

# Broward County Board of Rules and Appeals Meeting Agenda

March 13, 2025

Time: 7:00 PM

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1606031223>

Meeting ID: 160 603 1223

**I. CALL MEETING TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF AGENDA**

**IV. APPROVAL OF MINUTES** – February 13, 2025, 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**

**BROWARD SHERIFF’S OFFICE FIRE RESCUE**

Ramos, Raul, Fire Inspector

**TOWN OF DAVIE**

Hassenplug, Jeremy Werner, Assistant Building Official

**TOWN OF LAUDERDALE-BY-THE-SEA**

Singh, Michael V., Chief Electrical Inspector

**CITY OF LAUDERHILL**

Merowitz, Michael P., Chief Mechanical Inspector

**CITY OF MIRAMAR**

Ten, Julie, Fire Inspector

**CITY OF TAMARAC**

Alexander, Diko, Assistant Building Official

**VII. REGULAR AGENDA**

**1. Second Reading of Proposed Changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel**

- a. Staff Report – Michael Guerasio
- b. Public Hearing
- c. Board Questions
- d. Board Action

**2. Amendment to Board Policy #14-02, Policy/Affidavit to ensure compliance with Chapter 71-575, Section 4(b), Laws of Florida**

- a. Staff Report – Dr. Ana Barbosa
- b. Board Questions
- c. Board Action

3. **Extension Request to Close Out an Open Permit for Mr. Fabio Sarmiento**
  - a. Staff Report – Jack Morell
  - b. Board Questions
  - c. Board Action
4. **Director's Report**
5. **Attorney's Report**
6. **Committee Reports**
7. **General Board Member Discussion**
8. **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).*

February 13, 2025  
Board Meeting Minutes

# Broward County Board of Rules and Appeals Meeting Minutes

February 13, 2025

Time: 7:00 PM

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1612065275>

Meeting ID: 1612065275

## 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	John Famularo
Stephen E. Bailey, Vice Chairman	Shalanda Giles-Nelson
Eduard Badiu	Daniel Rourke
Ron Burr	Robert Taylor
Peter Deveaugh	Dennis Ulmer
Steven Feller	

## III. APPROVAL OF AGENDA

Mr. Burr made a motion, and Mr. Deveaugh seconded the motion to approve the agenda as posted. The motion was carried out through a unanimous vote of 11-0.

## IV. APPROVAL OF MINUTES – January 9, 2025, Board Meeting

Mr. Burr made a motion, and Mr. Badiu seconded the motion to approve the January 9, 2025, minutes as submitted. The motion was carried out through a unanimous vote of 11-0.

## 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. Badiu seconded the motion, to approve the certifications as recommended. The motion was carried out by a unanimous vote of 11-0.

#### **CITY OF CORAL SPRINGS**

Torres, Natalia, Fire Inspector

#### **CITY OF DEERFIELD BEACH**

Gonzalez, Javier Perez, Sr., Structural Inspector (Temporary 120-Day)  
Guendjoian, Armen, Chief Plumbing Inspector

#### **CITY OF FORT LAUDERDALE**

Brown, James Martin, Electrical Inspector (Temporary 120-Day)  
Miller, Jason W., Fire Marshal  
Williams, Katie, Assistant Fire Marshal

#### **TOWN OF LAUDERDALE-BY-THE-SEA**

O'Linn, Daniel F., Assistant Building Official  
O'Linn, Daniel F., Chief Structural Inspector

**CITY OF LAUDERHILL**

Gregory, Kevin L., Chief Plumbing Inspector

**CITY OF HOLLYWOOD**

Lozano, Frank, Plumbing Inspector (Provisional)

**CITY OF MIRAMAR**

Perez, Anthony, Fire Inspector

**CITY OF PEMBROKE PINES**

Belisle, Jean Pierre Atelyo, Chief Plumbing Inspector

**CITY OF PLANTATION**

Merritt, Steven K., Assistant Fire Marshall

**TOWN OF SOUTHWEST RANCHES**

Bennett, Jeremie, Chief Structural Inspector

**COUNTYWIDE**

Ionescu, Severian M., Structural Inspector

Joseph, Tony, Electrical Plans Examiner

Martinez, Giordano Nestor, Structural Plans Examiner

Velasquez, Jose J., Mechanical Inspector

Velasquez, Jose J., Structural Plans Examiner

**REGULAR AGENDA**

**1. First Reading of Proposed Changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Sections 104.12.3, Certification of the Electrical Inspector, 104.13.3, Certification of the Mechanical Inspector, and 104.14.3, Certification of the Plumbing Inspector**

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted that recently, a request was made, and the Board voted to provide two years for an individual in the structural discipline with ten years of experience to obtain a contractor's license. The Board referred the proposal to give the same two-year period to individuals in the mechanical, electrical, and plumbing disciplines to the Certification Standards Review Committee. The Committee met and recommended the proposal today to give the same two-year period to individuals in the mechanical, electrical, and plumbing disciplines. Currently, an individual who has a Journeyman's license can be an inspector.

b. Board Questions

Mr. Deveaugh was opposed to allowing an individual who does not possess any license to be an inspector. He recalled when the contractor license requirement was reduced to Journeyman several years ago in the hope of attracting more individuals to the inspector field, but it was not successful. Moreover, only four years of experience is required to sit for the exam.

c. Board Action

Mr. Feller made a motion, and Mr. Deveaugh seconded the motion to deny the code amendment. The motion was carried out through a unanimous vote of 11-0.

2. **First Reading of Proposed Changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel**

a. Staff Report

Mr. Michael Guerasio, Chief Structural Code Compliance Officer, noted that this matter was also presented to the Certification Standards Review Committee. In the 2024 legislative session, a Senate bill was adopted that exempts individuals who have continuously held a BCAIB license (Building Code Administrators and Inspectors Board) for at least ten years with no disciplinary action imposed on them and would be exempt from continuing education units (CEU's). The bill has an expiration of January 1, 2026. It does not exempt anyone who has held their license for less than ten years for the license renewal cycle. BORA mirrors the State on the renewal cycle and continues to require CEUs. The State requires six hours of specific categories and will continue to be required for those with less than ten years of experience. The proposal before the Board is to add the six hours into Section 104.18.1.3 of Chapter 1. A title is recommended to be added for clarity, as well as some terminology changes, including changing contact hours to continuing educational hours. Language is being added to Section 104.18.1.2 to clarify the section for building departments that are contracted, i.e. CAP Government.

b. Board Questions

With reference to Section 104.18.1.3, Ms. Giles-Nelson suggested "of" be removed from the second line.

c. Board Action

Mr. Feller made a motion, and Ms. Giles-Nelson seconded the motion, to approve the code amendment on first reading with the changes noted during discussion of the item. The motion was carried out through a unanimous vote of 11-0.

3. **Proposal to Change Board Meeting Start Time from 7:00 P.M. to 11:30 A.M.**

a. Staff Report

Dr. Ana Barbosa, Administrative Director, noted this item is in response to the request to change the meeting start time. She highlighted reasons noted in the agenda memorandum of February 13, 2025.

b. Board Questions

Mr. Bailey was concerned about the potential for Board members having to leave prior to the meeting being adjourned and the legal impact. Unless the meeting time would be limited, 11:30 AM does not work.

Mr. Ulmer pointed out that members of the Board are appointed public officials. He noted that he was appointed as the consumer advocate and, therefore, represents the people. He believed that citizens desire evening meetings. It has nothing to do with the convenience of the Board members.

Mr. Burr agreed with Mr. Ulmer. The purpose of the Board is to work with the community.

Dr. Barbosa noted that Mr. Lavrich is opposed to the change. She went on to note his reasoning.

Ms. Giles-Nelson commented that she is available whether it be during the day or evening, and pointed out that there are some governmental meetings that take place during the day.

c. **Board Action**

Mr. Feller made a motion, and Mr. Bailey seconded the motion, to deny the change. The motion was carried out through a unanimous vote of 11-0.

**4. Director's Report**

Dr. Barbosa indicated that she had surveyed the Board about having one in-person meeting. There were seven in favor and four opposed.

Dr. Barbosa noted that the average cost for a Board meeting agenda booklet is \$176. She wanted to gauge the interest in Board members being provided a tablet where the meeting information would be uploaded.

**5. Attorney's Report**

Mr. Charles Kramer noted that Mr. Butler has filed a fifth action concerning the Board of Rules and Appeals. He provided status reports. Also, an appeal and complaint to the 17<sup>th</sup> Circuit Court for injunctive relief have been filed. He will likely instruct Dr. Barbosa to decline to respond to the appeal because of the potential for conflicting adjudication.

**6. Committee Reports - None**

**7. General Board Member Discussion**

Mr. Ulmer referred to issues Dr. Barbosa noted last month concerning the building where the BORA offices are located and asked about the current working conditions. Dr. Barbosa indicated that there are constant issues with the building. It is minimal space that is costly and not adequate. In further response to Mr. Ulmer, Dr. Barbosa indicated that she could be authorized to investigate securing new space in the Plantation general area. It could be included in the 2027-2028 budget cycle.

Mr. Ulmer made a motion, and Mr. Feller seconded the motion, authorizing the Administrative Director to look into alternative office space for the BORA offices. The motion was carried out through a unanimous vote of 11-0.

**8. Adjournment**

The meeting adjourned at 7:34 PM.

# Consent Agenda: Item 1

**BROWARD SHERIFF'S OFFICE FIRE RESCUE**

Ramos, Raul, Fire Inspector

**TOWN OF DAVIE**

Hassenplug, Jeremy Werner, Assistant Building Official

**TOWN OF LAUDERDALE-BY-THE-SEA**

Singh, Michael V., Chief Electrical Inspector

**CITY OF LAUDERHILL**

Merowitz, Michael P., Chief Mechanical Inspector

**CITY OF MIRAMAR**

Ten, Julie, Fire Inspector

**CITY OF TAMARAC**

Alexander, Diko, Assistant Building Official

# Regular Agenda: Item 1



## Broward County Board of Rules and Appeals

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

[broward.org/CodeAppeals](http://broward.org/CodeAppeals) | 954-765-4500 | [rulesboard@broward.org](mailto:rulesboard@broward.org)

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

**FROM:** Administrative Director

**DATE:** March 13, 2025

**RE:** Second Reading of Proposed Changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel

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The Board of Rules and Appeals approved the proposed changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel on the first reading on February 13, 2025. It is now scheduled for a second reading and public hearing.

Respectfully Submitted,

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

Dr. Ana C. Barbosa



## Broward County Board of Rules and Appeals

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

[broward.org/CodeAppeals](http://broward.org/CodeAppeals) | 954-765-4500 | [rulesboard@broward.org](mailto:rulesboard@broward.org)

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

**FROM:** Chief Structural Code Compliance Officer

**DATE:** February 13, 2025

**RE:** First Reading of Proposed Changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel

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### **Recommendation**

It is recommended that the Broward County Board of Rules and Appeals approve, by vote, changes to the Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel, Subsections 104.18.1.2 and 104.18.1.3, Continuing Education.

### **Reasons**

The BORA Certification Standards Review Committee convened on January 15, 2025, and recommended the following proposed changes by a majority vote:

- Add “or contracted with” to Section 104.18.1.2
- Designate 6 hours of required continuing education in specific categories into Section 104.18.1.3.
  - 2-hours of Energy Conservation
  - 1-hour in Accessibility
  - 2-hours of Florida Laws and Rules (other than Accessibility and Ethics)
  - 1-hour of Ethics
- Add a title: “Continuing Education”
- Replace “contact hours” with “continuing educational hours”
- Correct additional Scrivener errors throughout this section

### **Additional Information**

- Exhibit 1: Florida Building Code, Broward County Administrative Amendments, Chapter 1, 8th (2023) Edition, Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel.

Respectfully Submitted,

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

Michael Guerasio

EXHIBIT 1

BORA RECERTIFICATION REQUIREMENTS

104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel

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

104.18.1.1 Be currently certified by BORA.

104.18.1.2 Be employed by or contracted with a governmental AHJ (building department) within Broward County. See Section 104.17.

104.18.1.3 **Continuing Education.** All Building Officials, assistant Building Officials, Chief Inspectors, Plans Examiners, and Inspectors to be recertified shall obtain twenty-eight (28) ~~contact~~ continuing education hours within a the two (2) consecutive calendar year biennial renewal period (starting January 1, on an even year, through December 31, of the next odd year). Continuing education hours can be obtained by attending a classroom or online educational courses, workshops, and seminars. Any of which shall be approved by BORA, the Miami-Dade County Code Compliance Office, or the Florida Department of Business and Professional Regulation. Continuing education ~~contact~~ hours shall include 2-hours of energy conservation, 1-hour in accessibility, 2-hours of Florida laws and rules (other than accessibility and ethics), and 1-hour of ethics. ~~courses approved as discipline-specific (courses which are specific to the code chapters enforced by the specific discipline) and general courses. Courses mandated for license holders by the state of Florida Boards~~ These courses shall be classified as general courses unless clearly indicated as discipline-specific by a State agency. A minimum of one-half (½) of the twenty-eight (28) ~~contact~~ continuing education hours within a two (2) consecutive calendar year biennial renewal period shall be the discipline-specific category. ~~Meetings~~ of BORA committee meetings shall be counted as one (1) hour in the general category, and professional association meetings shall be counted as not to exceed one (1) hour in the discipline-specific category for a maximum of fourteen (14) ~~contact~~ continuing education hours within a the two (2) consecutive calendar year biennial renewal period.

# Item 2



# Broward County Board of Rules and Appeals

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

[broward.org/CodeAppeals](http://broward.org/CodeAppeals) | 954-765-4500 | [rulesboard@broward.org](mailto:rulesboard@broward.org)

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

**FROM:** Administrative Director

**DATE:** March 13, 2025

**RE:** Amendment to Board Policy #14-02, Policy/Affidavit to Ensure Compliance with Chapter 71-575, Section 4(b), Laws of Florida

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## **Recommendation**

It is recommended that the Board of Rules and Appeals adopt, by vote, to amend Board Policy #14-02, Policy/Affidavit to ensure compliance with Chapter 71-575, allowing inspectors to engage in free enterprise outside of Broward County.

## **Reasons**

At the November 2024 Board meeting, a motion was passed to establish an Ad Hoc Committee tasked with reviewing and presenting recommendations on Board Policy #14-02. The Committee held two meetings, both of which were open to the public. After thorough discussions, the Committee voted to allow inspectors to engage in free enterprise outside of Broward County and proposed enforcement measures for non-compliance.

## **Key Discussion Points from the Committee Meetings:**

- Some members suggested limiting the restriction to the city where the inspector is employed rather than applying a countywide ban.
- Comparing neighboring counties. All but two cities in Miami-Dade County allow inspectors to practice free enterprise outside their employed municipality. In Palm Beach County, all cities except Boca Raton have no restrictions for their inspectors. The City of Boca Raton does not allow its employed inspectors to practice free enterprise in its municipality.
- Ethical concerns were acknowledged, but some committee members believed that penalties would serve as a deterrent to unethical behavior rather than an outright ban.
- Job recruitment remains a critical economic driver, particularly as cities compete with private providers who are not certified by BORA but can still work for municipalities using their licenses as qualifiers.
- If the proposed policy is implemented, the Committee recommended reconvening in the future to review its effectiveness and compliance.

## **Recommended Penalties for Violations of Board Policy #14-02:**

To ensure adherence to the new policy, the Committee proposed the following enforcement measures for inspectors who violate Board Policy #14-02:

1. **Formal Reprimand** – A written reprimand will be issued and recorded in the violator's professional file.
2. **Probation** – The violator may be placed on probation for a specified period.
3. **Suspension of Certification** – The Board may suspend the violator's certification for a determined period, during which the individual will be prohibited from performing duties requiring certification.

These recommendations aim to maintain ethical standards while addressing workforce challenges. The committee recommends the Board review these recommendations and determine the best course of action to ensure fairness, compliance, and sustainability within the inspection workforce.

Respectfully Submitted,

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

Dr. Ana C. Barbosa

**Policy/Affidavit to Ensure Compliance with Chapter 71-575, Section 4(b), Laws of Florida**

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**NOTICE**

All applicants for certification or recertification ~~are required to~~ must execute the following statement and ~~to~~ have the same notarized by a duly authorized notary. Failure to execute and have this statement notarized will prevent the certification or re-certification process from proceeding to completion.

**THE UNDERSIGNED HEREBY VOLUNTARILY AND KNOWINGLY STATES AS FOLLOWS:**

The undersigned has read Chapter 71-575, Section 4(b), Laws of Florida, and has had the opportunity to have the same reviewed and explained by legal counsel. Undersigned understands the terms of same and that their Certificate of Competency shall not be used to engage in free enterprise within Broward County, thereby competing against persons or firms that may do business within Broward County whose work they may also inspect, nor may they allow their Certificate of Competency to be used by another person or firm. This includes any activity, such as, but not limited to, bidding, contracting, code consulting, design, employment, plan review, special building inspections, etc. The undersigned ~~applying makes an application~~ for certification or recertification, affirms compliance with the aforementioned Code Section, and vouches for the truth and accuracy of all statements and answers herein ~~contained~~ by affixing their signature below. The undersigned agrees that failure to comply with the requirements of Chapter 71-575 shall be considered a material breach of the terms of certification and may result in decertification/ denial of certification.

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Printed Name and Signature of Applicant

**State of Florida**

**SS |**

**County of Broward**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me the above-named individual who signed the foregoing instrument declaring same to be true to his knowledge and belief.

Notary-Public:

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(Printed name and Signature of Notary Public, State of Florida)

(NOTARY SEAL)

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



**Broward County Board of Rules and Appeals  
Ad Hoc Committee for Policies #14-02 and #18-02  
February 12, 2025, Meeting Minutes**

Chair Giles-Nelson called a published meeting of the Ad Hoc Committee to order at 11:30 AM. Chair Giles-Nelson noted that the purpose of this meeting is to discuss Board of Rules and Appeals Policies #14-02 and #18-02. If Policy #14-02 is approved, Policy #18-02 is automatically approved.

The roll was called, and the following members were present:

Shalanda Giles-Nelson, Chair	Reginald Cox	Jason Miller
Peter Deveaugh, Vice Chair	Michael DiNorscio	Deborah Mink
Daniel Almaguer	Chris Figueras	Richard Nixon
Joy Cooper	Claudio Grande	

**Board of Rules and Appeals Policies:**

- a. Board Policy #14-02, to ensure compliance with Chapter 71-575, Section 4(b), Laws of Florida (1971)
- b. Board Policy #18-02, Design Professional and Contractor Requirements to become a Certified Inspector, as it relates to the closing out of open permits and ongoing projects in Broward County

Mr. Grande, Building Official, City of Wilton Manors, asked what would happen to the Board Attorney's legal opinion if the Committee approves changes to Policy #14-02. Chair Giles-Nelson felt the Committee would have to use means other than changing the legal opinion. She felt the Committee should simply provide the Board with its opinion. She understood that inspectors may work anywhere, but they are restricted from being a qualifier, thereby using their license.

Mr. Deveaugh was interested to know if the opposition has to do with the legal opinion or the concept itself. Mr. Cox favored a policy change because it could be handled by each jurisdiction. Mr. Grande pointed out that Broward is the only county in the state with this interpretation that prohibits. The policy is hurting the industry. Mr. Nixon favored changing the policy and mimicking Miami-Dade's policy.

Dr. Barbosa read a statement from Mr. Enrique Salvador: "Dade County has roughly 31 municipalities and only two do not allow inspectors to qualify companies. Private inspectors work throughout the State and South Florida. They also qualify companies and are pulling permits in the same jurisdictions. The only private inspectors that the Board approves are the ones that work directly for the municipalities in Broward County. Why would they give up qualifying 1 to 4 companies and come work for a city in Broward when they can do private inspections in Broward County and still qualify companies?"

Mr. Nixon, Building Official, City of Margate, felt if there was an ethical issue with an inspector qualifying a company or pulling a permit in a different city, the individual should not be an inspector. If changes were made to allow inspectors to qualify a company or pull a permit in a city different than where they were employed, there should be disciplinary action through BORA for violations.

Vice Chair Deveaugh pointed out that because the statute in this instance did not impose any geographical limitations, he did not think the Board should impose any. Mr. Cox added that the private sector has rules in place with respect to where an individual may work.

**Public Comment:**

- Mr. Paulo Serafini felt the Board of Rules and Appeals is saying that inspectors do not have integrity. He pointed out that the Board of Rules and Appeals is composed of contractors who vote and make decisions relating to the building code that may be favorable to their personal work.
- Mr. Mohamed Sulaman was receptive to all of the comments today. For the most part, inspectors want the freedom for outside contracting on occasion.

- Mr. Joe Pasquariello favored the change. The Board should impose disciplinary action against violators.

Mr. Nixon felt that contractors who are also members of the Board could have an inappropriate advantage because their vote on this matter could eliminate inspectors who might compete against them in the private sector.

Dr. Ana Barbosa, Administrative Director, clarified that when she brought this matter to the Board, the request was simply to remove Broward County. This committee was subsequently created with a composition makeup reflective of the community. Ultimately, the Board will make the decision.

Mayor Joy Cooper, City of Hallandale Beach, was not certain that the position of Broward County Inspector General was in place when this policy was adopted. She questioned whether the Inspector General would be responsible for overseeing these types of violations.

Mr. DiNorsico, Building Official, City of Boca Raton, commented that inspectors working for Boca Raton are allowed to work anywhere in Palm Beach County but not within the boundaries of Boca Raton. There is a written process for those inspectors to follow. He offered the idea of each municipality deciding this. He has not had any issues in seven or eight years.

Chief Almaguer, City of Pembroke Pines, Fire Rescue, commented on the difficulty of recruiting people. Mr. Cox commented that, as to the legality, the rest of the state is already doing this, and as such, he supported the change to align with the rest of the state.

Mr. DiNorsico commented that he offers overtime to new hires to facilitate their move away from private-sector contracting altogether. The pattern is that initially, they use their license outside of the City of Boca Raton according to the city policy. However, as time goes on, they move away from outside work and become fully committed to inspecting and cross-training in additional disciplines. He has seven inspectors who came on board in this fashion.

Mayor Cooper felt that if this is not successful the next step would be to appeal to the County Commission. She went on to say that Attorney General opinions are opinions until something is presented to a court of law.

Mr. Nixon pointed out that most individuals are only qualifying a company, not the labor themselves. Also, they are tough on quality of work because it reflects on their license.

It was noted that outside contracting by fire inspectors has not been an issue.

Ms. Mink felt there was a need for a check and balance system. Also, she recommended a two-tier approach, and no work inside of Broward County might be the first tier, along with a check and balance system.

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, pointed out that there are at least three entities in Broward County now that provide building services to multiple municipalities. Leaving it to the discretion of each municipality would be a logistical problem. Mr. Grande concurred that it should be Broward County only.

Mayor Cooper emphasized that the need for inspectors is real. The general public wants customer service, and cities in Broward County are handcuffed.

Mr. Figueras supported inspectors being able to use their license anywhere provided they recuse themselves for their own jobs and for companies they qualify. Mr. DiNorsico pointed out there could be some uncomfortableness amongst inspectors who work together and could be in a position to inspect a colleague's work. Mr. Figueras noted that relationships are being built continuously. It is important to have the highest ethical standards and apply those standards one hundred percent of the time. The option to the building official of private provider inspection services was noted.

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Mr. Deveaugh made a motion, and Mr. Grande seconded the motion to change the jurisdiction to only Broward County within Board Policy #14-02, as noted in the recommendation portion of the Agenda Memorandum, dated November 14, 2024. The motion was carried by a vote of 9-2. Mayor Cooper and Chair Giles-Nelson voted no.

During the discussion of the motion, Mr. Deveaugh stated that if restrictions are going to be relaxed, the punitive aspect should be enhanced. He felt termination has to be a consideration.

Mayor Cooper wanted to add to the motion that if the policy amendment passes, the Broward County Inspector General have oversight. In response to Mr. Deveaugh, Dr. Barbosa indicated that the Board of Rules and Appeals is autonomous and would be authorized to remove an individual's certification. She will develop and send to the full Committee options for the punitive aspect of this policy. She will also add this to the agenda for the Committee's next meeting and, ultimately, the Board.

Mr. Nixon believed that relaxing the restriction to Broward County only would not improve the ability to attract qualified inspector applicants. He did not think it would be effective. Ms. Mink indicated that she would not necessarily disagree. However, she felt it needed to be done in increments, and it would be helpful to have checks and balances in the first increment. Mayor Cooper agreed with Mr. Nixon.

Mr. DiNorscio commented on the logistical difficulty unless it is approved across the board for each municipality.

Chair Giles-Nelson noted that with the amendment to Policy #14-02, inspectors may have their contractor license open outside of Broward County; there is no need for a deadline to close permits outside of Broward County.

Mr. Deveaugh made a motion, and Mr. Grande seconded the motion to update Board Policy #18-02, as it relates to the closing out of open permits and ongoing projects in Broward County as noted in the recommendation portion of the Agenda Memorandum, dated November 14, 2024. The motion was carried by a vote of 10-1. Chair Giles-Nelson voted no.

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Dr. Barbosa asked that if the Committee concludes its deliberations by the end of February, the matter could be ready to be provided to the Board by their March meeting. There was consensus approval for another Committee meeting on this matter on February 19, 2025, at 11:30 AM in person and virtually.

### **Adjournment**

There being no further business, the meeting adjourned at 1:10 PM.

Approved on February 19, 2025



Broward County Board of Rules and Appeals  
Ad Hoc Committee for Policies #14-02 and #18-02  
February 19, 2025, Meeting Minutes

**Call to order:**

Chair Giles-Nelson called a published meeting of The Ad Hoc Committee to order at 11:30 AM.

The roll was called, and the following members were present:

Shalanda Giles-Nelson, Chair	Reginald Cox	Jason Miller	Claudio Grande
Peter Deveaugh, Vice Chair	Michael DiNorscio	Deborah Mink	
Daniel Almaguer	Chris Figueras	Richard Nixon	

**Approval of Minutes – February 12, 2025**

Ms. Mink noted in paragraph 10, page 2, that her statement should refer to “no work inside” of Broward County.

Mr. Grande made a motion, and Ms. Mink seconded the motion to approve the February 12, 2025, minutes with the correction on page 2. The motion was carried out through a unanimous vote of 10-0.

**Review Penalties for Violation of Board Policy #14-02 - compliance with Chapter 71-575, Section 4(b), Laws of Florida (1971)**

Dr. Barbosa noted that the list provided is a starting point, a compilation of discussion points only.

Mr. Deveaugh felt the only action is certification suspension for a period of time. A suspension for a second violation could be indefinite. The violator would have to appeal to the Board to be recertified.

Mr. Grande, Building Official, City of Wilton Manors, pointed out that a municipality would not continue the individual’s employment. Perhaps the first offense is a fine of \$500 together with a probation period of 90 days. A second offense would be revocation of certification.

Ms. Mink suggested some written formal notice and an education component to assure clarity.

Mr. Deveaugh pointed out that suspension is essentially a fine because the individual loses any number of workdays. Also, he did not think the education component would be necessary for a repeat offender. This is an effort to make a policy that has been in effect for years less stringent.

Dr. Barbosa explained that the penalty list is simply a compilation of options.

Chief Almaguer pointed out that violating the policy may likely be more profitable than a \$500 fine, so individuals may be more willing to take the chance. Mr. Grande suggested Item 5 for a first offense along with probation and Item 3 for a second offense. Mr. Nixon, Building Official, City of Margate, agreed with Mr. Grande. Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, indicated that the list presented by Dr. Barbosa is a compilation of options for the Board based on the severity of the case. Mr. Cox, Building Official, City of Weston, agreed with Mr. Soto. Mr. Figueras emphasized some form of notice once this is voted on by the Board so that inspectors are aware of the consequences.

Chair Giles-Nelson pointed out that if the Board allows this policy change, it will have to be accomplished with each municipality. It would be the municipality’s role to alert the Board. Moreover, it would be the municipality’s responsibility to make sure their employees are aware of the policy. Mr. DiNorscio, Building Official, City of Boca Raton, commented on the difficulty municipalities would have with a fine. It should be the Board imposing

the punitive actions to be across the board for all municipalities. Mr. Cox felt awareness of the policy was already in place. BORA should be imposing policy violation actions because it has a direct correlation with the certificates that grant inspectors authority to be inspectors in Broward County. Ms. Mink advocated for uniformity throughout the county and that a process be available for reporting violations. Dr. Barbosa commented on the questions the Board will likely present because BORA will be imposing the discipline. An example is how would information come to the Board's attention. Mr. Deveaugh did not feel that BORA needs to monitor inspectors because this has to do only with infractions. The severity of the infraction should be a consideration.

Mr. Grande emphasized that there needs to be an educational component for newly certified inspectors concerning this policy and building officials should explain the policy to all new hires.

Mr. Deveaugh made a motion, and Mr. Cox seconded the motion to recommend to the Board that a first offense would be a written reprimand and possible suspension dependent upon severity of the infraction, and suspension for a second offense, was carried out through a vote of 10-1. Chair Giles-Nelson voted no.

During discussion of the motion, Mr. Cox pointed out that the written reprimand could set forth the degree of reprimand. It appears that the motion encompasses Items 5, 3, and 2 of the penalties presented by Dr. Barbosa.

In response to Mr. Grande, Dr. Barbosa commented that the list of penalties was intended for the Committee to have something on paper to think about, however, the first bullet point could be added to the affidavit that all applicants sign: "If a certificate is suspended, placed on probation, or subject to conditions, reinstatement will only be granted upon proof of full compliance with all terms and conditions set forth in the Board's final order."

There was consensus that suspension of the certificate to work in Broward County is appropriate for a second offense.

Chair Giles-Nelson commented that there are shortages in many professions, yet no other industry lowers their requirements. Cities have consistently complained to BORA that the certification requirements are too high to find good employees. BORA lowered the requirements, but it was not helpful. Now, the request is to allow inspectors to use their licenses, and there will be more inspector applicants. She did not think it would be helpful either. Going forward, she believes there will be another reduction request, yet the storms are not getting any smaller and buildings are getting taller. Municipalities need to address the money problem.

**Public Comment:** None

## **Adjournment**

There being no further business, the meeting adjourned at 12:13 PM.

# Item 3



## Broward County Board of Rules and Appeals

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

[broward.org/CodeAppeals](http://broward.org/CodeAppeals) | 954-765-4500 | [rulesboard@broward.org](mailto:rulesboard@broward.org)

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

**FROM:** Chief Structural Code Compliance Officer

**DATE:** March 13, 2025

**RE:** Extension Request to Close Out an Open Permit for Mr. Fabio Sarmiento

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### **Recommendation**

It is recommended that the Board of Rules and Appeals approve, by vote, a one hundred eighty (180) day extension to close out Mr. Fabio Sarmiento's open permit.

### **Reasons**

Mr. Sarmiento states that he had trouble obtaining a permit for a small job in another jurisdiction. Mr. Sarmiento received his permit and is expected to close out the permit prior to the expiration of this extension.

### **Additional Information**

Mr. Sarmiento obtained a previous extension on October 3, 2024, which will expire on April 3, 2025. This extension will expire on September 30, 2025.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jack Morell".

Jack Morell

**Morell, John**

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**From:** Fabio Sarmiento <fsarmiento@cityofparkland.org>  
**Sent:** Tuesday, March 4, 2025 11:36 AM  
**To:** Morell, John  
**Subject:** Permit Extension

**External Email Warning**

This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's email address (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETS Security by selecting the Report Suspicious or Report Phish button.

[Report Suspicious](#)

Hello Mr. Morell.

This is Fabio Sarmiento requesting an extension on this permit , the City of Hollywood just finally issue this permit 2 weeks ago , I still don't understand why the delay but I have it now , I should be able to finish by June 25 2025.

The job is a Bathroom , closet and tile only.



**Fabio Sarmiento**

Structural Inspector

Office: 954.757.4113

[CityofParkland.org](http://CityofParkland.org)

6600 University Drive  
Parkland, Florida 33067



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