

Broward County Board of Rules and Appeals Meeting Minutes, July 10, 2025

I. CALL MEETING TO ORDER

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

II. ROLL CALL

R. Art Kamm, Chairman	Stephen E. Bailey, Vice Chairman
Eduard Badiu	Gregg D’Attile
Peter Deveaugh	Jeff Falkanger
Steven Feller	Sergio Pellecer
Michael Rada	Anthony Salgado
Dennis Ulmer	Derek Wassink
Lynn Wolfson	

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES – May 8, 2025, Board Meeting

Mr. Feller made a motion, and Mr. Badiu seconded the motion to approve the May 8, 2025, minutes, as submitted. The motion passed by unanimous vote.

Dr. Barbosa announced and welcomed the new Board members: Anthony Salgada, Michael Rada, and Scott Taggart, as well as Dr. Eduard Badiu, Derek Wassink, and Jeff Falkanger, who were moved from alternate Board members to voting Board members.

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

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

VII. REGULAR AGENDA

1. Second Reading of Proposed New Code Sections of the Broward Local Fire Code F-104.2.1, Certification of Assistant Fire Marshal, and F-107.4, In-Progress (Rough) Inspections. Update F-123.2 and F-123.4 to reflect the correct NFPA 96-2021 Code Section.

a. Staff Report

Dr. Ana Barbosa, Administrative Director, noted that the first reading was held on May 8th. This evening is the public hearing.

b. Public Hearing – none

c. Board Questions

There was a brief discussion concerning inspection responsibility for cooking ventilation systems in response to Mr. Deveaugh.

d. Board Action

Mr. Deveaugh made a motion, and Dr. Badiu seconded the motion to approve the amendments on second and final reading. The motion passed by unanimous vote.

2. First Reading of the Proposed Modification to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Section 110.3.13, Virtual Inspections.

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted that staff were asked at the May 8th Board meeting to present a code amendment concerning virtual inspections. The change presented would align the Broward County Code with Florida Statutes. Also, staff are recommending voluntary guidelines based on an ICC (International Code Council) document to promote countywide consistency and facilitate the implementation of virtual inspections. Staff also recommends a voluntary Notice of Consent for virtual inspections for countywide consistency.

b. Board Questions

Mr. D'Attile felt there were many more procedures than what was provided in the state statutes. Mr. Soto indicated that the Guidelines are voluntary. Mr. D'Attile was opposed to the Guidelines and Notice of Consent.

Mr. Deveaugh understood that the statute allows it at the discretion of the AHJ (Authority Having Jurisdiction). If the AHJ allows it, the guidelines are for the AHJ to follow. Mr. Soto agreed with Mr. Deveaugh's assessment and said that the voluntary guidelines were added to help municipalities if they decide to perform virtual inspections.

Dr. Barbosa explained that this allows building departments to perform virtual inspections, which are already allowed for private providers. The guidelines are for the building department, not the contractor.

Mr. Bailey felt that there was some redundancy in the guidelines. Mr. Soto explained that the inspector has the authority to decide if a particular inspection should be conducted in person.

Mr. Soto clarified that private providers are not required to comply with the Guidelines and Notice of Consent.

Mr. Rada commented that he conducted many inspections for the City of Pompano Beach. He believed that when a virtual inspection is two-dimensional, it increases the probability of error, although it is useful in some cases. It seems that the path is toward less stringent standards. Mr. Soto emphasized that the guidelines and the code amendment are separate. Mr. Deveaugh pointed out that the four options for virtual inspections have been removed, and everything is subject to the discretion of the AHJ. Chairman Kamm noted that it is also the state statute. Mr. Soto concurred.

c. Board Action

Mr. Bailey made a motion, and Mr. Feller seconded the motion to approve the code amendment as presented on the first reading. The motion passed by unanimous vote.

3. Proposed Modifications to Broward County Administrative Amendments to Chapter 1 of the Florida Building Code, Sections 107.1, 107.3.4, and 202; Related to Requirements for Professional Design.

a. Staff Report

Dr. Ana Barbosa, Administrative Director, presented Mr. Jack Butler's request for this code modification. Staff recommends denial of the modification. Mr. Butler's proposal did not recognize Broward County's geographic location in the High-Velocity Hurricane Zone. It would also remove the building official's authority to require a professional designer in certain circumstances. However, the staff recommends changes in Section 107.3.4. This proposal will align the Broward County Administrative Amendments with Florida statute.

b. Board Questions - none

c. Board Action

Dr. Badiu made a motion, and Mr. Deveaugh seconded the motion to deny the code modifications proposed by Mr. Jack Butler. The motion passed by a vote of 12-1, with Mr. Falkanger voting no.

Mr. D'Attile made a motion, and Mr. Deveaugh seconded the motion to approve the changes to Section 107.3.4, Requirements for Professional Design on first reading. The motion passed by unanimous vote.

4. Director's Report

Dr. Barbosa advised that Appeal #25-02, which was referred to the Ad Hoc Committee, has been postponed until the end of September and will, therefore, be scheduled for the October Board agenda.

She also noted her upcoming vacation leave.

5. Attorney's Report - none

6. Committee Reports - none

7. General Board Member Discussion - none

8. Adjournment

The meeting adjourned at 7:38 PM.



Chairman