

Broward County Board of Rules and Appeals Meeting Agenda

February 12, 2026 | Time: 7:00 PM

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1605886088>

Meeting ID: 160 588 6088

- I. **CALL MEETING TO ORDER**
- II. **ROLL CALL**
- III. **APPROVAL OF AGENDA**
- IV. **APPROVAL OF MINUTES** – January 8, 2026, Board Meeting
- V. **PUBLIC COMMENT (Except public hearing items on this agenda)**
Public comments are limited to 3 minutes.
- VI. **CONSENT AGENDA**

1. **Certifications** – Staff Recommended

TOWN OF DEERFIELD BEACH

Westenhiser, Matthew, Electrical Inspector (120-Day Temporary)

CITY OF HOLLYWOOD

Leveille, Jacques, Structural Inspector (120-Day Temporary)

Oliver, Sheila, Assistant Building Official

CITY OF LAUDERHILL

Cappola III, George E., Chief Electrical Inspector

CITY OF LAUDERDALE LAKES

Thoner, Jr., Robert, Chief Electrical Inspector

CITY OF MIRAMAR

Destajo, Jake, Fire Inspector

CITY OF POMPANO BEACH

Carlson, Jonathan, Structural Inspector – Limited (120-Day Temporary)

VILLAGE OF SEA RANCH LAKES

Hans, Stephen, Chief Structural Inspector

TOWN OF SOUTHWEST RANCHES

Bennett, Jeremie, Building Official

CITY OF TAMARAC

Deveaugh, Peter, Chief Electrical Inspector

CITY OF WILTON MANORS

Thoner, Jr., Robert, Chief Electrical Inspector

COUNTYWIDE

Castro, Carlos, Plumbing Inspector

Cata, Teresa, Mechanical Inspector

Cata, Teresa, Mechanical Plans Examiner

Kohn, Jordan, Electrical Inspector

Kohn, Jordan, Mechanical Inspector

Kohn, Jordan, Plumbing Inspector
Perera-Santos, Mariley, Structural Inspector
Perera-Santos, Mariley, Structural Plans Examiner
Santiago, Rollin, Structural Inspector
Santiago, Rollin, Structural Plans Examiner
Vayalinkal, Sebastian, Structural Plans Examiner

VII. **REGULAR AGENDA**

1. **First Reading of the Proposed Revision to the Broward County Amendments to the FBC, Chapter 1, Section 104.3.1 Interim Chief Inspector to Allow the BORA Administrative Director to Grant a One-Time 90-Day Extension to the Interim Chief Inspector Appointment**
 - a. Staff Report – Rolando Soto
 - b. Board Questions
 - c. Board Action

2. **Second Reading of the Proposed Revision to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Sections 104.1.1, Appointment of a Building Official, 104.2.1, Appointment of an Assistant Building Official, and 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector, Relating to Obtaining Written Authorization from City Managers to Serve More than Two (2) Jurisdictions Prior to Applying for Board Consideration**
 - a. Staff Report – Dr. Ana C. Barbosa
 - b. Board Questions
 - c. Public Hearing
 - d. Board Action

3. **Second Reading of the Proposed Addition to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Section 111, Certificates of Occupancy and Completion; Subsection 111.2, Line Item 13, and 111.5, Related to Permits Issued Under the Provisions of Florida Statute 553.791**
 - a. Staff Report – Dr. Ana C. Barbosa
 - b. Board Questions
 - c. Public Hearing
 - d. Board Action

4. **Second Reading of the Proposed Revision to the Broward County Uniform Building Permit Application, Related to the Owner’s Authorization for a Contractor to use a Private Provider for Building Code Inspections and Plan Review Service, Under the Provisions of Florida Statute 553.791(2)(a)**
 - a. Staff Report – Dr. Ana C. Barbosa
 - b. Board Questions
 - c. Public Hearing
 - d. Board Action

5. **Director’s Report**

6. **Attorney’s Report**

7. **Committee Reports**

8. **General Board Member Discussion**

9. **Adjournment**

If a person desires to appeal any decision with respect to any matter considered at this meeting, such person will need a 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 (FS Sec. 286.0105).

Board Members: If you are unable to attend the meeting, please contact Dr. Barbosa at 954-931-2393 between 6:00 PM and 7:00 PM.

January 8, 2026
Board Meeting Minutes

Broward County Board of Rules and Appeals Meeting Minutes, January 8, 2026

Zoom Meeting Information:
<https://broward-org.zoomgov.com/j/1601587944>
Meeting ID: 160 158 7944

I. CALL MEETING TO ORDER

Chairman Kamm called to order a published virtual meeting of the Broward County Board of Rules and Appeals at 7:00 PM.

II. ROLL CALL

R. Art Kamm, Chairman	Anthony Salgado
Edward Badiu	Scott Taggart
Gregg D'Attile	Robert Taylor
Peter Deveaugh	David Tringo
Jeff Falkanger	Dennis Ulmer
Michael Rada	Lynn Wolfson
Derek Wassink	

III. APPROVAL OF AGENDA

Mr. D'Attile made a motion to approve the agenda, and Mr. Wassink seconded the motion. The motion passed by unanimous vote.

IV. APPROVAL OF MINUTES – November 13, 2025, Board Meeting

Mr. D'Attile made a motion, and Mr. Badiu seconded the motion, to approve the November 13, 2025, minutes as submitted. The motion passed by unanimous vote.

V. PUBLIC COMMENT (Except public hearing items on this agenda) - none

Public comments are limited to 3 minutes.

VI. CONSENT AGENDA

1. Certifications – Staff Recommended

BROWARD COUNTY, UNINCORPORATED

Cobblah, William Yiyi, Structural Inspector (120-Day Temporary)

TOWN OF DAVIE

Garcia, Nestor Uriel Jr., Electrical Inspector (Provisional)

Vezina, Mark K., Fire Plans Examiner

CITY OF DEERFIELD BEACH

Bruhn, Norman J., Building Official

Bruhn, Norman J., Chief Structural Inspector

Guanche, Steven, Chief Electrical Inspector

Merowitz, Michael P., Chief Mechanical Inspector

Merowitz, Michael P., Chief Plumbing Inspector

CITY OF FORT LAUDERDALE

Matthews, Keenan, Structural Inspector (120-Day Temporary)

CITY OF HOLLYWOOD

Wood, Kenneth E., Structural Plans Examiner (Provisional)

CITY OF LAUDERHILL

Vandermeulen, Jack, Fire Inspector

VILLAGE OF LAZY LAKE

Reger, Timothy A., Chief Plumbing Inspector

CITY OF LIGHTHOUSE POINT

Brown, Michael, Fire Plans Examiner

CITY OF MIRAMAR

Friedman, Shawn, Fire Inspector

Harrell, Glenn L., Fire Plans Examiner

Huertas, Joseph, Fire Inspector

CITY OF PEMBROKE PARK

Escalante, Graciela M., Assistant Building Official

CITY OF PEMBROKE PINES

Madic, Nebojsa, Chief Structural Inspector

CITY OF SUNRISE

Pocknee, Clare, Fire Inspector

CITY OF WEST PARK

Cogdill, Daniel R., Chief Electrical Inspector

COUNTYWIDE

Faddis, Kevin, Electrical Plans Examiner

Forges, Bernard, Structural Plans Examiner

Jackson, Anthony, Electrical Plans Examiner

Kirkegaard, Randy Scott, Mechanical Plans Examiner

Lamberto, Angel, Plumbing Inspector

Rodriguez, Alberto C. Padro, Electrical Inspector

Rourke, Timothy John, Plumbing Plans Examiner

Ms. Wolfson made a motion, and Mr. Salgado seconded the motion to approve the certifications as recommended by staff. The motion passed by unanimous vote.

VII. REGULAR AGENDA

1. Appointment of Brian Epstein as the Chief Electrical Inspector for the City of Lauderhill, Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Section 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector Requires Board Approval for Chiefs Serving in More than Two (2) Jurisdictions

- a. Staff Report

Mr. Ken Castronovo, Chief Electrical Code Compliance Officer, reviewed the request before the Board as outlined in the agenda memorandum. He noted this would be Mr. Epstein's third chief position. The city managers of each of the three cities have provided their written consent.

- b. Board Questions - none

c. Board Action

Mr. Deveaugh made a motion, and Mr. D'Attile seconded the motion to approve the item as presented. The motion passed by unanimous vote.

2. **First Reading of the Proposed Revision to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Sections 104.1.1, Appointment of a Building Official, 104.2.1, Appointment of an Assistant Building Official, and 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector, Relating to Obtaining Written Authorization from City Managers to Serve More than Two (2) Jurisdictions Prior to Applying for Board Consideration**

a. Staff Report – Kenneth Castronovo

Dr. Ana Barbosa, Administrative Director, introduced the item. The amendment would clarify that, before a request is presented to the Board, the matter must be submitted to the city manager for approval.

b. Board Questions – none

c. Board Action

Mr. D'Attile made a motion to approve the revision on first reading as recommended, and Mr. Deveaugh seconded the motion. The motion passed by unanimous vote.

3. **First Reading of the Proposed Addition to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Section 111, Certificates of Occupancy and Completion; Subsection 111.2, Line Item 13, and 111.5, Related to Permits Issued Under the Provisions of Florida Statute 553.791**

a. Staff Report – Dr. Ana C. Barbosa

Dr. Ana Barbosa, Administrative Director, introduced the item. The amendment would provide a uniform statement in Certificates of Occupancy and Certificates of Completion stating to the certificate holder whether the plan review and inspection for the project were performed pursuant to Florida Statute 553.791. Yes-or-No checkboxes would also be added to indicate whether the plan review and inspections were conducted by a private provider.

b. Board Questions

In response to Mr. D'Attile, Dr. Barbosa explained that the statute has changed. Contractors may use building departments or private providers; however, the building official is still responsible for either.

Mr. Deveaugh referred to 553.791(1)(b) and questioned if the building department cannot replicate plan review, how could they look at the deficiencies? He pointed out the potential for disagreement going forward. Under 553.791(1)(l)4(p), the building official must review any documents to determine whether the fee owner has secured all other government approvals required by law. He questioned whether the applicant would be required to first obtain approvals from other government departments, such as zoning, fire, or engineering.

c. Board Action

Mr. Deveaugh made a motion to approve the revision on first reading as recommended, and Mr. D'Attile seconded the motion. The motion passed with one no vote.

4. **First Reading of the Proposed Revision to the Broward County Uniform Building Permit Application, related to the Owner's Authorization for a Contractor to use a Private Provider for Building Code Inspections and Plan Review Service, under the Provisions of Florida Statute 553.791(2)(a)**

a. Staff Report – Dr. Ana C. Barbosa

Dr. Ana Barbosa, Administrative Director, introduced the item. The purpose is uniformity countywide. The statute requires the fee owner to have a contract with the contractor; however, the building official may not request the contract. It is the contractor's responsibility to obtain the fee owner's authorization to use a private provider.

b. Board Questions

In response to Mr. D'Attile, Dr. Barbosa indicated that a contractor may use a private provider only with written authorization from the fee owner. Florida Statute 553.791(1)(l)4 lists the information required when a private provider is used, including notice to the building official. The fee owner is no longer required to secure a notarized signature. It provides uniformity county-wide.

c. Board Action

Mr. D'Attile made a motion to approve the revision on first reading as recommended, and Mr. Deveaugh seconded the motion. The motion passed by unanimous vote.

5. **2026 Board Nominations and Election of Officers**

Dr. Barbosa indicated that seated voting alternates this evening may vote but not make any nominations.

Mr. D'Attile nominated Mr. Deveaugh for the Chair position, and Mr. Rada seconded the nomination. There was unanimous agreement.

Mr. D'Attile nominated Mr. Badiu for the Vice Chair position, and Mr. Salgado seconded the nomination. There was unanimous agreement.

6. **Director's Report**

Dr. Barbosa mentioned the building recertification project for 2026-2027 that required everyone's participation.

7. **Attorney's Report**

Mr. Charles Kramer noted that the Board prevailed in the eighth legal proceeding filed by Mr. Jack Butler before the Florida Building Commission. The appeal time frame has lapsed.

8. **Committee Reports** - none

9. **General Board Member Discussion** - none

10. **Adjournment**

The meeting adjourned at 7:42 PM.

Consent Agenda: Item 1

TOWN OF DEERFIELD BEACH

Westenhiser, Matthew, Electrical Inspector (120-Day Temporary)

CITY OF HOLLYWOOD

Leveille, Jacques, Structural Inspector (120-Day Temporary)

Oliver, Sheila, Assistant Building Official

CITY OF LAUDERHILL

Cappola III, George E., Chief Electrical Inspector

CITY OF LAUDERDALE LAKES

Thoner, Jr., Robert, Chief Electrical Inspector

CITY OF MIRAMAR

Destajo, Jake, Fire Inspector

CITY OF POMPANO BEACH

Carlson, Jonathan, Structural Inspector – Limited (120-Day Temporary)

VILLAGE OF SEA RANCH LAKES

Hans, Stephen, Chief Structural Inspector

TOWN OF SOUTHWEST RANCHES

Bennett, Jeremie, Building Official

CITY OF TAMARAC

Deveaugh, Peter, Chief Electrical Inspector

CITY OF WILTON MANORS

Thoner, Jr., Robert, Chief Electrical Inspector

COUNTYWIDE

Castro, Carlos, Plumbing Inspector

Cata, Teresa, Mechanical Inspector

Cata, Teresa, Mechanical Plans Examiner

Kohn, Jordan, Electrical Inspector

Kohn, Jordan, Mechanical Inspector

Kohn, Jordan, Plumbing Inspector

Perera-Santos, Mariley, Structural Inspector

Perera-Santos, Mariley, Structural Plans Examiner

Santiago, Rollin, Structural Inspector

Santiago, Rollin, Structural Plans Examiner

Vayalinkal, Sebastian, Structural Plans Examiner

Regular Agenda: Item 1



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Chief Mechanical Code Compliance Officer

DATE: February 12, 2026

RE: First Reading of the Proposed Revision to the Broward County Amendments to the FBC, Chapter 1, Section 104.3.1 Interim Chief Inspector to Allow the BORA Administrative Director to Grant a One-Time 90-Day Extension to the Interim Chief Inspector Appointment

Recommendation

It is recommended that the Board of Rules and Appeals approve, by vote, the proposed revision to the Broward County Amendments to the FBC, Chapter 1, Section 104.3.1 Interim Chief Inspector.

Reasons

The proposed revision will provide consistency between the code language for the Interim Chief and the Interim Building Official. The proposed additional language allows BORA's Administrative Director, upon the written request of the Building Official and for demonstrated cause, to grant a one-time ninety (90) calendar-day extension of the Interim Chief appointment period.

Attachment

1. Draft of the revised Broward County Amendments to the FBC, Chapter 1, Section 104.3.1 Interim Chief Inspector.
2. Current Broward County Amendments to the FBC, Chapter 1, Section 104.1.1.1 Appointment of an Interim Building Official.

Respectfully Submitted,

A handwritten signature in black ink that reads "R Soto".

Rolando Soto

Draft of Proposed Code Change

104.3.1 Interim Chief Inspector. If a Chief Inspector's employment is terminated or is otherwise unavailable, an interim Chief Inspector may be appointed for up to ninety (90) days while the Chief Inspector is being replaced with a permanent appointee. An approved application for a Chief Inspector must be submitted to BORA before the ninety (90) days expire. At the written request of the Building Official, for demonstrated cause, a one-time ninety (90) calendar day extension may be granted by BORA's Administrative Director. Any additional extensions beyond this point must be requested in writing to BORA's Administrative Director a minimum of forty-five (45) calendar days prior to the second-period expiration date. This request must be reviewed and approved by the Board of Rules and Appeals at its next regularly scheduled meeting. The interim Chief Inspector shall be qualified as a Chief Inspector as specified in Section 104.5, 104.6, 104.7, or 104.8 of this Code. BORA shall be notified in writing by the Building Official of the name and starting date of the interim Chief Inspector. BORA will record the name of the interim Chief Inspector, but they will not be issued a certification card as the Chief Inspector.

For reference only, no changes are proposed.

104.1.1.1 Appointment of an Interim Building Official.

- a. If the Building Official is not available to perform their duties, each appointing authority shall appoint an Interim Building Official provided such person is qualified as set forth in Section 104.1.3 of this Code, BORA shall be timely notified in writing by the Building Official or appointing authority of the starting date and period that the interim Building Official or assistant Building Official will assume the Building Official's duties. BORA shall record the name of the interim Building Official, but they will not be issued a certification card as a Building Official. An Interim Building Official's appointment will be limited to ninety (90) calendar days. At the written request of the Chief Executive Officer (city manager, acting city manager, or mayor) for demonstrated cause, a one-time ninety (90) calendar days extension may be granted by BORA's Administrative Director. Any additional extensions beyond this point must be requested in writing to BORA's Administrative Director a minimum of forty-five (45) calendar days prior to the second-period expiration date. This request must be reviewed and approved by the Board of Rules and Appeals at its next regularly scheduled meeting.

Item 2



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Administrative Director

DATE: February 12, 2026

RE: Second Reading of the Proposed Revision to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Sections 104.1.1, Appointment of a Building Official, 104.2.1, Appointment of an Assistant Building Official, and 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector, Relating to Obtaining Written Authorization from City Managers to Serve More than Two (2) Jurisdictions Prior to Applying for Board Consideration

On January 8, 2026, the Board of Rules and Appeals approved the first reading for the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Sections 104.1.1, Appointment of a Building Official, 104.2.1, Appointment of an Assistant Building Official, and 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector, Relating to Obtaining Written Authorization from City Managers to Serve More than Two (2) Jurisdictions Prior to Applying for Board Consideration. The proposal is now presented for a second reading and public hearing.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "A. Barbosa", written over a white background.

Dr. Ana C. Barbosa



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Administrative Director

DATE: January 8, 2026

RE: First Reading of the Proposed Revision to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Sections 104.1.1, Appointment of a Building Official, 104.2.1, Appointment of an Assistant Building Official, and 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector, Relating to Obtaining Written Authorization from City Managers to Serve More than Two (2) Jurisdictions Prior to Applying for Board Consideration

Recommendation

It is recommended that the Broward County Board of Rules and Appeals approve, by vote, the First Reading of the Proposed Modification to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Sections 104.1.1, Appointment of a Building Official, 104.2.1, Appointment of an Assistant Building Official, and 104.3, Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector. This modification relates to requiring the applicant to obtain written authorization from City Managers to serve more than two (2) jurisdictions prior to applying for Board consideration.

Reasons

The proposed modification aligns the Code language with the procedures currently followed by BORA for applicants seeking to serve multiple jurisdictions as Building Officials, Assistant Building Officials, or Chief Inspectors. Under existing practice, individuals requesting to serve multiple jurisdictions for a permanent position shall not qualify for more than two (2) jurisdictions unless expressly authorized by the Board. As a condition of seeking Board approval to serve multiple jurisdictions, the applicant must obtain written authorization from the City Manager of each affected jurisdiction to BORA prior to applying for Board consideration.

Additional Information

Revised Florida Building Code, Broward County, Chapter 1, Sections 104.1.1, 104.2.1, and 104.3, with underlined proposed new code sections and ~~strickethrough~~ deletions of the current codes.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "A. Barbosa", written over a white background.

Dr. Ana C. Barbosa

CHAPTER 1
ADMINISTRATION – BROWARD COUNTY

Section 104 Powers and Duties of the Building Official, Assistant Building Official, Fire Code Official, Chief Inspector, Plan Examiner, and Inspector

104.1 Building Official.

104.1.1 Appointment of a Building Official. The appointing authority shall appoint a Building Official, and such person shall meet the following minimum qualifications and be certified by BORA, as specified in Section 104.1.3. The Building Official does not have to be personally present at the governmental department, as long as they are available and can perform their duties. ~~Individuals holding multiple certifications issued by BORA for permanent position of Building Official are restricted to qualifying a maximum of two (2) jurisdictions unless specifically approved by the Board. The City Manager of each jurisdiction shall be notified by BORA staff at any time that a Building Official is approved by the Board to serve more than one jurisdiction. Applicants requesting to serve multiple jurisdictions for a permanent Building Official position shall not qualify for more than two (2) jurisdictions unless expressly authorized by the Board. As a condition of seeking Board approval to serve multiple jurisdictions, the applicant must submit written authorization from the City Manager of each affected jurisdiction to BORA prior to applying for Board consideration.~~

104.1.1.1 Appointment of an Interim Building Official.

- a. If the Building Official is not available to perform their duties, each appointing authority shall appoint an Interim Building Official provided such person is qualified as set forth in Section 104.1.3 of this Code, BORA shall be timely notified in writing by the Building Official or appointing authority of the starting date and period that the interim Building Official or assistant Building Official will assume the Building Official's duties. BORA shall record the name of the interim Building Official, but they will not be issued a certification card as a Building Official. An Interim Building Official's appointment will be limited to ninety (90) calendar days. At the written request of the Chief Executive Officer (city manager, acting city manager, or mayor) for demonstrated cause, a one-time, ninety (90) calendar days extension may be granted by BORA's Administrative Director. Any additional extensions beyond this point must be requested in writing to BORA's Administrative Director a minimum of forty-five (45) calendar days prior to the second-period expiration date. This request must be reviewed and approved by the Board of Rules and Appeals at its next regularly scheduled meeting.
- b. If the Building Official's employment with the jurisdiction is terminated, an interim Building Official may be appointed while the Building Official is being replaced with a permanent appointee. The interim Building Official shall be qualified as a Building Official as specified in Section 104.1.3. An interim Building Official's appointment will be limited to ninety (90) calendar days. At the written request of the Chief Executive Officer (city manager, acting city manager, or mayor) for demonstrated cause, a one-time ninety (90) calendar days extension may be granted by BORA's Administrative Director. Any additional extensions beyond this point must be requested in writing to BORA's Administrative Director a minimum of forty-five (45) calendar days prior to the second-period expiration date. This request must be reviewed and approved by the Board of Rules and Appeals at its next regularly scheduled meeting. BORA shall record the name of the interim Building Official, but they will not be issued a certification card as a Building Official.

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

104.1.2.1 The Building Official or Chief Plumbing Inspector shall have the power to abate any nuisance by issuing a notice in writing to correct or eliminate the nuisance within a reasonable amount of time.

104.1.3 Certification of the Building Official and the Assistant Building Official. To be eligible for appointment as a Building Official or Assistant Building Official, such person shall be certified as required by BCAIB as a building code administrator.

104.1.3.1 Such person shall be certified by BORA and shall meet at least one of the following qualifications:

104.1.3.1.1 A Florida registered architect or licensed professional engineer having practiced for at least seven (7) years, a minimum of five (5) years shall have been within the jurisdiction of the HVHZ.

104.1.3.1.2 Ten (10) years combined experience as a master electrician, electrical contractor, general contractor, master mechanical, mechanical contractor, Class A air conditioning contractor, master plumber, plumbing contractor, chief inspector, standard plans examiner or inspector appointed by an AHJ or school board within the state of Florida. A minimum of five (5) years shall have been within the jurisdiction of the HVHZ.

104.1.3.2 As part of the experience requirements above, the applicant shall have been appointed as Chief Inspector, standard plans examiner or inspector by an AHJ or School Board within the State of Florida for a minimum of two (2) years.

104.1.3.3 Each of the applicants shall possess a current Certificate of Competency or a Professional Engineer License or Architect Registration issued by at least one (1) of the following entities:

1. Florida Construction Industry Licensing Board as a GC, mechanical contractor, or plumbing contractor.
2. Florida Electrical Contractors Licensing Board as an electrical contractor.
3. Broward County Central Examining Board of Building Construction Trades (as Class A unlimited general contractor.)
4. Broward County Central Examining Board of Electricians as a master electrician or electrical contractor.
5. Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors as a mechanical contractor or Class A air conditioning contractor.
6. Broward County Central Examining Board of Plumbers as a master plumber.
7. Miami-Dade County Construction Trades Qualifying Board for any of the above-referenced disciplines.
8. Florida Board of Architecture and Interior Design.
9. Florida Board of Professional Engineers.

104.1.3.4 An applicant for certification as Building Official or Assistant Building Official under the provisions of this section may only substitute two (2) years of HVHZ experience with two (2) years of statewide experience and passing the BORA HVHZ exam.

104.1.3.5 An applicant for certification as a Building Official or Assistant Building Official under the provisions of this section who is a graduate of an accredited school may be credited for a maximum of two (2) years for a bachelor's degree or a maximum of one (1) year for an associate degree towards the combined experience requirements. The bachelor's or associate must be a science degree in engineering, architecture, or building construction. This credit is not applicable to the requirements under Section 104.1.3.1.1.

104.1.3.6 The application for certification of the Building Official or Assistant Building Official shall be signed by the jurisdiction's Chief Executive Officer (city manager, acting city manager, or mayor).

104.2 Assistant Building Official.

104.2.1 Appointment of an Assistant Building Official. Each appointing authority may appoint a person qualified as set forth in Section 104.1.3 to serve as an Assistant Building Official. To be eligible for appointment as an Assistant Building Official, such person shall be certified by BORA and meet the qualifications equal to the requirements for a Building Official. No other title is recognized for certification by BORA. Applicants requesting to serve multiple jurisdictions for a permanent Assistant Building Official position shall not qualify for more than two (2) jurisdictions unless expressly authorized by the Board. As a condition of seeking Board approval to serve multiple jurisdictions, the applicant must submit written authorization from the City Manager of each affected jurisdiction to BORA prior to applying for Board consideration.

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

104.3 Appointment of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector. Each appointing authority shall appoint a person qualified as set forth in the below sections to serve as a Chief Inspector in each discipline stated above. If there is one (1) inspector of each discipline stated above, hired by an appointing authority in Broward County, that inspector shall be a Chief Inspector (Chief or head of the division). The Chief Inspector does not have to be personally present at the governmental department as long as they are available and can perform their duties. ~~Individuals holding multiple certifications issued by BORA for permanent position of Chief Inspector are restricted to qualifying a maximum of two (2) jurisdictions unless specifically approved by the Board. The City Manager of each jurisdiction shall be notified by BORA staff at any time that a Chief Inspector is approved by the Board to serve more than one jurisdiction.~~ Applicants requesting to serve multiple jurisdictions for a permanent Chief position shall not qualify for more than two (2) jurisdictions unless expressly authorized by the Board. As a condition of seeking Board approval to serve multiple jurisdictions, the applicant must submit written authorization from the City Manager of each affected jurisdiction to BORA prior to applying for Board consideration. To be eligible for appointment as a Chief inspector (each discipline stated above), such person shall be certified by BORA.

104.3.1 Interim Chief Inspector. If a Chief Inspector's employment is terminated or is otherwise unavailable, an interim Chief inspector may be appointed for up to ninety (90) days while the Chief Inspector is being replaced with a permanent appointee. An approved application for a Chief Inspector must be submitted to BORA before the ninety (90) days expires. Any additional extensions beyond this point must be requested in writing to BORA's Administrative Director a minimum of forty-five (45) calendar days prior to the second-period expiration date. This request must be reviewed and approved by the Board of Rules and Appeals at its next regularly scheduled meeting. The interim Chief Inspector shall be qualified as a Chief Inspector as specified in Section 104.5, 104.6, 104.7, or 104.8 of this Code. BORA shall be notified in writing by the Building Official of the name and starting date of the interim Chief Inspector. BORA will record the name of the interim Chief Inspector but they will not be issued a certification card as the Chief Inspector.

104.4 Powers and Duties of the Chief Electrical, Mechanical, Plumbing, and Structural Inspector. The Chief Inspector (each discipline stated above) shall be vested with the powers and subject to regulations by BORA as set forth in Section 113 of this Code. The Chief Inspector shall have the power to delegate powers, duties, and assignments to subordinate regular employees working under their authority but only to those certified by BORA as qualified to perform such powers, duties, and assignments within their discipline. It shall be their duty and responsibility to supervise and coordinate the work of all subordinate plans, examiners, and inspectors within their discipline. The Chief Inspector shall have the sole authority to render interpretations of this Code and adopt policies and procedures to clarify the application of its provisions within their discipline. Such interpretations, policies, and procedures shall comply with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided in this Code.

104.5 Certification of the Chief Electrical Inspector. To be eligible for appointment as a Chief Electrical Inspector, such person shall be certified as required by BCAIB as an electrical plans examiner and an electrical inspector. Engineers are exempt from BCAIB certification.

104.5.1 Such person shall be certified by BORA and shall meet the following qualifications:

104.5.1.1 An electrical plans examiner serving for a minimum of one (1) year for an AHJ or school board within the state of Florida and who complies with at least one (1) of the qualifications of Section 104.10.2.1.

104.5.2 Each of the applicants shall possess a current Certificate of Competency or a professional license in the discipline requested as a master electrician or electrical contractor or engineer issued by at least one of the following entities:

- A. Florida Electrical Contractors Licensing Board.
- B. Broward County Central Examining Board of Electricians.
- C. Miami-Dade County Construction Trades Qualifying Board.
- D. Florida Board of Professional Engineers.

104.6 Certification of the Chief Mechanical. To be eligible for appointment as a Chief Mechanical Inspector, such person shall be certified as required by BCAIB as a mechanical plans examiner and a mechanical inspector. Engineers are exempt from BCAIB certification.

104.6.1 Such person shall be certified by BORA and shall meet the following qualifications:

104.6.1.1 A Mechanical Plans Examiner serving for a minimum of one (1) year for an AHJ or School Board within the state of Florida and who complies with at least one (1) of the qualifications of Section 104.10.3.1.

104.6.2 Each of the applicants shall possess a current Certificate of Competency or a professional license in the discipline requested as a master mechanical or mechanical contractor or Class A air conditioning contractor or engineer issued by at least one (1) of the following entities:

- A. Florida Construction Industry Licensing Board.
- B. Broward County Central Examining Board of Mechanical Contractors and Specialty Mechanical Contractors.
- C. Miami-Dade County Construction Trades Qualifying Board.
- D. Florida Board of Professional Engineers.

104.7 Certification of the Chief Plumbing Inspector. To be eligible for appointment as a Chief Plumbing Inspector, such person shall be certified as required by BCAIB as a plumbing plans examiner and as a plumbing inspector. Engineers are exempt from BCAIB certification.

104.7.1 Such person shall be certified by BORA and shall meet the following qualifications:

104.7.1.1 A Plumbing Plans Examiner serving for a minimum of one (1) year for an AHJ or School Board within the State of Florida and who complies with at least one (1) of the qualifications of Section 104.10.4.1.

104.7.2 Each of the applicants shall possess a current Certificate of Competency or a professional license in the discipline requested as a master plumber, plumbing contractor, or engineer issued by at least one (1) of the following entities:

- A. Florida Construction Industry Licensing Board.
- B. Broward County Central Examining Board of Plumbers.
- C. Miami-Dade County Construction Trades Qualifying Board.
- D. Florida Board of Professional Engineers.

104.8 Certification of the Chief Structural Inspector. To be eligible for appointment as a Chief Structural Inspector, such person shall be certified as required by BCAIB as a standard plans examiner and standard inspector or be a Florida Registered Architect or Florida Licensed Professional Engineer in the discipline requested.

104.8.1 Such person shall be certified by BORA and shall meet the following qualifications:

104.8.1.1 Be a Standard Plans Examiner appointed as such for a minimum of one (1) year by an AHJ or School Board within the State of Florida and who complies with at least one (1) of the qualifications of Section 104.10.1.1.

104.8.2 Each of the applicants shall possess a current Certificate of competency as a GC or a Professional Engineer License or Architect registration issued by at least one (1) of the following entities:

- A. Florida Construction Industry Licensing Board.
- B. Broward County Central Examining Board of Building Construction Trades.
- C. Miami-Dade County Construction Trades Qualifying Board.
- D. Florida Board of Professional Engineers.
- E. Department of Business and Professional Regulation as an Architect.

Item 3



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Administrative Director

DATE: February 12, 2026

RE: Second Reading of the Proposed Addition to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Section 111, Certificates of Occupancy and Completion; Subsections 111.2, Line Item 13, and 111.5, Related to Permits Issued Under the Provisions of Florida Statute 553.791

On January 8, 2026, the Board of Rules and Appeals approved the first reading for the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Section 111, Certificates of Occupancy and Completion; Subsection 111.2, Line Item 13, and 111.5, Related to Permits Issued Under the Provisions of Florida Statute 553.791. The proposal is now presented for a second reading and public hearing.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "A. Barbosa", written over a white background.

Dr. Ana C. Barbosa



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Administrative Director

DATE: January 8, 2026

RE: First Reading of the Proposed Addition to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Chapter 1, Section 111, Certificates of Occupancy and Completion; Subsections 111.2, Line Item 13, and 111.5, Related to Permits Issued Under the Provisions of Florida Statute 553.791

Recommendation

It is recommended that the Board of Rules and Appeals approve, by vote, the proposed revision to the Broward County Amendments to the FBC, Chapter 1, Section 111, Certificates of Occupancy and Completion, Subsections 111.2, Line Item 13, and 111.5, related to permits issued under the provisions of Florida Statute 553.791.

Reasons

The proposed revision will provide a uniform statement in the Certificates of Occupancy and Completion issued throughout Broward County, clearly stating to the certificate holder whether the plan review and inspection for the project were performed under the provisions of Florida Statute 553.791.

Additional Information

Draft of the revised Broward County Amendments to the FBC, Chapter 1, Section 111, Certificates of Occupancy and Completion, Subsection 111.2, Certificate Issued, with underlined proposed new code sections and ~~strikethrough~~ deletions of the current codes.

Attachment

Florida Statute 553.791

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "A. Barbosa".

Dr. Ana C. Barbosa

**CHAPTER 1
ADMINISTRATION – BROWARD COUNTY**

Section 111 Certificates of Occupancy and Completion

111.1 Certificate of Occupancy.

111.1.1 Use and Occupancy No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or nature or use or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefor as provided herein. Said certificate shall not be issued until all requirements of the FBC and the FFPC have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the Building Official. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. See Florida Statute 553.791 (13) for additional requirements for the issuance of a Certificate of Occupancy or Certificate of Completion.

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

111.2 Certificate Issued. After the Building Official or duly authorized representative inspects the building or structure and does not find violations of the provisions of this Code or other laws that are enforced by the AHJ, the Building Official shall issue a Certificate of Occupancy or Certificate of Completion that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this Code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction.
7. The name of the Building Official.
8. The edition of the code under which the permit was issued.
9. The use and occupancy, in accordance with the provisions of FBC, Building, Chapter 3.
10. The type of construction as defined in FBC, Building, Chapter 6.
11. The design occupant load and the number of persons for each floor, and the allowable load live or dead per square foot for each floor in accordance with the provisions of this Code.
12. If an automatic sprinkler system is provided, whether the sprinkler system is required.
13. This Certificate of Occupancy is issued under the provisions of Florida Statute 553.791 utilizing:
 - Plan Review YES NO
 - Inspections YES NO
14. Any special stipulations and conditions of the building permit.

111.3 Temporary/Partial Certificate of Occupancy.

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

Exception: Two-way radio communication enhancement systems. For buildings not exempted by Florida Statute 633.202 (18)(h) from meeting the minimum radio signal strength requirements or having a radio signal strength assessment for public safety agency communications, see Florida Statute. 553.79(23).

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

111.4 Revocation. The Building Official is authorized to serve a notice of the suspension or revocation of the Certificate of Occupancy or Completion, issued under the provisions of this Code, in writing, on the person or persons using or causing the use of a building or structure, wherever the certificate is issued in error, or based on correct information supplied, or where it is determined that the building or structure or portion thereof violates any ordinance, regulation, any of the provisions of this Code or Fire Protection Provisions of this Code and the FFPC. After the receipt of such notice or order, the building or portion thereof shall be brought into compliance with this Code within a reasonable time, as determined by the Building Official.

111.5 Certificate of Completion. A Certificate of Completion is proof that a structure or system is complete and, for certain types of permits, is released for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a Certificate of Occupancy. For Certificate of Completion content, refer to Section 111.2.

ATTACHMENT

The 2025 Florida Statutes

Title XXXIII: REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS

Chapter 553 BUILDING CONSTRUCTION STANDARDS

553.791 Alternative plans review and inspection.—

(1) As used in this section, the term:

(a) “Applicable codes” means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and firesafety codes adopted pursuant to chapter 633.

(b) “Audit” means the process to confirm that the building code inspection services have been performed by the private provider, including ensuring that the required affidavit for the plan review has been properly completed and submitted with the permit documents and that the minimum mandatory inspections required under the building code have been performed and properly recorded. The local building official may not replicate the plan review or inspection being performed by the private provider, unless expressly authorized by this section.

(c) “Building” means any construction, erection, alteration, demolition, or improvement of, or addition to, any structure or site work for which permitting by a local enforcement agency is required.

(d) “Building code inspection services” means those services described in s. 468.603(5) and (8) involving the review of building plans as well as those services involving the review of site plans and site work engineering plans or their functional equivalent, to determine compliance with applicable codes and those inspections required by law, conducted either in person or virtually, of each phase of construction for which permitting by a local enforcement agency is required to determine compliance with applicable codes.

(e) “Deliver” or “delivery” means any method of delivery used in conventional business or commercial practice, including delivery by electronic transmissions.

(f) “Duly authorized representative” means an agent of the private provider identified in the permit application who reviews plans or performs inspections as provided by this section and who is licensed as an engineer under chapter 471 or as an architect under chapter 481 or who holds a standard or provisional certificate under part XII of chapter 468. A duly authorized representative who only holds a provisional certificate under part XII of chapter 468 must be under the direct supervision of a person licensed as a building code administrator under part XII of chapter 468.

(g) “Electronic signature” means any letters, characters, or symbols manifested by electronic or similar means which are executed or adopted by a party with an intent to authenticate a writing or record.

(h) “Electronic transmission” or “submitted electronically” means any form or process of communication not directly involving the physical transfer of paper or another tangible medium which is suitable for the retention, retrieval, and reproduction of information by the recipient and is retrievable in paper form by the receipt through an automated process. All notices provided for in this section may be transmitted electronically and shall have the same legal effect as if physically posted or mailed.

(i) “Electronically posted” means providing notices of decisions, results, or records, including inspection records, through the use of a website or other form of electronic communication used to transmit or display information.

(j) “Immediate threat to public safety and welfare” means a building code violation that, if allowed to persist, constitutes an immediate hazard that could result in death, serious bodily injury, or significant property damage. This paragraph does not limit the authority of the local building official to issue a Notice of Corrective Action at any time during the construction of a building project or any portion of such project if the official determines that a condition of the building or portion thereof may constitute a hazard when the building is put into use following completion as long as the condition cited is shown to be in violation of the building code or approved plans.

(k) “Local building official” means the individual within the governing jurisdiction responsible for direct regulatory administration or supervision of plans review, enforcement, and inspection of any construction, erection, alteration, demolition, or substantial improvement of, or addition to, any structure for which permitting is required to indicate compliance with applicable codes and includes any duly authorized designee of such person.

(l) “Permit application” means a properly completed and submitted application for the requested building or construction permit, including:

1. The plans reviewed by the private provider, or in the case of a single-trade plans review where a private provider uses an automated or software-based plans review system pursuant to subsection (6), the information reviewed by the automated or software-based plans review system to determine compliance with one or more applicable codes.
2. The affidavit from the private provider required under subsection (6).
3. Any applicable fees.

4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.
- (m) "Plans" means building plans, site engineering plans, or site plans, or their functional equivalent, submitted by a fee owner or fee owner's contractor to a private provider or duly authorized representative for review.
- (n) "Private provider" means a person licensed as a building code administrator under part XII of chapter 468, as an engineer under chapter 471, or as an architect under chapter 481. For purposes of performing inspections under this section for additions and alterations that are limited to 1,000 square feet or less to residential buildings, the term "private provider" also includes a person who holds a standard certificate under part XII of chapter 468.
- (o) "Private provider firm" means a business organization, including a corporation, partnership, business trust, or other legal entity, which offers services under this chapter to the public through licensees who are acting as agents, employees, officers, or partners of the firm. A person who is licensed as a building code administrator under part XII of chapter 468, an engineer under chapter 471, or an architect under chapter 481 may act as a private provider for an agent, employee, or officer of the private provider firm.
- (p) "Request for certificate of occupancy or certificate of completion" means a properly completed and executed application for:
1. A certificate of occupancy or certificate of completion.
 2. A certificate of compliance from the private provider required under subsection (13).
 3. Any applicable fees.
 4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.
- (q) "Single-trade inspection" or "single-trade plans review" means any inspection or plans review focused on a single construction trade, such as plumbing, mechanical, or electrical. The term includes, but is not limited to, inspections or plans reviews of door or window replacements; fences and block walls more than 6 feet high from the top of the wall to the bottom of the footing; stucco or plastering; reroofing with no structural alteration; solar energy and energy storage installations or alterations; HVAC replacements; ductwork or fan replacements; alteration or installation of wiring, lighting, and service panels; water heater changeouts; sink replacements; and repiping.
- (r) "Site work" means the portion of a construction project that is not part of the building structure, including, but not limited to, grading, excavation, landscape irrigation, and installation of driveways.
- (s) "Stop-work order" means the issuance of any written statement, written directive, or written order which states the reason for the order and the conditions under which the cited work will be permitted to resume.
- (2)(a) Notwithstanding any other law or local government ordinance or local policy, the fee owner of a building or structure, or the fee owner's contractor upon written authorization from the fee owner, may choose to use a private provider to provide building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services. All such services shall be the subject of a written contract between the private provider, or the private provider's firm, and the fee owner or the fee owner's contractor, upon written authorization of the fee owner. The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner's contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies of the local enforcement agency, may require the fee owner or the fee owner's contractor to use a private provider to also provide required building inspections.
- (b) If an owner or contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must reduce the permit fee by the amount of cost savings realized by the local enforcement agency for not having to perform such services. Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services. The local jurisdiction may not charge fees for building inspections if the fee owner or contractor hires a private provider to perform such services; however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both.
- (c) If an owner or a contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must provide equal access to all permitting and inspection documents and reports to the private provider, owner, and contractor if such access is provided by software that protects exempt records from disclosure.
- (3) A private provider and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification under chapter 468, chapter 471, or chapter 481, including single-trade inspections. A private provider may not provide building code inspection services pursuant to this section upon any building designed or constructed by the private provider or the private provider's firm.

(4) A fee owner or the fee owner's contractor using a private provider to provide building code inspection services shall notify the local building official in writing at the time of permit application, or by 2 p.m. local time, 2 business days before the first scheduled inspection by the local building official or building code enforcement agency that a private provider has been contracted to perform the required inspections of construction under this section, including single-trade inspections, on a form to be adopted by the commission. This notice shall include the following information:

(a) The services to be performed by the private provider.

(b) The name, firm, address, telephone number, and e-mail address of each private provider who is performing or will perform such services, his or her professional license or certification number, qualification statements or resumes, and, if required by the local building official, a certificate of insurance demonstrating that professional liability insurance coverage is in place for the private provider's firm, the private provider, and any duly authorized representative in the amounts required by this section.

(c) An acknowledgment from the fee owner or the fee owner's contractor in substantially the following form: I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. [553.791](#), Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 1 business day after any change or within 2 business days before the next scheduled inspection, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change.

(5) After construction has commenced and if either the local building official is unable to provide inspection services in a timely manner or the work subject to inspection is related to a single-trade inspection for a single-family or two-family dwelling, the fee owner or the fee owner's contractor may elect to use a private provider to provide inspection services by notifying the local building official of the owner's or contractor's intention to do so by 2 p.m. local time, 2 business days before the next scheduled inspection using the notice provided for in paragraphs (4)(a)-(c).

(6) A private provider performing plans review under this section shall review the plans to determine compliance with the applicable codes. For single-trade plans reviews, a private provider may use an automated or software-based plans review system designed to determine compliance with one or more applicable codes, including, but not limited to, the National Electrical Code and the Florida Building Code. Upon determining that the plans reviewed comply with the applicable codes, the private provider shall prepare an affidavit or affidavits certifying, under oath, that the following is true and correct to the best of the private provider's knowledge and belief:

(a) The plans were reviewed by the affiant, who is duly authorized to perform plans review pursuant to this section and holds the appropriate license or certificate.

(b) The plans comply with the applicable codes.

Such affidavit may bear a written or electronic signature and may be submitted electronically to the local building official.

(7)(a) No more than 20 business days, or if the permit application is related to a single-trade plans review for a single-family or two-family dwelling, no more than 5 business days, after receipt of a permit application and the affidavit from the private provider required pursuant to subsection (6), the local building official shall issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections. If the local building official does not provide a written notice of the plan deficiencies within the prescribed time period, the permit application must be deemed approved as a matter of law, and the permit must be issued by the local building official on the next business day.

(b) If the local building official provides a written notice of plan deficiencies to the permit applicant within the prescribed time period, the time period is tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to subsection (15) or to submit revisions to correct the deficiencies.

(c) If the permit applicant submits revisions, the local building official has the remainder of the tolled time period plus 5 business days after the date of resubmittal to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections. Any subsequent review by the local building official is limited to the deficiencies cited in the written notice. If the local building official does not provide the second written notice within the prescribed time period, the permit must be deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(d) If the local building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to subsection (15) or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the local building official has an additional 5 business days after the date of resubmittal to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections.

(8) A private provider performing required inspections under this section shall inspect each phase of construction as required by the applicable codes. Such inspection, including a single-trade inspection, may be performed in person or virtually. The private provider may have a duly authorized representative perform the required inspections, provided all required reports are prepared by and bear the written or electronic signature of the private provider or the private provider's duly authorized representative. The duly authorized representative must be an employee of the private provider entitled to receive reemployment assistance benefits under chapter 443. The contractor's contractual or legal obligations are not relieved by any action of the private provider.

(9) A private provider performing required inspections under this section shall provide notice to the local building official of the approximate date and time of any such inspection. The local building official may not prohibit the private provider from performing any inspection outside the local building official's normal operating hours, including after hours, weekends, or holidays. The local building official may visit the building site as often as necessary to verify that the private provider is performing all required inspections. A deficiency notice must be posted by the private provider, the duly authorized representative of the private provider, or the building department whenever a noncomplying item related to the building code or the permitted documents is found. Such notice may be physically posted at the job site or electronically posted. After corrections are made, the item must be reinspected by the private provider or representative before being concealed. Reinspection or reaudit fees shall not be charged by the local jurisdiction as a result of the local jurisdiction's audit inspection occurring before the performance of the private provider's inspection or for any other administrative matter not involving the detection of a violation of the building code or a permit requirement.

(10) If the private provider is a person licensed as an engineer under chapter 471 or an architect under chapter 481 and affixes his or her professional seal to the affidavit required under subsection (6), the local building official must issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections, within 10 business days after receipt of the permit application and affidavit. In such written notice, the local building official must provide with specificity the plan's deficiencies, the reasons the permit application failed, and the applicable codes being violated. If the local building official does not provide specific written notice to the permit applicant within the prescribed 10-day period, the permit application is deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(11) If equipment replacements and repairs must be performed in an emergency situation, subject to the emergency permitting provisions of the Florida Building Code, a private provider may perform emergency inspection services without first notifying the local building official pursuant to subsection (9). A private provider must conduct the inspection within 3 business days after being contacted to conduct an emergency inspection and must submit the inspection report to the local building official within 1 day after the inspection is completed.

(12) Upon completing the required inspections at each applicable phase of construction, the private provider shall record such inspections on a form acceptable to the local building official. The form must bear the written or electronic signature of the provider or the provider's duly authorized representative. These inspection records shall reflect those inspections required by the applicable codes of each phase of construction for which permitting by a local enforcement agency is required. The private provider, upon completion of the required inspection, shall post each completed inspection record, indicating pass or fail, and provide the record to the local building official within 2 business days. Such inspection record may be electronically posted by the private provider, or the private provider may post such inspection record physically at the project site. The private provider may electronically transmit the record to the local building official. The local building official may waive the requirement to provide a record of each inspection within 2 business days if the record is electronically posted or posted at the project site and all such inspection records are submitted with the certificate of compliance. Unless the records have been electronically posted, records of all required and completed inspections shall be maintained at the building site at all times and made available for review by the local

building official. The private provider shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.

(13) Upon completion of all required inspections, the private provider shall prepare a certificate of compliance, on a form acceptable to the local building official, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that, to the best of the private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes. The statement required of the private provider shall be substantially in the following form and shall be signed and sealed by a private provider as established in subsection (1) or may be electronically transmitted to the local building official:

To the best of my knowledge and belief, the building components and site improvements outlined herein and inspected under my authority have been completed in conformance with the approved plans and the applicable codes.

(14)(a) No more than 10 business days, or if the permit is related to single-family or two-family dwellings then no more than 2 business days, after receipt of a request for a certificate of occupancy or certificate of completion and the applicant's presentation of a certificate of compliance and approval of all other government approvals required by law, including the payment of all outstanding fees, the local building official shall issue the certificate of occupancy or certificate of completion or provide a notice to the applicant identifying the specific deficiencies, as well as the specific code chapters and sections.

(b) If the local building official does not provide notice of the deficiencies within the applicable time periods under paragraph (a), the request for a certificate of occupancy or certificate of completion is automatically granted and deemed issued as of the next business day. The local building official must provide the applicant with the written certificate of occupancy or certificate of completion within 10 days after it is automatically granted and issued. To resolve any identified deficiencies, the applicant may elect to dispute the deficiencies pursuant to subsection (15) or to submit a corrected request for a certificate of occupancy or certificate of completion.

(15) If the local building official determines that the building construction or plans do not comply with the applicable codes, the official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, if the official determines that the noncompliance poses an immediate threat to public safety and welfare, subject to the following:

(a) The local building official shall be available to meet with the private provider within 2 business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion.

(b) If the local building official and private provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, if one exists, which shall consider the matter at its next scheduled meeting or sooner. Any decisions by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter.

(c) Notwithstanding any provision of this section, any decisions regarding the issuance of a building permit, certificate of occupancy, or certificate of completion may be reviewed by the local enforcement agency's board of appeals, if one exists. Any decision by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter, which shall consider the matter at the commission's next scheduled meeting.

(16) For the purposes of this section, any notice to be provided by the local building official shall be deemed to be provided to the person or entity when successfully transmitted to the e-mail address listed for that person or entity in the permit application or revised permit application, or, if no e-mail address is stated, when actually received by that person or entity.

(17)(a) A local enforcement agency, local building official, or local government may not adopt or enforce any laws, rules, procedures, policies, qualifications, or standards more stringent than those prescribed by this section.

(b) A local enforcement agency, local building official, or local government may establish, for private providers, private provider firms, and duly authorized representatives working within that jurisdiction, a system of registration to verify compliance with the licensure requirements of paragraph (1)(n) and the insurance requirements of subsection (18).

(c) This section does not limit the authority of the local building official to issue a stop-work order for a building project or any portion of the project, as provided by law, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

(18) A private provider may perform building code inspection services on a building project under this section only if the private provider maintains insurance for professional liability covering all services performed as a private provider. Such insurance shall have minimum policy limits of \$1 million per occurrence and \$2 million in the aggregate for any project with a construction cost of \$5 million or less and \$2 million per occurrence and \$4 million in the aggregate for any project with a construction cost of over \$5 million. Nothing in this section limits

the ability of a fee owner to require additional insurance or higher policy limits. For these purposes, the term "construction cost" means the total cost of building construction as stated in the building permit application. If the private provider chooses to secure claims-made coverage to fulfill this requirement, the private provider must also maintain coverage for a minimum of 5 years subsequent to the performance of building code inspection services. The insurance required under this subsection shall be written only by insurers authorized to do business in this state with a minimum A.M. Best's rating of A. Before providing building code inspection services within a local building official's jurisdiction, a private provider must provide to the local building official a certificate of insurance evidencing that the coverages required under this subsection are in force.

Item 4



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Administrative Director

DATE: February 12, 2026

RE: Second Reading of the Proposed Revision to the Broward County Uniform Building Permit Application, Related to the Owner's Authorization for a Contractor to use a Private Provider for Building Code Inspections and Plan Review Service, Under the Provisions of Florida Statute 553.791(2)(a)

On January 8, 2026, the Board of Rules and Appeals approved the first reading for the Broward County Uniform Building Permit Application, Related to the Owner's Authorization for a Contractor to use a Private Provider for Building Code Inspections and Plan Review Service, Under the Provisions of Florida Statute 553.791(2)(a). The proposal is now presented for a second reading and public hearing.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "A. Barbosa", written over a white background.

Dr. Ana C. Barbosa



Broward County Board of Rules and Appeals

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

broward.org/CodeAppeals | 954-765-4500 | rulesboard@broward.org

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

FROM: Administrative Director

DATE: January 8, 2026

RE: First Reading of the Proposed Revision to the Broward County Uniform Building Permit Application, Related to the Owner's Authorization for a Contractor to use a Private Provider for Building Code Inspections and Plan Review Service, Under the Provisions of Florida Statute 553.791(2)(a)

Recommendation

It is recommended that the Broward County Board of Rules and Appeals approve, by vote, the proposed revision to the Broward County Uniform Building Permit Application, specifically, the addition of a checkbox for contractors to certify that they have obtained the required written authorization from the fee owner to use a private provider for building code inspections and plan review services.

Reasons

Under Florida Statute 553.791(2)(a), a contractor may only use a private provider if the contractor has written authorization from the fee owner. Section 553.791(4) lists all information that must be provided to the building official when a private provider is used, including Form #61G20-2.005-2002-01, Notice to Building Official of Use of Private Provider, adopted by the Florida Building Commission. By confirming compliance through attestation rather than documentation, we ensure that the permitting processes remain compliant.

Additional Information

Draft of the revised Broward County Uniform Building Permit Application

Attachment

Florida Statute Sections 553.791(2)(a), 553.791(4) and 553.791(17)(a)

Respectfully Submitted,

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

Dr. Ana C. Barbosa

BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION

Revised Date: 01-08-2026
Effective Date: 03-09-2026

Select One Trade: Building Electrical Plumbing Mechanical Other _____

Private Provider? YES NO If yes, attach [Form # 61G20-2.005-2002-01](#)

Per F.S. 553.791(2)(a), do you have the written fee owner's authorization to use a private provider? YES NO

Application Number: _____ Application Date: _____

1

Job Address: _____ Unit: _____ City: _____

Tax Folio No.: _____ Flood Zn: _____ BFE: _____ Floor Area: _____ Job Value: _____

Building Use: _____ Construction Type: _____ Occupancy Group: _____

Present Use: _____ Proposed Use: _____

Description of Work: _____

New Addition Repair Alteration Demolition Revision Other: _____

Legal Description: _____ Attachment

2

Property Owner: _____ Phone: _____ Email: _____

Owner's Address: _____ City: _____ State: _____ Zip: _____

3

Contracting Co.: _____ Phone: _____ Email: _____

Company Address: _____ City: _____ State: _____ Zip: _____

Qualifier's Name: _____ Owner-Builder License Number: _____

License Exempted per F.S. 489.117(4)(a)1 Business Tax Receipt Number: _____

4

Architect/Engineer's Name: _____ Phone: _____ Email: _____

Architect/Engineer's Address: _____ City: _____ State: _____ Zip: _____

Bonding Company: _____

Bonding Company's Address: _____ City: _____ State: _____ Zip: _____

Fee Simple Titleholder's Name (If other than the owner) _____

Fee Simple Titleholder's Name (If other than the owner) _____ City: _____ State: _____ Zip: _____

Mortgage Lender's Name: _____

Mortgage Lender's Address: _____ City: _____ State: _____ Zip: _____

BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION

Job Address: _____ Unit: _____ City: _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Notary signature blocks for Property Owner or Agent and Qualifier, including fields for State of Florida, County, Notary Name, and identification type.

APPROVED BY: _____ Permit Officer Issue Date: _____ Code in Effect: _____
FOR OFFICE USE ONLY FOR OFFICE USE ONLY FOR OFFICE USE ONLY

A jurisdiction may use a supplemental page to request additional information and cite other conditions. Please inquire.

Note: If any development work as described in FS 380.04 Sec. 2 A-G is to be performed, a development permit must be obtained prior to the issuance of a building permit.

ATTACHMENT

The 2025 Florida Statutes

Title XXXIII: REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS

Chapter 553 BUILDING CONSTRUCTION STANDARDS

553.791 Alternative plans review and inspection.

(2)(a) Notwithstanding any other law or local government ordinance or local policy, the fee owner of a building or structure, **or the fee owner's contractor upon written authorization from the fee owner**, may choose to use a private provider to provide building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services. All such services shall be the subject of a written contract between the private provider, or the private provider's firm, and the fee owner or the fee owner's contractor, upon written authorization of the fee owner. The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner's contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies of the local enforcement agency, may require the fee owner or the fee owner's contractor to use a private provider to also provide required building inspections.

(4) A fee owner or the fee owner's contractor using a private provider to provide building code inspection services shall notify the local building official in writing at the time of permit application, or by 2 p.m. local time, 2 business days before the first scheduled inspection by the local building official or building code enforcement agency that a private provider has been contracted to perform the required inspections of construction under this section, including single-trade inspections, on a form to be adopted by the commission. This notice shall include the following information:

- (a) The services to be performed by the private provider.
- (b) The name, firm, address, telephone number, and e-mail address of each private provider who is performing or will perform such services, his or her professional license or certification number, qualification statements or resumes, and, if required by the local building official, a certificate of insurance demonstrating that professional liability insurance coverage is in place for the private provider's firm, the private provider, and any duly authorized representative in the amounts required by this section.
- (c) An acknowledgment from the fee owner or the fee owner's contractor in substantially the following form:

I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 1 business day after any change or within 2 business days before the next scheduled inspection, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change.

(17)(a) A local enforcement agency, local building official, or local government may not adopt or enforce any laws, rules, procedures, policies, qualifications, or standards more stringent than those prescribed by this section.