

Broward County Board of Rules & Appeals Meeting Agenda

August 12, 2021

Time: 7:00 P.M.

ZOOM Meeting info:

Join Zoom Meeting: <https://us06web.zoom.us/j/88274244739?pwd=d1Nuc0haS2FJbitPdWR1YS82Smg1QT09>

Meeting ID: 882 7424 4739

Passcode: 040084

One tap mobile

+19292056099,,88274244739#,,,,*040084# US (New York)

+13017158592,,88274244739#,,,,*040084# US (Washington DC)

Call Meeting to Order

Roll Call

Approval of Agenda

Approval of Minutes – May 13, 2021

CONSENT AGENDA

1. Certifications - Staff Recommended.

CITY OF DEERFIELD BEACH

SULLIVAN, LAWRENCE K., CHIEF ELECTRICAL INSPECTOR

CITY OF FORT LAUDERDALE

LAHENS, PHILLIPE, FIRE PLANS EXAMINER

GOLLAN, STEPHEN, FIRE PLANS EXAMINER

CITY OF HOLLYWOOD

CHEW, JOHN, STRUCTURAL INSPECTOR – PROVISIONAL

LONG, RUSSELL, BUILDING OFFICIAL

CITY OF LAUDERDALE LAKES

DEVEAUGH, PETE, CHIEF ELECTRICAL INSPECTOR

SANCHEZ, ROMAN, CHIEF MECHANICAL INSPECTOR

CITY OF LAUDERHILL

JOHNSON, SHENIQUA L., FIRE PLANS EXAMINER

CITY OF OAKLAND PARK

BENITOA, ANTONIO, CHIEF PLUMBING INSPECTOR

MARLOWE, EDWARD, FIRE INSPECTOR

RICHARDSON, PATRICK, CHIEF ELECTRICAL INSPECTOR

CITY OF PEMBROKE PINES

DESO, DAVID STANLEY, JR., CHIEF MECHANICAL INSPECTOR

CITY OF POMPANO BEACH

MAHLER, HAROLD, PLUMBING INSPECTOR (TEMPORARY 120-DAY)

CITY OF SUNRISE

ROBULOCK, CHRISTOPHER, CHIEF PLUMBING INSPECTOR

CITY OF TAMARAC

ANTINELLI, FRANK J., CHIEF ELECTRICAL INSPECTOR

PALACIOS, OTONIEL, CHIEF MECHANICAL INSPECTOR

COUNTYWIDE

ALBORES, ALEXANDER, STRUCTURAL PLANS EXAMINER

BROWER, JAMES, ELECTRICAL INSPECTOR

COPIL, KLAUS, STRUCTURAL PLANS EXAMINER
CORRALES, ALEJANDRO D., STRUCTURAL INSPECTOR
DESHARNAIS, GEORGE, JR., STRUCTURAL PLANS EXAMINER
DESO, DAVID STANLEY, JR., MECHANICAL INSPECTOR
DESO, DAVID STANLEY, JR., MECHANICAL PLANS EXAMINER
GARCIA, ERIC, MECHANICAL PLANS EXAMINER
MANSOR, SIMO, PLUMBING PLANS EXAMINER
NAGLER, FREDRIC, STRUCTURAL INSPECTOR
NAGLER, FREDRIC, STRUCTURAL PLANS EXAMINER
NEIBERG, JOEL D., STRUCTURAL PLANS EXAMINER - LIMITED
PENEVOLPE, ANTHONY J., MECHANICAL INSPECTOR
ROBULLOCK, CHRISTOPHER, PLUMBING INSPECTOR
ROBULLOCK, CHRISTOPHER, PLUMBING PLANS EXAMINER
RODRIGUEZ, ELMER, ELECTRICAL INSPECTOR
TEDIM, JOSE, MECHANICAL PLANS EXAMINER
THOMAS, JAMES F., STRUCTURAL PLANS EXAMINER

REGULAR AGENDA

2. **Request of Mr. James Hollingsworth for a third extension of ninety days to close out open and ongoing permits.**
 - a. Staff Report
 - b. Request of Mr. Hollingsworth
 - c. Board questions
 - d. Board action

3. **Local amendments for 1st reading**
Amendment to the Florida Building Code, 7th Edition (2020) Chapter 1, Section 118, entitled Emergency Responders Communications Enhancement System (ERCES).
 - a. Staff report
 - b. Board questions
 - c. Public comment
 - d. Board action

4. **Formal Interpretation of the Florida Building Code, 7th Edition (2020), Existing Building, Sections 706.8 through 706.8.1.7 Windstorm Loss Mitigation, concerning the retrofitting roof to wall connections.**
 - a. Staff report
 - b. Board questions
 - c. Board action

5. **Revision to Formal Interpretation that was initially effective on June 30, 2015, related to "Recessed Low Height Air Handlers" for the Florida Building Code, 7th Edition (2020).**
 - a. Recommendation of the Energy Committee
 - b. Board questions
 - c. Board action

6. **Proposed Board of Rules and Appeals Residential Energy Guidelines for the 7th edition (2020) of the Florida Building Code.**
 - a. Recommendation of the Energy Committee
 - b. Board questions
 - c. Public comment
 - d. Board action

7. **Report regarding Florida Building Code, 7th Edition (2020), Chapter I, Section 110.3.13, Virtual inspections (adopted in March 2021).**
 - a. Staff report
 - b. Board questions
 - c. Public comment
 - d. Board action

8. **Updates to Board of Rules and Appeals Policy #21-01 entitled “Delegation of Board of Rules and Appeals authority to establish the number of employees working at one time, when physically at the office due to Covid-19 concerns, and to further establish written reporting requirements for employees who are working remotely.”**
 - a. Director’s request
 - b. Board questions
 - c. Board action

9. **Disposition and Disposal of Personnel Records – Supplemental Documentation (Fiscal Year 1983-2013) and Disposal of Litigation Case File (Anniversary Year 1983-1984)**
 - a. Staff report
 - b. Board questions
 - c. Board Action

10. **Director’s Report**
 - a. Initial Survey regarding the 2020- 40 Year Building Safety Inspection Program, sent on May 24, 2021.
 - b. Updates concerning the 40 Year Building Safety Inspection Program July 2020 audit, response date by 7-20-21
 - c. Updates concerning the 40 Year Building Safety Inspection Program July 2019 audit, response date by 8-16-21

11. **Attorney’s Report**

12. **Committee Report**

Structural Committee meeting held on July 12, 2021, concerning the 40 Year Building Safety Inspection Program and the Surfside Building collapse (verbal report).

13. **General Board Members Discussion**

14. **Public Comment (3-minute limit per person) and written communications**

15. **Adjournment**

If a person desires to appeal any decision with respect to any matter considered at this meeting, such person will need record of the proceedings and, for this reason, such person may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based (Sec. 286. 0105.FS). (Members: If you cannot attend the meeting, please contact Mr. DiPietro @ (954) 931-2393, between 6:00 p.m. & 7:00 p.m.)

Board Minutes

May 13, 2021



BROWARD COUNTY BOARD OF RULES & APPEALS
MAY 13, 2021
MEETING MINUTES

Call to Order

Chairman Daniel Lavrich called a published virtual meeting of the Broward County Board of Rules and Appeals to order at 7 p.m.

Present:

Daniel Lavrich, Chair
Stephen E. Bailey, Vice-Chair
Ron Burr
Gregg D'Attile
Jeff Falkanger
John Famularo
Shalanda Giles-Nelson
David Rice
Robert Taylor
Daniel Rourke
Dennis Ulmer

A quorum was present.

Mr. Taylor made a motion and Mr. Famularo seconded the motion to approve the agenda as amended with respect to the year dates in Item 4. The motion carried by unanimous vote of 11-0.

Approval of Minutes – March 11, 2021

Mr. D'Attile made a motion and Mr. Rice seconded the motion to approve the minutes as submitted. The motion carried by unanimous vote of 11-0.

CONSENT AGENDA

1. Certifications - Staff Recommended.

BROWARD SHERIFF'S OFFICE

BERGER, PETER, FIRE INSPECTOR

CITY OF COCONUT CREEK

MALONEY, MELINDA, FIRE INSPECTOR

CITY OF FORT LAUDERDALE

POURJI, FARBOD, STRUCTURAL INSPECTOR (120-DAY TEMPORARY)

CITY OF LAUDERHILL

LILLIE, LAURA, FIRE PLANS EXAMINER

NEWMAN, MATTHEW, FIRE PLANS EXAMINER

CITY OF HOLLYWOOD

GRIMSLEY, MEGHAN, FIRE INSPECTOR

CITY OF MIRAMAR

SILVIO, ANTHONY, FIRE PLANS EXAMINER

CITY OF NORTH LAUDERDALE

CANFIELD, BRIAN S., CHIEF MECHANICAL INSPECTOR

CITY OF PLANTATION

BERGER, BRIAN, PLUMBING INSPECTOR (120-DAY TEMPORARY)

HURLBUT, CARMEN B., CHIEF STRUCTURAL INSPECTOR

CITY OF TAMARAC

SMILEN, GERALD, JR., CHIEF STRUCTURAL INSPECTOR

CITY OF WESTON

COX, REGINALD A., CHIEF STRUCTURAL INSPECTOR

COUNTYWIDE

CONTRERAS, RAFAEL A., JR., STRUCTURAL INSPECTOR

GRANBERG, WILLIAM HENRY JR., MECHANICAL INSPECTOR

LORENZO, ROGELIO, PLUMBING INSPECTOR

LORENZO, ROGELIO, PLUMBING PLANS EXAMINER

MARTINEZ, JORGE, STRUCTURAL INSPECTOR

PRICE, EVERETT DAVID III, ELECTRICAL PLANS EXAMINER

SANCHEZ, ARNULFO, STRUCTURAL INSPECTOR

SANCHEZ, ARNULFO, STRUCTURAL PLANS EXAMINER

SHRAMKO, PETER JOHN, STRUCTURAL INSPECTOR

TORRES, ZEBULUN, MECHANICAL PLANS EXAMINER

Mr. D'Attile made a motion and Mr. Rice seconded the motion to approve the certifications as recommended. The motion carried by unanimous vote of 11-0.

REGULAR AGENDA

1a. Request by City of Sunrise Building Official to extend Interim Chief Plumbing Inspector Mr. Edward McGann appointment for a second 90-day extension.

a. Staff Report

Mr. James DiPietro, Administrative Director, explained this is a request for an additional 90-day extension above the 90-days granted administratively by policy. He suggested it be to July 8th, the date of a Board meeting if one is scheduled.

b. Request of Christopher Augustin

Mr. Christopher Augustin, Building Official, requested the extension be calculated from today (August 11th) as interviews are still in progress and the hiring process will take some time. Mr. DiPietro indicated if the additional time is approved, August 12th would be the normal meeting date of the Board. If the Board does not meet on August 12th, it could be extended administratively until a meeting is held.

c. Board Action

Mr. Bailey made a motion and Mr. Falkanger seconded the motion to grant the extension to August 12, 2021. The motion carried by unanimous vote of 11-0.

1b. Extension Request by the city of Parkland regarding Mr. Alejandro Corrales to obtain his GC license.

a. Staff Report

Mr. Jack Morell, Chief Structural Code Compliance Officer, explained in April of 2020, Mr. Corrales applied for standard inspector certification. Section 104.16.3.1.2 of Chapter 1 of the

Florida Building Code Broward County Amendments provides requires applicants to acquire a G.C. license by exam within one year. The Building Official has requested a 120-day extension. Section 113.12.1 grants this Board authority to interpret the provisions of the Code for a special case if it appears that the Code does not definitely cover the point raised or that the intent is not clear or that there is ambiguity in the wording, but it shall have no authority to grant variances where the Code is clear and specific. As such, staff recommends denial of this request based on Section 104.16.3.1.2.

Mr. Charles Kramer, Board Attorney, explained in his conversations with the Building Official, it was pointed out that they were expecting a response from the Department of Business and Professional Regulation's Construction Industry Licensing Board (CILB) on Mr. Corrales license application. However, his application was red flagged as some documents were not in order. Moreover, the Board does not have the authority when the Code is clear, even though Mr. Corrales is well qualified.

b. Request for extension

Mr. Bill Tracy, Building Official, City of Parkland, noted that last year when COVID-19 occurred, the Building Code Administrators and Inspectors Board (BCAIB) extended provisional licenses from one to two years. He mistakenly made the assumption that the one-year period to acquire a G.C. license was also extended. In order to obtain the license, Mr. Corrales has to pass five exams which he has done. He received his standard inspector license from BCAIB. The issue is with CILB. Mr. Corrales has the qualifications, however there were some miscommunications which have now been corrected. An extension to June 10 is requested.

c. Board Action

Mr. D'Attila made a motion and Mr. Falkanger seconded the motion to grant the extension to June 10, 2021. As noted Mr. Falkanger later withdrew his second but Mr. Bailey offered a second to the motion.

In response to Mr. Rice, Mr. Kramer explained the statute is clear and unfortunately there is no option for flexibility. Mr. Tracy advised that Mr. Corrales is assisting with paperwork in the office and has not made any inspections since his provisional expired. He elaborated upon the overload and demand for inspections at this time. He confirmed for Mr. Kramer that if Mr. Corrales is not permitted to continue as an inspector there is no life, health, safety or property danger to the citizens of Parkland. The current staff is capable of keeping up with the level of inspections for the short-term.

Mr. James DiPietro, Administrative Director, indicated that he supports Mr. Kramer based upon the code. He does not feel an extension is the correct course of action.

Mr. Falkanger withdrew his second to the motion.

Mr. Tracy responded to Chairman Lavrich's questions concerning Mr. Corrales' qualifications and experience. His provisional certification expired two weeks ago. Mr. DiPietro confirmed that if one does not secure their G.C. license within the provisional certification period of time, the individual fails to qualify to be certified to perform. Mr. Jack Morell, Chief Structural Code

Compliance Officer, indicated that Mr. Corrales meets the other requirements but lacks only the G.C. license. Mr. DiPietro added that once Mr. Corrales obtains his G.C. license, staff can temporarily approve his application for certification that would allow him to perform inspections until the next meeting of the Board when a final decision is made. This is already a routine practice. In further response to Chairman Lavrich, Mr. DiPietro indicated that Mr. Corrales may apply for certification at any point in time when he has obtained the G.C. license.

Although he understood that the staff and Board Attorney cannot grant an extension, Mr. Bailey pointed out that the code provides that the Board may interpret the provisions of the code to cover a special case. Mr. Corrales has already been working for a period of time. He is qualified to perform as an inspector. As such, Mr. Bailey seconded Mr. D'Attile's motion.

Mr. Morell noted that Section 113.12.1 continues to say that the Board shall have no authority to grant variances where the code is clear and specific.

Mr. D'Attile indicated that his motion would only authorize Mr. Corrales to perform the same duties he has been performing for the past year. Mr. Bailey believed this is a special case because of the COVID circumstance.

In response to Mr. Taylor, Mr. Kramer did not believe that the Board would incur any liability if it approved an extension of time.

Because the staff can approve Mr. Corrales' certification application temporarily at any point in time, Ms. Giles-Nelson pointed out that there is no need for the Board to act beyond its authority.

The motion was defeated by a vote of 9-2, with Mr. D'Attile and Mr. Bailey voting yes.

1c. Request by the City of Hollywood City Manager to extend Interim Building Official appointment of Russell Long for a second 90-day period.

a. Staff Report

Mr. James DiPietro, Administrative Director, noted this would be the replacement for Mr. Dean Decker who passed away untimely. The request is for an extension to July 5th, but he recommended if the Board chooses to grant the request, it coincide with a meeting date, that being July 8th.

b. Request for extension

Mr. Shiv Newal-Dass, Director of Development Services, indicated that the City of Hollywood has decided to offer Mr. Long this position on a permanent basis and is in the process of finalizing an offer to him. He anticipated finalization by Human Resources in the next couple weeks.

c. Board Action

Mr. Falkanger made a motion and Ms. Giles-Nelson seconded the motion to approve extension as noted to July 8, 2021. The motion passed by a unanimous vote of 11-0.

1d. Request by City of Tamarac Building Official to extend Interim Mechanical Chief appointment of Roman Sanchez for a second 90-day period.

Mr. James DiPietro, Administrative Director, indicated that this item has been withdrawn by staff as it is no longer needed.

1e. Update of Mr. Manuel Barrera efforts to close out open permit to comply with Board of Rules and Appeals Policy 18-02 relating to closing out of open and ongoing projects.

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted that Mr. Barrera has been before the Board on two occasions on this matter. There is now only one open permit remaining. The Miami-Dade Building Department has notified the property owner that if she does not cooperate with Mr. Barrera, a lien will be placed on the property. Staff recommends that this matter be closed as Mr. Barrera has done everything possible. If there is any change in the circumstances, staff will notify the Board.

Mr. James DiPietro, Administrative Director, advised that Mr. Barrera is not present this evening because there has been a death in his family. If the Board intends to deny this request, it would be appropriate to reschedule to a time when Mr. Barrera could be present.

b. Request for extension

Mr. John Travers, Building Official, City of Fort Lauderdale, expressed support for Mr. Barrera, and indicated that he looks forward to Mr. Barrera continuing with the City of Fort Lauderdale.

c. Board Action

Mr. Soto elaborated upon the circumstances with the one remaining open permit and the need according to policy for a vote of the Board to close the matter.

Mr. D'Attile made a motion and Mr. Falkanger seconded the motion to accept Mr. Barrera's report and declare this matter closed as recommended. The motion carried by unanimous vote of 11-0.

2. Special Inspectors Form Advisory

a. Staff Report

Mr. Jack Morell, Chief Structural Code Compliance Officer, explained this change is based on the Board Attorney's opinion that the owner's signature is not required. Also spacing on the form was adjusted to accommodate the permit holder's signature and date as well as the special inspector's seal and date.

- b. Board questions - none
- c. Public Hearing - none
- d. Board Action

Mr. Ulmer made a motion and Mr. Burr seconded the motion to approve the recommended special inspector form modifications to be used countywide. The motion carried by unanimous vote of 11-0.

Chairman Lavrich noticed that this item was slated for a public hearing and asked if that is correct. Mr. James DiPietro, Administrative Director, indicated that the agenda shows this item as a public hearing although it is not. He suggested comment from the public be entertained. Mr. Charles Kramer, Board Attorney, concurred.

Chairman Lavrich opened the floor for public comment but there was no one wishing to speak. A re-vote was taken, and the motion carried by unanimous vote of 11-0.

3. **Survey with respect to Electronic Permitting throughout Broward County.**

- a. Staff Report

Mr. Jack Morell, Chief Structural Code Compliance Officer, highlighted the presented information in the survey. Chairman Lavrich noted that this information will be reviewed by the Ad-Hoc Committee on this topic, and he will discuss it later in the meeting.

- b. Board Discussion - none
- c. Board Action – report was accepted

4. **Fiscal Year 22 Budget (October 1, 2021 – September 30, 2022).**

- a. Recommendation of Administrative Director

Mr. James DiPietro, Administrative Director, indicated this is generally a no-change budget. The small cities grant from fiscal year 2021 continues in this budget for the same amount of \$60,000 for eight potential cities at \$7,500. He anticipates that the reserves will increase some \$291,000 by September 30th for a reserve of more than \$8.8 million which is very high. If the economy was to crash the Board could operate for 2-3 years without any income. He noted some minor fluctuations in various categories. The capital account dropped 50% as staff completed book buying services for the beginning of the new code cycle and a two-year furniture project.

- b. Board Discussion

Mr. DiPietro responded to Mr. Burr's question about vehicles.

- c. Public Comment

Mr. John Travers, Building Official, City of Fort Lauderdale, appreciated that the Board has a reserve.

- d. Board Action

Mr. D'Attile made a motion and Mr. Falkanger seconded the motion to approve the Fiscal Year 2022 budget as presented. The motion carried by unanimous vote of 11-0.

5. **Requested pay adjustment for two employees.**

- a. Recommendation of Administrative Director.

Mr. James DiPietro, Administrative Director, advised that this adjustment is for the Board's two lowest paid employees, Brianna Curry and Maria "Pat" Kong. He highlighted some of their accomplishments.

- b. Board Discussion - none
- c. Public Comment - none
- d. Board Action

Mr. D'Attile made a motion and Mr. Rice seconded the motion to approve the adjustment as recommended. The motion carried by unanimous vote of 11-0.

- 6. **Director's Report** - none
- 7. **Attorney's Report** - none
- 8. **Committee Report** - none
- 9. **General Board Member Discussion**

Florida Building Code, Section 706.8.1, Mitigation Requirements to Retrofit Roof to Wall Connections

Ms. Giles-Nelson advised that she brought to staff's attention ambiguity in Section 706.8.1 of the Florida Building Code. A response should be coming forward soon to the Board.

Ad-Hoc Committee Regarding Electronic Permitting Throughout Broward Countywide Governmental Jurisdictions

Chairman Lavrich indicated that he appointed a steering committee to clarify the scope of issues to be addressed by the ad-hoc committee. The steering committee decided upon a title for the ad-hoc committee as shown and acknowledged that the Board of Rules and Appeals does not have jurisdiction regarding certain areas in cities, Broward County and the State. Therefore, the Committee's work will be limited to the city building departments in Broward County. Chief Structural Code Compliance Officer Jack Morell conducted an initial survey regarding permitting practices of cities throughout the county. An additional survey is going out that will ask more direct questions. The results will be studied by the Ad-Hoc Committee. Specific issues that will be discussed include types of permit applications conducted online, methods of e-permit submissions, collection of permit fees, and enhancement e-permitting countywide.

10. Public Comment (3-minute limit per person) and written communications

Virtual Board Meetings

Mr. John Travers, Building Official, City of Fort Lauderdale, advocated for continuing virtual Board meetings. He noted that public participation seems to have increased with this format. Chairman Lavrich favored the format. The Board Attorney has opined that there is no prohibition to continuing with the virtual format. If there is no objection from the membership, it will be continued.

11. **Adjournment**

There being no further business, the meeting adjourned at 8:31 p.m.

Daniel Lavrich, P.E. - Chair

Section 1

AUGUST 12, 2021 BOARD MEETING
CERTIFICATIONS

CITY OF DEERFIELD BEACH

SULLIVAN, LAWRENCE K., CHIEF ELECTRICAL INSPECTOR

CITY OF FORT LAUDERDALE

LAHENS, PHILLIPE, FIRE PLANS EXAMINER
GOLLAN, STEPHEN, FIRE PLANS EXAMINER

CITY OF HOLLYWOOD

CHEW, JOHN, STRUCTURAL INSPECTOR – PROVISIONAL
LONG, RUSSELL, BUILDING OFFICIAL

CITY OF LAUDERDALE LAKES

DEVEAUGH, PETE, CHIEF ELECTRICAL INSPECTOR
SANCHEZ, ROMAN, CHIEF MECHANICAL INSPECTOR

CITY OF LAUDERHILL

JOHNSON, SHENIQUA L., FIRE PLANS EXAMINER

CITY OF OAKLAND PARK

BENITOA, ANTONIO, CHIEF PLUMBING INSPECTOR
MARLOWE, EDWARD, FIRE INSPECTOR
RICHARDSON, PATRICK, CHIEF ELECTRICAL INSPECTOR

CITY OF PEMBROKE PINES

DESO, DAVID STANLEY, JR., CHIEF MECHANICAL INSPECTOR

CITY OF POMPANO BEACH

MAHLER, HAROLD, PLUMBING INSPECTOR (TEMPORARY 120-DAY)

CITY OF SUNRISE

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RODRIGUEZ, ELMER, ELECTRICAL INSPECTOR
TEDIM, JOSE, MECHANICAL PLANS EXAMINER
THOMAS, JAMES F., STRUCTURAL PLANS EXAMINER

Section 2



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

Date: August 12, 2021
To: Members of the Broward County Board of Rules and Appeals
From: John Morell Chief Structural Code Compliance Officer
RE: Request of Mr. James Hollingsworth for a third extension of ninety days to close out open and ongoing permits

Recommendation:

The board approve by vote, Mr. James Hollingsworth third request for time extension to September 19, 2021 caused by unforeseen delays.

Reason:

January 9, 2020 the board granted an extension for 180 days until July 7th, 2020, on July 9th, 2020 the board granted a second extension, until June 21st, 2021. Mr. Hollingsworth is now requesting a third extension to complete the two outstanding permits, permit # B19-107017 with estimated completion date of July 21, 2021 and permit # 18100322 with estimated completion date of August 21, 2021.

Additional Information:

See Attached list of open permits including estimated completion dates.

From: James Hollingsworth
Sent: Thursday, May 20, 2021 12:46 PM
To: Joseph, Jonda <JONDAJOSEPH@broward.org>
Subject: RE: Open Permits - 2nd Extension - James Hollingsworth

Hi Jonda, its that time again! I have attached a request for a final extension on the close-out date of my old permits. Would you please review and let me know what the next steps will be?

Thanks very much!

James M. Hollingsworth
City of Fort Lauderdale | Department of Sustainable Development
Zoning Plans Examiner
700 NW 19 Avenue | Fort Lauderdale FL 33311
Phone 954-828-4993 | JHollingsworth@fortlauderdale.gov



James

From: Joseph, Jonda <JONDAJOSEPH@broward.org>
Sent: Monday, July 20, 2020 9:50 AM
To: James Hollingsworth <JHollingsworth@fortlauderdale.gov>
Subject: [-EXTERNAL-] RE: Open Permits - 2nd Extension - James Hollingsworth

excellent

Jonda K. Joseph
Administrative Specialist
Board of Rules and Appeals
1 N University Dr., Suite 3500B
Plantation, Florida 33324
954-765-4500 X 9891
broward.org/codeappeals



STRONGER CODES MEAN SAFER BUILDINGS
~ESTABLISHED 1971~



Please consider the Environment before printing.

From: James Hollingsworth <JHollingsworth@fortlauderdale.gov>
Sent: Monday, July 20, 2020 9:45 AM
To: Joseph, Jonda <JONDAJOSEPH@broward.org>
Cc: John Travers <JTravers@fortlauderdale.gov>; William Kraemer <WKraemer@fortlauderdale.gov>
Subject: RE: Open Permits - 2nd Extension - James Hollingsworth

External Email Warning: This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETSSecurity@broward.org.

Thanks very much Jonda.....I have the dates in my calendar!

Regards,

James.

From: Joseph, Jonda <JONDAJOSEPH@broward.org>
Sent: Friday, July 10, 2020 2:46 PM
To: James Hollingsworth <JHollingsworth@fortlauderdale.gov>
Cc: John Travers <JTravers@fortlauderdale.gov>; William Kraemer <WKraemer@fortlauderdale.gov>
Subject: [-EXTERNAL-] Open Permits - 2nd Extension - James Hollingsworth

Good afternoon Mr. Hollingsworth,

Please be advised, the Board of Rules and Appeals at its regularly scheduled meeting of July 9th, 2020 reviewed and approved your request for a second extension to close out your remaining open permits due to unforeseen delays primarily caused by COLID-19. Your new compliance date is June 21 of 2021. If you find yourself needing any additional time, please be aware that a written request must be submitted to the Director of the BORA no later than 30 days prior to the new expiration date.

Thank you

CC: Hollingsworth 2nd certification file

Jonda K. Joseph
Administrative Specialist
Board of Rules and Appeals
1 N University Dr., Suite 3500B
Plantation, Florida 33324
954-765-4500 X 9891
broward.org/codeappeals

JAMES M. HOLLINGSWORTH

Structural Plans Examiner
City of Ft. Lauderdale

May 20, 2021

Broward County Board of Rules and Appeals
1 N University Drive, Suite 3500-B
Plantation, FL 33324-2038

Attn: Mr. Jim DiPietro

Re: Active Projects Update

Dear Mr. DiPietro:

This is an update on the remaining active projects that were previously designed under my former firm Hollingsworth Robertson Architecture. With the exception the two listed below, all of the projects have either been completed or assigned to my previous business partner.

1. DURHAM APARTMENT – Permit # 18100322
Construction Completion estimate 8/21
2. SAMTER RESIDENCE – Permit # B19-107017
Construction Completion estimate 7/21

My current compliance date to close-out open permits is 6/21/21. Please advise regarding the necessary steps for presenting the above information to the Board for their consideration for a final brief extension.

Thanks very much,

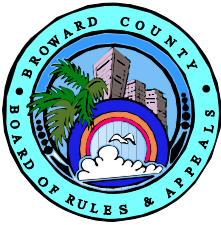
James M. Hollingsworth

James M. Hollingsworth

jhollingsworth@fortlauderdale.gov

4111 NE 17 TERRACE
OAKLAND PARK, FL 33334
954-684-2153

Section 3



BROWARD COUNTY

Board of Rules & Appeals

1 North University Drive, Suite 3500B, Plantation, Florida 33324

To: Members of the Broward County Board of Rules and Appeals

From: Bryan Parks

Date: August 12, 2021

Re: Building Code Amendment for 1st reading to the Florida Building Code, 7th Edition (2020) Chapter 1, Section 118, entitled Emergency Responders Communications Enhancement System (ERCES).

RECOMMENDATION

It is recommended by the Board of Rules and Appeals' Committee to Address Uniform Procedures for Installation of Bi- Directional Amplifiers (BDAs), by a vote of 14 to 0, to request the Board to amend Chapter 1, Section 118 during its regular meeting of August 12, 2021.

REASONS

In response to the renaming of NFPA 1221, (2016), the State creating a new licensing category and a directive from DBPR and State Fire Marshal it is the belief of the BDA Committee that the new code section will clarify and provide ease of application.

ADDITIONAL INFORMATION

Letter from DBPR and State Fire Marshal regarding elevators hoist ways.

Respectfully submitted,

Bryan Parks, Fire Chief Code Compliance Officer

BRYAN PARKS

Cc.: James DiPietro, Administrative Director

AMENDED VERSION

Section 118 Emergency Responders Communications Enhancement Systems (ERCES) ~~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 temporary, partial or 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. At the time of BDA permitting, a design package, comprising of block level diagrams, materials submittals, 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 verifiable 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,~~ or BDA 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"~~: "Emergency Responders Communications Enhancement Systems (ERCES)".

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 the current adopted editions of 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~~ 1221 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. 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 include the following information:
 - a) Fire Department Signal Booster.
 - b) Permit Number: _____.
 - c) Serviced by: Vendor name and telephone.
9. Elevator hoistways shall be deemed critical areas as stated in NFPA 1221 (2016) 9.6.7.4.

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 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 ensure 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 forty-eight (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.

Section 118 Emergency Responders Communications Enhancement Systems (ERCES)

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).

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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. 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 include the following information:
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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.

Ron DeSantis, Governor

MEMORANDUM

TO: Julius Halas, State Fire Marshal
FROM: Michelle Haynes, Chief, Bureau of Elevator Safety
SUBJECT: Emergency Responder Two-Way Radio Communications
DATE: February 17, 2021

Currently adopted Florida Fire Prevention Code 7th Edition Section 1:11.10 requires that in all new and existing buildings, minimum radio strength be maintained at a level as determined by the authority having jurisdiction. Where required by the authority having jurisdiction, two-way radio communication enhancement systems shall comply with NFPA 1221 (2016 ed.). As outlined in F.S. 633, existing high-rise buildings have a separate compliance timeline. Though not specifically required, a two-way radio system for all emergency responders is allowed by NFPA 1221.

Obtaining the required radio coverage for areas designated critical areas and those deemed general areas necessitates that all portions of a building be considered. This includes the elevator shafts and hoistways which are dedicated to elevator related equipment only.

In order to install elements of these radio systems in an elevator hoistway, elevator owners must first file a petition for a variance with the Division of Hotels and Restaurants, Bureau of Elevator Safety ("Bureau"). Before the variance can be approved, the Bureau requires written documentation from the local fire authority having jurisdiction deeming the elevator hoistway as a critical area, as stated in NFPA 1221 (2016) 9.6.7.4. Since this section of NFPA 1221 does not specifically state that the hoistway is a critical area, the local fire authority having jurisdiction must pronounce it as such.

"NFPA 1221 (2016) 9.6.7.4 Critical Areas. Critical areas, such as the fire command center(s), the fire pump room(s), exit stairs, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations and other areas deemed critical by the authority having jurisdiction, shall be provided with 99 percent floor area radio coverage."

Please share this information with your local offices. The Bureau will not approve variances for installation of radio systems equipment in elevator hoistways without a letter or email from the fire authority having jurisdiction deeming the hoistway as a "critical area".

If you have any questions please feel free to contact the Bureau at chr.elevators@myfloridalicense.com.

Section 4



BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE
SUITE 3500-B
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500
FAX: 954-765-4504

www.broward.org/codeappeal

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Mr. Daniel Lavrich,
P.E., S.I., SECB, F.ASCE, F.SEI
Structural Engineer

Vice-Chair

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Electrical Engineer
Mr. John Famularo,
Roofing Contractor
Mrs. Shalanda Giles Nelson,
General Contractor
Mr. Daniel Rourke
Master Plumber
Mr. Gregg D'Attila,
Mechanical Contractor
Mr. Ron Burr
Swimming Pool Contractor
Mr. John Sims,
Master Electrician
Mr. Dennis A. Ulmer
Consumer Advocate
Mr. Abbas H. Zackria, CSI
Architect
Mr. Robert A. Kamm, P.E.
Mechanical Engineer

Vacant

Representative Disabled Community
Mr. Sergio Pellecer
Fire Service Professional

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Fire Service

Vacant

Structural Engineer
Mr. David Rice, P.E.
Electrical Engineer
Mr. James Terry,
Master Plumber
Mr. David Tringo,
Master Electrician
Mr. William Flett,
Roofing Contractor

Board Attorney

Charles M. Kramer, Esq.

Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

To: Members of the Board of Rules and Appeals
From: John Morell Chief Structural Code Compliance Officer
Date: August 12, 2021
Subject: Formal Interpretation of the Florida Building Code, 7th Edition (2020), Existing Building, Sections 706.8 through 706.8.1.7 Windstorm Loss Mitigation, concerning the retrofitting roof to wall connections.

Recommendation:

Staff requests the board approve a formal interpretation of the Florida Building Code Existing Building 7th Edition 2020 Sections 706.8 through 706.8.1.7

Reason:

Chuck Kramer, board attorney advisory opinion dated June 11, 2021 clarifying Florida Building Code Existing Building 7th Edition 2020 Sections 706.8 through 706.8.1.7, State of Florida Building Commission Declaratory Statement DCA09-DEC-045, and Florida Statutes Section 553.844 Windstorm loss mitigation requirements for roofs and opening protection.

Clarifying that if the cost of the improvements for the roof to wall connections are greater than 15% of the cost of the reroofing, improvements of the wall to roof connections are not required.

Additional Information:

To Provide clarity of the provisions of the code, lessen the confusion throughout Broward County and to provide uniform administration.

Board Attorney Opinion
Florida Building Commission Declaratory Statement DEC-045
Florida Statute Section 553.844
Florida Building Code Sections 706.8 through 706.8.1.7

Respectfully,

John Morell

Chief Structural Code Compliance Officer



BROWARD COUNTY BOARD OF RULES AND APPEALS

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Plantation, FL 33324

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Fax: 954-765-4504

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FBC 7th EDITION (2020) FORMAL INTERPRETATION (#28)

DATE: August 12, 2021
TO: All Building Officials
FROM: James DiPietro, Administrative Director
SUBJECT: Retrofitting Roof to Wall Connections

At its regularly scheduled meeting of August 12, 2021, the Broward County Board of Rules and Appeals approved an interpretation of Section 603.9, Florida Building Code, Existing Building 2020 7th Edition (2020) Sections 706.8 through 706.8.1.7.

The interpretation is to clarify the provisions of The Florida Building Code Existing Building 2020 7th Edition Sections 706.8 through 706.8.1.7. for retrofitting roof to wall connections when reroofing existing buildings.

Formal Interpretation:

1. If the cost of retrofitting all prioritized and non-prioritized elements is 15% or less, then both elements are to be retrofit.
2. If the cost of retrofitting prioritized elements is less than 15% but with the addition of non-prioritized elements the sum is greater than 15%, then only the prioritized elements are to be retrofit.
3. If the cost of retrofitting prioritized elements is greater than 15%, then neither prioritized nor non-prioritized elements are to be retrofit.
4. It is not the intent of the Florida Building Code to improve only a portion of the "prioritized elements" up to 15 percent of the cost of the reroofing. Prioritized elements must be capable of complete retrofit at a cost no greater than 15% of the cost of the reroofing or there is no requirement for improvement.

EFFECTIVE DATE: August 12, 2021

***** PLEASE POST AT YOUR PERMIT COUNTER *****

2021 Voting Members

Chair

Mr. Daniel Lavrich,
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MARK S. MUCCI, P.A.
Certified Civil Mediator

5561 NORTH UNIVERSITY DRIVE
SUITE 102
CORAL SPRINGS, FLORIDA 33067

WWW.BMWLAWYERS.NET

BRAD R. WEISS, P.A.
Board Certified in Construction Law
Also Admitted in Michigan

TELEPHONE 954-323-1023
FACSIMILE 954-323-1013

WILLIAM H. BENSON
(1929 – 2013)

BRIAN M. ABELOW, P.A.
Board Certified in Real Estate Law

CHARLES M. KRAMER, Of Counsel
Board Certified in Construction Law

MATTHEW D. COHEN
ROBERT P. GAINES

June 11, 2021

James DiPietro, Administrative Director
The Broward County Board of Rules and Appeals
1 N. University Drive, Suite #3500-B
Plantation Florida 33324

**ADVISORY OPINION REGARDING HURRICANE MITIGATION
PER FLORIDA STATUTES 553.844 AND FLORIDA BUILDING
CODE EXISTING BUILDING SEC. 706.8 – 706.8.1.7**

**Revised from May 13, 2021*

Jim,

You have asked the Office of General Counsel for direction on the requirements as to retrofitting existing roofs in accordance with Florida Statutes Sec. 553.844 and Florida Building Code Sec 706.8. through 706.8.1.7. Review of the subject statute and code sections reflects a possible ambiguity with respect to the amount of costs incurred to establish requirements for roof-to-wall connections and the location of same.

Issue:

We have been asked to respond to three (3) questions pertaining to the above titled matter. To wit:

- 1) Is there a discrepancy in the intent of the FS 553.48 [553.84]. ".... beyond a 15% increase of the cost to reroof" and FBCE 706.8.1 exception #2 15% of the cost to reroof..."

2) Because low slope roofs are not identified in the prescriptive methods, is it the intent of the code to eliminate low slope roofs from the required roof to wall retrofits mandated by FBCE 706.8.1 through 706.8.1.7.

3) [Please clarify] the last statement found in FBCEB 706.8.1.7 “When considering priorities for houses with both hip and gable roof ends, and the fifteen percent of the cost of roof replacement is sufficient to complete all of the prioritized elements pursuant to this section, but is not sufficient to complete all of the non-prioritized elements, then no portion of complete retrofit of the non-prioritized element is required.”

Analysis:

We have reviewed the Florida Building Code (Existing) Sec 706.8 through 706.8.1.7; Florida Statutes Section 553.844, Windstorm loss mitigation; requirements for roofs and opening protection and all sub-sections; the Declaratory Statement of the Florida Building Commission CASE # DCA09-DEC-045; and discussed the matter at length with BORA staff and personnel on the Broward County Board of Rules and Appeals. Having carefully considered the questions presented we answer as follows:

(1) There is no discrepancy in the intent of F.S. Sec 553.844 and FBCE 706.8.1 with respect to the meaning of 15% as it pertains to a measure of replacement costs for a roof in determining the requirement for retrofit solutions.

(2) Low slope roofs are not excluded from the prescriptive methods set forth in FBCE Sec 706.8.1. We would further state that low-slope roofs are in fact, included in the prescriptive methods of retrofit where sub-section 706.8.1 (2) states specifically:

2. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends **or all corners** can be completed for 15 percent of the cost of roof replacement.

While sub-section 2 references installation of connections at gable ends, it specifically addresses “**all corners**” as well. Low-sloped roofs have corners so that roof-to-wall connections are required at the corners of low-slope roofs if the retrofit of connections can be accomplished at a cost of 15 percent or less of the roof replacement.

(3) With respect to reconciling the possible ambiguity in FBCE 706.8.1.7 we note that the Code states *inter alia*:

706.8.1.7 Priorities for Mandated Roof-To-Wall Retrofit Expenditures

Priority shall be given to connecting the exterior corners of roofs to walls where the spans of the roofing members are greatest.

...

When considering priorities for houses with both hip and gable roof ends, and the fifteen percent of the cost of roof replacement is sufficient to complete all of the prioritized elements pursuant to this section, but is not sufficient to complete all of the non-prioritized elements, then no portion of complete retrofit of the non-prioritized element is required. [*This sub section very clearly and specifically distinguishes between the retrofit of non-prioritized items as opposed to prioritized items.*]

At least one portion of this section of the code is clear in that the elements to be considered for retrofit calculations consist of prioritized and non-prioritized components. If we go back and review Sec 706.8.1(2) its states that “installations of connections at gable ends” and “corners” must be completed for 15% (or less) of the cost of roof replacement. Reading Sec 706.8.1.7 in conjunction we see that those two (2) connection locations are (i.e. gable ends and corners) are “prioritized elements.”

The remainder of this particular section of the Code is not a model of clarity.

Careful review of the last (run-on) sentence in Section 706.8.1.7 determines that if the cost to retrofit the prioritized elements e.g. exterior corners of roofs to

walls, gable ends, is 15% or less then the roof must be retrofit. If the costs to retrofit the non-prioritized elements increases the cost of retrofitting above 15% of the cost of total roof replacement, then no portion of the non-prioritized elements shall be retrofit. In all cases the cost to retrofit prioritized elements is determined first.

What this means is that:

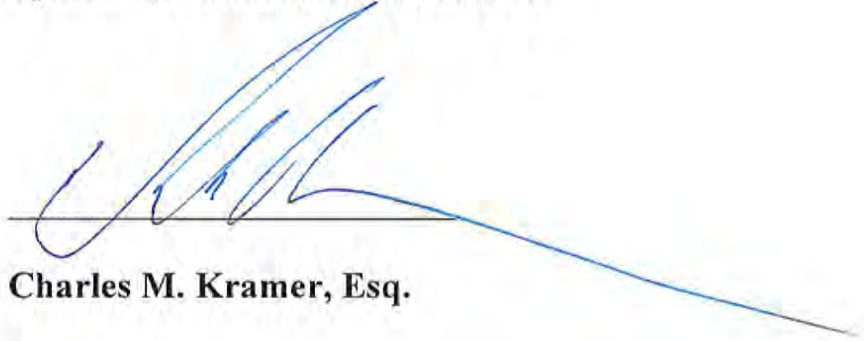
- i. If the cost of retrofitting all prioritized and non-prioritized elements is 15% or less, then both elements are to be retrofit.
- ii. If the cost of retrofitting prioritized elements is less than 15% but with the addition of non-prioritized elements the sum is greater than 15%, then only the prioritized elements are to be retrofit
- iii. If the cost of retrofitting prioritized elements is greater than 15%, then neither prioritized nor non-prioritized elements are to be retrofit.

We have attached a copy of the Declaratory Statement the Florida Building Commission CASE # DCA09-DEC-045 and note paragraph 7 wherein is stated:

7. Lastly, if fifteen percent of the cost to reroof the home is sufficient to complete all of the prioritized elements (gables for example) pursuant to Section 611.8.1.7 [* Now FBCE 706.8 et.al.] but insufficient to complete all of the other elements (hip corners), then no partial of complete retrofit of the non-prioritized element is required.

In so saying, our analysis comports with retrofit parameters established by the Florida Building Commission.

If you have any further questions please don't hesitate to contact us.



Charles M. Kramer, Esq.

**General Counsel to the Broward County
Board of Rules and Appeals**
Florida Bar Board Certified
Construction Lawyer
Florida Supreme Court Qualified Arbitrator
5561 University Drive, Suite 103
Coral Springs FL 33067
Phone 954.323.1023 | Direct 954.947.2523
ckramer@bmwlawyers.net

STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of

Florida Roofing Sheet Metal & Air
Conditioning Contractors Association, Inc.

Case #: DCA09-DEC-045

Petitioner.

_____ /

DECLARATORY STATEMENT

The foregoing proceeding came before the Florida Building Commission (the Commission) by a Petition from Brad Weatherholtz, the Director of Technical Services for the Florida Roofing Sheet Metal & Air Conditioning Contractors Association, Inc., which was received on February 11, 2009. Based on the statements in the petition, the material subsequently submitted and the subsequent request by the Petitioner, it is hereby ORDERED:

Findings of Fact

1. The petition is filed pursuant to, and must conform to the requirements of Rule 28-105.002, Florida Administrative Code.
2. The Petitioner is an association comprised, in large part, of Florida licensed, roofing contractors.
3. One of the purposes fulfilled by the Petitioner is to represent its members before the Commission and obtain interpretations of the Building Code on behalf of its members in the form of Declaratory Statements by the Commission.
4. One of the Petitioner's members has been requested to provide an estimate to replace a roof on a single-family dwelling that is located within the wind borne debris region of the state. The dwelling and has an insured value of over \$300,000 and its roof

has both gable and hip roof areas. The cost to retrofit the roof-to-wall connections at the corners of the roof and its hip and gable areas will exceed 15% of the re-roof cost but all the gables or all the hip corners can be completed at a cost of less than 15% of the reroof cost.

5. The Petitioner requests a clarification of the requirements of Section 611.8, Florida Building Code, Existing Buildings Volume (2007), and specifically:

(a) Whether a home requiring roof to wall improvements as per 611.8, with both gable and hip configurations, and a confirmed cost to improve both gable ends and hip corners that would exceed 15% of the re-roof cost be required to improve only the portion that would apply as per 611.8.1.7;

(b) Whether section 611.8.1, exception 2 supersedes section 611.8(b) and voids 611.8.1.7 when a home has both gable ends and hip corners that require improvements; and

(c) Whether a home that has both gable and hips, and as per section 611.8.1.7, and the gables are priority (or vice-versa) and can be improved with in budget of 15% of the re-roof cost, but all of the hip corners cannot be improved with in the same budget (15% of the reroof cost) do any of the hip corners still need to be improved?

Conclusions of Law

1. The Florida Building Commission has the specific statutory authority to interpret the provisions of the Florida Building Code by entering a declaratory statement.

2. Section 611.8, Florida Building Code, Existing Building Volume (2007as amended 3/1/09), provides:

When a roof covering on an existing site-built-single-family residential structure is removed and replaced on a

building that is located in the wind-borne debris region as defined in the Florida Building Code, Building and that has an insured value of \$300,000 or more or, if the building is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$300,000 or more:

(a) Roof to wall connections shall be improved as required by Section 611.8.1.

(b) Mandated retrofits of the roof-to-wall connection shall not be required beyond a 15 percent increase in the cost of re-roofing.

3. Section 611.8.1, Florida Building Code, Existing Building Volume (2007 as amended 3/1/09), requires:

Where required by Section 611.8, the intersection of roof framing with the wall below shall provide sufficient resistance to meet the uplift loads specified in Table 611.8.1 either because of existing conditions or through retrofit measures. As an alternative to an engineered design, the prescriptive retrofit solutions provided in Sections 611.8.1.1 through 611.8.1.76 shall be accepted as meeting the mandated roof-to-wall retrofit requirements.

Exceptions:

1. Where it can be demonstrated (by code adoption date documentation and permit issuance date) that roof-to-wall connections and/or roof-to-foundation continuous load path requirements were required at the time of original construction.

2. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15% of the cost of roof replacement.

4. Section 611.8.1.7, Florida Building Code, Existing Building Volume (2007 as amended 3/1/09), specifies that:

Priority shall be given to connecting the exterior corners of roofs to walls where the spans of the roofing members are greatest. For houses with both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections unless the width of the hip end is more than 1.5 times greater than the width of the gable end.

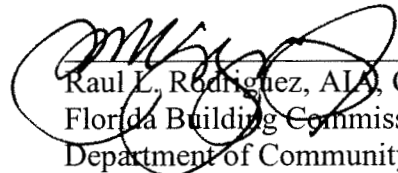
5. The response to the Petitioners first question is that, yes, improvement of the gables or hip corners is explicitly required by the Code.

6. The answer to the Petitioner's second question is that, no, one element of the relevant section of the Code does not void or supersede others, all apply to the circumstances identified.

7. Lastly, if fifteen percent of the cost to reroof the home is sufficient to complete all of the prioritized element (gables for example) pursuant to Section 611.8.1.7 but insufficient to complete all of the other element (hip corners), then no partial of complete retrofit of the non-prioritized element is required.

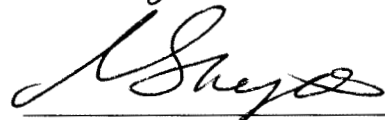
Petitioner and all other interested parties are hereby advised of their right to seek judicial review of this Order in accordance with Section 120.68(2)(a), Florida Statutes, and with Fla. R. App. 9.030(b)(1)(C) and 9.110(a). To initiate an appeal, a Notice of Appeal must be filed with Paula P. Ford, Clerk of the Commission, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and with the appropriate District Court of Appeal no later than thirty days after this Order is filed with the Clerk of the Commission. A Notice of Appeal filed with the District Court of Appeal shall be accompanied by the filing fee specified by section 35.22(3), Florida Statutes.

DONE AND ORDERED this 9th of July, 2009, in Coral Gables,
Miami-Dade County, State of Florida.


Raul L. Rodriguez, AIA, Chair
Florida Building Commission
Department of Community Affairs
Sadowski Building
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to the
following by the method indicated on this 13 day of July, 2009.


PAULA P. FORD
Commission Clerk

Via U.S. Mail

Brad Weatherholtz
Director of Technical Services
Florida Roofing Sheet Metal & Air
Conditioning Contractors Association, Inc.
Post Office Box 4850
Winter Park, Florida 32793

Via Hand Delivery

Mo Madani, C.B.O. Manager
Codes and Standards Section
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

553.844 Windstorm loss mitigation; requirements for roofs and opening protection.—

(1) The Legislature finds that:

(a) The effects of recent hurricanes on the state have demonstrated the effectiveness of the Florida Building Code in reducing property damage to buildings constructed in accordance with its requirements, and have also exposed a vulnerability of some construction undertaken prior to implementation of the Florida Building Code.

(b) Hurricanes represent a continuing threat to the health, safety, and welfare of the residents of this state due to the direct destructive effects of hurricanes as well as their effects on windstorm insurance rates.

(c) The mitigation of property damage constitutes a valid and recognized objective of the Florida Building Code.

(d) Cost-effective techniques for integrating proven methods of the Florida Building Code into buildings built prior to its implementation benefit all residents of the state as a whole.

(2) The Florida Building Commission shall:

(a) Analyze the extent to which a proposed Florida Building Code provision will mitigate property damage to buildings and their contents in evaluating that proposal. If the nature of the proposed Florida Building Code provision relates only to mitigation of property damage and not to a life safety concern, the proposal shall be reviewed based on its measurable benefits in relation to the costs imposed.

(b) Develop and adopt within the Florida Building Code a means to incorporate recognized mitigation techniques for site-built, single-family residential structures constructed before the implementation of the Florida Building Code, including, but not limited to:

1. Prescriptive techniques for the installation of gable-end bracing;
2. Secondary water barriers for roofs and standards relating to secondary water barriers. The criteria may include, but need not be limited to, roof shape, slope, and composition of all elements of the roof system. The criteria may not be limited to one method or material for a secondary water barrier;
3. Prescriptive techniques for improvement of roof-to-wall connections. The Legislature recognizes that the cost of retrofitting existing buildings to meet the code requirements for new construction in this regard may exceed the practical benefit to be attained. The Legislature intends for the commission to provide for the integration of alternate, lower-cost means that may be employed to retrofit existing buildings that are not otherwise required to comply with the requirements of the Florida Building Code for new construction so that the cost of such improvements does not exceed approximately 15 percent of the cost of reroofing. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15 percent of the cost of roof replacement. For houses that have both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections unless the width of the hip is more than 1.5 times greater than the width of the gable end. Priority shall be given to connecting the corners of roofs to walls below the locations at which the spans of the roofing members are greatest;

4. Strengthening or correcting roof-decking attachments and fasteners during reroofing; and

5. Adding or strengthening opening protections.

(3) The Legislature finds that the integration of these specifically identified mitigation measures is critical to addressing the serious problem facing the state from damage caused by windstorms and that delay in the adoption and implementation constitutes a threat to the health, safety, and welfare of the state. Accordingly, the Florida Building Commission shall develop and adopt these measures by October 1, 2007, by rule separate from the Florida Building Code, which take immediate effect and shall incorporate such requirements into the next edition of the Florida Building Code. Such rules shall require or otherwise clarify that for site-built, single-family residential structures:

(a) A roof replacement must incorporate the techniques specified in subparagraphs (2)(b)2. and 4.

(b) For a building that is located in the wind-borne debris region as defined in s. 1609.2 of the International Building Code (2006) and that has an insured value of \$300,000 or more or, if the building is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$300,000 or more, a roof replacement must incorporate the techniques specified in subparagraph (2)(b)3.

(c) 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, must include provision of opening protections as required within the Florida Building Code for new construction for a building that is located in the wind-borne debris region as defined in s. 1609.2 of the International Building Code (2006) 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 presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more.

(4) Notwithstanding the provisions of this section, exposed mechanical equipment or appliances fastened to a roof or installed on the ground in compliance with the code using rated stands, platforms, curbs, slabs, walls, or other means are deemed to comply with the wind resistance requirements of the 2007 Florida Building Code, as amended. Further support or enclosure of such mechanical equipment or appliances is not required by a state or local official having authority to enforce the Florida Building Code.

History.—s. 5, ch. 2007-126; s. 17, ch. 2008-191; s. 40, ch. 2010-176; s. 16, ch. 2012-13; s. 10, ch. 2016-11; s. 23, ch. 2016-129.

Florida Building Code Existing 2020 7th Edition Section 706.8

706.8 When a roof covering on an existing structure with a sawn lumber, wood plank or wood structural panel roof deck is removed and replaced on a building that is located in the wind-borne debris region as defined in the *Florida Building Code, Building* and that has an insured value of \$300,000 or more or, if the building is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$300,000 or more:

(a) Roof to wall connections shall be improved as required by Section 706.8.1.

(b) Mandated retrofits of the roof-to-wall connection shall not be required beyond a 15 percent increase in the cost of reroofing.

Exception: Structures permitted subject to the *Florida Building Code* are not required to comply with this section.

706.8.1 Roof-to-wall connections for structures with wood roof decks.

Where required by Section 706.8, the intersection of roof framing with the wall below shall provide sufficient resistance to meet the uplift loads specified in Table 706.8.1 either because of existing conditions or through retrofit measures. As an alternative to an engineered design, the prescriptive retrofit solutions provided in Sections 706.8.1.1 through 706.8.1.7 shall be accepted as meeting the mandated roof-to-wall retrofit requirements.

Exceptions:

1. Where it can be demonstrated (by code adoption date documentation and permit issuance date) that roof-to-wall connections and/or roof-to foundation continuous load path requirements were required at the time of original construction.

2. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15 percent of the cost of roof replacement.

706.8.1.1 Access for retrofitting roof to wall connections.

These provisions are not intended to limit the means for gaining access to the structural elements of the roof and wall for the purposes of retrofitting the connection. The retrofit of roof to wall connections can be from above through the roof, or from the interior of the house. Methods for above access include removal of roof panels or sections thereof or removal of portions of roof paneling at selected locations large enough for access, viewing, and installing the retrofit connectors and fasteners. Where panels or sections are removed, the removed portions shall not be reused. New paneling shall be used and fastened as in new construction. Holes shall be deemed adequately repaired if a patch of paneling is installed with no gap greater than 1/2 inch (13 mm) between the patch and the existing sheathing and if the patch is supported using one of the following methods.

a) Solid 1 1/2-inch lumber shall fully support the patch and shall be secured to the existing sheathing with #8 by 1 1/4-inch screws spaced a minimum of 3 inches (76 mm) around the perimeter with screws a minimum of 3/4 inch from the near edge of the hole. The patch shall be secured to the lumber with #8 × 1 1/4-inch screws spaced on a grid no greater than 6 inches by 6 inches (152 mm × 152 mm) with no fewer than 2 screws. b) Holes that extend horizontally from roof framing member to adjacent roofing framing member that are less than or equal to 7 inches (178 mm) wide along the slope of the roof shall be supported by a minimum of 2 × 4 lumber whose face is attached to each roofing framing members using a minimum of 2 each 3-inch (76 mm) long fasteners (#8 screws or 10d common nails) connecting the two. The patch shall have attached to its bottom, running horizontally, a minimum 2 × 4 either flat wise or on edge secured with #8 × 1 1/4-inch screws a maximum of 4 inches (102 mm) on center and no more distant from the end of the added lumber than 3 inches (76 mm). The patch shall be secured with two #8 × 1 1/4-inch screws to each support member.

706.8.1.2 Partially inaccessible straps. Where part of a strap is inaccessible, if the portion of the strap that is observed is fastened in compliance with these requirements, the inaccessible portion of the strap shall be presumed to comply with these requirements.

706.8.1.3 Prescriptive method for gable roofs on a wood frame wall. The anchorage of each of the exposed rafters or trusses within 6 feet (1829 mm) of the corner along the exterior wall on each side of each gable end shall be inspected. Wherever a strap is missing, or an existing strap has fewer than four fasteners on each end, approved straps, ties or right angle brackets with a minimum uplift capacity of 500 pounds (740 kg) shall be installed that connect each rafter or truss to the top plate below. Adding fasteners to existing straps shall be allowed in lieu of adding a new strap provided the strap is manufactured to accommodate at least 4 fasteners at each end. Wherever access makes it possible (without damage of the wall or soffit finishes), both top plate members shall be connected to the stud below using a stud to plate connector with a minimum uplift capacity of 500 pounds (740 kg). Use of straps that connect directly from the rafter or truss to the wall stud below shall be allowed as an alternate provided the two members align with no more than 1 1/2 inches (38 mm) offset.

706.8.1.4 Prescriptive method for gable roofs on a masonry wall. The anchorage of each of the exposed rafters or trusses within 6 feet (1829 mm) of the corner along the exterior wall on each side of each gable end shall be inspected. Wherever a strap is missing, or an existing strap has fewer than four fasteners on each end, approved straps, ties or right angle gusset brackets with a minimum uplift capacity of 500 pounds (740 kg) shall be installed that connect each rafter or truss to the top plate below or directly to the masonry wall using approved masonry screws of a length and diameter recommended by the manufacturer. In the absence of manufacturer's recommendations, screws shall provide at least a 2 1/2-inch (64 mm) embedment into the concrete or masonry. When the straps or right angle gusset brackets are attached to a wood sill plate, the sill plate shall be anchored to the concrete masonry wall below. This anchorage shall be accomplished by installing 1/4-inch diameter masonry screws, each with supplementary 1/4-inch washer, having sufficient length to develop a 2 1/2 inch (64 mm) embedment into the concrete and masonry. These screws shall be installed within 4 inches (102 mm) of the truss or rafter on both sides of each interior rafter or truss and on the accessible wall side of the gable end truss or rafter.

706.8.1.5 Prescriptive method for hip roofs on a wood frame wall.

Unless it is possible to verify through nondestructive inspection or from plans prepared by a design professional that the roof structure is anchored at least as well as outlined below, access shall be provided at a minimum to the hip rafter (commonly known as a "king jack"), to the hip girder and at each corner of the hip roof. The hip rafter (commonly known as a "king jack"), the hip girder and the rafters/trusses adjacent to the hip girder that are not anchored with a strap having at least four fasteners on each end, shall be connected to the top plate below using a strap or a right angle gusset bracket having a minimum uplift capacity of 500 pounds (740 kg). Adding fasteners to existing straps shall be allowed in lieu of adding a new strap provided the strap is manufactured to accommodate at least 4 fasteners at each end. Wherever access makes it possible (without damage of the wall or soffit finishes), both top plate members shall be connected to the stud below using a stud to plate connector with a minimum uplift capacity of 500 pounds (740 kg). Use of straps that connect directly from the hip rafter, hip girder or adjacent rafters/trusses to the wall stud below shall be allowed as an alternate provided the two members align with no more than 1 1/2 inch (38 mm) offset.

706.8.1.6 Prescriptive method for hip roofs on a masonry wall.

Unless it is possible to verify through nondestructive inspection or from plans prepared by a design professional that the roof structure is anchored at least as well as outlined below, access shall be provided at a minimum to the hip rafter (commonly known as a "king jack"), to the hip girder and at each corner of the hip roof. The hip rafter (commonly known as a "king jack"), the hip girder and the rafters/trusses adjacent to the hip girder that are not anchored with a strap having at least four fasteners on each end, shall be connected to the concrete masonry wall below using approved straps or right angle gusset brackets with a minimum uplift capacity of 500 pounds (740 kg). Adding fasteners to existing straps shall be allowed in lieu of adding a new strap provided the strap is manufactured to accommodate at least 4 fasteners at each end. The straps or right angle gusset brackets shall be installed such that they connect each rafter or truss to the top plate below or directly to the masonry wall using approved masonry screws of a length and diameter recommended by the manufacturer. In the absence of manufacturer's recommendations, screws shall provide at least a 2 1/2-inch (64 mm) embedment into the concrete or masonry. When wood sill plate, the sill plate shall be anchored to the concrete masonry wall below. This anchorage shall be accomplished by installing 1/4-inch (6 mm) diameter masonry screws, each with supplementary 1/4-inch (6 mm) washer, with sufficient length to develop a 2 1/2-inch (64 mm) embedment into the concrete and masonry. These screws shall be installed within 4 inches (102 mm) of the truss or rafter on both sides of each interior rafter or truss and on the accessible wall side of the gable end truss or rafter. the straps or right angle gusset brackets are attached to a wood sill plate, the sill plate shall be anchored to the concrete masonry wall below. This anchorage shall be accomplished by installing 1/4-inch (6 mm) diameter masonry screws, each with supplementary 1/4-inch (6 mm) washer, with sufficient length to develop a 2 1/2-inch (64 mm) embedment into the concrete and masonry. These screws shall be installed within 4 inches (102 mm) of the truss or rafter on both sides of each interior rafter or truss and on the accessible wall side of the gable end truss or rafter.

706.8.1.7 Priorities for mandated roof-to-wall retrofit expenditures.

Priority shall be given to connecting the exterior corners of roofs to walls where the spans of the roofing members are greatest. For houses with both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections unless the width of the hip end is more than 1.5 times greater than the width of the gable end. When considering priorities for houses with both hip and gable roof ends, and the fifteen percent of the cost of roof replacement is sufficient to complete all of the prioritized elements pursuant to this section but is not sufficient to complete all of the non-prioritized elements, then no portion of complete retrofit of the non-prioritized element is required.

Section 5



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Members of the Board of Rules and Appeals

From: Timothy de Carion, Energy Chief Code Compliance Officer

Date: August 12, 2021

RE: Revision to Formal Interpretation #8 related to "Recessed Low Height Air Handlers" for the 7th Edition (2020) of the FBC.

Recommendation

That BORA adopts by vote the revision to Formal Interpretation #8 of the 7th Edition (2020) Florida Building Code – Energy Conservation sections C501.7, R501.7, related to "Recessed Low Height Air Handlers"

Reasons

Manufacturers have gone to great lengths re-engineering their systems to comply with the current efficiency requirements of 14 SEER by adding ECM motors, expansion valves and time delays while maintaining the same physical size. They have also incurred expenses in testing and certification of these systems. These systems should be the first option for the contractor to select to meet the efficiency requirements before exceptions are taken in the code.

Additional information

This proposed Formal Interpretation is based on information received from AHRI and is supported by the Energy Conservation Committee. The Committee voted unanimously for the interpretation.

Please see the attached:

Item 1 – Revised Formal Interpretation #8

Item 2 – Code Reference R501.7 and C501.7

Item 3 – AHRI Certificate of Example 14 seer system

Respectfully,

A handwritten signature in blue ink that reads "Timothy G. de Carion".

Timothy G. de Carion



BROWARD COUNTY BOARD OF RULES AND APPEALS

1 N. University Drive, Suite 3500B
Plantation, FL 33324

Phone: 954-765-4500
Fax: 954-765-4504

broward.org/CodeAppeals

FBC 7th EDITION (2020) FORMAL INTERPRETATION (#8)

DATE: August 12, 2021
TO: All Building Officials
FROM: James DiPietro, Administrative Director
SUBJECT: "Recessed Low Height Air Handlers"

DRAFT

2020 Voting Members

Chair

Mr. Daniel Lavrich,
P.E., S.I., SEC.B, F.A.SCE, F.SEI
Structural Engineer

Vice-Chair

Mr. Stephen E. Bailey, P.E.
Electrical Engineer

- Mr. John Famularo,
Roofing Contractor
- Mrs. Shalanda Giles Nelson,
General Contractor
- Mr. Daniel Rourke
Master Plumber
- Mr. Gregg D'Attile,
Mechanical Contractor
- Mr. Ron Burr
Swimming Pool Contractor
- Mr. John Sims,
Master Electrician
- Mr. Dennis A. Ulmer
Consumer Advocate
- Mr. Abbas H. Zackria, CSI
Architect
- Mr. Robert A. Kamm, P.E.
Mechanical Engineer
- Vacant**
Representative Disabled Community
- Mr. Sergio Pellicer
Fire Service Professional

2020 Alternate Board Members

- Mr. Jeff Falkanger
Architect
- Mr. Steven Feller, P.E.
Mechanical Engineer
- Mr. Alberto Fernandez,
General Contractor
- Mr. Robert Taylor
Fire Service
- Mr. Gary Elzweig, P.E., F.A.SCE
Structural Engineer
- Mr. David Rice, P.E.
Electrical Engineer
- Mr. James Terry,
Master Plumber
- Mr. David Tringo,
Master Electrician
- Mr. William Flett,
Roofing Contractor

Board Attorney

Charles M. Kramer, Esq.

Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

At its regularly scheduled meeting of August 12, 2021, the Broward County Board of Rules and Appeals revised an interpretation of the following 7th Edition (2020) Florida Building Codes:

FBC, ENERGY CONSERVATION CODE

Sections C501.7 and R501.7 Building systems and components
Thermal efficiency standards are set for the following building systems and components where new products are installed or replaced in existing buildings, and for which a permit must be obtained. New products shall meet the minimum efficiencies allowed by this code for the following systems and components:

- Heating, ventilating or air-conditioning systems;
- Service water or pool heating systems;
- Lighting systems; and
- Replacement fenestration.

Exceptions:

2. If the unit being replaced is itself a functional unit, such as a condenser, it does not constitute a repair. Outdoor and indoor units that are not designed to be operated together must meet the U.S. Department of Energy certification requirements contained in Section R303.1.2. Matched systems are required; this match may be verified by any one of the following means:
 - a. AHRI data
 - b. Accredited laboratory
 - c. Manufacturer's letter
 - d. Letter from registered P.E. State of Florida
4. Replacement equipment that would require extensive revisions to other systems, equipment or elements of a building where such replacement is a like-for-like replacement, such as through-the-wall condensing units and PTACs, chillers and cooling towers in confined spaced.

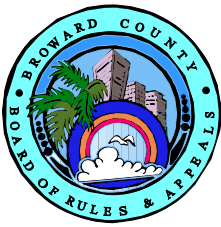
Formal Interpretation:

The replacement of existing "Recessed Low Height Air Handlers" that will require the alteration of building walls; as determined by the Building Official or his or her representative, qualifies under Exception #4 to the FBC, Energy Conservation Code 7th Edition section C501.7 and R501.7.

Such systems will not be required to meet the current U.S. Department of Energy certification requirements only if a replacement system that meets the standard is not readily available and will not fit in the available space. Outdoor and indoor units shall be designed to be operated together and shall be verified by one of the four methods in Exception #2 regardless of space constraints.

EFFECTIVE DATE: June 30, 2015
RE-ISSUED DATE: July 9, 2020
EFFECTIVE DATE: December 31, 2020
RE-ISSUED DATE: August 12, 2021

*** PLEASE POST AT YOUR PERMIT COUNTER ***



BROWARD COUNTY
Board of Rules & Appeals
1 North University Drive, Suite 3500B, Plantation, Florida 33324

R501.7 Building systems and components. Thermal efficiency standards are set for the following building systems and components where new products are installed or replaced in existing buildings, and for which a permit must be obtained. New products shall meet the minimum efficiencies allowed by this code for the following systems and components:

Heating, ventilating or air-conditioning systems:

Service water or pool heating systems;

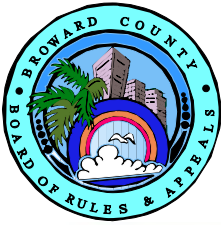
Lighting systems; and

Replacement fenestration.


Exceptions:

1. Where part of a functional unit is repaired or replaced. For example, replacement of an entire HVAC system is not required because a new compressor or other part does not meet code when installed with an older system.
2. If the unit being replaced is itself a functional unit, such as a condenser, it does not constitute a repair. Outdoor and indoor units that are not designed to be operated together must meet the U.S. Department of Energy certification requirements contained in Section R303.1.2. Matched systems are required; this match may be verified by any one of the following means:
 - a. AHRI data
 - b. Accredited laboratory
 - c. Manufacturer's letter
 - d. Letter from registered P.E. State of Florida
3. Where existing components are utilized with a replacement system, such as air distribution system ducts or electrical wiring for lights, such components or controls need not meet code if meeting code would require that component's replacement.
4. Replacement equipment that would require extensive revisions to other systems, equipment or elements of a building where such replacement is a like-for-like replacement, such as through-the-wall condensing units and PTACs, chillers and cooling towers in confined spaces.

Note: C501.7 has identical text



BROWARD COUNTY
Board of Rules & Appeals
 1 North University Drive, Suite 3500B, Plantation, Florida 33324



Certificate of Product Ratings

AHRI Certified Reference Number : 206885391	Date : 07-26-2021	Model Status : Active
AHRI Type : RCU-A-C (Split System: Air-Cooled Condensing Unit, Coil Alone)		
Outdoor Unit Brand Name : RHEEM		
Outdoor Unit Model Number (Condenser or Single Package) : RA1624AJ1		
Indoor Unit Brand Name : First Co.		
Indoor Unit Model Number (Evaporator and/or Air Handler) : 24HX W/TXV		
Region :	All (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IA, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WI, WY, U.S. Territories)	
Region Note :	Central air conditioners manufactured prior to January 1, 2015 are eligible to be installed in all regions until June 30, 2016. Beginning July 1, 2016 central air conditioners can only be installed in region(s) for which they meet the regional efficiency requirement.	
The manufacturer of this First Co. product is responsible for the rating of this system combination.		
Rated as follows in accordance with the latest edition of AHRI 210/240 with Addendum 1, Performance Rating of Unitary Air-Conditioning & Air-Source Heat Pump Equipment and subject to rating accuracy by AHRI-sponsored, independent, third party testing:		
Cooling Capacity (A2) - Single or High Stage (95F), btuh : 22800		
SEER : 14.00		
EER (A2) - Single or High Stage (95F) : 12.20		


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Section 6



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Members of the Board of Rules and Appeals

From: Timothy de Carion, Energy Chief Code Compliance Officer

Date: August 12, 2021

RE: Proposed "BORA Residential Energy Guidelines" for the 7th Edition (2020) of the FBC.

Recommendation

That BORA adopts by vote the "BORA Residential Energy Guidelines" of the 7th Edition (2020) Florida Building Code – "Energy Conservation", related to the enforcement of the residential section of the Energy Conservation Code.

Reasons

The Florida Building Code "Energy Conservation" administrative chapters do not designate which discipline-specific code official will review energy compliance reports and building plans and inspect specific items found in the Energy Conservation Code. These guidelines will be a useful tool for building officials to adopt as part of their plan review and inspection processes as an aid to assign duties and assure compliance.

Additional information

These proposed "BORA Residential Energy Guidelines" have been reviewed and supported by the Energy Conservation Committee. The Committee voted unanimously for the implementation of these guidelines.

Please see the attached:

Item 1- BORA Residential Energy Guidelines

Respectfully,

Timothy de Carion

BORA Residential Energy Guidelines

Broward County Board of Rules and Appeals

Energy Conservation Seventh Edition (2020)



FBC Seventh Edition (2020),
Effective August 16th 2021

Recommended by
the Energy
Conservation
Committee on
7/29/2021

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Overview

To obtain uniform energy code enforcement in residential buildings in Broward County, the Energy Conservation Committee has developed guidelines to aid jurisdictions in determining which discipline specific code official enforces certain sections of the 2020 Florida Building Code Energy Conservation.

The following code sections regarding enforcement duties are as stated:

R103.3 & C103.3 Examination of documents.

The code official shall examine or cause to be examined the accompanying construction documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

R103.3.1 & C103.3.1 Approval of construction documents.

When the code official issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code Compliance."

R104.1 & C104.1 General

Construction or work for which a permit is required shall be subject to inspection by the code official or his or her designated agent, and such construction or work shall remain accessible and exposed for inspection purposes until approved.

Basis for the Guidelines:

The Florida Building Code Seventh Edition (2020) Energy Conservation for new and existing buildings has designated that the code official is responsible for both the construction document approval and construction inspection approval.

Unfortunately, the Florida Building Code Energy Conservation administrative chapters do not designate which discipline-specific code official will review compliance documents and building plans and inspect specific items for code compliance found in the Energy Conservation Code.

The "building official" or "code official" for energy code purposes shall be defined as: "The officer or other designated authority having jurisdiction charged with the administration and enforcement of this standard or a duly authorized representative."

Broward County is unique in that we have individual certified plan review and inspection personnel for each discipline and that a multi-discipline code official is not the norm. Subsequently, uniformity has been lacking in the enforcement of the energy code which created confusion by code officials over which specific disciplines will enforce certain provisions of the code.

This guide can be used as a tool for the Building Official to determine which discipline-specific code official will review and inspect specific sections of the Energy Code for code compliance to address those issues. This guide shall not prevent any certified code official from issuing a correction notice for any Energy Code deficiency found in another discipline if they notify the Chief inspector of that discipline of the correction notice.

***This is a minimum checklist. The local AHJ may have additional checklist items. ***

BORA ENERGY GUIDELINES
Building Code Administrators Checklist

Plan Review

1. The building official shall appoint a code official to verify that all disciplines have reviewed the plans and the code compliance report for energy code compliance. This code official shall sign the code compliance report stating that the plans have been reviewed by all disciplines and the plans will be inspected according to the FECC. The building department may use Appendix C as a compliance tool.

Code Section

R103.3
R103.3.1
FS. 553.908

Certificate of Occupancy

1. The building official shall require that an energy performance level (EPL) display card be completed and signed by the building qualifier that it is accurate and correct before final approval for the building for occupancy. Florida law (Section 553.9085, Florida Statutes) requires the EPL display card to be included as an addendum to each sales contract for both presold and non-presold residential buildings.

Code Section

R401.3
R405.4.3 #1

Reporting Schedule

1. A reporting form shall be submitted to the local building department by the owner or owner's agent with the submittal certifying compliance with this code. Reporting forms shall be a copy of the front page of the compliance form applicable for the code chapter under which compliance is demonstrated (R405-2020). It shall be the responsibility of the local building official to forward the reporting section of the proper form to the entity representing the Florida Building Commission on a quarterly basis by regular mail or email attachment to raymond-issa@ufl.edu Copies shall not exceed 300dpi.

Code Section

R103.1.1.2.1
R103.1.1.2.1.1

Send reporting form to:

M. E. Rinker, Sr. School of Construction Management
University of Florida
Attn: R. Raymond Issa
PO Box 115703
304 Rinker, Third Floor
Gainesville, FL 32611-5703 USA
raymond-issa@ufl.edu

BORA ENERGY GUIDELINES

BORA Structural Checklist

Plan Review

Code Section

- 1. Energy Compliance Report** shall match the plans and shall comply with the following:
- A.** The compliance report code version and date.
 - B.** Reports shall include the building street address, and climate zone #1a shall be selected for Broward County from Table R301.1
 - C.** The name of the person who prepared the report, and a signature is required certifying that the proposed design complies with the energy code.
 - D.** The number of bedrooms shall be shown. (Item #4)
 - E.** The conditioned floor area shall be shown on the architectural plans. (Item #6)
 - F.** R-values of exterior and adjacent walls and ceiling insulation shall be shown. (Item#10 &11)
 - G.** The building's owner, or architect, or "owner/agent", shall certify compliance with the Florida Energy Conservation Code by signing the prepared compliance report. R103.1.1.2
 - H.** Buildings defined as residential which are three stories and less in height shall comply with the residential energy code. Mixed-use buildings shall submit separate compliance reports. R101.5.1.2
R101.4.1
 - I.** Reports which claim a cool roof option shall provide documentation of testing. (Notes) R405.7.2

Plans

- 2.** The building thermal envelope shall be shown. R103.2.1
- 3.** Air Barrier sealing details and materials used shall be shown. R103.2 #8
- 4.** Window schedules shall include the "NFRC tested" U-factors and SHGC values and shall be shown. Submittals may use Appendix A, "Residential Fenestration Submittal Form". (S-1) R103.2 #2
R405.4.3 #2
- 5.** Wall sections shall show the ceiling and wall insulation and shall show design R-values. R103.2 #1

Rough Inspection

Code Section

- 1.** A continuous air barrier shall be installed in the exterior building's thermal envelope. R402.4.1.1
- 2.** Window/door jambs, framing, and skylights shall be sealed on the exterior frame. Table R402.4.1.1
- 3.** Ceiling and wall insulation R-Values shall match the plans. Manufacturer's instructions shall be followed, and attic vents shall not be blocked. (S-2) R104.2.2
R303.2
- 4.** A label shall be affixed to the window showing the tested U-Value and SHGC. These values shall match the values shown on plans. (S-1) R303.1.3
R104.2.2

Final Inspection

Code Section

- 1.** All installed attic insulation shall have an insulation certificate posted at or near the opening of the attic and an insulation certificate shall be submitted to the AHJ. R303.1.1.1
R303.1.1.2
- 2.** Blown or sprayed insulation shall be installed per inch according to plans. Blown insulation thickness shall be verified with markers installed every 300 sq. ft. Attic vents shall not be blocked. R303.1.1.2.1
R402.2.3
- 3.** Access-openings, drop-down stairs, or knee wall doors to unconditioned attic spaces shall be sealed and baffled to maintain blown insulation. The attic hatch shall be insulated. R402.2.4
R402.4
- 4.** Air sealing shall be provided for the interior garage door and the walls that separate conditioned spaces from the garage area. R402.4.1.1
Table R402.4.1.1
- 5.** Any changes which affect the energy efficiency of the building shall require revised plans and a revised energy compliance report. R103.4

BORA ENERGY GUIDELINES

BORA Mechanical Checklist

<u>Plan Review</u>	<u>Code Section</u>
1. Energy Compliance Report shall match the plans and shall comply with the following:	R405.4.2
<input type="checkbox"/> A. The site plan showing actual home orientation shall be shown. Worst case orientations shall be accepted. HVAC load calculations shall be site-specific. (Item #5)	
<input type="checkbox"/> B. The conditioned floor area shall be shown. (Item #6) (M-1)	
<input type="checkbox"/> C. Window areas shall be shown. Sliding glass doors and opaque doors with glazing equal to or over 30% of total area shall be included in the windows section. (Item #7)	R405.5.3
<input type="checkbox"/> D. Overhang effect shall be shown. (Item #7) (M-2)	R405.5.3.2
<input type="checkbox"/> E. Floor areas over garages and outside entry areas shall be shown separately. (Item#9)	R405.4.2
<input type="checkbox"/> F. Ceiling areas and insulation values shall be shown. Knee walls shall be shown separately as ceiling area. (M-1)	
<input type="checkbox"/> G. The R-Value of ducts, surface area, and the location of the ductwork shall be shown. Ductwork that is classified as "leak-free" requires a duct leakage test report and shall be a requirement for the final inspection. (Item#12)	R405.2 R405.2.3
<input type="checkbox"/> H. The number of A/C systems, the efficiency rating of each system, and the size of the equipment shall be shown. (Item#13)	R103.2 #5
<input type="checkbox"/> I. The heater type, size, and fuel source shall be shown. (Item#14)	
<input type="checkbox"/> J. Energy credits shall be shown. (Item#16) (M-3)	R405.7
Plans	
<input type="checkbox"/> 2. The cooling and heating load calculations shall be submitted with the mechanical plans. The cooling equipment selected shall not be more than 1.15 times greater than the total calculated load. Strip heaters shall be sized within 4 kW of the design requirements.	R403.7 R403.7.1.1 R403.7.1.2.2
<input type="checkbox"/> 3. Mechanical design criteria and controls (T-stat) shall be shown.	R103.2 #4
<input type="checkbox"/> 4. Duct sealing methods, duct and pipe insulation values, and duct locations shall be shown.	R103.2 #7
<input type="checkbox"/> 5. Outdoor air intakes and exhausts shall have automatic or gravity dampers and shall be shown.	R403.6
<input type="checkbox"/> 6. Replacement outdoor combustion air and tight-fitting flue dampers or tight-fitting doors for wood-burning fireplaces shall be shown.	R402.4.2
<hr/>	
<u>Rough Inspection</u>	<u>Code Section</u>
<input type="checkbox"/> 1. Building framing cavities shall not be used as ducts or plenums.	R403.3.5
<input type="checkbox"/> 2. Air-handling units may only be installed in the attic if all code exceptions are met. a) The service panel of the equipment shall be located within 6 feet of an attic access.	R403.3.6
<input type="checkbox"/> 3. All supply and return ducts not completely inside the <i>building thermal envelope</i> shall be insulated to a minimum of R-6. Suction line refrigerant piping shall be a minimum of R-3.	R405.2 R403.4
<input type="checkbox"/> 4. All ducts shall be mechanically attached and sealed. The reinforced lining shall be sealed and the duct collar flange shall be sealed to the duct board using tape, mastic, or gasket. The reinforced core shall be mechanically attached to the duct fitting by a draw-band. The outer jacket of the flexible duct shall be sealed to prevent condensation. (M-4)	R403.3.2 C403.2.9.2
<input type="checkbox"/> 5. Sufficient space shall be given to install the required ceiling and wall insulation	R402.4.1.1
<input type="checkbox"/> 6. Combustion air ducts shall be installed for wood-burning fireplaces.	R402.4.2

BORA ENERGY GUIDELINES

BORA Mechanical Checklist

Final Inspection

	<u>Code Section</u>
<input type="checkbox"/> 1. The envelope leakage test report shall be provided to the code official and approved.	R402.4.1.2
<input type="checkbox"/> 2. HVAC register boots that penetrate the thermal envelope shall be sealed to the drywall. Penetrations shall be caulked, gasketed or otherwise sealed in a manner compatible with the construction materials and location.	R402.4.1.1
<input type="checkbox"/> 3. Sufficient space (about 4 inches) shall be provided adjacent to all mechanical components of the air distribution system to assure room for inspection, seal, and maintenance	R403.3.2 C403.2.9.3.3
<input type="checkbox"/> 4. The efficiency rating of each system shall be verified by providing the (AHRI) certificate showing the corresponding model numbers shown on the plans. <i>(M-5)</i>	R405.4.3 #2 R303.1.2
<input type="checkbox"/> 5. Mechanical closets and enclosed support platforms shall be sealed to prevent leakage.	R403.3.2
<input type="checkbox"/> 6. Piping insulation exposed to weather shall be protected from damage.	R403.4.1
<input type="checkbox"/> 7. Tight-fitting flue dampers or tight-fitting doors shall be installed for wood-burning fireplaces.	R402.4.2
<input type="checkbox"/> 8. A duct leakage test report shall be submitted when “leak-free” ducts are selected using performance method R405. A test can be performed at rough or post-construction.	R405.2.3 R403.3.3
<input type="checkbox"/> 9. An envelope leakage test report shall be approved before a final inspection is approved.	R402.4.1.2
<input type="checkbox"/> 10. Any changes which affect the energy efficiency of the building shall require revised plans and a revised energy compliance report.	R103.4

BORA Envelope Leakage Test Report Checklist

Report Review

	<u>Code Section</u>
<input type="checkbox"/> 1. The envelope leakage test shall be completed prior to the final inspection.	R402.4.1.2
<input type="checkbox"/> 2. The envelope leakage test report form from the approved software, which was submitted at application for permit, shall be used to show compliance with the code. <i>(TR-1)</i>	R101.5.1
<input type="checkbox"/> 3. The envelope leakage test report shall have the address and permit number on the report and shall be completed and signed by a qualified tester.	R101.5.1 R402.4.1.2
<input type="checkbox"/> 4. The method of compliance shall be indicated on the form and shall match the method selected when the building permit was issued. <i>(TR-2)</i>	R405.2.2 R401.2
<input type="checkbox"/> 5. The air change design rate shall be indicated in the box provided on the test report when using the performance method. <i>(TR-3)</i>	R405.2.2 R405.4.2
<input type="checkbox"/> 6. Leakage rates that exceeding seven (7) ACH shall indicate “Fail”.	R402.4.1.2
<input type="checkbox"/> 7. Leakage rates exceeding the design rate from the compliance report shall not “Pass” even though it is under (7) air changes per hr.	R405.2.2 R402.4.1.2
<input type="checkbox"/> 8. Buildings with (ACH) rates less than three (3) shall have whole-house mechanical ventilation added to the building and shall be indicated on the test report. <i>(TR-4)</i>	R403.6 RBC R303.4
<input type="checkbox"/> 9. Buildings where whole-house mechanical ventilation is required, shall not pass the final inspection. A revised mechanical plan showing compliance with the residential building code shall be provided when whole-house ventilation is required.	R103.4 RBC R303.4

BORA ENERGY GUIDELINES

BORA Plumbing Checklist

Plan Review

Code Section

1. **Energy Compliance Report** shall match the plans and shall comply with the following:
- A. Service water heating appliance size and efficiency shall be shown. (Item#15)
Plans
 - 2. Provide AHRI efficiency documentation for water heaters. Water-heating equipment installed in residential units shall meet the minimum efficiencies of Table C404.2. (P-1)
 - 3. Gas and oil-fired pool and spa heaters shall have a tested minimum thermal efficiency of 82 percent in accordance with ANSI Z 21.56. Documentation shall be provided.
 - 4. Heat pump pool heaters shall have a minimum COP of 4.0 when tested by an independent laboratory in accordance with AHRI 1160. Documentation shall be provided.
 - 5. If a heated water circulation system is installed, it shall be provided with a circulation pump that will start on-demand. The system return pipe shall be a dedicated return pipe or a cold-water supply pipe. Controls shall stop the pump when the desired temperature is reached and there is no longer any demand for hot water.
 - 6. Residential pools shall meet the requirements of APSP-15 (Standard for Energy Efficiency for Residential Inground Swimming Pools & Spa's).

R405.4.2

R103.2 #5

R405.4.3 #2

R403.5.6.2

R103.2 #5

R403.10.4

R103.2 #5

R403.10.5

R403.5.1

R403.12

Rough Inspection

Code Section

- 1. Sufficient space shall be left for insulation on exterior walls adjacent to showers and tubs.
- 2. If a heated water circulation system is installed, it shall be provided with an accessible circulation pump. The automatic controls, temperature sensors, and the manual controls shall be readily accessible for operation.

R402.4.1.1

R403.5.1

Final Inspection

Code Section

- 1. Storage water heating model numbers and equipment efficiencies shall be verified and match the plumbing plans. (P-1)
- 2. Electric, gas, and oil type pool and spa heating equipment efficiencies shall be verified and match the plans.
- 3. Gas and oil type water heaters for permanent pools and spas shall be equipped with a vapor retardant cover on or at the water surface. A liquid cover or other means proven to reduce heat loss may be used and shall be on the job for the final inspection. Heat pump and solar-type heaters are excluded from this requirement.
- 4. Any changes which affect the energy efficiency of the building shall require revised plans and a revised energy compliance report.

R403.5.6.2

R403.10

R403.10.3

R103.4

BORA ENERGY GUIDELINES
BORA Electrical Checklist

Plan Review

Code Section

1. Energy Compliance Report shall match the plans and shall comply with the following:

R405.4.2

- A.** Comfort heating and service water heating appliances using electricity shall be shown. (Item#14 &15)
- B.** When a ceiling fan energy credit is indicated, ceiling fans and fan blade sizes are to be shown. (Item#16) (*E-1*)

R405.7.6

Table R405.7.6

Plans

- 2.** When a ceiling fan energy credit is indicated on the energy compliance report. The required fans and blade sizes shall be shown.
- 3.** The electrical floor plans shall clearly identify all recessed luminaires that are installed in the building thermal envelope and shall show sealing details.
- 4.** Recessed lighting shall be IC-rated and *labeled* as having an air leakage rate not more than 2.0 cfm when tested in accordance with ASTM E283
- 5.** The Luminaire Schedule shall clearly identify the “high efficacy lamps”. Not less than 90 percent of the lamps in permanently installed luminaires shall have an efficacy of at least 45 lumens-per-watt or shall utilize lamps with an efficacy of not less than 65 lumens-per-watt.

R405.7.6

Table R405.7.6

R402.4.5

R103.2 #8

R402.4.5

R404.1

Rough Inspection

Code Section

- 1.** An air barrier shall be installed behind electrical or communication boxes or air sealed boxes shall be installed when these boxes are in the exterior thermal envelope.
- 2.** Thermal envelope penetrations by electrical conduits and cables in the wall top plate shall be sealed.

R402.4.1.1

Table R402.4.1.1

R402.4.1.1

Table R402.4.1.1

Final Inspection

Code Section

- 1.** Recessed luminaires installed in the building thermal envelope shall be sealed to limit air leakage between conditioned and unconditioned spaces. All recessed luminaires shall be sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.
- 2.** Ceiling fans shall be installed per the electrical drawings.
- 3.** Any changes which affect the energy efficiency of the building shall require revised plans and a revised energy compliance report.

R402.4.5

R405.7.6

R103.4

Appendix A

Residential Fenestration Product Rating Submittal Form

In accordance with R405.4.3 #2 of the Florida Energy Conservation Code, this form is a tool for the submittal process to document the proposed energy product rating for windows, doors, and skylights.

Recommended for Review:

- Copy of the approved energy compliance report “window checklist” showing each fenestration design rating (U-value and SHGC) for all fenestration in the entire building.
- A list of the NFRC “Certified Product Directory” number of each window showing the U-Value and SHGC on the attached form. These numbers can be found on the NFRC site:
<https://search.nfrc.org/search/searchDefault.aspx>

Notes:

- Products not listed in the NFRC directory shall be tested by an accredited, independent laboratory in accordance with FECC R303.1.3. Products not tested and lacking certification and labeling shall be assigned a default rating from the energy tables.
- Products submitted that do not match the approved energy window checklist shall require a revised energy compliance report or window submittal per FECC R103.4

#	<u>NFRC Directory Number</u>	<u>Description</u>	<u>U-Value</u>	<u>SHGC</u>
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				

<u>Window #</u>	<u>NFRC Directory Number</u>	<u>Description</u>	<u>U-Value</u>	<u>SHGC</u>
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
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23				
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26				
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28				
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31				
33				
34				
35				
36				
37				
38				

TABLE R303.1.3(1)

DEFAULT GLAZED FENESTRATION U-FACTORS

FRAME TYPE	SINGLE PANE	DOUBLE PANE	SKYLIGHT	
			SINGLE	DOUBLE
<u>Metal</u>	<u>1.20</u>	<u>0.80</u>	<u>2.00</u>	<u>1.30</u>
<u>Metal with Thermal Break</u>	<u>1.10</u>	<u>0.65</u>	<u>1.90</u>	<u>1.10</u>
<u>Nonmetal or Metal Clad</u>	<u>0.95</u>	<u>0.55</u>	<u>1.75</u>	<u>1.05</u>
<u>Glazed Block</u>	<u>0.60</u>			

TABLE R303.1.3.(2)

DEFAULT OPAQUE DOOR U-FACTORS

DOOR TYPE	U-FACTOR
<u>Uninsulated Metal</u>	<u>1.20</u>
<u>Insulated Metal</u>	<u>0.60</u>
<u>Wood</u>	<u>0.50</u>
<u>Insulated, nonmetal edge, max 45% glazing. Any glazing double pane</u>	<u>0.35</u>

Example

Compliance Report Checklist

WINDOWS														
Orientation shown is the entered, Proposed orientation.														
✓	#	Wall			Panels	NFRC	U-Factor	SHGC	Imp	Area	Overhang		Int Shade	Screening
		Ornt	ID	Frame							Depth	Separation		
✓	1	W	2	Vinyl	Low-E Double	Yes	0.4	0.25	N	80.0 ft²	0 ft 0 in	0 ft 0 in	IECC 2012	None
✓	2	S	3	Vinyl	Low-E Double	Yes	0.4	0.25	N	80.0 ft²	0 ft 0 in	0 ft 0 in	IECC 2012	None
✓	3	E	4	Vinyl	Low-E Double	Yes	0.4	0.25	N	80.0 ft²	0 ft 0 in	0 ft 0 in	IECC 2012	None
✓	4	N	5	Vinyl	Low-E Double	Yes	0.4	0.25	N	80.0 ft²	0 ft 0 in	0 ft 0 in	IECC 2012	None

Appendix B

STRUCTURAL NOTES

S-1 Windows are required to be tested for energy efficiency. U-factors shall be determined in accordance with NFRC 100. The VT (Visual Transmittance) and the SHGC (Solar Heat Gain Coefficient) shall be determined in accordance with NFRC 200. Testing is required to be done by an accredited independent laboratory and then labeled and certified by the manufacturer. The code does require certification by an independent agency. The code also does not require certification by NFRC. Some manufactures have chosen to “Self-Certify” their product after testing by an accredited independent laboratory. These products are not certified by NFRC and will not be listed in the NFRC’s “Certified Products Directory.” Products not certified by NFRC will need to provide a “Thermal Simulation Report” from an accredited independent laboratory. Testing values from the “Simulated Data” shall match the label on the product in accordance with FECC R303.1.3.

	World's Best Window Co. Series "2000" Casement Vinyl Clad Wood Frame Double Glazing • Argon Fill • Low E XYZ-X-1-00001-00001	
	ENERGY PERFORMANCE RATINGS	
U-Factor (U.S. / I-P)	Solar Heat Gain Coefficient	
0.35	0.32	
ADDITIONAL PERFORMANCE RATINGS		
Visible Transmittance	Air Leakage (U.S. / I-P)	
0.51	≤ 0.3	
Condensation Resistance		
51	—	
<small>Manufacturer declares that these ratings conform to applicable NFRC procedures for determining whole product performance. NFRC ratings are determined for a fixed set of environmental conditions and a specific product size. NFRC does not recommend any product and does not warrant the suitability of any product for any specific use. Consult manufacturer's literature for other product performance information. www.nfrc.org</small>		

S-2 The plans shall be specific as to what that type and R-value of insulation is to be installed. It is unacceptable to have comments on the plan details that indicate: “see energy calculations”. Baffles are required for blown-in insulation to keep the vents from becoming blocked upon installation and drift.

MECHANICAL NOTES

M-1 The conditioned floor area is found on the architectural plans. The ceiling areas shall match the conditioned floor area on single-story homes with a flat ceiling height throughout the home. On a two-story home, the second-floor conditioned floor area shall match this ceiling area plus any area that is only one story. “Knee walls” occur when ceiling heights change from a vaulted ceiling to a lower ceiling height. Knee walls adjacent to the attic area shall be listed separately as ceiling area on the compliance report. Knee walls shall not be shown as exterior wall area. (See figure A)

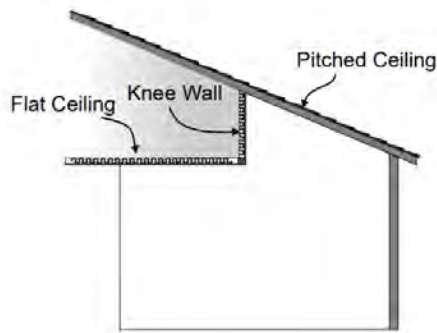


Figure A

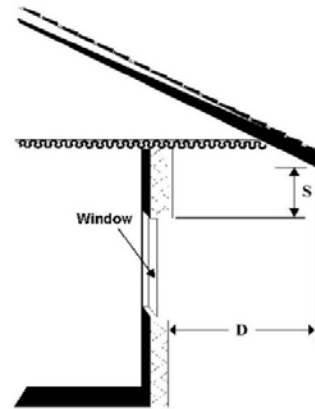


Figure B

M-2 Overhang measurements shall match what is listed on the compliance report. Overhangs are measured in terms of “Depth” and “Separation”. The “Depth” is the horizontal measure protruding from the building. The “Separation” is the vertical distance from the overhang to the top of the window. (See Figure B)

M-3 Energy credits shall be verified. The credits are indicated by abbreviations on the compliance report or by statement notes on the bottom of the compliance report.

Examples: **PSTAT**- Programmable Thermostat, **RB**- Radiant Barrier, **CV**- Cross Ventilation, **WHF**- Whole House Fan, **CF**- Ceiling Fans, **HRU**- Heat Recovery Unit, **HP**- Heat Pump.

Tested “Cool Roof” roof absorption and emittance test values, and a “Duct Leakage Test Report” lower than 8% default leakage are possible credits shown in the notes.

M-4 The mechanical attachment and sealing of the flexible ductwork’s collar and inner core are hidden to the inspector by the insulation and vapor barrier during assembly. The tabs shall be bent over, and a draw-band shall be installed for a proper mechanical attachment. The collar flange and the inner core shall also be sealed airtight. The draw-band is not a code-approved seal for flexible duct. Flexible duct joints shall be spot-checked for compliance with this section by having the contractor open the duct joint for visual inspection.

M-5 Certificates can be obtained by going to the AHRI Certification Directory to verify equipment is designed to be operated together. Water heater efficiencies found in the directory are shown in UEF and shall be converted to EF to match the compliance report. A conversion calculator is found on the Resnet website.

ENVELOPE LEAKAGE TEST REPORT NOTES

TR-1 The FBC-approved software will generate an approved “Envelope Leakage Test Report” form and fill in important information such as the volume and the required air change rate specified by the designer.

TR-2 The designer of record chooses which method of energy code compliance whether performance or prescriptive. Designers using compliance report R405-2020 shall select performance on the blower door test report. The testing agent shall not select prescriptive when the designer chooses the performance method of compliance.

TR-3 The design air change rate (ACH), chosen by the designer of record, shall be indicated in the box provided when using the performance R405-2020 compliance report.

TR-4 It is the code official’s responsibility to make sure this box is checked when the air change rate (ACH) is less than 3(ACH). This selection shall trigger the mechanical designer of record to determine which method they shall use to provide additional ventilation and then submit a revised plan.

PLUMBING NOTES

P-1 The efficiency of the water heaters shown on the compliance report is shown in “EF” and the AHRI efficiency is now shown with a new standard referred to as “UEF”. A conversion is required to verify.

ELECTRICAL NOTES

E-1 When a ceiling fan credit is taken, the ceiling fans shall be indicated on the electrical drawings. Future fans shall not be indicated when this credit is taken. The fans shall be installed per the plans at the electrical final inspection according to Table R405.7.6. Ceiling fans shall be installed in each of the bedrooms and a minimum of one living area in order to receive credit.

**TABLE R405.7.6
FAN SIZING TABLE**

LONGEST WALL LENGTH (feet)	MINIMUM FAN SIZE (inches)
= 12	36
>12-16	48
>16-17.5	52
>17.5-25	56
>25	2 fans (Minimum of 48 inches each)



Appendix C

RESIDENTIAL ENERGY CODE COMPLIANCE REVIEW FORM

PERMIT # _____ **ADDRESS** _____

METHOD OF COMPLIANCE per R401.2

- R402-Prescriptive #1** **R406-ERI #3**
 R405-Performance #2

A review of the plans and specifications covered by this compliance report indicates compliance with the _____ Florida Energy Conservation Code.

<u>DISCIPLINE</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>DATE</u>
STRUCTURAL			
MECHANICAL			
PLUMBING			
ELECTRICAL			

Section 7



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

Date: August 12, 2021

To: Members for the Board of Rules and Appeals

From: John Morell, Chief Structural Code Compliance Officer

RE: Report regarding Florida Building Code, 7th Edition (2020), Chapter I, Section 110.3.13, Virtual inspections (adopted in March 2021).

32 Jurisdictions were notified March 22, 2021 to report by June 21, 2021 consistent with the Board approved directive for a 90 day trial period.

A second notice was sent out July 16, 2021 due to the cancellation of the July Board meeting

Since we did not have a Board meeting in July the deadline extended the time for the response until July 22, 2021 in time for the August Board meeting.

Phone calls were made to nine jurisdictions that did not respond by the new deadline, of those 2 still have not responded.

As of August 2, 2021, 30 jurisdictions have responded,

- 11 are using virtual Inspections,
- 18 are not utilizing virtual inspections,
- 18 are in favor to limiting the virtual inspections to the 4 approved by the board,
- 10 are not in favor of using virtual inspections,
- 2 reported difficulty with using virtual inspections.
- 9 reported no difficulties,
- 15 are listed as NA, to the question "having trouble using virtual inspections", with comments
- 10 listed no difficulty with virtual inspections,
- 2 listed budget constraints.
- 1 comment stated there should not be any restrictions on virtual inspections
- 1 wanted to add Pipe Lining to the list of virtual inspections

Attachments

City Survey

Broward County Chapter One Code Amendments

Respectfully submitted

John Morell

Approved Virtual Inspections													1 Attachment of mullion bars in window and door installations; 2 Reroofing under 1500 square feet in compliance with section 1512.4.3.2 of this code; 3 Tunnel replacement of under Water and Drain Lines; 4 Water heater replacement that does not require electric upgrade or new gas service.												
Date(s) Survey sent March 22, 2012. Due June 20, 2021 Second notice sent 7/21/2021 due to canceled Meetings		Phone call notice date		Response date		Are you using the approved virtual inspections		Are you in favor of limiting the virtual inspections to the 4 types approved by the Board of Rules and Appeals		Have you had any trouble using virtual inspections			Comments												
Jurisdictions		Second Notice sent		Reminder Notice sent				YES		NO		YES		NO		NA									
Broward County		07/16/21		NA		NA		07/19/21				NO		YES				Not getting entire picture of the job							
Coconut Creek		07/16/21		NA		NA		07/19/21		YES				YES		NO									
Cooper City		07/16/21		07/21/21		NA		07/21/21				NO		YES				NA							
Coral Springs		07/16/21		07/21/21		NA		07/21/21				NO		YES											
Dania Beach		07/16/21		NA		NA		07/19/21		YES				YES		NO									
Davie		07/16/21		07/21/21		07/23/21																			
Deerfield Beach		07/16/21		NA		NA		07/19/21		YES				NO				NA							
Fort Lauderdale		07/16/21		07/21/21		07/23/21																			
Hallandale Beach		07/16/21		NA		NA		7/22/021		YES				NO		NO		NO							
Hillsboro Beach		07/16/21		NA		NA		07/19/21		YES		YES				NO									
Hollywood		07/16/21		NA		NA		07/22/21		YES															
Lauderdale by the Sea		07/16/21		07/21/21		07/23/21		07/23/21		NO		YES				NO									
Lauderdale Lakes		07/16/21		07/21/21		07/23/21																			
Lauderhill		07/16/21		07/21/21		NA		07/19/21				NO		NO				NA							
Lazy Lake		07/16/21		07/21/21		NA		07/21/21				NO		YES				NA							
Lighthouse Point		07/16/21		07/21/21		07/23/12		07/23/21		YES		YES				NO									
Margate		07/16/21		07/21/21		NA		07/19/21				NO		NO				NA							
Miramar		07/16/21		07/21/21		NA		07/19/21		YES		YES				NO									
North Lauderdale		07/16/21		07/21/21		NA		07/21/21				NO		YES				NA							
Oakland Park		07/16/21		07/21/21		NA		07/19/21		Yes				NO				NA							
Parkland		07/16/21		NA		NA		07/19/21				NO		NO				NA							
Pembroke Park		07/16/21		NA		NA		07/16/21		YES		Yes				NO									
Pembroke Pines		07/16/21		07/21/21		07/23/12		07/27/21				NO		NO				NA							
Plantation		07/16/21		07/21/21		NA		07/21/21				NO		NO				NA							
Pompano Beach		07/16/21		NA		NA		07/19/21				NO		NO		YES									
Sea Ranch Lakes		07/16/21		07/21/21		07/23/21		07/23/21		YES		YES				NO									
Southwest Ranches		07/16/21		07/21/21		07/23/21		07/23/21				NO		YES				NA							
Sunrise		07/16/21		07/21/21		NA		07/22/21				NO		YES				NA							
Tamarac		07/16/21		NA		NA		07/19/21				NO		YES				NA							
West Park		07/16/21		07/21/21		07/23/21		07/23/21				NO		YES				NA							
Weston		07/16/21		NA		NA		07/19/21				NO		YES		YES									
Wilton Manors		07/16/21		07/21/21		NA		07/21/21		YES				NO		NO									
Phone call request not required				Qualifies Answer				Early Response second notice not required																	

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:

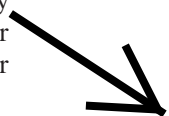
1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the FBC, Residential, and Broward County Amendments, Chapter 1.
2. Code Requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

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 adopted 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.
- M. **G.C.** means an unlimited General Contractor licensed by either the CILB, the Broward County Central Examining Board or the Miami-Dade Construction Trades Qualifying Board.
- N. **CILB** means the Florida Construction Industry Licensing Board.
- O. **ECLB** means the Florida Electrical Contractors Licensing Board.
- P. **Virtual Inspection** is the process of inspection performed using, time and location verifiable video or still imaging, where a BORA Certified Inspector inspects a job site via live video or still image taken at, or under, his/her direction.




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 and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced Codes. The other codes listed in Sections 101.4.1 through 101.4.10 and referenced else-

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 Section 105.10, Certificate of Protective Treatment for prevention of termites and Section 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.

 **110.3.13 Virtual Inspections.** When approved by the Building Official, virtual inspections as set forth in Section 101.2.2 are limited to,

1. Attachment of mullion bars in window and door installations for like in kind replacement.
2. Reroofing under one thousand five hundred (1,500) square feet in compliance with Section 1512.4.3.2 of this code.
3. Tunnel replacement of building drains and water lines.
4. Water heater replacement that does not require electric upgrade or new gas service.

110.4 Inspection agencies. Reserved

110.5 Inspection requests. It shall be the duty of the permit holder or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this Code. 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 (1) 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 hereinabove 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, or other electronic means 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 Section 553.71, Florida Statutes, as "Threshold Buildings," permitting and inspection shall be as required by Section 553.79, Florida Statutes.

110.8.1 During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, 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,

Section 8



BROWARD COUNTY

Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

From: Administrative Director

To: Members of the Board of Rules and Appeals

RE: Updates to Board of Rules and Appeals Policy #21-01 entitled "Delegation of Board of Rules and Appeals authority to establish the number of employees working at one time, when physically at the office due to Covid-19 concerns, and to further establish written reporting requirements for employees who are working remotely."

RECOMMENDATION

It is recommended that the Board of Rules and Appeals by motion amend our existing Covid-19 policy to increase the number of employees working at the office at one time and remove all Covid related restriction at an earlier date than previously scheduled.

REASONS

To enhance productivity, I believe that we should expedite the return of employees to the office. Eleven out of twelve BORA Employees are fully vaccinated with the Covid 19 shots.

ADDITIONAL INFORMATION

Should this amended schedule be approved we will have between six and eight employees at the office at one time instead of current four to six. All Covid -19 considerations of allowing to work remotely will expire on September 30th, 2021, instead of December 30, 2021.

Respectfully submitted

A handwritten signature in black ink, appearing to read "James DiPietro".

James DiPietro

Board Policy #21-01

Effective January 1, 2021
Amended: August 12, 2021

SUBJECT: Delegation of Board of Rules and Appeals authority to establish the number of employees working at one time, when physically at the office due to Covid-19 concerns, and to further establish written reporting requirements for employees who are working remotely.

POLICY

Due to Covid-19 concerns the administrative director is hereby authorized to staff BORA offices with the goal of having ~~33~~ 50% to ~~50~~ 67% percent of all the employee including the director, present at one time but in all cases a number less than ~~60~~ 75% is the maximum amount to be in the office at the same time.

When an employee reporting to the director is working all day remotely, he or she must provide a report of the activities of that day in the written manner as specified by the administrative director.

The implementation of this policy will not alter the regular working hours of the BORA offices.

ADDITIONAL INFORMATION

This policy automatically expires at the close of business on ~~December 31~~ September 30, 2021.

G:\SHARED\Policies & Procedures\2021\Board policies\20-21 BORA Pol.
officeoccupancyCovid19.docx

Section 9



BROWARD COUNTY

Board of Rules & Appeals

One North University Drive, Suite 3500-B, Plantation, Florida 33324

Phone (954) 765-4500 Fax: (954) 765-4504

www.broward.org/codeappeals

TO: Members of the Broward County Board of Rules and Appeals
FROM: Jonda K. Joseph, Administrative Specialist I
DATE: August 12, 2021
SUBJECT: Disposition and Disposal of Personnel Records – Supplemental Documentation (Fiscal Year 1983-2013) and Disposal of Litigation Case File (Anniversary Year 1983-1984)

RECOMMENDATION

It is recommended that BORA adopt by motion a retention period of 7 fiscal years for supplemental personnel documentation files including other related record categories and disposal of the listed files for 1983-2013; and also authorize disposal of the listed litigation case file for 1983-1984.

REASONS

The Florida Division of Library and Information Services has published General Records Schedule for State and Local Government Agencies (GS1-SL) that contains record categories common to state and local governmental agencies. Note the State minimum retention periods are 5 years or less. This memorandum recommends a greater period, 7 fiscal years. With respect to the listed litigation case file, the disposition of litigation case files was previously authorized by Board vote on March 11, 2021 in accordance with Item #27 of the GS1-SL Schedule.

PERSONNEL RECORDS: SUPPLEMENTAL DOCUMENTATION Item #378 This record series consists of personnel documentation relating to individual employees that agency rules or policies do not include as part of the official personnel file and that is not covered by other employee-related items. RETENTION: 5 fiscal years

ATTENDANCE AND LEAVE RECORDS Item #116 This record series consists of requests or applications for vacation, sick, family medical leave act (FMLA), and other types of leave including leaves of absences; time sheets or time cards along with any required documentation (medical statements or excuses from a physician, jury duty summons, or military orders, etc.) submitted by an employee to document authorized absences; reports of leave hours used and accrued during a pay period; and reports of leave balances for all agency employees. RETENTION: 3 fiscal years.

DISCIPLINARY CASE FILES: EMPLOYEES Item #98 This record series documents the investigation of allegations of employee misconduct and/or violation of department regulations or orders, state or federal statutes, or local ordinances. The series may include, but is not limited to, statements by the employee, witnesses, and the person filing the complaint. Cases include both formal and informal disciplinary proceedings relating to allegations that were determined as sustained, not sustained, unfounded, or exonerated. "Formal discipline" is defined as disciplinary action involving demotion, removal from office, suspension, or other similar action. "Informal discipline" is defined as any disciplinary action involving written and verbal reprimands, memoranda, or other similar action. These records are filed separately from the employee personnel file, but the final action summary becomes part of the personnel file. RETENTION: 5 anniversary years after final action

1. Cruz	Teresa	Administrative Coordinator II
2. Driver (Poole)	Deborah	Board Tech 1
3. Cooper	Mary	Secretary 1
4. Bauer	Larie	Secretary 1
5. Duquette	Karen	Word Processing Secretary
6. Marshall	Kimberly	Account Clerk 1
7. Valinoti	James	Fire Code Compliance Officer
8. Russell	Glenn	Chief Plumbing Code Compliance Officer
9. Hamilton	Maynard	Chief Electrical Code Compliance Officer
10. Pillon	James	Administrative Director
11. Cardella	Patricia	abolishment of Board Technician Classification
12. Andrews	Robert	Chief Mechanical Code Compliance Officer
13. Scala	Anthony Mark	Chief Structural Code Compliance Officer
14. Laino	Geraldine	Administrative Coordinator II
15. Swope	Elizabeth	Board Technican I
16. Willis	William	Chief Structural Code Compliance Officer
17. Dutkin	Howard	Chief Structural Code Compliance Officer
18. Storm	Clifford	Administrative Director
19. Russo (Noonan)	Annabelle	Account Clerk (Board Technician)
20. Baker	Tarry	Chief Electrical Code Compliance Officer
21. Fennell	Kevin	Chief Plumbing Code Compliance Officer
Inverwood Condominium Association, etc., et al vs. Broward County Board of Rules and Appeals		

Section 10

Survey sent on May 24, 2021

From: Morell, John

Sent: Monday, May 24, 2021 7:49 AM

To: Adam Attah - North Lauderdale & Lazy Lake B.O. <AATTAH@broward.org>; Alex Hernandez - B.O. Coral Springs <AHernandez@coralsprings.org>; Brian Dillon - SW Ranches and W Park B.O. <bdillon@capfla.com>; Christopher Augustin - Sunrise B.O. <caugustin@sunrisefl.gov>; Edward Adach - LBTS B.O. <eadach@capfla.com>; George Folles - Tamarac B.O. <George.Folles@tamarac.org>; George Kropp - Pembroke Pines B.O. <gkropp@cgasolutions.com>; Jack Boone - BO Coconut Creek <jboone@coconutcreek.net>; Jack Fisher <jfisher@capfla.com>; John Travers B.O. Ft. Lauderdale <jtravers@fortlauderdale.gov>; Julio Briceno - Miramar B.O. <jbriceno@miramarfl.gov>; Lazy Lake Building Official - Michel Mesa <clerk@lazylakefl.us>; Michael Rada - Pompano Beach B.O. <michael.rada@copbfl.com>; Miguel Nunez - Hallandale Beach B.O. <mnunez@hallandalebeachfl.gov>; Miguel Nunez - Pembroke Park B.O. <mnunez@townofpembrokepark.com>; Nicholas Todaro - Davie B.O. <nicholas_todaro@davie-fl.gov>; Peter Beaudoin - Lighthouse Point B.O. <pbeaudoin@cgasolutions.com>; Randy Youse - Lauderdale B.O. <ryouse@lauderdale-fl.gov>; Reggie Cox - Weston B.O. <rcox@capfla.com>; Richard R. Nixon - Margate B.O. <rnixon@margatefl.com>; Roman Sanchez - Lauderdale Lakes B.O. <RSanchez@cgasolutions.com>; Ronald Puentes - Broward County B.O. <RPuentes@broward.org>; Russell Long - Hollywood B.O. <rlong@hollywoodfl.org>; Shane Kittendorf - Wilton Manors B.O. <skittendorf@capfla.com>; Sheila Oliver B.O. Deerfield Beach <soliver@cgasolutions.com>; Stephen Hans - Sea Ranch Lakes B.O. <cityclerk@searanchlakesflorida.gov>; Steve Mitchell - Hillsboro Beach B.O. <SMitchell@cgasolutions.com>; Thomas Shubert B.O. Oakland Park <thomass@oaklandparkfl.gov>; Victor Blanco - Cooper City B.O. <VBlanco@coopercityfl.org>; William Gale - Plantation B.O. <wgale@plantation.org>; William Tracy - Parkland B.O. <wtracy@cityofparkland.org>; De Carion, Timothy <TDECARION@broward.org>; Guerasio, Michael <MGUERASIO@broward.org>; Soto, Rolando <ROSOTO@broward.org>; Vinas, Otto <OVINAS@broward.org>; Boselli, Ruth <RBOSELLI@broward.org>; Curry, Brianna <BCURRY@broward.org>; Joseph, Jonda <JONDAJOSEPH@broward.org>; Kong, Maria <MKONG@broward.org>

Cc: Castronovo, Kenneth <KCASTRONOVO@broward.org>; Morell, John <JMORELL@broward.org>

Subject: 40 YEAR

Broward County Building Officials

Re. Building Safety Program

With the pandemic almost behind us we have had a challenging year. Given that, the Broward County Board of Rules and Appeals would like you to confirm to us that the Building Safety Inspection was successfully implemented in your jurisdiction for the year 2020. Please comment to us by email in the next week so that we can continue to monitor this program countywide. If you have any issues concerning implementation of the program, please contact us. We have sent out the addresses for 2021 early to help you better prepare for this year's compliance program.

Thank you for your help.

Sincerely

Kenneth Castronovo

John Morell

Respectfully

Chief Structural Code Compliance Officer
Broward County Board of Rules and Appeals
954-765-4500 x 9887
jmorell@broward.org



From: [Morell, John](#)
To: [Castronovo, Kenneth](#)
Cc: [Dipietro, James](#)
Subject: 2020 forty year inspection program.
Date: Tuesday, July 27, 2021 11:02:43 AM

On May 24th Ken and I were tasked to survey the building departments in the county to verify the success of the 2020 forty year inspection program.

May 24, 2021 we received 11 responses and 1 response on June 8, 2021

Coral Spring, Coconut Creek, Deerfield Beach, Margate, Broward County, North Lauderdale, Fort Lauderdale, Hillsboro Beach, Oakland Park, Pompano Beach and Miramar reported that they executed the program as usual.

Hallandale and Davie did not implement the program until 2021 along with the 2021 notices.

Respectfully

Jack Morell
Chief Structural Code Compliance Officer
Broward County Board of Rules and Appeals
954-765-4500 x 9887
jmorell@broward.org



2020 Audit

From: [Dipietro, James](#)
To: [Boselli, Ruth](#)
Subject: FW: 2020 - 40 year audit results
Date: Wednesday, July 21, 2021 1:56:29 PM
Attachments: [Final report on audit 7_21_2021.pdf](#)

Good afternoon members of the Broward County Board of Rules and Appeals and interested parties. Interested parties have been added to keep individuals and code officials informed of where we are in the process.

Attached you will find the data collected as of today on the audit of the July 2020 program.

Next week I will be initiating an audit of the July 2019 program. 2019 represents a pre- Covid year and comparing that information to be obtained with 2020 audit should be of value. No additional audit decisions have been made.

I will report to you further on these matters at our regularly scheduled meeting of the Broward County Board of Rules and Appeals to be held on August 12, 2021.

Code officials are welcome to contact Mike Guerasio, Chief Structural Code Compliance Officer, if desired. Others individuals are recommended to call me should the need arise. Thank you. Jim

James DiPietro
Administrative Director
Broward County Board of Rules and Appeals
1 North University Drive, Suite 3500 B
Plantation, Florida 33324
954-931-2393



BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE
SUITE 3500-B
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500
FAX: 954-765-4504

www.broward.org/codeappeal

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Vacant

Representative Disabled Community

Board Attorney

Charles M. Kramer, Esq.

Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

Date: July 21st, 2021

To: James DiPietro, Administrative Director

From: Michael Guerasio, Chief Structural Code Compliance Officer

Subject: Final summary report of audit for the 40-Year Building Safety Program, calendar year of 2020.

Staff Report

On June 29th, 2021, Broward County Board of Rules and Appeals initiated an audit of the 40-year building safety program to all municipalities throughout Broward County.

Below are the results:

1. 31 cities and Unincorporated Broward County were sent notice of the audit on June 29th, 2021, they were given until July 20th, 2021, to respond with their findings. The audit was limited to six story or greater buildings requiring evaluation for calendar year of 2020.
2. Eighteen cities did not have any six-story or greater building that required the building safety inspection in the calendar year of 2020, no inspections took place meeting these parameters.
3. Three cities had completed the certification process within their city and none of the repairs required that any permits be issued. Engineering reports were submitted to the building official, reviewed, approved, and retained by the city.
4. Nine cities are currently still in the process of completing the certification process, consensus was that notifications were sent out late due to the pandemic of March 9th, 2020 (COVID). To date, some have required permits to be issued for repairs, most do not require permits, and others are still being evaluated.
5. Two cities total have not responded to the audit, multiple notifications were sent out, both emails and phone calls.

Respectfully,

Michael Guerasio

Chief Structural Code Compliance Officer

2020 40-Year Survey Results - Six (6) stories or greater		Sent out 6/29/2021 at 3:34pm	Resent Notice 7/1/2021 at 1:21pm	3rd Email Notice 7/9/2021		Permit Issued for Repairs		Employment	
Municipality	Received response from survey		Date response was received from City	Acknowledgement Received		Date/Time Sent	Acknowledged		
	Yes	No		Yes	No		Yes	No	
Coconut Creek	City had no 6 story or greater buildings in calendar year 2020		7/15/2021 5:38 PM	7/15/21 5:38 PM					City
Cooper City	City had no 6 story or greater buildings in calendar year 2020		7/9/21 2:21 PM			7/9/21 9:32 AM	7/9/21 2:10 PM		City
Coral Springs	City had no 6 story or greater buildings in calendar year 2020		7/12/21 12:55 PM	6/29/21 4:44 PM					City
Dania Beach	All six story and greater buildings are in compliance with the 40 year certification for the year 2020		7/9/21 9:55 AM	7/2/21 11:26 AM				✓	CAP
Davie	40 year certification process is currently still in progress		6/30/2021 11:08am						City
Deerfield Beach	40 year certification process is currently still in progress		7/20/21 12:12 PM	7/2/21 8:08 AM				✓	CGA
Fort Lauderdale	40 year certification process is currently still in progress		7/20/21 11:17 PM	7/1/21 2:42 PM					City
Hallandale Beach	40 year certification process is currently still in progress		7/20/21 3:13 PM	7/1/21 4:30 PM					City
Hillsboro Beach	All six story and greater building are in compliance with the 40 year certification for the years 2020		7/16/21 2:06 PM			7/9/21 9:46 AM	7/9/21 2:11 PM	✓	CGA
Hollywood	40 year certification process is currently still in progress		7/19/21 4:35 PM	7/2/21 7:48 AM					City
Lauderdale Lakes		No response yet		7/1/21 2:17 PM					CGA
Lauderdale-By-The-Sea	40 year certification process is currently still in progress		7/13/21 10:44 AM			7/9/21 9:54 AM			CAP
Lauderhill	40 year certification process is currently still in progress		7/9/21 2:35 PM			7/9/21 10:26 AM	7/9/21 1:29 PM		City
Lazy Lake	City had no 6 story or greater buildings in calendar year 2020		7/1/21 3:34 PM						County
Lighthouse Point	City had no 6 story or greater buildings in calendar year 2020		7/7/21 1:48 PM						CGA
Margate		No response yet		7/2/21 2:14 PM					City
Miramar	City had no 6 story or greater buildings in calendar year 2020		7/9/21 1:46 PM			7/9/21 10:31 AM	7/9/2021 12:17 PM		City
North Lauderdale	City had no 6 story or greater buildings in calendar year 2020		7/1/2021 10:55am						County
Oakland Park	City had no 6 story or greater buildings in calendar year 2020		6/30/2021 5:19pm						City
Parkland	City had no 6 story or greater buildings in calendar year 2020		6/29/21 4:56 PM						City
Pembroke Park	City had no 6 story or greater buildings in calendar year 2020		7/9/21 4:24 PM	7/1/21 2:20 PM					City
Pembroke Pines	40 year certification process is currently still in progress		7/21/21 11:51 AM			7/9/2021 10:36 AM 7/9/2021 10:51 AM	7/9/2021 1:30 PM 7/12/2021 7:13 AM		CGA

Plantation	All six story and greater building are in compliance with the 40 year certification for the years 2020		7/6/21 12:15 PM	7/1/21 1:31 PM						✓	City
Pompano Beach	40 year certification process is currently still in progress		7/20/21 8:01 AM	7/1/21 1:36 PM					✓	✓	City
Sea Ranch Lakes	City had no 6 story or greater buildings in calendar year 2020		7/1/21 2:50 PM								City
Southwest Ranches	City had no 6 story or greater buildings in calendar year 2020		7/16/21 1:28 PM			7/9/2021 10:43 AM					CAP
Sunrise	City had no 6 story or greater buildings in calendar year 2020		7/1/21 2:59 PM								City
Tamarac	City had no 6 story or greater buildings in calendar year 2020		7/15/21 2:36 PM	7/1/21 1:41 PM							City
Unincorporated Broward County	City had no 6 story or greater buildings in calendar year 2020		6/29/21 5:18 PM								County
West Park	City had no 6 story or greater buildings in calendar year 2020		7/13/21 6:09 AM			7/9/2021 10:43 AM					CAP
Weston	City had no 6 story or greater buildings in calendar year 2020		6/30/2021 7:39am								CAP
Wilton Manors	City had no 6 story or greater buildings in calendar year 2020		7/9/21 1:24 PM			7/9/21 11:00 AM	7/9/21 12:33 PM				CAP
1. Eightteen (18) cities had no six story or above buildings in the calendar year of 2020 that required their 40 year building safety inspection											
2. Three (3) cities had buildings that were six stories and above which all are in compliance and no permits were needed for repairs											
3. Nine (9) cities had buildings that were six stories and above which all are in still in progress with their building safety inspections											
4. Two (2) cities have not responded as of 7_21_2021											
No Repsonse											

2019 Audit



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Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

DATE: July 29th, 2021
TO: All Building Officials
FROM: James DiPietro, Administrative Director
SUBJECT: 2019, 40-Year Building Safety Inspection Program Audit

Effective June 29th, 2021, the Broward County Board of Rules and Appeals initiated an audit of the 40-year building safety inspection program for the calendar year of 2020 including all municipalities within Broward County. After reviewing the results of this audit, we have decided to extend the audit out to the calendar year of 2019 to include all buildings. Attached you will find the original letter and spreadsheets sent on July 8th, 2019, of the buildings requiring the building safety inspection for your town, city, or county department for 2019. Also, within these spreadsheets, we have added eleven (11) questions that must be answered for each one of the buildings within the spreadsheets under your town, city, or county department tab. Please return the spreadsheets to Ken Castronovo at kcastronovo@broward.org and Michael Guerasio at mguerasio@broward.org with all questions answered for each building no later than the close of business on August 16th, 2021.

Please note that the calendar year 2019 was prior to the COVID-19 pandemic and in no way should have influenced the program. Also, this information is not limited to six (6) or more stories, instead, all buildings require a response.

We thank you in advance for your cooperation with this important public safety program.

Respectfully,

A handwritten signature in black ink, appearing to read "James DiPietro".

James DiPietro, Administrative Director

Cc: Members of the Board of Rules and Appeals

List of questions attached to the 2019- 40 and 50 Years Building Safety Inspection Program lists

- What was the date the initial notice was sent out for this building?
- Was the building safety inspection report completed for this building?
Yes or No
- Was the building safety inspection report received within the 90 day requirement for this building (September - November)?
Yes or No
- If received late, what date was the building safety inspection report received?
- Is the building safety inspection report still outstanding for this building at the present time?
Yes or No
- Did the building safety inspection report for this building call for any repairs that required a permit?
Yes or No
- What were the total number of permits issued on this building for the repairs? (If any)
- Were the required repairs completed in the time allotted (December - May) by the building safety program requirements?
Yes, No or N/A
- Are repairs still in progress for this building?
Yes or No
- Were the final building safety inspection reports submitted, and reviewed and approved by the building official?
Yes or No
- Are there any enforcement actions in progress for requirements that are in non-compliance (inspection reports, completion of repairs, final inspection reports)?
Yes or No