection of service utilities.** No person shall make connections from a utility source of energy, fuel or power to any building or system that is regulated by this Code and for which a permit is required, until released by the Building Official or Chief Electrical Inspector and a Certificate of Occupancy or Completion is issued.

**112.2 Temporary connection.** The Building Official or Chief Electrical Inspector may authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a Temporary Certificate of Occupancy.

**112.2.1 Energizing Systems:** It shall be unlawful for any person, firm or corporation to energize any wiring system or portion thereof until the electrical work has been inspected and approved and the responsible person, firm or corporation is authorized by the appropriate governmental jurisdiction to energize the system.

**112.3 Authority to disconnect service utilities.** The Building Official or Chief Electrical Inspector shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the reference codes and standards set forth in Section 101.4.1 through 11 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connections has been made without the approval required by Section 112.1, 112.2 or 112.3. The Building Official or Chief Electrical Inspector shall notify the serving utility, and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

**112.4 Private Sewer Tapping:** No person shall cut, break, pierce

or tap any main or private sewer or appurtenance thereof, or introduce any pipe, tube, trough or conduit into any public sewer or appurtenance thereof without the written consent as may be required by the Building Official or Chief Plumbing Inspector.

**112.4.1** Storm or rainwater waste shall not discharge into a sanitary sewer, nor shall sewage discharge into a public storm sewer.

**112.4.2** Public sewer systems shall be vented through the building sanitary drainage systems.

## 113
## BOARD OF RULES AND APPEALS

**113.1 General:** In order to determine the suitability of alternate materials and types of construction to provide for reasonable interpretation of the provisions of this Code and to assist in the control of the construction of buildings and structures, there is hereby created BORA, appointed by the appointing authority, consisting of thirteen (13) members and nine **(**9) alternates who are qualified by training and experience to pass on matters pertaining to building construction.

**113.1.1 Secretary to the Board (Administrative Director) and employees.** BORA is authorized to hire a full-time secretary. Office space, office equipment and such other material, equipment and services required to operate such office shall be furnished by the Broward County Commissioners. The Board may hire other personnel as they are deemed necessary by said Board with permission from the Broward County Commissioners. All moneys collected by the Board as fees shall be retained by the Broward County Commission to offset operating costs of such office.

**113.2 Staff:** BORA shall maintain a staff to coordinate the enforcement of this Code and FFPC, and shall be called the Code Compliance Department. The Department shall consist of the Administrative Director, and Chief Code Compliance Officers (Electrical, Fire Prevention, Mechanical, Plumbing, and Structural). Chief Code Compliance Officers shall be certifiable as Chiefs, in their respective disciplines, and the Chief Fire Prevention Code Compliance Officer shall be certifiable as Fire Marshal/Fire Code Official. The Chief Code Compliance Officers shall have the authority to make inspections in their disciplines and shall be responsible to see that this Code is being uniformly enforced by all Building and Fire Departments in all cities and the unincorporated areas in Broward County. The Code Compliance staff shall work directly under the Administrative Director, who will be directed by the full BORA.

**113.3 Membership**:

**113.3.1 The Membership of BORA is as stated in the current County Charter.**

**113.3.1.1 Eleven** (11) members and/or seated alternates shall constitute a quorum and decisions shall be reached by a majority of those present.

**113.3.1.2** All appointments shall be for a term of three **(**3) years. All members and alternates shall continue in office until their successors are duly appointed.

**113.3.1.3** The Board shall adopt rules of procedure to seat alternates in the event all board members are not present for a scheduled meeting of the Board.

**113.4** The Broward County Commission or Broward County League of Cities, whichever is the appointing authority, may remove, either by its own action or upon recommendation of the majority of BORA, any members or alternate for misconduct, incompetence, or neglect of duty. However, any member or alternate so removed may, within ten days, request a public hearing before the public body who attempts to remove the member or alternate, and the member or alternate shall receive such hearing before such removal shall be final.

**113.5** Any vacancies occurring on BORA shall be filled for the remainder of the former member's or alternate's term of office by appointment of the Broward County Commission when the former member or alternate was an appointee of the Commission, or by the Broward League of Cities when the former member or alternate was an appointee of the League.

**113.6** It shall be the function of BORA, created by this Charter, to exercise the powers, duties, responsibilities, and obligations as set forth and established in Chapter 71-575, Laws of Florida, Special Acts of 1971, as amended by Chapters 72-482 and 72-485, Laws of Florida, Special Acts of 1972; Chapter 73-437, and 74-448, Laws of Florida, Special Acts of 1974; the Florida Building Code and the SFBC as enacted and amended by Chapter 71-575, as amended.

**113.7 Compensation:** Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses in performance of their Official duties upon approval of the appointing authority.

**113.8 Meetings:**

**113.8.1** Meetings of BORA shall be held at the call of the Chairperson and at such other times as the Board may determine.

**113.8.2** The Board shall select one (1) of its members to serve as Chairman and one (1) to serve as Vice-Chairman, to act in the absence of the Chairman. A detailed record of all proceedings shall be kept on file in the office of the Secretary. The Board shall establish rules and regulations for its own procedure.

**113.8.3 Hearings**

**113.8.3.1** All hearings shall be open to the public, and any person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard.

**113.8.3.2** The hearing shall be informal and need not be conducted according to technical rules relating to evidence and witnesses.

**113.8.3.3** Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objection in civil actions.

**113.8.3.4** Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.

**113.8.3.5** The rules of privilege shall be effective to the same extent that they are now, or hereafter may be, recognized in civil actions, and irrelevant and unduly repetitious evidence shall be excluded.

**113.8.4 Conflict of Interest:** No member of the Board shall sit as a voting member in any hearing involving any question in which he or she has personal or financial interest.

**113.8.5 Quorum:** Eleven (11) members of the Board shall constitute a quorum. Decisions shall be reached by the majority of those present.

**113.8.6** Written notice of Board decision shall be furnished to the appellant when requested.

**113.8.7** When an appeal of a decision of a Building Official/Fire Code Official or his or her subordinate has been filed with BORA that Building Official/Fire Code Official or his or her designated representative shall be responsible to (1, 2, 3, or all):

**113.8.7.1** Respond to BORA in writing defending his or her decision and/or interpretation, within 5 (working) days.

**113.8.7.2** Attend the Board meeting when the appeal is on the agenda.

**113.8.7.3** Take immediate action in accordance with decision of BORA. Immediate action shall be that a Certificate of Completion, Temporary Occupancy, or a Certificate of Occupancy shall not be issued until compliance with the decision of the Board has been completed.
Exception: For fire related appeals only, see FFPC.

**113.9 Duties:**

**113.9.1 Appeal from decision** of Building Official, Assistant Building Official or Chief Inspector: The Board shall hear all appeals from the decisions of the Building Official, Assistant Building Official or Chief Inspector wherein such decision is on matters regulated by this Code from any person, aggrieved thereby, and specifically as set forth in Section 104.32, "Alternate Materials, designs and methods of Construction and equipment." Application for Appeal shall be in writing and addressed to the Secretary of the Board.

**113.9.2 Interpret code at request of** Building Official, Assistant Building Official, Chief Inspector, Fire Code Official or the staff of BORA: The Board shall pass on all matters pertaining to this Code and referred to the Board by the Building Official, Assistant Building Official, Chief Inspector or staff of BORA for interpretation or clarification.

**113.9.3 Investigate Enforcement:** BORA, upon the request of any person charged with the responsibility of enforcing the Code, or upon its own initiative, shall conduct investigation into enforcement of this Code, and shall have the power to suspend or revoke any permits issued thereunder, after a hearing at which interested persons may appear and be heard and evidence indicates that the best interests of the public are served by such action except in regard to the qualifications of the applicant for permit.

**113.9.4 Report and Recommendations:**

**113.9.4.1** BORA may recommend to the elected Officials of the jurisdictions adopting this Code, ordinances prescribing the fee for examinations, permits, inspections of boilers and elevators, the testing of materials, and all other such work required by this Code.

**113.9.4.2** BORA shall make any desired amendments or revisions to the Code.

**113.10 Cost of appealing to Board:** Any person who appeals to BORA for a decision on any matter within its jurisdiction is required to pay a fee of fifty dollars ($50) to the Secretary of BORA, and said person shall further guarantee payment of all expenses for necessary tests made or ordered by said Board to ascertain whether the request of the applicant has any merit.

**113.11 Procedure for Appeals**: Any person aggrieved by anyone enforcing this Code who desires to appeal to this Board shall first contact the Secretary of the Board for a date or his Appeal to be

heard. A notice of Appeal shall be sent to the governing body of the jurisdiction wherein the dispute arose and said notice shall contain the following:

**113.11.1** The time and date of the hearing.

**113.11.2** A clear and concise statement of the subject to be decided on appeal sufficient to put the said governing body on notice so that they may defend their interpretation of this Code.

**113.11.3** The notice shall be sent by certified mail with return receipt and by facsimile or electronic media, with a receipt showing delivery by noon, or by personal delivery by noon at least nine (9) days prior to the hearing. The Board in its discretion may require a specific form for this notice. For an appeal to be valid, a written rejection from the denial AHJ shall be included with the appeal. The denial authority shall respond in writing to the appellant.

**113.11.4** The appellant shall also file a copy of his or her notice of Appeal with the Secretary of the Board at the same time that he or she notifies the governing body and said Secretary shall deliver to each member of the Board, a copy of the notice, with sufficient time before the hearing for the Board members to study the dispute. Procedure for Appeals may be changed from time to time by the Board if they deem it necessary for the benefit of the public. Whenever feasibly possible, the Chief Inspector involved in the appeal shall present the jurisdiction's position and justifications for the appeal <u>at</u> ~~to~~ the Board meeting.

**113.11.5** Notwithstanding, and in addition to, the jurisdiction of BORA created by Chapter 71-575, Laws of Florida, Building Code as applicable to Broward County may be enforced by injunctive proceedings, or other appropriate legal proceedings, in the appropriate court having jurisdiction thereof, upon petition or complaint filed by BORA, which is hereby granted the power to sue and be sued, or by any aggrieved person, any interested citizen, citizen's association, corporation or other business entity if any elected or appointed Officials named in Section 3 of Chapter 71-575 or any Building Official fails or refuses to comply with said Code.

**113.11.6 Certification of Building Official, Assistant Building Official/ Code Administrator, Chief Electrical Inspector, Electrical Plans Examiner, Electrical Inspector, Chief Mechanical Inspector, Mechanical Plans Examiner, Mechanical Inspector, Chief Plumbing Inspector, Plumbing Plans Examiner, Plumbing Inspector, Roofing Inspector, Chief Structural Inspector, Structural Plans Examiner, Structural Inspector, Fire Marshal/Fire Code Official, Fire Plans Examiner, and Fire Inspector:** BORA shall have the duty, as set forth in Section 104 of this Code, to accept and review certification applications and to certify or refuse to certify applicants for Building Official, Assistant Building Official, Chief Electrical Inspector, Electrical Plans Examiner, Electrical Inspector, Chief Mechanical Inspector, Mechanical Plans Examiner, Mechanical Inspector, Chief Plumbing Inspector, Plumbing Plans Examiner, Plumbing Inspector, Roofing Inspector, Chief Structural Inspector, Structural Plans Examiner, Structural Inspector, Fire Marshal/Fire Code Official, Fire Plans Examiner, and Fire Inspector to be employed by any inspection authority regulated by this Code.

**113.11.7** Suspension of Certification Requirements. During an emergency period proclaimed by the Governor, the Chairperson of BORA or designee may temporarily suspend the Broward County certification requirements for all individuals Certified by the State of Florida, Department of Business and Professional Regulation, BCAIB as Building Code Administrators, Plans Examiners and Inspectors. The length of time that this suspension will be in effect will be for an initial period not to exceed ninety (90) calendar days. BORA may extend this period if conditions warrant. This temporary suspension of the certification requirement shall not apply to an individual being hired on a permanent basis.

**113.12 Powers:**

**113.12.1** BORA may interpret the provisions of this Code to cover a special case if it appears that the provisions of this Code do not definitely cover the point raised or that the intent of this Code is not clear or that ambiguity exists in the wording: but it shall have no authority to grant variances where the Code is clear and specific.

**113.12.2** The use of alternate materials or types of construction not clearly comparable with the materials and types of construction specified in this Code may not be granted by BORA; but the Board, if favorable to such use, may amend this Code to make such use lawful.

**113.12.3** The Board shall have the power to affirm, modify or reverse the decision of the Building Official wherein such decision is on matters regulated by this Code.

**113.12.4** BORA shall have the powers as specified in Section 116, "Unsafe Structures and Equipment."

**113.12.5** BORA shall have the power to suspend or revoke permits, as specified in Section 105.6 of this Code.

**113.12.6** When it is deemed necessary by the Board, it may request experienced and technical advice on any specific subject or subjects from any qualified person or persons, and such request may be for attendance at Board Meetings or for written analysis of the specific problem. BORA may establish Panels of Industry, either standing or temporary, for technical analysis of specific subjects.

**113.13 Reciprocity:**

**113.13.1** BORA shall have the authority to meet with similarly constituted and authorized boards for the purposes of discussion, decision and similar matters of area-wide industry concern.

**113.13.2** Decisions of the majority of all members at joint

meetings as referred to herein, shall not be binding on BORA. The decisions of joint meetings with other boards may be accepted or rejected or accepted with modifications.

**113.14 Review of Board Decisions:**

**113.14.1** Any person aggrieved by a decision of BORA, whether or not a previous party to the decision, may file an appeal pursuant to Section 553.775(3) (c) Florida Statutes. Appeals of decisions within the review jurisdiction of the Florida Building Commission shall be to the Florida Building Code in the manner prescribed in the referenced statute. Review of other decisions of BORA shall be as provided in the Florida Rules of Appellate Procedure for judicial review of administrative action.

**113.15 Amendments to Code**

**113.15.1** The provisions of the SFBC, Broward Local Amendments to FFPC, and the FBC as applicable to Broward County, shall be amended only by BORA and only to the extent and in the manner specified in this Code, and in Section 553.73(4), Florida Statutes. For fire code related amendments see FFPC and section 633.0215 Florida Statutes.

**113.15.2** Neither the Broward County Board of County Commissioners nor any municipality within Broward County may enact any ordinance in conflict with Chapter 71-575, as amended, the Florida Building Code, or the SFBC.

## SECTION 114
## VIOLATIONS
## RESERVED

## SECTION 115
## STOP WORK ORDER

**115.1 Authority** Whenever the Building Official or Fire Chief finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

If the Building Official or Fire Chief or his or her duly authorized representative becomes aware of a hazardous condition, which presents immediate danger to life, he or she shall be authorized to order the hazard removed or remedied immediately, and shall be empowered to order the closing of the building or place where such danger to life violation exists, until such time as same has been corrected. Any failure of immediate compliance shall empower the Building Official or Fire Chief or his or her duly authorized representative finding such hazardous condition creating immediate danger to life, to close such building or cause same to be closed and the people herein evacuated and barred from reentering until such time as such immediate danger to life has been corrected. The Building Official or Fire Chief or his or her duly authorized representative is given the authority to order any gas company, power company, or other utility company, to disconnect its service to any building or buildings containing gas or power installations, where such installations, in the opinion of the Building Official or Fire Chief or his or her duly authorized representative, creates an immediate danger to life, and to otherwise close or evacuate such building and to bar reentry thereto, until such installation is repaired or replaced and such hazard to life ceases to exist.

Rejections shall include specific reference to this Code Section upon which rejection is based in writing.

**115.2 Issuance**. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, or posted on the job site in a conspicuous location. Upon issuance of a stop work order, the cited work shall immediately cease by such persons. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

**115.3 Unlawful continuance**. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

## SECTION 116
## UNSAFE STRUCTURES AND EQUIPMENT

**116.1 General.**

**116.1.1** Buildings or structures that in the opinion of the Building Official are, or hereafter shall become unsafe, unsanitary or deficient in adequate facilities for means of egress, or which constitute a fire or windstorm hazard, or illegal or improper use, occupancy or maintenance, or which do not comply with the provisions of the applicable Minimum Housing Code, or which have been substantially damaged by the elements, acts of God, fire, explosion or otherwise shall be deemed unsafe buildings and a permit shall be obtained to demolish the structure or bring the building to comply with the applicable Codes.

**116.1.2** Incomplete buildings or structures commenced without a permit or the permit for which has expired, or completed buildings or structures commenced without a permit or the permit for which expired prior to completion and no Certificate of Occupancy has been issued, shall be presumed and deemed unsafe.

**116.1.3** Unsafe buildings or structures shall be demolished and removed from the premise concerned, or made safe, sanitary and secure in a manner required by the Building Official and as provided in this Code, provided that where replacement, repair, alteration or demolition is required on Buildings or structures within the purview of the applicable Minimum Housing Code, the provisions of such Code shall be complied with and shall control.

**116.1.4** A permit shall be issued for the demolition of any unsafe building or structure in accordance with Section 105.18 of this Code.

**116.2 Criteria. When any one of the following conditions exist, a building may be deemed unsafe or a fire hazard.**

**116.2.1 Physical Criteria.**

**116.2.1.1** A Building shall be deemed a fire hazard and/or unsafe when:

**116.2.1.1.1** It is vacant, unguarded and open at doors or windows.

**116.2.1.1.2** There is an unwarranted accumulation of dust, debris or other combustible material therein.

**116.2.1.1.3** The building condition creates hazards with respect to means of egress and fire protection as provided herein for the particular occupancy.

**116.2.1.2** A building shall be deemed unsafe when:

**116.2.1.2.1** There is a failure, hanging loose or loosening of any siding, block, brick, or other building material.

**116.2.1.2.2** There is a deterioration of the structure or structural parts.

**116.2.1.2.3** The building is partially destroyed.

**116.2.1.2.4** There is an unusual sagging or leaning out of plumb of the Building or any parts of the building and such effect is caused by deterioration or over-stressing.

**116.2.1.2.5** The electrical or mechanical installations or systems create a hazardous condition in violation of this Code.

**116.2.1.2.6** An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

**116.2.1.2.7** Swimming pools that contain stagnant water are deemed unsanitary and dangerous to human life and public welfare and shall be presumed and deemed unsafe.

**116.2.1.2.8** By reason of use or Occupancy the area, height, type of construction, fire-resistivity, means of egress, electrical equipment, plumbing, air conditioning or other features regulated by this Code do not comply with this Code for the use and Group of Occupancy.

**116.2.1.2.9** Any mobile home that is being modified in violation of Department of Highway safety and motor vehicles Florida Administrative Code section 15C-2.0081 may be deemed unsafe or a fire hazard.

**116.2.1.3** A Building, or part thereof, shall be presumed to be unsafe if:

**116.2.1.3.1** The construction, installation of electrical, plumbing or other equipment therein or thereon, or the partial construction or installation of equipment has been commenced or completed without a permit therefore having been obtained or the permit therefore expired prior to completion and a Certificate of Occupancy issued.

**116.2.1.3.2** By reason of illegal or improper use, occupancy, or maintenance does not comply with this Code or the Code in effect at the time of construction or the applicable Minimum Housing Code.

**116.2.2 Valuation Criteria.**

**116.2.2.1** If the cost of completion, alteration, repair and/or replacement of an unsafe building or structure or part thereof exceeds 50% of its value, such building shall be demolished and removed from the premise. If the cost of completion, alteration, repair and/or replacement of an unsafe building or structure or part thereof does not exceed 50% of such replacement cost, such building or structure may be repaired and made safe, as provided in the FBC Existing Building.

**116.2.2.2** If the cost of structural repair or structural replacement of an unsafe building or structure or part thereof exceeds 33% of the structural value such building or structure or part thereof shall be demolished and removed from the premise; and if the cost of such structural repairs does not exceed 33% of such replacement cost, such building or structure or part thereof may be structurally repaired and made safe, as provided in FBC Existing Building.

**116.2.2.3** In order to determine the value of a building or structure and the cost of alterations, repairs and replacement, the guides and standards provided in the FBC Existing Buildings shall apply.

**116.2.2.4** An Exception to the above percentages may be recognized provided:

**116.2.2.4.1** The owner of property has the ways and means to complete the work.

**116.2.2.4.2** All imminent danger has been removed from the site.

**116.2.2.4.3** All applicable Zoning regulations are met.

**116.2.2.4.4** All applicable requirements of other departments and agencies are met.

**116.2.2.4.5** Criteria noted in FBC Existing Building are followed.

**116.2.2.4.6** Any remaining portion of the structure to be used in rebuilding is certified as safe by an Engineer or Architect.

**116.3 Inspection of Unsafe Buildings and Structures.** The Building Official, on his or her own initiative or as a result of reports by others, shall examine or cause to be examined every building or structure appearing or reported to be unsafe, and if such is found to be an unsafe Building or structure as defined in

this Section, the Building Official shall post the property concerned and shall furnish the owner of such Building or structure with written notice, the manner of posting and furnishing of written notice is provided hereinafter.

**116.4 Posting.** The Building Official shall post a signed notice in a conspicuous location on the building or structure which has been determined to be unsafe. The posted notice shall read substantially as follows:

> **"UNSAFE BUILDING."** This building or structure is, in the opinion of the Building Official, unsafe, as defined in Section 116 of this Code.
> This Building **Shall Be Vacated — Shall Not Be Occupied**. Action shall be taken by the owner as further prescribed by written notice previously served. **This Notice Shall Not Be Removed Except By The Building Official. Date _____**

**116.5 Emergency Action:**

**116.5.1** When in the opinion of the Building Official, there is actual or immediate danger of the failure or the collapse of a building or structure, or there is a health, windstorm or fire hazard, he or she may order the occupants to vacate, temporarily close for use or occupancy the rights of way thereto, sidewalks, streets or adjacent buildings or nearby area and institute such other temporary safeguards, including securing posting and demolition of the building or structure, as he or she may deem necessary under the circumstances, and may employ the necessary labor and materials to perform the required work as expeditiously as possible.

**116.5.2** Costs incurred in the performance of such emergency work shall be paid by the appropriate governmental authority and upon the recording in the public records of this County a certificate executed by the Building Official, certifying the amount so expended and why expended, the same shall become a lien against the property involved.

**116.6 Notice of Violation.** The Building Official shall give the owner of record of the premise concerned written notice by certified or registered mail, addressed to such person's last known address. If proof of service by registered or certified mail is not completed by signed return receipt, then a copy of the written notice shall be affixed to the structure concerned and such procedure shall be deemed proper service, and the time for compliance, stipulated in the notice, shall be deemed to commence with the date such notice is so affixed. This written notice shall state the defects which constitute a violation of this Section and shall prescribe the action to be taken to comply and the time within which compliance must be accomplished, such time to be ten (10) business days, subject to reasonable extension when requested in writing, for reasons which the Building Official considers justifying an extension of time. All such extensions of time shall be by written approval of the Building Official. In addition, this written notice will explain the right of appeal of the decision of the Building Official to the Unsafe Structures and Housing Appeals Board, and also advise that unless there is compliance with the instructions in the Notice of Violation or an appeal is filed that a public hearing before the Unsafe Structures and Housing Appeals Board will be initiated by the Building Official after time for compliance has expired.

**116.7 Recording of Notice of Violation.**

**116.7.1** If the owner of the property concerned has not complied with the requirements as stated in the Notice of Violation within the time stipulated or has not appealed the action of the Building Official as stated in the Notice of Violation within the time specified, the Building Official may file an appropriate instrument in the office of the Clerk of the Circuit Court, to be recorded in the public records of this County, indicating that violations of this Code, and of Section 116 thereof, exist upon the property involved.

**116.7.2** The recording of such notice shall constitute constructive notice to all concerned, as well as to any subsequent purchasers, transferees, grantees, mortgages, lessees and all persons claiming or acquiring interest in said property.

**116.7.3** When the violation specified in the Notice of Violation has been corrected, the Building Official shall file for record a certificate certifying that the violation has been corrected, upon being paid for the filing fees incurred.

**116.8 Appeal and Review.** The owner or anyone having an interest in a building or structure which has been determined to be unsafe, and concerning which a Notice of Violation has been served by the Building Official, may appeal the decision of the Building Official as stated in the Notice of Violation, to the Unsafe Structures and Housing Appeals Board, if such appeal is filed prior to the expiration of the time allowed for compliance specified in such notice; provided, in no event shall appeal period be less than ten (10) business days. Such appeal shall be in writing, addressed to the Secretary of the Unsafe Structures and Housing Appeals Board, and shall be in the form of a certified statement, stating the reasons for such an appeal and stating wherein they consider the Building Official to be in error. Upon receipt of the appeal, the Secretary of the Board will proceed to notify all parties in interest as to the time and place the Unsafe Structures and Housing Appeals Board shall conduct a public hearing on the matter. The procedure for the serving of and the form of notice is provided hereinafter.

**116.9 Notice of Public Hearing.** If the owner, or other parties having an interest do not comply with the terms of the Notice of Violation and do not file an appeal within the time stipulated, the Building Official shall then apply for a public hearing to be conducted by the Unsafe Structures and Housing Appeals Board, and the Secretary of the Unsafe Structures and Housing Appeals Board shall notify all parties in interest of the time and place of such public hearing on the matter. The procedure for the serving and the form of notice shall be the same as in the case where an appeal has been filed by the owner or other parties in interest and such procedure and form of notice shall be as set forth hereinafter.

**116.9.1** When an appeal has been properly filed, or when the public hearing is initiated by the Building Official, as provided herein, the Secretary of the Unsafe Structures and Housing Appeals Board shall issue a notice in the Board's

name, requiring the owner of record and all parties having an interest to appear before the Board in person or by an attorney at the time set forth in such notice, but not earlier than ten days after service thereof, and show cause why the decision of the Building Official should not be carried out.

**116.9.2** As many alias and pluries notices may be issued as may be necessary.

**116.9.3** Service of such notices shall be certified or registered mail to the last known address of the party being served, if known; however, failure to receive such notice shall not invalidate the same as such notice shall also be perfected by posting such notice on the property and by publishing a copy thereof in a newspaper published in this County, such publication to be for two times one week apart.

**116.9.4** The time for appearing and showing cause as aforesaid, and a description of the property shall be as set forth in such published notice; provided, such time shall not be less than ten days after the last publication thereof.

**116.9.5** Any person or party who shall not appear and show cause as aforesaid shall be as fully bound by proceedings taken as if he or she had appeared and shown cause.

**116.10 Public Hearing.**

**116.10.1** On the day established in the notice of public hearing the Board shall review all pertinent evidence and hear all testimony from the Building Official, the owner and other parties in interest and their respective witnesses.

**116.10.2** The Board may modify, rescind, or uphold the decision of the Building Official as recited in the Notice of Violation and may order the owner or persons responsible for the building or structure to vacate, or cause to be vacated forthwith, to make repairs and to take necessary action to secure the building, or to demolish the building or structure and remove the salvage, contents debris and abandoned property from the premise, all within the time stipulated in the order by the Board.

**116.10.3** Such order shall be entered in the minute book of the Board within three (3) days after such public hearing and a copy of such order shall be forwarded to the owner and all parties in interest by registered or certified mail and a copy thereof posted on the premise.

**116.10.4** If the owner or those responsible shall fail to comply with the order of the Board within the time stipulated therein, and such order is to repair, or secure the building to make safe, then the Building Official shall cause such building to be vacated, if occupied, and shall through his or her employees or through a contractor making the lowest responsible bid, secure the building or structure.

**116.10.5** If the order is to demolish the building or structure and to remove the salvage, contents, debris and abandoned property from the premise, and the owner or those responsible shall have failed to comply with such order, then the Building Official may do so thereafter through his or her employees or through a contractor making the lowest responsible bid.

**116.10.6** The Building Official may sell to the highest bidder or bidders for cash the salvage and the contents of such building or other structure so demolished which have not been removed by the owner of the land.

**116.10.7** If no bids are received for such salvage or contents the Building Official may destroy that for which no bids are received.

**116.10.8** Advertisement calling for bids shall be published by the Building Official one time in a newspaper published in the County.

**116.11 Recovery of Cost.**

**116.11.1** The entire costs incurred pursuant to Sub-section 116.5 to Sub-section 116.10 of this Code shall be paid by the owner or occupant of the premise or by the person who caused or maintained the violation.

**116.11.2** The Building Official shall file among his or her records an affidavit stating with fairness and accuracy the items of expense and the date of execution of actions authorized by Sub-section 116.5 or Sub-section 116.10 of this Code.

**116.11.3** The enforcing agency may institute a suit to recover such expenses against any liable person or may cause such expenses to be charged against the property as a lien or

as a special assessment collectable according to established procedures.

**116.11.4** Except with respect to a lien imposed for expenses incurred in demolition, nothing herein shall be construed as placing a lien upon property which supersedes the lien of any mortgage on such property executed and recorded prior to the existence of a lien authorized herein.

**116.11.5** Any costs incurred pursuant to Sub-section 116.5 or Sub-section 116.10 of this Code which result in demolition of unsafe buildings, structures or equipment shall be a lien prior in dignity to all liens, excepting county tax liens and liens of equal dignity with county tax liens.

**116.12 Review:** Any person aggrieved by a decision of the Unsafe Structure Board may seek judicial review of that decision in accordance with the Florida Appellate Rules.

**116.13 Unsafe Structures Board.** The Unsafe Structures Board is hereby created, consisting of nine members who shall be appointed by the Appointing Authority. All professional members of the Unsafe Structures Board should be registered and licensed in the State of Florida. In the event the Appointing Authority cannot find a properly qualified resident of the area under its jurisdiction, it may by majority vote of its membership, appoint a qualified nonresident of the specific categories or professions required.

**116.13.1 Qualification of Members.** Members of the Board shall be permanent residents of the area under the jurisdiction of the Appointing Authority, who possess outstanding reputations for civic activity, interest, integrity, responsibility, and business or professional ability. The composition and representative membership of the Board shall be as follows: an Engineer, an Architect, a General Contractor, an Electrical Contractor, an Attorney at Law, a Plumbing Contractor, a Real Estate Appraiser, a Real Estate Property Manager and a Citizen with experience and background in social problems.

**116.13.2 Terms of Office.** In order that the terms of office of all members of the Board shall not expire at the same time, the initial appointments to the Board shall be as follows: Three members for the term of two years, three members for the term of three years, and three members for the term of four years. Thereafter, all appointments shall be for the term of three years, provided that the term in all instances shall continue until a successor is appointed and qualified. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term, but failure to fill a vacancy shall not invalidate any action or decision of the Board.

**116.13.3 Organization of the Board.**

**116.13.3.1** The members of the board shall elect a Chairman and a Vice Chairman and such other officers as may be deemed necessary or desirable, who shall serve at the will of the Board. Election of officers shall be held at the first meeting after February First, and such officers shall hold office for one year.

**116.13.3.2** Five members of the Board shall constitute a quorum necessary to hold a meeting or take any action.

**116.13.3.3** A majority vote of the Board membership present and voting at a duly constituted meeting shall be sufficient to overrule, modify or affirm any action or decision of the Building Official or to take any other action within the scope of the power and duties of the Board.

**116.13.3.4** Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the performance of their Official duties, upon approval by the legislative body adopting this Code.

**116.13.3.5** No member of the Board shall sit as a voting member in any hearing on a matter in which he or she has a personal or financial interest.

**116.13.3.6** The Building Official, or his or her designee, shall be the Secretary of the Board but shall have no vote.

**116.13.3.7** The Chairman or the Secretary may call meetings of the Board, and meetings may be called by written notice signed by three members of the Board.

**116.13.3.8** Minutes and records shall be kept of all meetings of the Board and all meetings shall be public.

**116.13.3.9** All hearings shall be open to the public, and any person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard in person, or through his or her attorney.

**116.13.3.10** Witnesses may be sworn and subpoenaed by the Board in a like manner as they are subpoenaed by the court or courts in the County in which this Code is adopted.

**116.13.3.11** The hearings shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objection in civil actions.

**116.13.3.12** Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient itself to support a finding unless it would be admissible over objection in civil actions.

**116.13.3.13** The rules of privilege shall be effective to the same extent that they are now, or hereafter may be, recognized in civil actions; and irrelevant and unduly repetitious evidence shall be excluded.

**116.13.3.14** The Board may establish rules and regulations for its own procedure.

**116.13.3.15** The Building Official shall provide adequate and competent clerical and administrative personnel and such technical or scientific personnel as may be reasonably required by the Board for the proper performance of its duties, and shall maintain a record of all proceedings in the office of the Building Official, and shall make available for copying any and all portions of the record of the proceeding and may certify the same as a true copy and make a reasonable charge therefore.

**116.13.3.16** The Building Official shall provide a regular meeting place for the Board.

**116.13.4 Duties and Powers of the Board.** The board shall have the following duties, functions, powers and responsibilities:

**116.13.4.1** Hear and determine appeals from actions and decisions of the Building Official pursuant to the provisions thereof.

**116.13.4.2** Hear and review the application of the Building Official for review of his action where his decision as indicated in a Notice of Violations has not been complied with.

**116.13.4.3** Affirm, modify or reverse the decision of the Building Official upon appeal or on application for review.

**116.13.4.4** The Board, through its Secretary, shall transmit the record with all exhibits, instruments, papers, and transcripts of its proceedings to the appointing authority in the event that authority shall consider the matter pursuant to applicable law in that regard made and provided.

**116.13.4.5** Hear and determine appeals from actions and decisions of the enforcing agency pursuant to the provisions of the applicable Minimum Housing Code.

**116.14 Duties of Legal Counsel.** It shall be the duty of the attorney for the appointing authority, when so requested, to appear at all hearings before the Unsafe Structures Board and to represent and advise the Board.

**116.15 Conflict of Interest.** No Building Official, Board Member or employee charged with the enforcement of this law shall have any financial interest, directly or indirectly, in any repairs, corrections, construction or demolition which may be required, nor shall any Building Official, board member or employee give to anyone the location of any property or the names of owners thereof on which repairs, corrections or demolition have been ordered, except as otherwise directed hereinafter, until after the owners have been formally advised at which time such shall become a matter of public record.

**Section 116.16 Alternative Board**. As an alternative to use of its own Unsafe Structures Board, any municipality in Broward County may utilize by means of an applicable inter-local agreement, the Unsafe Structures Board of Broward County or that of another municipality located within Broward County.

## SECTION 117
## POWERS AND DUTIES OF THE FLOODPLAIN ADMINISTRATOR; DELEGATION, ADMINISTRATION, ENFORCEMENT, AND VARIANCES.

**117.1 Scope.** In accordance with F.S. sec. 553.73, the appointing Authority of Broward County and the Municipalities may delegate the authority to enforce the floodplain provisions of the

Florida Building Code to a Floodplain Administrator, the Building Official, or any other appropriate agency or combination thereof.

**117.2 Intent.** A Floodplain Administrator, the Building Official, or any other appropriate agency or combination thereof, as designated, is authorized and directed to administer and enforce the flood provisions of the FBC and any adopted flood hazard ordinances. The designated authority shall delegate such duties and assignments as may be deemed necessary to carry out provisions of the FBC and any adopted flood hazard ordinances, to render interpretations consistent with the intent and purpose of these codes and may establish policies and procedures in order to clarify the application of their provisions including the application of the variance procedures of any adopted flood hazard ordinances to the flood provisions of the FBC. The variance procedures herein shall not apply to section 3109 of the FBC, Building.

**117.3 General.** Where, in any specific case, different sections of the FBC or adopted flood hazard ordinances specify different materials, methods of construction or other requirements, the most restrictive shall govern.

## SECTION 118
## TWO-WAY RADIO COMMUNICATION ENHANCED PUBLIC SAFETY SIGNAL BOOSTER SYSTEMS

### 118.1 GENERAL:

**118.1.1** The Two-Way Radio Communication Enhancement Public Safety Signal Booster System shall be installed as per NFPA 1-11.10, NFPA 70, and NFPA 72. Any such system installed on or after April 1st, 2016 shall be adaptable for both 700/800 MHz p25 (association of public safety communication officials, project 25).

**118.1.2** The Authority Having Jurisdiction (AHJ), in Broward County, for the Two-Way Radio Communication Enhancement Public Safety Signal Systems has two (2) permitting entities and multiple frequency licenses as follows:

1. The Installation and Wiring shall comply with the local municipality Building and Fire Departments permitting process and shall be approved by the local and county FCC Licensee prior to installation.

2. The FCC Licensees are:
   Broward County ORCAT
   City of Coral Springs
   City of Fort Lauderdale
   City of Hollywood
   City of Plantation

**118.1.3** The AHJ shall determine if a new building or existing building shall require that a two-way radio communication enhanced public safety signal booster system be installed to comply with NFPA 1-11.10.1. The Building owner shall install a public safety signal booster to meet this requirement if so directed.

**118.1.4**
**DESIGN**: For new buildings, a certificate of occupancy shall not be issued until the AHJ determines that the building is in compliance with NFPA 1-11.10.1. It is recommended that the local Development Review Committee (DRC) notify the new building owner, architect, and engineers of this requirement in writing before the building is designed. A design package, comprising block level diagrams, materials submittals, and coverage measurements and predictions are required. Sufficient and substantial engineering design and support information and data shall be submitted with the application. A sealed submittal from an Engineer, with training and experience in electrical engineering, shall also be required.

**118.1.5** To the extent authorized by law, Distributed Antenna Systems Integrators with Public Safety and/or Communication installation and repair experience, as a sub-contractor in association with qualified electrical contractors, and Fire Alarm contractors, may install or repair Two – Way Radio Communication Enhancement Systems. Should the contractor of record fail to have radio

communications installation and repair experience with Distributed Antenna Systems, the contractor of record shall sub-contract the installation or repair of non-fire alarm function to a qualified company, having knowledge of Radio communications installation and repair

**118.2 PERMIT DOCUMENTATION:**

**118.2.1** The following documentation shall be required for permitting a "Two-Way Radio Communication Enhancement System":

1. City and County FCC Licensee shall approve proposed installation of Two-Way Radio Communicating Enhanced Systems prior to installation in writing or by sealing documents submitted for review.

2. City and County written approval or sealed documents shall be provided to the local Fire Prevention Bureau office at the time of plan submittal and prior to plan review.

3. Plans shall comply with FBC 107, NFPA 1, 1.7, NFPA 70, and NFPA 72.

4. Sealed floor plans showing radio coverage for critical and general areas using industry standard radio frequency computer generated propagation modeling.

5. Schedule of signal strength as per NFPA 72 or as agreed to by the Fire Code Official in consultation with the FCC licensee in writing.

6. Schedule of the system radio frequencies or band of frequencies.

7. Notation that the system is upgradable for frequency band coverage changes including at a minimum both 700/800 MHz

8. Plans shall show that the BDA enclosure shall be painted red ~~with 2"~~. A sign affixed next to or stenciling on the enclosure shall be provided in high contrasting letters over a red background, weatherproof plaque and shall. ~~I~~ include the following information:

a) Fire Department Signal Booster
b) Permit Number: _____
c) Serviced by: Vendor name and telephone

**118.3 SYSTEM NOTIFICATIONS:**

**118.3.1** The AHJ's for the FCC licensee and Broward County Office of Regional Communications and Technology (ORCAT) shall be notified in writing of the following events by the permit holder, the system vendor, and/or the building owner. The AHJ for the FCC Licensee shall approve the date and time and may request that the AHJ shall be present during the following events:

1. Initial system testing, with date and time start and finish.
2. Periodic system testing, with date and time start and finish.
3. System placed in operation with date and time.

**118.4.2 PRIOR TO THE INITIAL TESTING:**

1. The vendor shall provide the system's settings prior to the initial system testing as accepted by the AHJ, FCC Licensee and ORCAT. The AHJ may ask for additional information prior to testing.

2. The system shall remain "off the air" until the initial testing with AHJ, FCC Licensee,
ORCAT, and the Fire Code Official are ready to begin and provide their approval.

**118.5 ANNUAL TEST**

**118.5.1** In addition to the annual fire alarm test, an annual test and report, in compliance with NFPA 72 Chapter 14, shall be completed by a qualified company having the knowledge of RF installation with training and experience of two – way radio communication enhanced radio systems to insure that the original installed system is still in compliance.

**118.5.2 ANNUAL TEST REPORT:**

The annual test report shall be maintained with the fire alarm log book and copies shall be submitted to the local AHJ and to City and ORCAT for review. All problems found, with any corrective action(s), shall be noted in the test report, along with the name and license number of the Fire Alarm Contractor and sub-contractor Inspection Company.

**118.6. SYSTEM MONITORING AND MAINTENANCE:**

1. Any Public Safety Signal Booster system installed in a premise shall be tied into a fire alarm system for monitoring.

2. In case of failure, the building owner shall be notified within two (2) hours and he/she shall cause to occur an inspection of the system. If a trouble condition is found the system shall be repaired within 48 hours of notification. If such repair proves to be longer in time or impossible to perform, a notification to the Fire Marshal shall be made indicating the failure of the system, so that in case of emergency the system shall not be relied upon by the First Responders.

Any system installed shall have a service level agreement with a responsible company. Once the system is repaired the service company shall notify both the building owner and the fire marshal.

# BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION

**Select Trade:** ☐**Building** ☐**Electrical** ☐**Plumbing** ☐**Mechanical** ☐**Other** _____

Application Number: Application Date:

**1**

| | | | | | |
|---|---|---|---|---|---|
| Job Address: | | | Unit: | City: | |
| Tax Folio No.: | Flood Zone: | BFE: | Floor Area: | Job Value: | |
| Building Use: | | Construction Type: | | Occupancy Group: | |
| Present Use: | | Proposed Used: | | | |
| Description of Work: | | | | | |
| ☐New ☐Addition ☐Repair ☐Alteration ☐Demolition ☐Revision ☐Other: | | | | | |
| Legal Description: | | | | | ☐Attachment |

**2**

| | | | |
|---|---|---|---|
| Property Owner: | Phone: | Email: | |
| Owner's Address: | City: | State: | Zip: |

**3**

| | | | |
|---|---|---|---|
| Contracting Co.: | Phone: | Email: | |
| Company Address: | City: | State: | Zip: |
| Qualifier's Name: | Owner-Builder: ☐ | License Number: | |

**4**

| | | | |
|---|---|---|---|
| Architect/Engineer's Name: | Phone: | Email: | |
| Architect/Engineer's Address: | City: | State: | Zip: |
| Bonding Company: | | | |
| Bonding Company Address: | City: | State: | Zip: |
| Fee Simple Titleholder's name (if other than owner): | | | |
| Fee Simple Titleholder's Address (If other than owner): | City: | State: | Zip: |
| Mortgage Lender's Name: | | | |
| Mortgage Lender's Address: | City: | State: | Zip: |

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

**OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

**X**_____
Signature of Property Owner or Agent

**STATE OF FLORIDA**
**COUNTY OF** _____

Sworn to (or affirmed) and subscribed before me this_____ day of _____, 20_____ by

_____
(Type / Print Property Owner or Agent Name)

_____
**NOTARY'S SIGNATURE** as to Owner or Agent's Signature

Notary Name _____
(Print, Type or Stamp Notary's Name)

Personally Known _____ or Produced Identification _____

Type of Identification Produced _____

**X**_____
Signature of Qualifier

**STATE OF FLORIDA**
**COUNTY OF** _____

Sworn to (or affirmed) and subscribed before me this_____ day of _____, 20_____ by

_____
(Type / Print Qualifier's Name)

_____
**NOTARY'S SIGNATURE** as to Qualifier's Signature

Notary Name _____
(Print, Type or Stamp Notary's Name)

Personally Known _____ or Produced Identification _____

Type of Identification Produced _____

APPROVED BY: _____ Permit Officer Issue Date: _____ Code in Effect: _____

**A jurisdiction may use a supplemental page requesting additional information and citing other conditions, please inquire.**

Note: If any development work as described in FS 380.04 Sec. 2 a-g is to be performed, a development permit must be obtained prior to the issuance of a building permit.

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