

Broward County Board of Rules and Appeals Meeting Agenda

March 9, 2023

Time: 7:00 PM

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1601931435>

Meeting ID: 160 193 1435

- I. **Call Meeting to Order**
- II. **Roll Call**
- III. **Approval of Agenda**
- IV. **Approval of Minutes** – February 9, 2023, Regular Meeting
- V. **Public Comment (Except public hearing items on this agenda)**
Public comments limited to 3-minutes each.
- VI. **CONSENT AGENDA**

1. **Certifications** – Staff Recommended

CITY OF LAUDERDALE LAKES

Brino Antonio A., Chief Structural Inspector

CITY OF HOLLYWOOD

Silva, Michael, Electrical Inspector - Provisional

CITY OF NORTH LAUDERDALE

Mohahan, Edward, Fire Inspector

Rodriguez, Javier, Fire Inspector

CITY OF PARKLAND

Nieves, Jose L., Jr., Chief Electrical Inspector

CITY OF TAMARAC

Seals, Marshall, Fire Inspector

CITY OF WESTON

Singh, Michael V., Chief Electrical Inspector

COUNTYWIDE

Alexander, Diko, Structural Inspector

Heino, Todd V., Structural Inspector

Puentes, Carlos, Structural Inspector

Puentes, Carlos, Structural Plans Examiner

Szabo, Marius, Mechanical Plans Examiner

- VII. **REGULAR AGENDA**

1. **Second Reading of proposed modification to F-116.3.1 Exception, related to Airport Fixed Based Operations (FBOs) and the fuel storage above ground as recommended by the Fire Code Committee.**
 - a. Staff Report
 - b. Board Questions
 - c. Board Action

2. **Request to delay the advanced “Courtesy Notices” until further notice in Section 110.15 Building Safety Inspection Program, Chapter 1, 2020 Florida Building Code, 7th Edition, and of Policy #05-05.**
 - a. Staff Report
 - b. Board Questions
 - c. Board Action
3. **Request of Nebojsa Madic for extension of 90 days to close open permits.**
 - a. Staff Report
 - 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)

Members: If you cannot attend the meeting, please contact Dr. Barbosa at 954-931-2393 between 6:00 P.M. and 7:00 P.M.

February 9, 2023
Board Meeting Minutes

Broward County Board of Rules and Appeals Meeting Minutes

February 9, 2023

Time: 7:00 p.m.

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1615461371>

Meeting ID: 161 546 1371

I. Call Meeting to Order

Vice Chairman Gregg D'Attile called a published virtual meeting of the Broward County Board of Rules and Appeals to order at 7 p.m.

II. Roll Call

Gregg D'Attile, Vice Chairman
Ron Burr
Jeff Falkanger
John Famularo
Shalanda Giles-Nelson
R. Art Kamm
David Rice
Daniel Rourke
Robert Taylor
David Tringo
Dennis Ulmer
Derek A. Wassink
Lynn E. Wolfson

III. Approval of Agenda

Ms. Giles-Nelson made a motion, and Mr. Taylor seconded the motion to approve the agenda as posted. The motion was carried out by a unanimous vote of 13-0.

IV. Approval of Minutes – December 8, 2022, Regular Meeting

Mr. Tringo made a motion, and Mr. Kamm seconded the motion to approve the December 8, 2022, minutes as submitted. The motion was carried out by a unanimous vote of 13-0.

V. Public Comment (Except public hearing items on this agenda) - none

Public comments are limited to 3 minutes each.

VI. CONSENT AGENDA

1. Certifications – Staff Recommended

BROWARD COUNTY, UNINCORPORATED

Cooper, Paul A., Sr., Structural Inspector – Limited - Provisional

CITY OF DANIA BEACH

Serafini, Paolo, Chief Mechanical Inspector

CITY OF FORT LAUDERDALE

Barry, Raymond, Fire Inspector
Jackson, Bryant M., Fire Inspector

CITY OF LAUDERHILL

Newman, Matthew, Fire Code Official

CITY OF NORTH LAUDERDALE

Morales, Esnell, Fire Inspector
Myers, Bradley C., Fire Inspector

CITY OF OAKLAND PARK

Serafini, Paolo, Chief Mechanical Inspector

CITY OF PLANTATION

Esteve, Rodolfo Alexander, Chief Structural Inspector
Louis, Sandra, Fire Inspector

CITY OF POMPANO BEACH

Stucchi, Marco, Fire Inspector

CITY OF SOUTHWEST RANCHES

Wood, Kenneth E., Structural Inspector – Temporary 120-Day

CITY OF TAMARAC

Chelles, Cintia, Fire Plans Examiner

CITY OF WILTON MANORS

Vaughn, Thomas G., Chief Plumbing Inspector

COUNTYWIDE

Marchant, Thomas D., Mechanical Inspector
Nieda, Daniel B., Structural Inspector
Nieda, Daniel B., Structural Plans Examiner

Mr. Rourke made a motion, and Mr. Falkanger seconded the motion to approve the certifications as recommended. The motion was carried out by a unanimous vote of 13-0.

VII. REGULAR AGENDA

1. Certification Forms

- a. Staff Report
Dr. Ana Barbosa, Administrative Director, indicated that all forms are being updated to include provision for online notarization. There will be checkboxes in the final form.
- b. Board Questions – none
- c. Board Action
Mr. Tringo made a motion, and Mr. Falkanger seconded the motion to approve the forms as presented. The motion was carried out by a unanimous vote of 13-0.

2. First Reading of proposed modification to Local Amendments to Florida Fire Prevention Code – Section F-116.3.1 Exception, (Airport Fixed Base Operators) above-ground storage for dispensing flammable and combustible liquids from UL listed double wall, 2085 or equivalent tanks as recommended by the Fire Code Committee.

- a. Staff Report
Mr. Bryan Parks, Chief Fire Code Compliance Officer, advised that staff received a request to modify this section of the code. With the support of the Fort Lauderdale Fire Prevention Bureau and the airport, the proposed modification was made that allows for greater storage in an airport as long as both the airport and local authority having jurisdiction agreed, and it complies with NFPA 30, flammable, combustible liquids. The Fire Code Committee voted 12-0 in favor. A representative from Roundtable Tech Resources, who sponsored this code modification, as well as Jeff Lucas, Fire Code Official for the City of Fort Lauderdale, are attending this evening.
- b. Board Questions
In answer to Mr. Ulmer, Mr. Parks indicated that only the amount of storage would be changed, not the zoning. He went on to say this would apply to Pompano, Fort Lauderdale Executive and North Perry airports.

Chief Lucas advised that although the adjoining neighborhoods may not know about this, it will be limited to airport property only and will go through the permit process. It is intended to mimic the Fort Lauderdale International Airport, transferring the NFPA requirements to the Florida Fire Prevention Code. The existing zoning requirements will be unchanged.

- c. Board Action

Mr. Famularo made a motion, and Mr. Falkanger seconded the motion to approve the amendment as recommended on the first reading. The motion was carried out by a unanimous vote of 13-0.

3. Mr. Ernesto Juarez requests an extension to close out open permits to comply with Board of Rules and Appeals Policy #18-02.

- a. Staff Report
Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, advised that the date needs to be extended to May 3, 2023.
- b. Board Questions - none
- c. Board Action
Mr. Falkanger made a motion, and Mr. Kamm seconded the motion to approve the extension to May 3, 2023. The motion was carried out by a unanimous vote of 13-0.

During a discussion of the motion, Ms. Giles-Nelson pointed out a typographical error in the spelling of the deadline.

4. Rescind Formal Interpretation #23: Building Permit Valuation

- a. Staff Report
Mr. Jose Vellon-Cruz, Chief Plumbing Code Compliance Officer, advised that this recession is recommended because it is now in conflict with Florida Statute 553.79(f) and Section 109.3.1, Chapter 1, Florida Building Code, 7th Edition. Both FS 553.79(f) and Section 109.3.1 prevent building officials from requiring a contract between a builder and an owner for the issuance of a building permit or as a requirement for the submission of a building permit application. With this in place, there is no longer a need for formal interpretation.
- b. Board Questions
Ms. Giles-Nelson did not see any mention of a contract in the interpretation. Rather, it is a cost estimate. She thought the interpretation was only if the job valuation was underestimated. Some discussion ensued wherein Mr. Charles Kramer, Board Attorney, explained that once this information is presented, it becomes public r, record and consequently, bidding information of a private business is available to competitors.
- c. Board Action
Ms. Giles-Nelson made a motion, and Mr. Falkanger seconded the motion to approve the recission of Formal Interpretation #23. The motion was carried out by a unanimous vote of 13-0.

5. Replacing BORA Policy 06-03, Minimum Requirements for Permanent Residential Type Stand-by Generators, with BORA Guideline 23-01, Minimum Code Requirements for Permanently Installed Residential Stand-by Generators.

- a. Staff Report
Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, advised that the recommendation is essentially to change this policy to a guideline. The next building code edition will contain a section on permanently installed residential generators.
- b. Board Questions – none
- c. Board Action
Mr. Tringo made a motion, and Mr. Falkanger seconded the motion to approve the change of Policy 06-03 to Guideline 23-01. The motion was carried out by a unanimous vote of 13-0.

6. Director's Report

Building Safety Inspection Program

Dr. Barbosa noted that staff was invited to attend a condominium association meeting of over two hundred people concerning the Building Safety Inspection Program. There may be a request on the next agenda for an adjustment to the policy to get the notices mailed by June 1st. The program will be addressed with the ad hoc committee.

Meeting with Building and Fire Code Officials

Dr. Barbosa advised that she has been holding introductory meetings with the building and fire code officials, including understanding any issues and assuring that the Board of Rules and Appeals works with them. She wants to ensure that they have input into things that affect them.

7. Attorney's Report

Mr. Charles Kramer, Board Attorney, noted that he is working on two appellant proceedings. One is with the Plantation Inn, and the other involves virtual inspections. He will keep the Board up to date.

8. Committee Reports

Mr. Rice advised that the Ad Hoc Electrical Committee on the Building Safety Inspection Program held its first meeting a few weeks ago, where the focus was to identify glitches or problems. The major one has to do with the three-mile ruling. Because of the structural aspect, he suggested there be two co-chairs, one electrical and one structural. He will be submitting that request to the Vice Chairman.

9. General Board Member Discussion

10. Adjournment – The meeting adjourned at 7:42 p.m.

A handwritten signature in black ink, appearing to read "Gregg D'Attila". The signature is fluid and cursive, with the first name "Gregg" being more prominent and the last name "D'Attila" following in a similar style.

Gregg D'Attila - Vice Chair

Consent Agenda

Section 1

Broward County Board of Rules and Appeals

CITY OF LAUDERDALE LAKES

BRINO ANTONIO A., CHIEF STRUCTURAL INSPECTOR

CITY OF HOLLYWOOD

SILVA, MICHAEL, ELECTRICAL INSPECTOR – PROVISIONAL

CITY OF NORTH LAUDERDALE

MOHAHAN, EDWARD, FIRE INSPECTOR

RODRIGUEZ, JAVIER, FIRE INSPECTOR

CITY OF PARKLAND

NIEVES, JOSE L., JR., CHIEF ELECTRICAL INSPECTOR

CITY OF TAMARAC

SEALS, MARSHALL, FIRE INSPECTOR

CITY OF WESTON

SINGH, MICHAEL V., CHIEF ELECTRICAL INSPECTOR

COUNTYWIDE

ALEXANDER, DIKO, STRUCTURAL INSPECTOR

HEINO, TODD V., STRUCTURAL INSPECTOR

PUENTES, CARLOS, STRUCTURAL INSPECTOR

PUENTES, CARLOS, STRUCTURAL PLANS EXAMINER

SZABO, MARIUS, MECHANICAL PLANS EXAMINER

Regular Agenda

Section 1



Broward County Board of Rules and Appeals

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

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

broward.org/CodeAppeals

TO: Members of the Board of Rules and Appeals

FROM: Chief Fire Code Compliance Officer

DATE: March 9, 2023

RE: Second Reading of proposed modification to F-116.3.1 Exception, related to Airport Fixed Base Operations (FBOs) and the fuel storage above ground as recommended by the Fire Code Committee

Recommendation

The Board of Rules and Appeals, Fire Code Committee, in a vote of 12 to 0, approved the modification to Section F-116.3.1 "Exceptions," wherein Airport Fixed Base Operations would be exempted from the provisions found in F-116.3.1 if they meet the requirements of NFPA 30, have the support of the Airport Authority and acceptance after a review by the Fire Authority Having Jurisdiction (AHJ).

Reasons

The Board of Rules and Appeals staff received a request for a code modification as it pertains to F-116.3.1 from Mr. Alex Nomikos with Roundtable Technical Resources Inc., 1460 Breezy Way, Spring Hill Florida, who has been contracted to oversee a new FBO at Ft. Lauderdale Executive Airport (FXE). The new FBO, Atlantic Aviation, plans to develop a large parcel within FXE where they will offer aeronautical services, including but not limited to aircraft fueling, hangar storage, tie-down, and parking. In cooperation with FXE and with their approval, they will also support emergency operations by providing fuel to service both military and Broward Emergency Services when requested.

Additional Information

Proposed Change:

F-116.3 Aboveground Storage for Dispensing of Flammable and Combustible Liquids from UL listed 142 (double wall), 2085 or Equivalent Tanks:

F-116.3.1 Aboveground storage of flammable and combustible liquids shall be approved by the Fire Chief, Building Official, and/or their duly authorized representative after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of 12,000 gallons. Aboveground storage of flammable and combustible liquids shall comply with the following regulations:

Exception: Municipal, county, ~~and~~ special districts, and airports (when approved by the Airport Aviation Authority, that the services of a Fixed Base Operation (FBO), supplying fuel to the general aviation community and emergency operations is needed) having aboveground fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per F116.3.1 shall not apply. The permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ.

Respectfully Submitted,

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

Bryan Parks



**PROPOSED AMENDMENT TO
Broward County Administrative Provisions
Chapter I Florida Building Code**

Submittal Date: _____
Item Number: _____
(Office Use only - Leave Blank)

SUBMIT TO: BROWARD COUNTY BOARD OF RULES AND APPEALS
One North University Drive - Suite 3500 B - Plantation, FL 33324

Page _____ Code Section F-116.3.1 Date: 11/09/2022

Name / Organization: Roundtable Technical Resources, Inc.

Address: 1460 Breezy Way, Spring Hill, FL 34608

Email: alex.nomikos@rtsglobal.com

Check One:

- ☒ Revise Section
☐ Add New Section
☐ Delete Section
☐ Delete Section and substitute with new Section
☐ Delete Section without substitution

*NOTE: Underline material to be added
Line thru material to be deleted
Use additional pages as necessary*

Proposed Change:

This request for Code Modification relates to Broward County amendment to the Florida Fire Prevention Code, Section (F-116.3.1).

This amendment to the Florida Fire Prevention Code (FFPC) restricts the storage of flammable and combustible liquids in aboveground storage tanks (ASTs) to an aggregate total of 12,000 gallons. This limitation allows for substantially less total storage than the State or

the FFPC is based upon. For Fixed Based Operators (FBOs), who have an obligation to provide fuel for the aircraft frequenting their facilities, and for airport's who need these FBOs and have a need to fuel the aircraft their clientele bring, the current restriction limiting the total aggregate of fuel stored in ASTs to 12,000 gallons is detrimental to essential operations.

(if you need additional space, please add a 2nd page)

Record of Action:

Committee: _____

Approved _____ Approved as revised _____ Disapproved _____

Date: ____/____/____

Board:

Approved _____ Approved as revised _____ Disapproved _____

Date: ____/____/____

Continue in Page 2 & 3

**PROPOSED AMENDMENT TO
Broward County Administrative Chapter I**

Fiscal Impact Statement (Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.

a. Impact to local entity relative to enforcement of code:

The requested Code modification will impact the Fixed Base Operators (FBO) who operate out of the airports in Broward County. FBOs are commercial enterprises which have been granted the right to operate on Airports in order to provide aviation services such as aircraft fueling & hangar space to the General Aviation (GA) community. The current code, restricting the maximum allowable storage of 12,000 gallons in above ground tanks is detrimental to the FBO and airport's ability to provide adequate fueling services.

b. Impact to building and property owners relative to cost of compliance with code:

Having additional fuel storage on site will allow the airport and the FBOs to provide emergency back up generators and adequate fuel storage which would benefit airport clientele and emergency responders during and after a natural disaster as the National Guard, Coast Guard and other emergency responders require fuel to fly in supplies support situations. The current code restricting the max allowable volume to 12,000 gallons restricts the amount of fuel the airport and FBOs can provide for such services.

c. Impact to industry relative to cost of compliance with code:

(if applicable)

The current code restriction puts the aviation industry in Broward County at a disadvantage to the surrounding counties as most surrounding counties recognize the distinction between retail storage in underground storage tanks (i.e. retail gas stations), and "bulk" storage facilities such as the aviation bulk fueling facilities in use by airports and the Fixed Base Operators who reside on airport. The distinction between "storage" and "Bulk" storage is made very clearly in the State code (FFPC) and the National Code (NFPA 30)

Rationale (Provide an explanation of why you would like this proposed modification)

By removing the current restriction defined in Broward County amendment to the Florida Fire Prevention Code, Section (F-116.3.1) which restricts the storage of flammable and combustible liquids in aboveground storage tanks (ASTs) to an aggregate total of 12,000 gallons, the County would be providing relief to airports and FBOs who are competing with other Florida Counties who do not subscribe to such restrictions and amendments to the State code (FFPC) or the National code (NFPA 30). Additionally, there has been a trend in the aviation industry to move away from the use underground storage tanks, & to store fuel in the more easily controlled & inspected aboveground storage tanks, in an effort to lessen the possibility of contamination of the surrounding soils & allow for ease of inspection.

October 19, 2022

Bryan Parks – Fire CCCO
Broward County Board of Rules and Appeals
1 N University Dr #3500b
Plantation, FL 33324

**Re: Request for Code Modification – Broward County Amendment to
The Florida Fire Prevention Code, Section (F-116.3.1)**

Mr. Parks:

I am writing this request for Code Modification on behalf of our client Atlantic Aviation and the Fort Lauderdale Executive Airport (FXE), located in Broward County and the City of Fort Lauderdale, FL. Atlantic Aviation is a tenant at FXE and a Fixed Base Operator (FBO) providing important aeronautical services including but not limited to aircraft fueling, hangar storage, aircraft tie-down and aircraft parking at FXE.

As a part of a much greater redevelopment Atlantic Aviation is planning at FXE, they have a need to upgrade their existing fuel system which has been inadequate to keep up with their growing needs.

The reason for this request for consideration, is Broward County amendment to the Florida Fire Prevention Code (F-116.3.1). This amendment to the Florida Fire Prevention Code (FFPC) restricts the storage of flammable and combustible liquids in above ground storage tanks to an aggregate total of 12,000 gallons. This limitation is substantially less total storage allowed than the State restrictions as set forth in the FFPC and or the national standard (NFPA 30 – Flammable & Combustible Liquids Code) which the FFPC is based on. Although the aviation bulk fueling facility that Atlantic Aviation has proposed is small by industry standards and compared to other similar facilities they operate in the state of Florida, the proposed storage exceeds the allowable storage capacity listed in F-116.3.1 (*12,000 gallons*). A list of proposed storage tanks has been provided below and a conceptual layout of the facility has been provided with this request (attached).

Proposed aviation bulk fueling facility quantities for consideration:

- (2) 30,000-gallon aboveground storage tanks for bulk storage of Jet-A
- (1) 12,000-gallon aboveground storage tank for bulk storage of Avgas (100 LL)
- (1) 4,000-gallon dual compartment aboveground storage tank for Dispensing to fleet vehicles
- (2,000 gallons Unleaded Gasoline / 2,000 gallons Diesel)

A request for consideration has already been submitted to the Airport (FXE Aviation Advisory Board) and the City of Fort Lauderdale Fire Marshal's office for consideration. The airport's advisory Board has approved us to move forward and seek whatever approval may be required

in order to install the aviation bulk fueling facility as defined above, as they are aware of Atlantic Aviation's needs and support this request for code modification.

Additionally, our request for consideration to the City of Fort Lauderdale Fire Marshal's office has been denied based on the proposed installation being non-compliant with the aforementioned Broward County Board of Rules and Appeals amendments to the Florida Fire Prevention Code, specifically F-116.3.1. (as noted above). The City of Fort Lauderdale Fire Marshal's office indicated that we should accept their rejection as an indication that we may proceed with this appeal to the BORA.

Please accept the attached Code Amendment form, and this letter as our official request to adjust the total allowable aggregate storage of flammable and combustible liquids in above ground storage tanks as defined in Broward County amendment to the Florida Fire Prevention Code (F-116.3.1) from the current maximum of 12,000 gallons to a maximum of 106,000 gallons in order to allow for the installation of the facility currently proposed by Atlantic Aviation and potential future expansion. This would still be in compliance with the regulations as set forth in the relevant State code (Florida Fire Prevention Code) and the National code (NFPA 30).

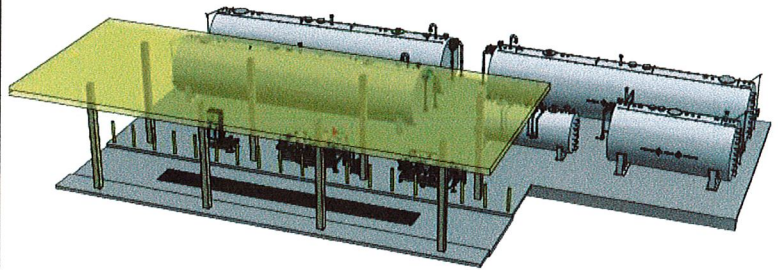
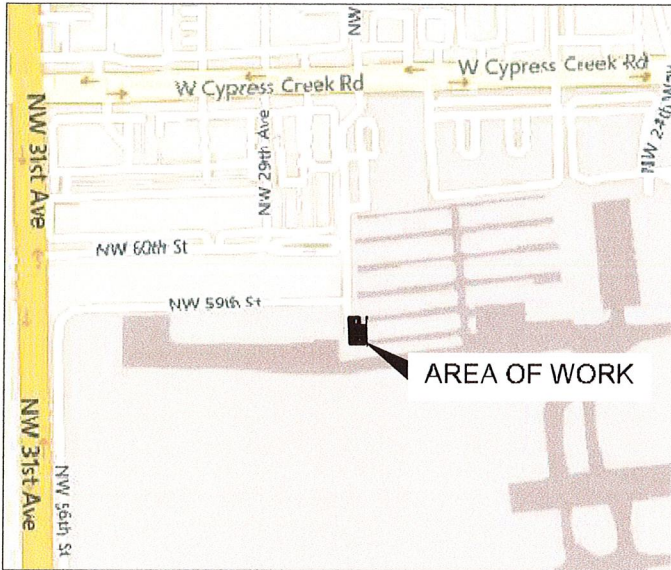
Your time and interest in this request for consideration is greatly appreciated and we look forward to a positive response from the board.

Sincerely,



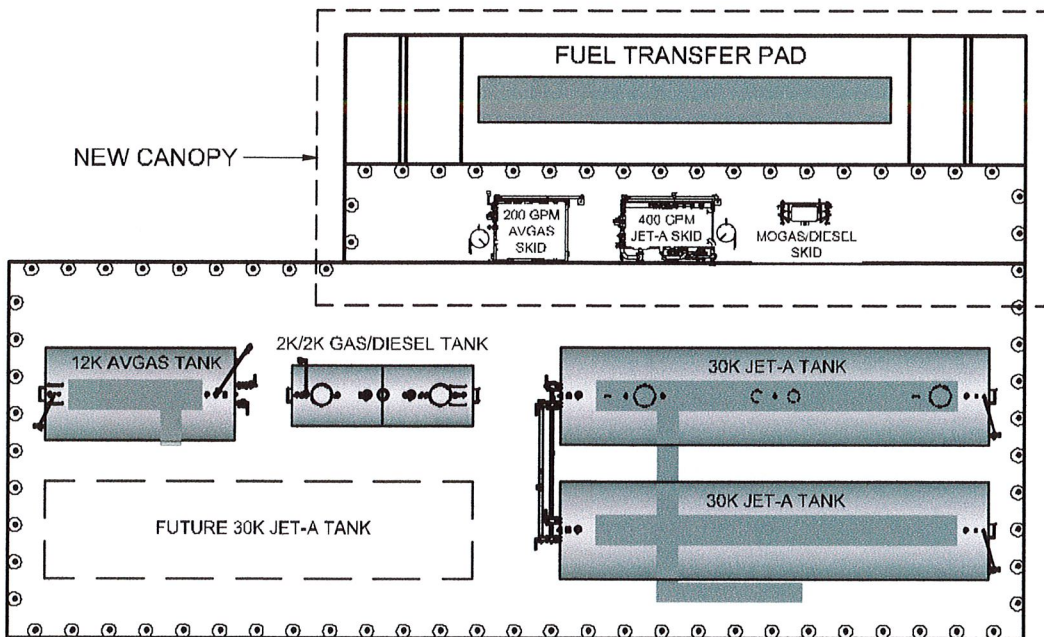
Alex Nomikos
Engineering Manager, C.O.O.
Roundtable Technical Resources, LLC

FORT LAUDERDALE EXECUTIVE AIRPORT (FXE)



PROJECT KEY MAP

SCALE: 1" = 500'



ENLARGED FUEL FARM FACILITY LAYOUT

SCALE: 1" = 20'



ATLANTIC

ATLANTIC AVIATION



ROUNDTABLE™
TECHNICAL RESOURCES

Colorado Springs Office

Central Florida Office

660 Southpointe Court, Suite 300G
Colorado Springs, CO 80905
Phone: (801) 541-6685
Engineering@rtesglobal.com
http://rtesglobal.com

1460 Breezy Way
Spring Hill, FL 34608
Phone: (352) 684-7275
Fax (800) 660-6724
Alex.nomikos@rtesglobal.com

Section 2



Broward County Board of Rules and Appeals

1 N. University Drive Suite, 3500B, Plantation, FL 33324
Phone: 954-765-4500 | Fax: 954-765-4504
broward.org/CodeAppeals

TO: Members of the Board of Rules and Appeals

FROM: Administrative Director

DATE: March 9, 2023

RE: Request to delay the advanced "Courtesy Notices" until further notice in Section 110.15 Building Safety Inspection Program, Chapter 1, 2020 Florida Building Code, 7th Edition, and of Policy #05-05

Recommendation

It is recommended that the Board delays the requirement of the advance Courtesy Notice, set to begin between June 1st and August 31st, 2023, until further notice.

Reasons

Each June through August, a list of buildings meeting the Building Safety Inspection Program requirements is provided to Building Officials from a database that the Board of Rules and Appeals staff obtains from the County Property Appraiser's Office. The program is then administered by the City or County Building Department, and a Notice of Required Inspection is sent to all building owners or associations.

The new requirement for advance Courtesy Notices is to be sent two years before the Building Inspection due year, and one subsequent courtesy notice shall be sent one year before the Building Inspection due year. These two advanced notices add additional burden and cost to the building departments. Therefore, the Courtesy Notices should be delayed until further research warrants the extra efforts and costs to implement this rule.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "A Barbosa", written over a horizontal line.

Ana C. Barbosa, DBA

Broward County Board of Rules and Appeals Policy # 05-05

Subject: Broward County Board of Rules and Appeals – Building Safety Inspection Program

I. GENERAL:

- A. Section 110.15 of the Broward County Administrative Provisions of the Florida Building Code has established a **Building Safety Inspection Program**.
- B. The procedures established herein are the basic guidelines for the Building Safety Inspection program.
- C. The requirements contained in the Florida Building Code, covering the maintenance of buildings, shall apply to all buildings and/or structures now existing or hereafter erected. All buildings and/or structures and all parts thereof shall be maintained in a safe condition, and all devices or safeguards that are required by the Florida Building Code shall be maintained in good working order. Electrical wiring, apparatus and equipment, and installations for light heat or power and low voltage systems as are required and/or regulated by the Building Code, now existing, or hereinafter installed, shall be maintained in a safe condition and all devices and safeguards shall be maintained in good working order.
- D. These guidelines shall not be construed as permitting the removal or non-maintenance of any existing devices or safeguards unless authorized by the Building Official.

II. DEFINITIONS:

- A. **“Threshold Building”** shall be defined as any building which is greater than three stories or 50 feet in height, or which has an assembly occupancy classification as defined in the Florida Building Code which exceeds 5,000 square feet in area and an occupant content of greater than 500 persons, or as otherwise defined by section 553.71, Florida Statutes, which may be amended from time to time.
- B. **“Minor Buildings or Structures”** for the purpose of this program, shall be defined as buildings or structures in any occupancy group having a gross area of less than 3,500 sq. ft.
 - 1. Any building or structure which houses, covers, stores, or maintains any support features, materials, or equipment necessary for the operation of all or part of the primary structure, or operation of any feature located upon the real property, shall not be considered a minor building or structure and shall be subject to inspection as otherwise set forth herein.
 - 2. Structures to be included in the Safety Inspection Program are elevated decks, docks, seawalls if attached to or supporting any structure, parking garages, and guardrails, and as such are not exempt.
- C. **“Building Age”** shall be defined as the difference between (a) the present year and (b) the year-built information recorded with the County Property Appraiser notwithstanding any renovations or modifications that have been made to the building or structure since the year built.

III. BUILDING SAFETY INSPECTION OF BUILDINGS / STRUCTURES AND COMPONENTS:

- A. For the purpose of these guidelines, **Building Safety Inspection** shall be construed to mean the requirement for the specific safety inspection of existing buildings and structures and furnishing the Building Official and Owner with a written report of such inspection as prescribed herein.
- B. **Inspection procedures** shall conform to the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals titled as “General Considerations & Guidelines for Building Safety Inspections” which are included as part of this Policy.
 - 1. This inspection is for the sole purpose of identifying structural and electrical deficiencies of the building or structure that pose an immediate threat to life safety. This inspection is not to determine if the condition of an existing building complies with the current edition of the Florida Building Code or the National Electrical Code.
 - 2. Such inspection shall be for the purpose of determining the structural & electrical condition of the building or structure, to the extent reasonably possible, of any part, material, or assembly of a building or structure which affects the safety of such building or structure, and/or which supports any dead load, live load, or wind load, and the general condition of its electrical systems pursuant to the applicable Codes.

3. The owner, or association if applicable, shall be responsible for all costs associated with the inspection, and the resulting required repairs and/or modifications.
 4. The inspecting Professional shall have a right of entry into all areas he/she deems necessary to comply with the program.
 5. The Building Official shall ensure that the owner(s), or their duly authorized representative(s), of all buildings and structures requiring inspection under these guidelines file the necessary documentation to confirm compliance with the guidelines set forth herein.
- C. All buildings and structures shall be inspected in the manner described herein, where such buildings or structures are thirty (30) years of age or older, based on the date that the certificate of occupancy was issued, and as determined by the Building Official, who shall at such time issue a **Notice of Required Inspection** to the building owner or association.
1. The following are **Exempt** from this program:
 - a. U.S. Government Buildings
 - b. State of Florida Buildings
 - c. Buildings built on Indian Reservations,
 - d. School Buildings under the jurisdiction of the Broward County School Board
 - e. One and Two-Family Dwellings
 - f. Fee Simple Townhouses as defined in the Florida Building Code
 - g. Minor Structures defined as buildings or structures in any occupancy group having a gross floor area less than three thousand five hundred (3,500) square feet
- D. All buildings that are a Condominium or Cooperative, and are three (3) stories or more in height, and are located within three (3) miles of the coastline, shall be inspected in the manner described herein, where such buildings are twenty-five (25) years of age or older, based on the date that the certificate of occupancy was issued, and as determined by the Building Official in accordance with Florida Statutes Section 553.899, who shall at such time issue a **Notice of Required Inspection** to the building owner or association.
- E. Subsequent Building Safety Inspections shall be required at ten (10) year intervals from the year of the building or structure reaching 30 years or 25 years of age (as applicable) regardless of when the previous inspection report for the building or structure was finalized or filed.
- F. For any building or structure that must perform a “milestone inspection,” as provided under section 553.899, Florida Statutes, such building or structure is required to undergo inspection in the manner described herein when it has reached a Building Age where it is required to undergo a “milestone inspection” and such inspection shall serve as compliance with any “milestone inspection” requirements under section 553.899, Florida Statutes.
- G. **Notices of Required Inspection:**
1. The Building Official shall provide the owner or association of the building or structure with a **Notice of Required Inspection** relating to the required Building Safety Inspection once the Building Official has determined that a building or structure has attained a Building Age of 30 years (or 25 years, as applicable) and every 10-year interval thereafter.
 2. Each calendar year the Building Official shall determine which buildings or structures will reach the age of 30 years (or 25 years, as applicable) and every 10-year interval thereafter during that calendar year.
 3. Between the dates of June 1st and August 31st of each calendar year, the Building Official shall send out by Certified Mail Return Receipt Requested a **Notice of Required Inspection** to the owner or association of all such buildings or structures being due for Building Inspection during that calendar year. This notice shall clearly indicate that the owner shall furnish, or cause to be furnished, within ninety (90) days of the Notice of Required Building Safety Inspection, a written report including the Broward County Board of Rules and Appeals Structural and Electrical Safety Inspection Report Forms to the Building Official, prepared by a qualified Florida Licensed Professional Engineer or Florida Registered Architect, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.
 4. **In addition to the Notice of Required Inspection**, between the dates of June 1st and August 31st of each calendar year, beginning in the year 2023, the Building Official shall provide the owner or association

with an **Advance Courtesy Notice** relating to their forthcoming Building Inspection. One courtesy notice shall be provided at two years prior to the Building Inspection due year, and one subsequent courtesy notice shall be provided at one year prior to the Building Inspection due year.

5. Notwithstanding the foregoing, the failure by a Building Official to provide a Notice of Required Inspection or Advance Courtesy Notices, shall not affect a building owner's or association's requirement to timely procure the required inspection and provide a written report and certification of a building or structure.

H. Qualifications of Inspectors:

1. If the building or structure is not a "Threshold Building" as defined by the Florida Building Code, required reports shall be prepared by a Florida Licensed Professional Engineer or Florida Registered Architect.
2. If the building or structure is a "Threshold Building", as defined herein, then:
 - a. The structural portion of such report shall be prepared by a Professional Engineer licensed in the State of Florida specializing in structural design and certified as a "Special Inspector" under the Threshold Law F.S. 471.
 - b. The electrical portion of such written report shall be prepared by a Professional Engineer licensed in the State of Florida specializing in electrical design.
 - c. A self-qualification letter shall be submitted as part of the structural report for Threshold Buildings, stating that the Professional Engineer is a practicing structural engineer and has worked with buildings equivalent to the building being certified, and shall be accompanied by proof of the engineer's State of Florida Department of Business and Professional Regulation (DPBR) structural specialization.
3. Such Engineer or Architect shall undertake such assignments only where qualified by training and experience in the specific technical field involved in the inspection and report.

I. Reporting Procedures:

1. The owner of a building or structure subject to Building Safety Inspection shall furnish, or cause to be furnished, within ninety (90) days of the date of the Notice of Required Building Safety Inspection, a written report including the Broward County Board of Rules and Appeals Structural and Electrical Safety Inspection Report Forms to the Building Official, prepared by a qualified Florida Licensed Professional Engineer or Florida Registered Architect, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe, for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.
2. The inspection report shall at a minimum meet all the following criteria:
 - a. Such written report shall bear the impressed seal and signature of the responsible Engineer or Architect who has performed the inspection, unless submitted electronically with a verifiable digital signature as described in section 668.001, Florida Statutes.
 - b. In addition to a detailed written narrative report, the completed BORA Structural and Electrical Safety Inspection Report Forms shall be submitted as part of the report.
 - c. Sufficient color photos with sufficient resolution shall be included to adequately convey typical conditions observed, particularly where defects have been found.
 - d. Indicate the manner and type of inspection forming the basis for the inspection report.
 - e. Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.
 - f. State whether any unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
 - g. Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
 - h. Identify and describe any items requiring further inspection.

3. If the building inspected is a Condominium or Cooperative, the Association shall distribute a copy of an inspector- prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States Mail or personal delivery, and by electronic transmission to unit owners who previously consented to receive notice by electronic transmission; shall post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and shall publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website.
 4. Such report shall be deemed timely if submitted any time between (a) two years prior to the applicable required Building Safety Inspection year for the building or structure, and (b) 90 days after the date of the Notice of Required Inspection, including any applicable extension periods granted or provided by the Building Official.
- J. **Duty to Report:** Any Licensed Professional Engineer or Registered Architect who performs an inspection of an existing building or structure has a duty to report to the Building Official any findings that, if left unaddressed, would endanger life or property, no later than ten (10) days after informing the building owner of such findings unless the Engineer or Architect is made aware that action has been taken to address such findings in accordance with the applicable code. However, if such Engineer or Architect finds that there are conditions in the building or structure causing an actual or immediate danger of the failure or collapse of the building or structure, or if there is a health hazard, windstorm hazard, fire hazard, or any other life safety hazard, such Engineer or Architect shall report such conditions immediately to the Building Owner and to the Building Official within twenty-four (24) hours of the time of discovery. In addition to assessing any fines or penalties provided by Broward County or the Municipality, the Building Official shall also report any violations of this provision to the appropriate licensing agency, regulatory board, and professional organization of such Engineer or Architect.
- K. **Required Repairs or Modifications:**
1. In the event that repairs or modifications are found to be necessary as a result of the Building Safety Inspection, the owner shall have a total of 180 days from the date of the Building Safety Inspection Report, unless otherwise specified by the Building Official in accordance with Florida Building Code Section 110.15 (Florida Building Code Broward County Amendments), in which to complete required repairs and correct the structural and electrical deficiencies. All applicable Building Code requirements shall be followed with all applicable permits obtained. The Florida Existing Building Code will specify whether the repairs or modification can be made under the code in effect when the building was originally permitted, or the code currently in effect.
 2. When any electrical or structural repairs or modifications are required, the responsible Engineer or Architect who has performed the building safety inspection and issued the report shall provide the Building Owner and the Building Official with a signed and sealed letter indicating whether the building or structure may continue to be safely occupied while the building or structure is undergoing repairs. Such letter shall be valid for no more than 180 days, and a new letter shall be issued if repairs or modifications remain ongoing.
 3. For deficiencies that cannot be corrected within 180 days, the time frame may be extended when a time frame is specified by the responsible Licensed Professional Engineer or Registered Architect and approved by the Building Official. Such extension shall be contingent on maintaining an active building permit as specified in Florida Building Code Section 105.3.2 (Florida Building Code Broward County Amendments).
 4. Once all required repairs, whether structural or electrical or both, have been completed, the responsible Licensed Professional Engineer or Registered Architect who has performed the safety inspection and issued the report shall re-inspect the areas noted on the original report and shall provide the Building Owner and Building Official an amended report with a signed and sealed letter stating that all of the required repairs and corrections have been completed and that the building or structure has been certified for continued use under the present occupancy. The Building Owner or responsible Professional shall submit that letter to the Building Official.
 5. The Building Official may issue an extension of not more than 60 days to submit a Building Safety Inspection report, or to obtain any necessary permits, upon a written extension request from a Licensed

Professional Engineer or Registered Architect qualified as stated herein for the type of building or structure in question. Such request shall contain a signed and sealed statement from the Engineer or Architect that the building may continue to be occupied while undergoing the Building Safety Inspection and Certification.

- L. If an owner of a building or structure fails to timely submit the Building Safety Inspection Program report to the Building Official or seek an extension request in accordance with the above, the Building Official shall elect the choice of either a Special Magistrate or Code Enforcement Board as set forth under Florida Statutes Sec. 162, et. al., to conduct a hearing to address such failure. In the event an owner fails to comply with the repair and/or modification requirements as determined from the Building Safety Inspection Report as set forth herein, the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be reviewed by the Building Official and shall be sent to the Special Magistrate, Code Enforcement Board, or Unsafe Structures Board, as appropriate.
- M. If a building or structure is found to be Unsafe, the requirements of Section 116 of Chapter One of the Broward County Amendments to the Florida Building Code entitled "Unsafe Structures" shall be followed.
- N. The Building Official may revoke any Building Safety Inspection and Certification if the Building Official determines that the written inspection report contains any misrepresentation of the actual conditions of the building or structure.

General Considerations & Guidelines for Building Safety Inspections

Part of Broward County BORA Policy #05-05

I. SCOPE OF STRUCTURAL INSPECTION

The **fundamental purpose** of the required Building Safety Inspection and report is to confirm in reasonable fashion that the building or structure under consideration is safe for continued use under its present occupancy. As implied by the title of this document, this is a recommended procedure, and under no circumstances are these minimum recommendations intended to supplant proper professional judgment.

Such inspection shall be for the purpose of determining the general structural condition of the building or structure to the extent reasonably possible of any part, material or assembly of a building or structure which affects the safety of such building or structure and/or which supports any dead load, live load, or wind load, and the general condition of its electrical systems pursuant to the applicable Codes.

In general, unless there is obvious overloading, or significant deterioration of important structural elements, there is little need to verify the original design. It is obvious that this has been time tested if still offering satisfactory performance. Rather, it is of importance that the effects of time with respect to degradation of the original construction materials be evaluated. It will rarely be possible to visually examine all concealed construction, nor should such be generally necessary. However, a sufficient number of typical structural members should be examined to permit reasonable conclusions to be drawn.

Visual Examination will, in most cases, be considered adequate when executed systematically. The visual examination must be conducted throughout all habitable and non-habitable areas of the building, as deemed necessary, by the inspecting professional to establish compliance. Surface imperfections such as cracks, distortion, sagging, excessive deflections, significant misalignment, signs of leakage, and peeling of finishes should be viewed critically as indications of possible difficulty.

Testing Procedures and quantitative analysis will not generally be required for structural members or systems except for such cases where visual examination has revealed such need, or where apparent loading conditions may be critical.

Manual Procedures such as chipping small areas of concrete and surface finishes for closer examinations are encouraged in preference to sampling and/or testing where visual examination alone is deemed insufficient. Generally, unfinished areas of buildings such as utility spaces, maintenance areas, stairwells and elevator shafts should be utilized for such purposes. In some cases, to be held to a minimum, ceilings or other construction finishes may have to be opened for selective examination of critical structural elements. In that event, such locations should be carefully located to be least disruptive, most easily repaired and held to a minimum. In any event, a sufficient number of structural members must be examined to afford reasonable assurances that such are representative of the total structure.

Evaluating an existing structure for the effects of time, must take into account two basic considerations; movement of structural components with respect to each other, and deterioration of materials.

With respect to the former, volume change considerations, principally from ambient temperature changes, and possibly long-time deflections, are likely to be most significant. Foundation movements will frequently be of importance, usually settlement, although upward movement due to expansive soils may occur, although infrequently in this area. Older buildings on spread footings may exhibit continual, even recent settlements if founded on deep unconsolidated fine grained or cohesive soils, or from subterranean losses or movements from several possible causes.

With very little qualifications, such as rather rare chemically reactive conditions deterioration of building materials can only occur in the presence of moisture, largely related to metals and their natural tendency to return to the oxide state in the corrosive process.

In this marine climate, highly aggressive conditions exist year-round. For most of the year, outside relative humidity may frequently be about 90 or 95%, while within air-conditioned building, relative humidity will normally be about 55% to 60%. Under these conditions moisture vapor pressures ranging from about 1/3 to 1/2 pounds per square inch will exist

much of the time. Moisture vapor will migrate to lower pressure areas. Common building materials such as stucco, masonry and even concrete, are permeable even to these slight pressures. Since most of our local construction does not use vapor barriers, condensation will take place within the enclosed walls of the building. As a result, deterioration is most likely adjacent to exterior walls, or wherever else moisture or direct leakage has been permitted to penetrate the building shell.

Structural Deterioration will always require repair. The type of repair, however, will depend upon the importance of the member in the structural system, and degree of deterioration. Cosmetic type repairs may suffice in certain non-sensitive members such as tie beams and columns, provided that the remaining sound material is sufficient for the required function. For members carrying assigned gravity or other loads, cosmetic type repairs will only be permitted if it can be demonstrated by rational analysis that the remaining material, if protected from further deterioration can still perform its assigned function at acceptable stress levels. Failing that, adequate repairs or reinforcement will be considered mandatory.

Written Reports shall be required attesting to each required inspection. Each such report shall note the location of the structure, description of the type of construction, and general magnitude of the structure, the existence of drawings and location thereof, history of the structure to the extent reasonably known, and a description of the type and manner of the inspection, noting problem areas and recommended repairs, if required to maintain structural integrity. See additional reporting requirements outlined in the foregoing of the Policy.

Each report shall include a statement to the effect that the building or structure is structurally safe, unsafe, safe with qualifications, or has been made safe. It is suggested that each report also include the following information indicating the actual scope of the report and limits of liability. This paragraph may be used:

"As a routine matter, in order to avoid possible misunderstanding, nothing in this report should be considered to be a guarantee for any portion of the structure. To the best of my knowledge and ability, this report represents an accurate appraisal of the present condition of the building based upon careful evaluation of observed conditions, to the extent reasonably possible."

Foundations

If all of the supporting subterranean materials were completely uniform beneath a structure, with no significant variations in grain size, density, moisture content or other mechanical properties; and if dead load pressures were completely uniform, settlements would probably be uniform and of little practical consequence. In the real world, however, neither is likely. Significant deviations from either of these two idealisms are likely to result in unequal vertical movements.

Monolithic masonry, structures are generally incapable of accepting such movements, and large openings. Since, in most cases, differential shears are involved, cracks will typically be diagonal.

Small movements, in themselves, are most likely to be structurally important only if long term leakage through fine cracks may have resulted in deterioration. In the event of large movements, contiguous structural elements such as floor and roof systems must be evaluated for possible fracture or loss of bearing.

Pile foundations are, in general, less likely to exhibit such difficulties. Where such does occur, special investigation will be required.

Roofs

Sloping roofs, usually having clay or cement tiles, are of concern in the event that the covered membrane may have deflections, if merely resulting from deteriorated rafters or joists will be of greater import. Valley flashing and base flashing at roof penetration will also be matters of concern.

Flat roofs with built up membrane roofs will be similarly critical with respect to deflection considerations. Additionally, since they will generally be approaching expected life limits at the age when The Building Safety Inspection is required, careful examination is important. Blisters, wrinkling, alligatoring, and loss of gravel are usual signs of difficulty.

Punctures or loss of adhesion of base flashings, coupled with loose counterflashing will also signify possibility of other debris, may result in ponding, which if permitted, may become critical.

Masonry Bearing Walls

Random cracking, or if discernible, definitive patterns of cracking, will of course, be of interest. Bulging, sagging, or other signs of misalignment may also indicate related problems in other structural elements. Masonry walls where commonly constructed of either concrete masonry units, or scored clay tile, may have been constructed with either reinforced concrete columns and tie beams, or lintels.

Of most probable importance will be the vertical and horizontal cracks where masonry units abut tie columns, or other frame elements such as floor slabs. Of interest here is the observation that although the raw materials of which these masonry materials are made may have much the same mechanical properties as the reinforced concrete framing, their actual behavior in the structure, however, is likely to differ with respect to volume change resulting from moisture content, and variations in ambient thermal conditions.

Moisture vapor penetration, sometimes abetted by salt laden aggregate and corroding rebars, will usually be the most common cause of deterioration. Tie columns are rarely structurally sensitive, and a fair amount of deterioration may be tolerated before structural impairment becomes important. Cosmetic type repair involving cleaning, and parching to effectively seal the member, may often suffice. A similar approach may not be unreasonable for tie beams, provided they are not also serving as lintels. In that event, a rudimentary analysis of load capability using the remaining actual rebar area, may be required.

Floor and Roof Systems

Cast in place reinforced concrete slabs and/or beams and joists may often show problems due to corroding rebars resulting from cracks or merely inadequate protecting cover of concrete. Patching procedures will usually suffice where such damage has not been extensive. Where corrosion and spalling has been extensive in structurally critical areas, competent analysis with respect to remaining structural capacity, relative to actual supported loads, will be necessary. Type and extent of repair will be dependent upon the results of such investigation.

Pre-cast members may present similar deterioration conditions. End support conditions may also be important. Adequacy of bearing, indications of end shear problems, and restraint conditions are important, and should be evaluated in at least a few typical locations.

Steel bar joists are, of course, sensitive to corrosion. Most critical locations will be web member welds, especially near supports, where shear stresses are high and possible failure may be sudden, and without warning.

Cold formed steel joists, usually of relatively light gage steel, are likely to be critically sensitive to corrosion, and are highly dependent upon at least nominal lateral support to carry designed loads. Bridging and the floor or roof system itself, if in good condition, will serve the purpose.

Wood joists and rafters are most often in difficulty from "dry rot", or the presence of termites. The former (a misnomer) is most often prevalent in the presence of sustained moisture or lack of adequate ventilation. A member may usually be deemed in acceptable condition if a sharp pointed tool will penetrate no more than about one eighth of an inch under moderate hand pressure. Sagging floors will most often indicate problem areas.

Gypsum roof decks will usually perform satisfactorily except in the presence of moisture. Disintegration of the material and the form-board may result from sustained leakage. Anchorage of the supporting bulb tees against uplift may also be of importance.

Floor and roof systems of cast in place concrete with self-centering reinforcing, such as paper backed mesh and rib-lath, may be critical with respect to corrosion of the unprotected reinforcing. Loss of uplift anchorage on roof decks will also be important if significant deterioration has taken place, in the event that dead loads are otherwise inadequate for that purpose. Expansion joints exposed to the weather must also be checked.

Steel Framing System

Corrosion, obviously enough, will be the determining factor in the deterioration of structural steel. Most likely suspect areas will be fasteners, welds, and the interface area where bearings are embedded in masonry. Column bases may often be suspect in areas where flooding has been experienced, especially if salt water has been involved. Concrete fireproofing will, if it exists, be the best clue indicating the condition of the steel.

Concrete Framing Systems

Concrete deterioration will, in most cases, similarly be related to rebar corrosion possibly abetted by the presence of saltwater aggregate or excessively permeable concrete. In this respect, honeycomb areas may contribute adversely to the rate of deterioration. Columns are frequently most suspect. Extensive honeycomb is most prevalent at the base of columns, where fresh concrete was permitted to segregate, dropping into form boxes. This type of problem has been known to be compounded in areas where flooding has occurred, especially involving salt water.

Thin cracks usually indicate only minor corrosion, requiring minor patching only. Extensive spalling may indicate a much more serious condition requiring further investigation.

In spall areas, chipping away a few small loose samples of concrete may be very revealing. Especially, since loose material will have to be removed even for cosmetic type repairs, anyway. Fairly reliable quantitative conclusions may be drawn with respect to the quality of the concrete. Even though our cement and local aggregate are essentially derived from the same sources, cement will have a characteristically dark grayish brown color in contrast to the almost white aggregate. A typically white, almost alabaster like coloration will usually indicate reasonably good overall strength.

Windows and Doors

Window and door condition is of considerable importance with respect to two considerations. Continued leakage may have resulted in other adjacent damage and deteriorating anchorage may result in loss of the entire unit in the event of severe windstorms even short of hurricane velocity. Perimeter sealants, glazing, seals, and latches should be examined with a view toward deterioration of materials and anchorage of units for inward as well as outward (suction) pressure, most importantly in high buildings.

Structural Glazing

When installed on threshold buildings, structural glazing curtain wall systems, shall be inspected by the owner at 6-month intervals for the first year after completion of the installation. The purpose of the inspection shall be to determine the structural condition and adhesive capacity of the silicone sealant. Subsequent inspections shall be performed at least once every 5 years at regular intervals for structurally glazed curtain wall systems installed on threshold buildings.

Wood Framing

Older wood framed structures, especially of the industrial type, are of concern in that long term deflections may have opened important joints, even in the absence of deterioration. Corrosion of ferrous fasteners will in most cases be obvious enough. Dry rot must be considered suspect in all sealed areas where ventilation has been inhibited, and at bearings and at fasteners. Here too, penetration with a pointed tool greater than about one eighth inch with moderate hand pressure will indicate the possibility of further difficulty.

Building Facade

Appurtenances on an exterior wall of a threshold building are elements including, but not limited to, any cladding material, precast appliques, exterior fixtures, ladders to rooftops, flagpoles, signs, railings, copings, guardrails, curtain walls, balcony and terrace enclosures, including greenhouses or solariums, window guards, window air conditioners, flower boxes, satellite dishes, antennae, cell phone towers, and any equipment attached to or protruding from the façade that is mechanically and/or adhesive attached.

Loading

It is of importance to note that even in the absence of any observable deterioration, loading conditions must be viewed with caution. Recognizing that there will generally be no need to verify the original design, since it will have already been "time tested", this premise has validity only if loading patterns and conditions **remain unchanged**. Any material change in type and/or magnitude or loading in older buildings should be viewed as sufficient justification to examine load carrying capability of the affected structural system.

II. SCOPE OF ELECTRICAL INSPECTION

The purpose of the required inspection and report is to confirm with reasonable fashion that the building or structure and all habitable and non-habitable areas, as deemed necessary by the inspecting professional, to establish compliance are safe for continued use under present occupancy. As mentioned before, this is a recommended procedure, and under no circumstances are these minimum recommendations intended to supplant proper professional judgment.

Electric Service

A description of the type of service supplying the building or structure shall be provided, stating the size of amperage, if three (3) phase or single (1) phase, and if the system is protected by fuses or breakers. Proper grounding of the service should also be in good standing. The meter and electric rooms should have sufficient clearance for equipment and for the serviceman to perform both work and inspections. Gutters and electrical panels should all be in good condition throughout the entire building or structure.

Branch Circuits

Branch circuits in the building must all be identified, and an evaluation of the conductors must be performed. Proper grounding must be verified for all equipment used in the building, such as an emergency generator, or elevator motors.

Conduit Raceways

All types of wiring methods present in the building must be detailed and individually inspected. The evaluation of each type of conduit and cable, if applicable, must be done individually. The conduits in the building should be free from erosion and checked for considerable dents in the conduits that may be prone to cause a short. The conductors and cables in these conduits should be chafe free and their currents not over the rated amount.

Emergency Lighting

Exit sign lights and emergency lighting, along with a functional fire alarm system, if applicable, must all be in good working condition.

Infrared Thermography Inspection - The effective date of this section shall be July 1, 2023.

For electrical services operating at 400 amperes or greater, an infrared thermography inspection with a written report of the following electrical equipment must be provided as applicable or as otherwise indicated below: busways, switchgear, panelboards (except in dwelling unit load centers), disconnects, VFDS, starters, control panels, timers, meter centers, gutters, junction boxes, automatic/manual transfer switches, exhaust fans and transformers. The infrared inspection of electrical equipment shall be performed by a Level-II or higher certified infrared thermographer who is qualified and trained to recognize and document thermal anomalies in electrical systems and possesses over 5 years of experience inspecting electrical systems associated with commercial buildings.

III. HISTORICAL DOCUMENTS, PERMITTING, REPAIRS AND REPORTS

An attempt shall be made to investigate the existence of documents with the local jurisdiction to assist with the overall inspection of the building.

Understanding the structural system, building components, and intended design may guide the design professional to investigate certain critical areas of the structure.

Violations through code compliance division of the local jurisdiction should be investigated. Cases on file may lead to issues pre-existing with the building, especially any unsafe structure determinations. Depending on the nature of the violation, Building Safety Inspections may be affected.

Unpermitted activities may also affect the outcome of a Building Safety Inspection, especially with unpermitted additions to the building. The Building Safety Inspection of a building is conducted on the entire structure including the original construction and any subsequent permitted addition. Unpermitted additions found by the Building Safety Inspection process present an unsafe situation and shall be identified in the report, even if found to be properly built. Like a repair process identified by the report, legalizing an unpermitted addition would be a prerequisite to the completion of a successful Building Safety Inspection report. Examples of unpermitted work that may affect Building Safety Inspections include, but are not limited to, additions, alterations, balcony enclosures, etc.

Repairs identified in the Building Safety Inspection report will most likely require permits. Once the initial report is completed it should be immediately submitted to the local jurisdiction for processing. Do not proceed to conduct repairs without permits. Some repairs, like changing a bulb in an exit sign, may not require a permit but most other work will require permits. Proceeding without obtaining repair permits may lead to a violation of the Code. Additionally, repairs being conducted under a permit will afford additional time to comply with a complete Building Safety Inspection report.

Completing the reports concisely is vital to the overall understanding of the conditions of the building and successful completion of the Building Safety Inspection process. The approved report forms provided herein shall be used. Proprietary forms will not be accepted. Such approved forms are to be considered supplemental to and in addition to a detailed written report. Sufficient photos shall be included to adequately convey typical conditions observed, particularly where defects are found. Where provided, photos shall be in color and with sufficient resolution to detail the conditions being shown. Building Safety Inspection reports may be audited, and the subject building may be inspected at the discretion of the Building Official. The Building Official reserves the right to rescind or revoke an approved Building Safety Inspection report.

The **Code in Effect** at the time of the original construction is the baseline for the Building Safety Inspections. Subsequent improvements to the original building should be inspected based on the Code at the time of permitting. It is not the intent of the Building Safety Inspection that buildings must be brought into compliance with current codes.

Section 3



Broward County Board of Rules and Appeals

1 N. University Drive Suite, 3500B, Plantation, FL 33324
Phone: 954-765-4500 | Fax: 954-765-4504
broward.org/CodeAppeals

TO: Members of the Board of Rules and Appeals

FROM: Chief Structural Code Compliance Officer

DATE: March 9, 2023

RE: Request of Nebojsa Madic for extension of 90 days to close open permits.

Recommendation

The Board, by vote, approve Mr. Nebojsa Madic's request for a time extension to May 8, 2023, caused by unforeseen delays in closing open permits.

Reasons

Mr. Madic had two open permits when he was approved by staff in August 2022. Mr. Madic closed one of the permits and expects to have the other closed out by May 8, 2023.

Additional Information

Open permit #19-3307 in Pompano Beach is in the process of changing contractors.

Respectfully Submitted,

Jack Morell

Jack Morell