

# Broward County Board of Rules and Appeals Meeting Agenda

September 12, 2024

Time: 7:00 PM

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1616088760>

Meeting ID: 161 608 8760

- I. **CALL MEETING TO ORDER**
- II. **ROLL CALL**
- III. **APPROVAL OF AGENDA**
- IV. **APPROVAL OF MINUTES** – August 8, 2024, 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**

Massanova, Jennifer, Fire Inspector

**TOWN OF DAVIE**

Correa, Carlos, Fire Plans Examiner

**CITY OF FORT LAUDERDALE**

Mowers, James, Structural Inspector (120-Day Temporary)

**CITY OF MARGATE**

Gomes, Lecio Do, Chief Electrical Inspector

**CITY OF MIRAMAR**

Schleicher, Charles, Fire Plans Examiner

**CITY OF PEMBROKE PINES**

Pizzillo, Stephen, Structural Plans Examiner (Temporary 120-Day)

Ribbeck, Firelei, Structural Inspector (Temporary 120-Day)

**CITY OF SUNRISE**

Ferrara, Rena, Fire Code Official

**CITY OF WILTON MANORS**

Sanchez, Roman, Chief Mechanical Inspector

**COUNTYWIDE**

Brooks, Kevin, Electrical Inspector

Jean-Louis, Serge, Structural Inspector

Merowitz, Michael P., Mechanical Inspector

Merowitz, Michael P., Mechanical Plans Examiner

Perez, Walter, Electrical Inspector

Rojas, Rafael M., Structural Inspector

Rojas, Rafael M., Structural Plans Examiner

## VII. REGULAR AGENDA

1. **Second Reading of Amendments to Chapter 1, Section 110.15, Building Safety Inspection Program, Florida Building Code, 8<sup>th</sup> Edition (2023)**
  - a. Staff Report
  - b. Public Hearing
  - c. Board Questions
  - d. Board Action
2. **Ad Hoc Committee's Recommendation for Board Policy 05-01, Representation on the Board of Rules and Appeals Standing Committees and Appointment Guidelines**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
3. **Director's Report**
4. **Attorney's Report**
5. **Committee Reports**
6. **General Board Member Discussion**
7. **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 get in touch with Dr. Barbosa at 954-931-2393 between 6:00 PM and 7:00 PM.*

August 8, 2024  
Board Meeting Minutes

# Broward County Board of Rules and Appeals Meeting Minutes

August 8, 2024

Time: 7:00 PM

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1613509441>

Meeting ID: 161 350 9441

## I. CALL MEETING TO ORDER

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

## II. ROLL CALL

Gregg D'Attile, Chairman  
Ron Burr, Vice Chairman  
Jeffrey Falkanger  
John Famularo  
Shalanda Giles-Nelson  
R. Art Kamm  
Daniel Lavrich  
Sergio Pellecer  
Daniel Rourke  
James Terry  
David Tringo  
Dennis Ulmer  
Lynn Wolfson

## III. APPROVAL OF AGENDA

Ms. Jonda Joseph, Board Clerk, requested a correction to the Certifications item. Mr. Chase Hournbuckle should be reflected as Provisional Electrical Inspector. Mr. Lavrich made a motion, and Mr. Falkanger seconded the motion to approve the agenda as corrected. The motion was carried out through a unanimous vote of 13-0.

## IV. APPROVAL OF MINUTES – June 13, 2024, Board Meeting

Mr. Lavrich made a motion, and Mr. Famularo seconded the motion to approve the June 13, 2024, minutes as submitted. The motion was carried out through a unanimous vote of 13-0.

## 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

#### **BROWARD SHERIFF'S OFFICE FIRE RESCUE**

Barbosa, Moses, Fire Plans Examiner

#### **CITY OF CORAL SPRINGS/PARKLAND**

Schermerhorn, William, Fire Inspector

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

Casey, Tyron, Fire Plans Examiner

Delano, David S., Plumbing Plans Examiner

Nesmith, Stephen L., Structural Inspector (Limited) (120-Day Temporary)

Perusi, Tracy, Fire Plans Examiner

**CITY OF MARGATE**

Schepers, Todd, Assistant Building Official

**CITY OF MIRAMAR**

Robinson, Miles, Fire Inspector

**CITY OF NORTH LAUDERDALE**

Hournbuckle, Chase, Electrical Inspector (Provisional)

**CITY OF OAKLAND PARK**

Fernandez, Patricia D., Chief Structural Inspector

**CITY OF PEMBROKE PINES**

Diaz, Gregorio, Assistant Building Official

**CITY OF TAMARAC**

Joseph, Rolle, Assistant Building Official

Palacios, Otoniel, Building Official

**COUNTYWIDE**

De La Fe, Gustavo, Structural Inspector

McGinness, James P., Structural Inspector

McGinness, James P., Structural Plans Examiner

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

**VII. REGULAR AGENDA**

**1. Update to Board Policy #05-05, Building Safety Inspection Program**

a. Staff Report

Dr. Ana Barbosa, Administrative Director, advised that this amendment is to correlate with the State of Florida Law changes and Chapter 18 of the Florida Building Code. Some information relevant to condominiums and co-ops updated by the State has been included in this policy update including what would be applicable to structures 3,500 square feet and above. The State updated from one-family and two-family to now include three-family and four-family with three or fewer habitable stories above ground. The Board of Rules and Appeals Building Safety Inspection Program includes the State's Milestones 1 and 2. In other words, the BORA policy is above the State's requirements. Under the heading *Reporting Procedures*, we changed the requirement from 90 to 180 days for the owner or association to complete the Building Safety Inspection. The 180-day timeline is consistent with the State's program.

b. Board Questions

Mr. Lavrich pointed out that the State requires milestone inspections for only condominiums and co-ops, whereas BORA's policy requires inspections for all buildings that meet the criteria.

c. Board Action

Mr. Lavrich made a motion, and Ms. Giles-Nelson seconded the motion to approve the proposed update to Board Policy #05-05. The motion was carried out through a unanimous vote of 13-0.

**2. First Reading of Amendments to Chapter 1, Section 110.15, Building Safety Inspection Program, Florida Building Code, 8<sup>th</sup> Edition (2023)**

a. Staff Report

Dr. Ana Barbosa, Administrative Director, advised that this is to update Chapter 1 to be consistent with Chapter 18 of the Florida Building Code. Specifically, the amendments add three-family and four-family dwellings and change gross floor area to building area with respect to the 3,500 square feet provision. If approved on the first reading, a public hearing for the second reading would be scheduled.

b. Board Questions

In response to Mr. Lavrich, Dr. Barbosa clarified that Chapter 18 of the Florida Building Code in the backup materials is background information only to show why the amendment to Chapter 1 is being requested.

c. Board Action

Mr. Lavrich made a motion, and Ms. Giles-Nelson seconded the motion to approve the amendments to Sections 110.15.4 and 110.15.5 only (shown on page 2 of the agenda memorandum, dated August 8, 2024, and not include pages 3-8). The motion was carried out through a unanimous vote of 13-0.

**3. Fiscal Year 2025 Budget (October 1, 2024 - September 30, 2025)**

a. Staff Report

Dr. Ana Barbosa, Administrative Director, reviewed the agenda memorandum of August 8, 2024. She indicated the recommended budget includes funding for personnel, operational expenses, and capital outlay. It reflects an increase of 6.65% largely for regular salary increases, and fringe benefits. A cost-of-living increase has been included separately from merit increases.

b. Board Questions

c. Board Action

Mr. Lavrich made a motion, and Mr. Falkanger seconded the motion to approve the budget as presented. The motion was carried out through a unanimous vote of 13-0.

**4. Director's Report**

Dr. Barbosa noted that she has recently been attending town hall meetings at the cities of Lauderhill and Sunrise to discuss the Building Safety Inspection Program. She went on to elaborate on the training put on by the Code Compliance Officers. Next Wednesday, staff will meet with all building officials and any of their representatives on the Building Safety Inspection Program in lieu of the Open Discussion session.

**5. Attorney's Report**

**6. Committee Reports**

Mr. Lavrich advised that the Ad Hoc Committee (Policy 05-01) is meeting via Zoom tomorrow afternoon.

**7. General Board Member Discussion**

Mr. Michael Guerasio, Chief Structural Code Compliance Officer, commented on the phenomenal work of Dr. Barbosa as the Board's spokesperson with the municipalities and her support with staff's continuing education program.

**8. Adjournment**

The meeting adjourned at 7:44 PM.

DRAFT

# Consent Agenda

# Consent Agenda: Item 1

**BROWARD SHERIFF'S OFFICE FIRE RESCUE**

Massanova, Jennifer, Fire Inspector

**TOWN OF DAVIE**

Correa, Carlos, Fire Plans Examiner

**CITY OF FORT LAUDERDALE**

Mowers, James, Structural Inspector (120-Day Temporary)

**CITY OF MARGATE**

Gomes, Lecio Do, Chief Electrical Inspector

**CITY OF MIRAMAR**

Schleicher, Charles, Fire Plans Examiner

**CITY OF PEMBROKE PINES**

Pizzillo, Stephen, Structural Plans Examiner (Temporary 120-Day)

Ribbeck, Firelei, Structural Inspector (Temporary 120-Day)

**CITY OF SUNRISE**

Ferrara, Rena, Fire Code Official

**CITY OF WILTON MANORS**

Sanchez, Roman, Chief Mechanical Inspector

**COUNTYWIDE**

Brooks, Kevin, Electrical Inspector

Jean-Louis, Serge, Structural Inspector

Merowitz, Michael P., Mechanical Inspector

Merowitz, Michael P., Mechanical Plans Examiner

Perez, Walter, Electrical Inspector

Rojas, Rafael M., Structural Inspector

Rojas, Rafael M., Structural Plans Examiner

# Regular Agenda

# Regular Agenda: Item 1



## Broward County Board of Rules and Appeals

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

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

**FROM:** Administrative Director

**DATE:** September 12, 2024

**RE:** Second reading of Amendments to Chapter 1, Section 110.15, Building Safety Inspection Program, Florida Building Code, 8<sup>th</sup> Edition (2023)

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The Board of Rules and Appeals approved the revisions of the Amendments to Chapter 1, Section 110.15, Building Safety Inspection Program, Florida Building Code, 8<sup>th</sup> Edition (2023) on the first reading on August 8, 2023. 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:** Administrative Director

**DATE:** September 12, 2024

**RE:** Update to Board Policy #05-05, Building Safety Inspection Program

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### **Recommendation**

It is recommended that the Board of Rules and Appeals adopt, by vote, the revised Board Policy 05-05, Broward County Building Safety Inspection Program.

### **Reasons**

Our Building Safety Inspection Program has been revised to be consistent with the requirements of Florida law and Chapter 18 of the Florida Building Code, Existing Building. The proposed code language is based on the 2024 Legislature Session (HB 267, HB 535, HB 1021, and SB 1526) and the proposed Chapter 18, Minimum Requirements for the Mandatory Milestone Inspection, of the 2023 FBC - Existing Building and Other Glitches.

### **Additional Information**

Revised Board Policy 05-05 is attached. ~~Stricken through~~ text is language deleted. Underscored text is new or revised language.

Respectfully Submitted,

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

Dr. Ana C. Barbosa

## BROWARD COUNTY AMENDMENTS

### 110.15 Building Safety Inspection Program

**110.15.1** BORA has established a Building Safety Inspection Program for buildings and structures that are 25 years of age or older.

**110.15.2** BORA, by written policy, has established the guidelines and criteria which shall be the minimum requirements for the Building Safety Inspection Program and are contained in BORA Policy #05-05, which by reference is made part of this Code.

**110.15.3** The Building Official shall enforce the Building Safety Inspection Program.

**110.15.4** The following are **exempt** from this program:

1. US Government Buildings
2. State of Florida Buildings
3. Buildings built on sovereign tribal lands.
4. School buildings under the jurisdiction of the Broward County School Board.
5. ~~One and Two Family Dwellings~~  
Single-family, two-family, three-family, and four-family dwellings with three or fewer habitable stories above ground.
6. Fee simple Townhouses as defined in the Florida Building Code.
7. Minor structures, defined as buildings or structures in any occupancy group having a ~~gross floor~~ building area of less than three thousand five hundred (3,500) square feet.
8. Railroads and ancillary facilities associated with the railroad.

**110.15.5** Subsequent building safety inspections shall be required at ~~ten (10)-year~~ intervals from the year the building or structure reaches 25 years of age (as applicable) required inspection date, regardless of when the previous inspection report for the building or structure is finalized or filed.

Add Chapter 18 to read as follows:

## **Chapter 18**

### **Minimum Requirements for The Mandatory Milestone Inspections**

#### **SECTION 1801**

##### **Mandatory structural inspections for condominium and cooperative buildings.**

#### **Section 1801. Mandatory Structural Inspections for Condominium and Cooperative Buildings.**

**1801.1 General.** Maintaining the structural integrity of a building throughout the life of the building is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. The Legislature has found that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

**1801.2 Scope.** An owner or owners of a building that is three stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718 or a residential cooperative under chapter 719 must have a milestone inspection performed.

#### **Exception:**

This section does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

**, ~~or~~ three-family, or four-family – add from SB 1021**

## SECTION 1802

### Milestone inspection timeframe and frequency

1802 Applicable buildings shall have a milestone inspection as follows:

- A. By December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024.
- B. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025.
- C. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

#### Exceptions:

1. The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, Florida Statutes, require that a milestone inspection must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If needed, the local enforcement agency must adopt such local circumstances by ordinance.
2. The local enforcement agency may extend the date by which a building's initial milestone inspection must be completed upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection, the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension, and there is no evidence that the building is unsafe, substantial structural deterioration exists, or potentially dangerous conditions exist as certified by the architect or engineer responsible for the Milestone Inspection.
3. The local enforcement agency may accept an inspection report prepared by a licensed engineer or architect for a structural integrity and condition inspection of a building performed before July 1, 2022, if the inspection and report substantially comply with the requirements of this section. The inspection for which an inspection report is accepted by the local enforcement agency under this paragraph is deemed a milestone inspection for the applicable requirements in Chapters 718 and 719, Florida Statutes. If a previous inspection and report is accepted by the local enforcement agency under this paragraph, the deadline for the building's subsequent 10-year milestone inspection is based on the date of the accepted previous inspection.

1802.1 If an owner or owners of a building that is subject to a milestone inspection, fails to ensure a Phase 1 or Phase 2 milestone inspection is completed in accordance with Chapter 18, the Building Official may file a complaint with the Department of Business and Professional Regulation Division of Condominiums, Timeshares, and Mobile Homes documenting such failure.

### **SECTION 1803** **Notice For Compliance**

1803.1 Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable, by certified mail, return receipt requested.

### **SECTION 1804** **Milestone Inspection Phases and Completion Date**

**1804.1 A milestone inspection consists of two phases:**

1804.1.1 Phase One. For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 1804.1.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 1806.1. If the architect or engineer finds that unpermitted work was performed to the structural components of the building, they shall notify the building official of such work.

1804.1.1.1 Completion Timeline for Phase One. Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive the written notice under Section 1803 For purposes of this section, completion of phase one of the milestone inspection means the licensed architect or engineer responsible for the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

1804.1.2 Phase Two. A phase two milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as

extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. However, such preference shall not supersede the inspector's professional judgement as to determining locations for destructive and nondestructive testing that are necessary, in the sole opinion of the inspector, to assess if the building is structurally sound and safe.

**1804.1.2.1 Completion Timeline for Phase Two.** If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer responsible for the phase two inspection must submit a phase two inspection report to the local enforcement agency or progress report with a timeline for completion of the phase two inspection. The architect or engineer responsible for a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection 1806.1.

**1804.2 Duty to Report.** Any registered design professional who performs an inspection of an existing building or structure has a duty to report to the owner, association, the local fire chief, and the building official any findings that, if left unaddressed, would endanger life or property, and shall inform the appropriate parties no later than ten (10) days after making such findings. However, if such professional finds that there are conditions in the building or structure meeting the definition of *Dangerous*, such professional shall report such conditions immediately to the building owner or association, the local fire chief, and to the building official within twenty-four (24) hours of the time of discovery. The registered design professional shall also render an opinion if the building or portions of the building need to be vacated and the timeframe for such vacation to occur. In addition to assessing any fines or penalties provided by the jurisdiction, the Building Official may report any violations of this provision to the appropriate licensing agency, regulatory board, and professional organization of such engineer or architect.

## **SECTION 1805**

### **Milestone Inspection Responsibility**

**1805.1** The milestone inspection report must be obtained by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership are each responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association.

## **SECTION 1806**

### **Milestone Inspection Reporting**

**1806.1 Minimum Criteria.** Upon completion of a phase one or phase two milestone inspection, the architect or engineer responsible for the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, to any other owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

- (a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect responsible for the inspection.
- (b) Indicate the manner and type of inspection forming the basis for the inspection report.
- (c) 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.
- (d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
- (e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
- (f) Identify and describe any items requiring further inspection.

## **SECTION 1807**

### **Milestone Inspection Report Form**

**1807.1** The Milestone Inspection Report Form (Appendix D) shall serve as minimum inspection compliance for Phase One and Phase Two milestone inspection requirements.

## **SECTION 1808**

### **Local Enforcement Agency Action on Milestone Inspection Results**

**1808.1 Enforcement.** A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

**1808.2 Repair.** A board of county commissioners or municipal governing body may adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report.

**1808.3 Required Repairs or Modifications:**

1. In the event that repairs or modifications are found to be necessary as a result of the milestone inspection, the building owner shall have a total of 180 days from the date of the building milestone inspection report, unless otherwise permitted by the Building Official, in which to complete required repairs and correct the structural deficiencies. All applicable requirements of this code shall be followed with all applicable permits obtained. If an owner or association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in the inspection report within the required timeframe, 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. Such finding may also be reported as a complaint to the Department of Business and Professional Regulation Division of Condominiums, Timeshares, and Mobile Homes.
2. Once a permit is obtained for all necessary repairs or modifications from the local building department, which has jurisdiction, the *Florida Building Code* shall govern time restraints for such permits, or in accordance with a more restrictive timeframe as directed by the design professional.
3. For corrective action of deficiencies that cannot be commenced within 180 days, the time frame may be extended an additional 185 days not to exceed a total of 365 days when a time frame is specified by the architect or engineer responsible for the Milestone Inspection or the Architect or Engineer of Record for the repairs and approved by the Building Official. Such extensions shall be contingent on maintaining an active building permit as specified in Section 105.3.2 of the *Florida Building Code, Building*.
4. The building official may issue an extension of not more than 60 days to submit a building milestone inspection report or to obtain any necessary permits upon a written extension request from the architect or engineer responsible for the Milestone Inspection. Such request shall contain a signed and sealed statement from the architect or engineer responsible for the Milestone Inspection that the building may continue to be occupied while undergoing the building milestone inspection.
5. Once all required repairs have been completed, the architect or engineer responsible for the milestone inspection and the report shall re-inspect the areas noted on the original report and shall provide the building owner, association, 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 is acceptable for continued use under the present occupancy. The building owner or the architect or engineer responsible for the Milestone Inspection shall submit that letter to the building official.

# 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  
Ad Hoc Committee Chair

**DATE:** September 12, 2024

**RE:** Ad Hoc Committee's Recommendation for Board Policy 05-01, Representation on the Board of Rules and Appeals Standing Committees and Appointment Guidelines

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## Recommendation

It is recommended that the Board of Rules and Appeals adopt, by vote, the recommendations from the Ad Hoc Committee for revisions to Board Policy 05-01, Representation on the Board of Rules and Appeals Standing Committees and Appointment Guidelines.

## Reasons

At the June 2024, Board meeting, Dan Lavrich proposed the creation of an Ad Hoc Committee to review Policy 05-01 thoroughly and provide a recommendation to the Board. The Ad Hoc Committee met and reviewed the staff's recommendation of revisions to Board Policy 05-01.

The following are the Ad Hoc Committee's recommendations:

1. Agreed with the staff's recommendation to delete the following committees from Policy 05-01. However, the committees could be reconvened as needed.
  - a. Certification Standards Review Committee
  - b. Committee to Address Uniform Procedures for Installation of Bi-Directional Amplifiers
  - c. General Contractors/Architects Committee
  - d. Protocol for Resolution of Structural Design Issues Committee
2. Disagreed with the recommendation to combine the Roofing and Structural Committees and voted to keep the two committees separate.
3. Disagreed with the proposal to assign Board members to discipline-specific positions on the committees and agreed with the change to the Committee Guidelines. The committee makeup will stay as is and eliminate the requirement to meet at least once a year in the Committee Guidelines.
4. Agreed with staff's recommendation to revise the Fire Code Committee member list to change the wording from Florida-Certified Fire Inspectors to Broward County-Certified Fire Inspectors.
5. Disagreed with the proposal to shorten the name of Policy 05-01.

## Additional Information

- A summary of the Ad Hoc Committee's meeting.
- Ad Hoc Committee Proposed Policy (strikeout and clean versions).

Respectfully Submitted,

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

Dr. Ana C. Barbosa

A handwritten signature in black ink, appearing to read "D. L. Lavrich".

Daniel L. Lavrich, P.E., S.I., F.ASCE, F.SEI

**Broward County Board of Rules and Appeals**  
**Ad Hoc Committee to Review Board Policy #05-01, Representation on the Board of Rules and Appeals**  
**Standing Committees and Appointment Guidelines Minutes**  
**August 9, 2024, 1:00 PM**

Daniel Lavrich, Chairman  
Gregg D'Attile  
Ron Burr  
Stephen Bailey  
John Famularo  
Shalanda Giles-Nelson  
James Terry

Chairman Lavrich called to order the Ad Hoc Committee on Board Policy #05-01 at 1:00 PM.

1. The Ad Hoc Committee was tasked to review what, if any, proposed modification needs to be changed. Chairmen Lavrich posed questions to be considered:
  - a. Updated administrative changes
  - b. Remove proposed committees
  - c. Review proposed updates to discipline-specific professionals
  - d. Review the proposed Committee List
2. The Committee reviewed the four committees separately that were proposed to be deleted. There was a consensus that the following four committees be deleted and could be reconvened as needed:
  - a. Certification Standards Review Committee
  - b. Committee to Address Uniform Procedures for Installation of Bi-Directional Amplifiers
  - c. General Contractors/Architects Committee
  - d. Protocol for Resolution of Structural Design Issues Committee
3. The Committee disagreed with the recommendation to combine the Roofing and Structural Committees and voted to keep the two committees separate.
4. Next, the Committee evaluated the proposal to assign Board members to discipline-specific positions on the committees and Committee Guidelines. The Ad Hoc Committee agreed to maintain the committee makeup as is and eliminate the requirement to meet at least once a year.
5. Mr. Bryan Parks, Chief Fire Code Compliance Officer, indicated that staff had received some objections to the makeup of the Fire Code Committee and provided a background. He proposed changing the Fire Code Committee member list from Florida-Certified Fire Inspectors to Broward County-Certified Fire Inspectors. The committee unanimously agreed to revise the Fire Code Committee member list to change the wording from Florida-Certified Fire Inspectors to Broward County-Certified Fire Inspectors.
6. Finally, the Committee took on the proposal to shorten the name of Policy 05-01 to Standing Committees and Appointment Guidelines. The committee voted to keep the current title of Representation on the Board of Rules and Appeals Standing Committees and Appointment Guidelines.

The meeting adjourned at 1:54 PM.

**AD HOC COMMITTEE PROPOSED POLICY**

**Subj: Representation on the Board of Rules and Appeals Standing Committees and Appointment Guidelines**

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**~~CERTIFICATION STANDARDS REVIEW COMMITTEE~~**

- ~~Four Board Members or Alternates~~
  - ~~One Board of Rules and Appeals Code Compliance Officers~~
  - ~~Four Building Officials~~
  - ~~Three Private Contractors serving as governmental inspectors~~
  - ~~One representative designed by the Builders Association of South Florida~~
  - ~~One representative of the Florida Structural Engineers Association, Florida licensed P.E.~~
  - ~~One representative of the American Institute of Architects, Broward Chapter, Florida licensed Architect~~
  - ~~Two representatives of the Broward City County Management Association~~
- ~~17 TOTAL~~**

**~~COMMITTEE TO ADDRESS UNIFORM PROCEDURES FOR INSTALLATION OF BI-DIRECTIONAL AMPLIFIERS~~**

- ~~Three Board Members~~
  - ~~Five Fire Service Professionals~~
  - ~~Two FCC License Holders~~
  - ~~Two BDA Providers~~
  - ~~One Fire Alarm Contractors~~
  - ~~One Fire Protection Engineer~~
  - ~~Two Electrical Government Inspectors~~
- ~~16 TOTAL~~**

**ELECTRICAL COMMITTEE**

- Four Board Members or Alternates
  - One Fire Service Professional
  - One Electrical Utility Representative
  - Three Government Inspectors
  - One Alarm Industry Representative
  - One Electrical Contractors
  - One Electrical Contractor or Master Electricians
- 12 TOTAL**

**ENERGY CONSERVATION COMMITTEE**

- Four Board Members
  - One Air Conditioning Contractor
  - One Broward County Sustainability Representative
  - One Electrical Plans Examiner/Inspector
  - One LEED AP (Accredited Professional)
  - One Mechanical Plans Examiner/Inspector
  - One Plumbing Plans Examiner/Inspector
  - One Structural Plans Examiner/Inspector
  - One Test and Balance Contractor
- 12 TOTAL**

**FIRE CODE COMMITTEE**

- One Mechanical Engineer Florida P.E
  - One Architect, Florida Registered
  - One Fire Sprinkler Contractor
  - One Representative of the Disabled Community
  - One Master Electrician
  - Four Fire Service (Florida Broward County Certified Fire Inspectors)
  - One Fire Service Member of the Board of Rules and Appeals
  - One Contractor, Certified to Install Fire Alarms
  - One General Contractor
  - One Electrical Engineer, Florida P.E
  - One Mechanical Contractor
  - Consumer Advocate
  - One Structural Engineer
  - One Chief Plumbing Inspector
- 17 TOTAL**

**~~GENERAL CONTRACTORS /ARCHITECTS COMMITTEE~~**

- ~~Four Board Members or Alternates~~
  - ~~Three General Contractors~~
  - ~~One Building Official~~
  - ~~One Architect~~
  - ~~One Representative of the Disabled Community~~
  - ~~One Consumer Advocate~~
  - ~~One Industry Representative~~
- ~~12 TOTAL~~**

**~~MECHANICAL/SMOKE CONTROL COMMITTEE~~**

- ~~Four Board Members or Alternates~~
  - ~~Four Contractors or Class A Air Conditioning Contractors~~
  - ~~One Test and Balance Contractor~~
  - ~~Three Government Inspectors~~
  - ~~One Professional Engineer~~
  - ~~One Fire Service Professional~~
- ~~12 TOTAL~~**

**PLUMBING COMMITTEE**

- Three Board Members or Alternates
  - Five Government Inspectors
  - Two Plumbing Contractors
  - One Plumbing Contractor or Master Plumbers
  - One Fire Service Professional
  - One Representative of the Disabled Community
- 13 TOTAL**

**PROBABLE CAUSE COMMITTEE**

- Five Board Members or Alternates
- 5 TOTAL**

**ROOFING COMMITTEE**

- Four Board members or Alternates
  - Two Industry Representatives
  - One Fire Service Professional
  - One Professional Engineer
  - Two Roofing Contractor
  - One Government Inspector
- 11 TOTAL**

**STRUCTURAL COMMITTEE**

Three Board members or alternates

Four Government Inspectors

Five Professional Engineers

**12 TOTAL**

**SWIMMING POOL COMMITTEE**

Four Board Members or alternates

Three Swimming Pool Contractors

One Building Official

One Government Inspector

One Professional Engineer

One Electrical Contractor

**11 TOTAL**

**Appointment Guidelines**

- A. Committee Members may not have had any personal or business dealings with any BORA certified inspector or BORA staff employee for a period of 12 months prior to their appointment, nor anticipate any future interests of a similar nature, where the purpose of either is to derive direct or indirect benefit to the Committee Member. Committee Members will promptly advise the Administrative Director of any possible conflicts of interest for further determination as necessary. The Administrative Director will notify the Committee Appointees of this Board Policy when the letters of appointment are sent.
- B. Board Members and Alternates will only fill board members' seats, except for the Fire Code Committee, the Board's Consumer Advocate, and the representative of the Disabled Community.
- C. None of the above Committees will include two or more individuals from the same private or government entity, except members of the Board of Rules and Appeals.
- D. As members of a committee operating under the State of Florida Sunshine Law, committee members shall not discuss any potential committee topic among themselves except at a legally advertised meeting.
- E. The above guidelines are also intended to apply to any Ad Hoc Committees or sub-committees that may be created.
- ~~F. Standing committees are required to meet at least once each year.~~

**AD HOC COMMITTEE PROPOSED POLICY (CLEAN)**

**Representation on the Board of Rules and Appeals Standing Committees and Appointment Guidelines**

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**ELECTRICAL COMMITTEE**

- Four Board Members or Alternates
- One Fire Service Professional
- One Electrical Utility Representative
- Three Government Inspectors
- One Alarm Industry Representative
- One Electrical Contractors
- One Electrical Contractor or Master Electricians

**12 TOTAL**

**ENERGY CONSERVATION COMMITTEE**

- Four Board Members
- One Air Conditioning Contractor
- One Broward County Sustainability Representative
- One Electrical Plans Examiner/Inspector
- One LEED AP (Accredited Professional)
- One Mechanical Plans Examiner/Inspector
- One Plumbing Plans Examiner/Inspector
- One Structural Plans Examiner/Inspector
- One Test and Balance Contractor

**12 TOTAL**

**FIRE CODE COMMITTEE**

- One Mechanical Engineer Florida P.E
- One Architect, Florida Registered
- One Fire Sprinkler Contractor
- One Representative of the Disabled Community
- One Master Electrician
- Four Fire Service (Broward County Certified Fire Inspectors)
- One Fire Service Member of the Board of Rules and Appeals
- One Contractor, Certified to Install Fire Alarms
- One General Contractor
- One Electrical Engineer, Florida P.E
- One Mechanical Contractor
- Consumer Advocate
- One Structural Engineer
- One Chief Plumbing Inspector

**17 TOTAL**

**MECHANICAL COMMITTEE**

- Four Board Members or Alternates
- Four Contractors or Class A Air Conditioning Contractors
- One Test and Balance Contractor
- Three Government Inspectors
- One Professional Engineer
- One Fire Service Professional

**12 TOTAL**

**PLUMBING COMMITTEE**

Three Board Members or Alternates  
Five Government Inspectors  
Two Plumbing Contractors  
One Plumbing Contractor or Master Plumbers  
One Fire Service Professional  
One Representative of the Disabled Community

**13 TOTAL****PROBABLE CAUSE COMMITTEE**

Five Board Members or Alternates

**5 TOTAL****ROOFING COMMITTEE**

Four Board members or Alternates  
Two Industry Representatives  
One Fire Service Professional  
One Professional Engineer  
Two Roofing Contractor  
One Government Inspector

**11 TOTAL****STRUCTURAL COMMITTEE**

Three Board members or alternates  
Four Government Inspectors  
Five Professional Engineers

**12 TOTAL****SWIMMING POOL COMMITTEE**

Four Board Members or alternates  
Three Swimming Pool Contractors  
One Building Official  
One Government Inspector  
One Professional Engineer  
One Electrical Contractor

**11 TOTAL****Appointment Guidelines**

- A. Committee Members may not have had any personal or business dealings with any BORA certified inspector or BORA staff employee for a period of 12 months prior to their appointment, nor anticipate any future interests of a similar nature, where the purpose of either is to derive direct or indirect benefit to the Committee Member. Committee Members will promptly advise the Administrative Director of any possible conflicts of interest for further determination as necessary. The Administrative Director will notify the Committee Appointees of this Board Policy when the letters of appointment are sent.
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