

# Broward County Board of Rules and Appeals Meeting Agenda

June 9, 2022

Broward County Governmental Center  
115 S. Andrews Avenue, Room 422, Fort Lauderdale, FL  
Time: 7:00 PM

**Call Meeting to Order**

**Roll Call**

**Approval of Agenda**

**Approval of Minutes – May 12, 2022**

## **CONSENT AGENDA**

**Certifications – Staff Recommended**

### **TOWN OF DAVIE**

**DEARMES, ARTTIE, STRUCTURAL INSPECTOR (TEMPORARY 120-DAY)**

### **CITY OF HALLANDALE BEACH**

**BOSTWICK, ALBERT, JR., ASSISTANT BUILDING OFFICIAL  
SAUER, PHILIP, CHIEF STRUCTURAL INSPECTOR**

### **TOWN OF HILLSBORO BEACH**

**PERDUE, K-MARON, ASSISTANT BUILDING OFFICIAL**

### **CITY OF HOLLYWOOD**

**CATES, DUSTIN, FIRE INSPECTOR**

### **CITY OF LIGHTHOUSE POINT**

**PERDUE, K-MARON, ASSISTANT BUILDING OFFICIAL**

### **CITY OF MIRAMAR**

**BRITTON, BRUCE, FIRE CODE OFFICIAL**

### **CITY OF PLANTATION**

**HURLBUT, CARMEN B., ASSISTANT BUILDING OFFICIAL**

### **CITY OF POMPANO BEACH**

**BIALECKI, DAVID, FIRE INSPECTOR**

### **CITY OF TAMARAC**

**STEGMAN, BENJAMIN J., MECHANICAL INSPECTOR (TEMPORARY 120-DAY)**

### **CITY OF WILTON MANORS**

**GRANDE, CLAUDIO, BUILDING OFFICIAL  
GRANDE, CLAUDIO, CHIEF STRUCTURAL INSPECTOR  
SANCHEZ, ROMAN, ASSISTANT BUILDING OFFICIAL**

### **COUNTYWIDE**

**CORREA, DONALD, ELECTRICAL INSPECTOR  
CRUZ, JOHNNY, MECHANICAL INSPECTOR  
CRUZ, JOHNNY, MECHANICAL PLANS EXAMINER  
DENIS, IDERIS W., STRUCTURAL PLANS EXAMINER  
FARDELMANN, DONALD C., STRUCTURAL INSPECTOR  
FARDELMANN, DONALD C., STRUCTURAL PLANS EXAMINER  
GHOLAMI, FARSHAD, STRUCTURAL PLANS EXAMINER  
MENDOZA, PAMELA, STRUCTURAL PLANS EXAMINER – LIMITED  
PENEVOLPE, ANTHONY, MECHANICAL PLANS EXAMINER**

## REGULAR AGENDA

1. **First Reading of Amendment to Section 104.18, Recertification of Building Departments and Building Code Inspection Enforcement Personnel, Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition, removing limits to number of online classes acceptable to comply with 28-hour required contact hours**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
2. **Second Reading of Amendment to Florida Fire Prevention Code – Section F-103.5.3.2 – Limiting the Number of Times Fire Inspector Exam can be taken by an individual**
  - a. Staff Report
  - b. Board Questions
  - c. Public Hearing
  - d. Board Action
3. **Second Reading of Amendment to Florida Fire Prevention Code – Section F-124.1, Uniform Generator Code – clarifying the types of facilities required to comply with the Uniform Generator Code**
  - a. Staff Report
  - b. Board Questions
  - c. Public Hearing
  - d. Board Action
4. **Second Reading of Changes to Section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition Adding Definitions for “accredited school” and “practice”.**
  - a. Staff Report
  - b. Board Questions
  - c. Public Hearing
  - d. Board Action
5. **Second reading of amendment to Board of Rules and Appeals Policy 95-02, Rules and Regulations, Article 5, Section 1, by adding language to allow for meetings to be held on a virtual basis via Zoom or other electronic media.**
  - a. Staff Report
  - b. Board Questions
  - c. Public Hearing
  - d. Board Action
6. **Board Determination as to whether all meetings will be held in-person or virtually**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
7. **Update Concerning the Building Safety Inspection Program Audits for 2019, 2020 and 2021**
  - a. Report of Administrative Director
  - b. Board Questions
  - c. Board Action
8. **Director’s Report**
9. **Attorney’s Report**

**10. Committee Reports**

**11. General Board Member Discussion**

**12. Public Comment (3-minute limit per person) and written communications**

**13. 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 Mr. DiPietro at 954-931-2393 between 6:00 p.m. and 7:00 p.m.*

May 12, 2022  
Board Minutes

# Broward County Board of Rules and Appeals Meeting Minutes

May 12, 2022

Broward County Governmental Center  
115 S. Andrews Avenue, Room 422, Fort Lauderdale, FL  
Time: 7:00 PM

Zoom Information:  
<https://broward-org.zoomgov.com/j/1618435910>  
Meeting ID: 161 843 5910

## Call Meeting to Order

## Roll Call

Daniel Lavrich, Chair  
Stephen Bailey  
Gregg D'Attile  
Jeff Falkanger  
John Famularo  
Shalanda Giles-Nelson  
Robert A. Kamm  
David Rice  
Daniel Rourke  
James Terry  
Dennis Ulmer  
Derek A. Wassink  
Abbas Zackria

A quorum was present.

**Chairman Lavrich welcomed new Board member, Derek Wassink.**

## Approval of Agenda

Mr. D'Attile made a motion and Mr. Zackria seconded the motion to approve the agenda as posted. The motion carried by unanimous vote of 13-0.

## Approval of Minutes – April 14, 2022

Mr. Rourke made a motion and Mr. Rice seconded the motion to approve the minutes as submitted. The motion carried by unanimous vote of 13-0.

## CONSENT AGENDA

**Certifications** – Staff Recommended

**BROWARD COUNTY SHERIFF FIRE RESCUE**  
HERSHEY, JAMI OLIVIA, FIRE PLANS EXAMINER

**CITY OF COCONUT CREEK**  
QUINTANA, CARMEN MARIA, FIRE PLANS EXAMINER

**CITY OF FORT LAUDERDALE**  
BATISTA, FREDDIE, FIRE INSPECTOR  
DANIELS, CEDRIC, FIRE INSPECTOR

**CITY OF OAKLAND PARK**  
RICHARDSON, PATRICK, ASSISTANT BUILDING OFFICIAL

**CITY OF PEMBROKE PARK**  
FARIS, JOSEPH, CHIEF ELECTRICAL INSPECTOR

**CITY OF PEMBROKE PINES**

JACKSON, ANTHONY (TEMPORARY 120-DAY)

**COUNTYWIDE**

HIPOLITO, GISELLE, STRUCTURAL INSPECTOR  
HIPOLITO, GISELLE, STRUCTURAL PLANS EXAMINER  
ITURRI, DANIEL E., STRUCTURAL PLANS EXAMINER  
SHRAMKO, PETER, STRUCTURAL PLANS EXAMINER

Mr. D'Attile made a motion and Mr. Famularo seconded the motion to approve the certifications as recommended. The motion carried by unanimous vote of 13-0.

**REGULAR AGENDA**

**1. Continuation of Mr. Jose L. Encarnacion's appeal to Staff's denial of his application for Structural Plans Examiner**

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted that as requested staff composed of chief code compliance officers Michael Guerasio, Jack Morell and himself that reviewed the additional information relating to experience and scope of work Mr. Encarnacion has performed. Staff came to the conclusion that Mr. Encarnacion qualifies to perform as a plans examiner.

b. Request of Mr. Encarnacion

Mr. Encarnacion thanked the Board for taking the time to re-review his application.

- c. Board Questions - none
- d. Board Action

A motion was made by Mr. Terry and seconded by Mr. Zackria to approve the application. The motion carried by unanimous vote of 13-0.

**2. First Reading of Amendment to Florida Fire Prevention Code – Section F-103.5.3.2 – Limiting the Number of Times Fire Inspector Exam can be taken by an individual**

a. Staff Report

Mr. Bryan Parks, Chief Fire Code Compliance Officer, reviewed the historical chronology of this item detailed in the staff agenda memorandum of April 14, 2022, including consideration by the Fire Code Committee and the Fire Chiefs Association of Broward County. If an individual does not pass the exam after three attempts, they would need to take a remedial class, after which they have three more opportunities. If the individual does not ultimately pass, there is a one-year waiting period. Staff believes this is a good course. He supports the amendment as proposed.

- b. Board Questions - none
- c. Board Action

A motion was made by Mr. Kamm and seconded by Mr. Rice to approve the amendment on first reading. The motion carried by unanimous vote of 13-0.

**3. First Reading of Amendment to Florida Fire Prevention Code – Section F-124.1, Uniform Generator Code – clarifying the types of facilities required to comply with the Uniform Generator Code**

a. Staff Report

Mr. Bryan Parks, Chief Fire Code Compliance Officer, advised that this is a recommendation from several fire marshals in the county in addition to staff. The amendment would clarify the language of Section F-124 to clearly delineate those who are required by State law, Florida Administrative Code or the Florida Fire Prevention Code to install generators. The terms "Board and Care" with respect to occupancy and the requirement for annual inspections are being removed.

- b. Board Questions – none

c. Board Action

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

**4. First Reading of Changes to Section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition Adding Definitions for “accredited school” and “practice”.**

a. Staff Report

Mr. James DiPietro, Administrative Director, reviewed the agenda memorandum, indicating the Certification Review Committee’s recommendation was to add definitions for accredited school and practice to Section 101.2 Definitions, and if it is not, he will bring this change back to the Board at the next meeting. The recommendation is for Version 2.

b. Board Questions

In response to Mr. Zackria, Mr. DiPietro agreed to double check to confirm that reference to the Florida Building Code is appropriately included.

c. Board Action

A motion was made by Mr. Zackria and seconded by Mr. Rice to approve the amendment (Version 2) on first reading. The motion carried by unanimous vote of 13-0.

**5. First reading of amendment to Board of Rules and Appeals Policy 95-02, Rules and Regulations, Article 5, Section 1, by adding language to allow for meetings to be held on a virtual basis via Zoom or other electronic media.**

a. Staff Report

Mr. James DiPietro, Administrative Director, indicated if one favors Board meetings via Zoom, he or she would support this amendment.

Mr. Charles Kramer, Board Attorney, referred to a memorandum dated April 20, 2022, published by Marty Cassini, Intergovernmental Affairs/Board Section Manager. Because the Board of Rules and Appeals was created by special act of the Florida Legislature, Mr. Cassini’s cited Section 1-233 of the County Code of Ordinances does not apply. The Florida Constitution and the Sunshine Law both require that unless exempt by law meetings of a local public body must be public meetings, open to the public but there is no expressed provision that members of the public be physically present nor is there any proscribing any particular means of holding meetings. Both were written a long time ago when there was no such thing as electronic media. Since 1997 Florida law has allowed many state agencies to conduct public meetings with media technology in full compliance with the Sunshine Law. It has been concluded that there is no prohibition against this Board continuing to meet on a virtual basis. He pointed out that Policy 95-02 is the only place where it determines that regular meetings of the Board shall be held on the second Thursday of the month, 7 p.m. in the Broward County Commission Chambers. It is necessary to have two readings of this proposed change to the policy if the Board so chooses. Proposed language for amending Policy 95-02 is provided in the agenda backup.

b. Board Questions

In response to Vice-Chair Bailey, Mr. Kramer indicated the format of holding a meeting would have to be decided in advance with due public notice. Mr. James DiPietro, Administrative Director, indicated that after second reading of this item, an item would be placed on the agenda for the Board to decide by motion that meetings would be held virtually on a permanent basis.

Vice-Chair Bailey felt it is advantageous to meet physically from time to time. It brings the Board together, that is being connected. However, there was no majority support by the other members.

c. Board Action

A motion was made by Vice-Chair Bailey and seconded by Mr. Rice to approve the amendment on first reading. The motion carried by unanimous vote of 13-0.

**6. Second Reading of Amendment to Section 110.15, Chapter 1, Florida Building Code, 7<sup>th</sup> Edition – Adding Fee-Simple Townhouses designed and constructed according to definitions and requirements for townhouses in the Florida Building and Residential Codes to the Building Safety Inspection Program Exempt Properties**

a. Staff Report

Mr. James DiPietro, Administrative Director, reviewed the agenda memorandum.

b. Board Questions – none

c. Public Hearing

Chairman Lavrich opened the floor for a public hearing but there was no one wishing to speak.

d. Board Action

A motion was made by Mr. Ulmer and seconded by Mr. Rourke to approve the amendment on second reading. The motion carried by unanimous vote of 13-0.

**7. Update concerning the Building Safety Inspection Program audits for 2019, 2020 and 2021**

a. Report of Administrative Director

Mr. James DiPietro, Administrative Director, referred to the chart provided in the agenda backup. At this point 14,428 buildings should have been notified and 14,204 have returned reports to the jurisdictions or been referred to the Special Magistrate or Code Enforcement. The 2022 information has been sent to the jurisdictions early. Staff is beginning to audit the 14,428 figure, specifically to determine if staff agrees with the jurisdiction's number of buildings that should have been notified which is important because sometimes there are oddities with the lists from the Property Appraiser's Office.

b. Board Questions

Mr. Zackria recalled discussion about considering sending out notices a year in advance to buildings. Mr. DiPietro indicated that this year the lists were sent out about three months early. There are recommendations on improvements/changes to the process that could be considered when the cause for the Champlain Towers' collapse is known. He went on to mention that the ordinance by Miami-Dade County has passed first reading and Mr. Zackria's point will likely be addressed.

c. If desired, motion accepting update – deemed not necessary

**8. Conceptual Review – Question concerning the combination of virtual and in-person classes, and whether to retain the 28 required contact hours in a 2-year certification cycle or reduce the number of hours required**

Chairman Lavrich advised that this is related to continuing education required for inspectors.

a. Staff Report

Mr. James DiPietro, Administrative Director, advised that this anonymous survey was sent to twenty-eight building officials. He referred to Question 1 in the agenda backup, "Are you in support of the current rule in Section 104.18.1.3 that 50 percent or more of the individual continuing education certification requirement be conducted in a live setting and the other 50 percent or less of the individual continuing education certification requirement be conducted online?" There were fourteen responses. At this time, there is a 50% cap on virtual classes. By a 9 to 5 vote the building officials would like a higher percentage for virtual classes.

Chairman Lavrich noted that the Board of Rules and Appeals requires twenty-eight hours of continuing education over a two-year period and that at least 50% be taken in-person. The question is whether the Board would like to increase the maximum virtual.

Mr. DiPietro indicated this topic was raised at one of the Board's open discussion meetings. A chief inspector contracted COVID and was out of work for 10 to 12 weeks. He went on to emphasize that fourteen of the twenty-eight building officials did not vote in the survey. On Page 10 of the agenda backup is the Board of Rules and Appeals' staff vote consisting of the code compliance officers and director. Four wanted to maintain the 50 percent cap and three wanted to allow 100 percent virtual. As to retaining the 28-hour individual continuing education certification requirement, six building officials wanted to leave the requirement unchanged and eight wanted a reduced number of hours. Again, on Page 10, six members of the staff wanted to maintain the 28-hour requirement and one wanted to reduce the requirement.

b. Board Questions



Chairman Lavrich advocated for virtual classes in general. From a historical point of view, Mr. D'Attile questioned why a distinction between in-person and virtual was ever raised. Mr. DiPietro believed at one point the percentage of virtual was controlled on the code compliance officer level due to a concern about the class quality. At a later point it was made clear that State of Florida and Miami-Dade County virtual classes would be automatically accepted. The world has moved to many improved online options.

Some discussion ensued with respect to virtual classes and whether there are exams at the conclusion or polling questions at times during the class to ensure the individual is present.

c. **Board Action**

As to the question of whether it would be acceptable to leave the decision of in-person or virtual to the individual, all seated members and alternates in attendance were in favor of this option.

As to the question of whether the 28-hour requirement is reasonable, all seated members and alternates in attendance were in favor of leaving the 28-hour requirement unchanged.

Mr. DiPietro noted that this matter will now be presented to the Board on two readings.

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Mr. Michael Charnin, City of Plantation Building Department, indicated that he was out with COVID for ten weeks. He was concerned about the safety of an environment for in-person classes. He felt virtual classes would also be more time efficient.

**9. Director's Report** - none

**10. Attorney's Report**

Mr. Charles Kramer referred to the John Madden trial this week. Mr. Madden's attorney sued the City of Fort Lauderdale, seeking attorney fees, etc. bringing the total close to \$500,000. Mr. Kramer indicated that he testified as an expert witness on behalf of Fort Lauderdale. The court ordered a settlement of \$66,000. It was possible to save Fort Lauderdale over \$400,000.

**11. Committee Reports** - none

**12. General Board Member Discussion**

There was a brief discussion concerning interest in news about the Champlain Towers collapse.

**Administrative Director Screening Committee**

Chairman Lavrich advised about 122 applications have been received. The timeline is still in place. The Screening Committee is still targeting mid-May for the Committee to meet. A date for the Screening Committee to meet again is in the works. The target is for the full Board to hold a special meeting mid-June to interview the finalists. The target date for the new director's contract is still July 14.

**13. Public Comment (3-minute limit per person) and written communications** - none

**14. Adjournment** – 8:19 p.m.

*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 Mr. DiPietro at 954-931-2393 between 6:00 p.m. and 7:00 p.m.*

# Certifications

Broward County Board of Rules and Appeals

TOWN OF DAVIE

DEARMES, ARTTIE, STRUCTURAL INSPECTOR (TEMPORARY 120-DAY)

CITY OF HALLANDALE BEACH

BOSTWICK, ALBERT, JR., ASSISTANT BUILDING OFFICIAL

SAUER, PHILIP, CHIEF STRUCTURAL INSPECTOR

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PERDUE, K-MARON, ASSISTANT BUILDING OFFICIAL

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BRITTON, BRUCE, FIRE CODE OFFICIAL

CITY OF PLANTATION

HURLBUT, CARMEN B., ASSISTANT BUILDING OFFICIAL

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CRUZ, JOHNNY, MECHANICAL PLANS EXAMINER

DENIS, IDERIS W., STRUCTURAL PLANS EXAMINER

FARDELMANN, DONALD C., STRUCTURAL INSPECTOR

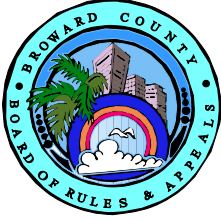
FARDELMANN, DONALD C., STRUCTURAL PLANS EXAMINER

GHOLAMI, FARSHAD, STRUCTURAL PLANS EXAMINER

MENDOZA, PAMELA, STRUCTURAL PLANS EXAMINER – LIMITED

PENEVOLPE, ANTHONY, MECHANICAL PLANS EXAMINER

# Section 1



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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**To:** Members of the Broward County Board of Rules and Appeals.  
**From:** James DiPietro, Administrative Director.  
**Date:** June 9, 2022.  
**Subject:** Revisions to section **104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel** of Broward County Amendments (Chapter 1) to the Florida Building Code (FBC) 7th Edition (2020), removing limits to the number of online classes acceptable to comply with the twenty-eight (28) required contact hours.

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## **Recommendation**

It is recommended that the Board adopt on first reading, the proposed revisions to section **104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel** of Broward County Amendments (Chapter 1) to the Florida Building Code (FBC) 7th Edition (2020), removing limits to the number of online classes acceptable to comply with the twenty-eight (28) contact hours required in a two year recertification cycle.

## **Reasons**

The quality and available verification methods for online classes have improved allowing their effectiveness to be comparable with classroom (in person) classes. Classroom classes are still acceptable. The board discussed this matter informally in May 12, 2022, with a show of hands.

## **Additional information**

1. Revised section **104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel** of Broward County Amendments (Chapter 1) to the Florida Building Code (FBC) 7th Edition (2020), with stricken and underlined text to show changes.
2. Clean section **104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel** of Broward County Amendments (Chapter 1) to the Florida Building Code (FBC) 7th Edition (2020).
3. Expired language related to the COVID 19 emergency was deleted also.

Respectfully Submitted,

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

James DiPietro

## 6.9.2022 EDITED DRAFT

### 104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel.

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

**104.18.1.1** Be currently certified by BORA.

**104.18.1.2** Be presently employed by a governmental AHJ (Building Department) within Broward County. See Section 104.17.

**104.18.1.3** All Building Officials, Assistant Building Officials, Chief Inspectors, Plans Examiners, and Inspectors, to be recertified shall obtain twenty-eight (28) contact hours within a two (2) consecutive calendar year biennial renewal period (starting January 1, on an even year, through December 31, of the next odd year) by attending classroom or online education courses, workshops, and seminars, any of which shall be approved by BORA, the Miami-Dade County Code Compliance Office, or the Florida Department of Business and Professional Regulation. Continuing education contact hours shall include courses approved as discipline specific category (courses which are specific to the code chapters enforced by the specific discipline) and non-discipline specific category. Specific courses mandated for license holders by the State of Florida Boards shall be classified as non-discipline specific, unless clearly indicated as discipline specific by a State agency. A minimum of one-half ( $\frac{1}{2}$ ) of the twenty-eight (28) contact hours within a two (2) consecutive calendar year biennial renewal period shall be discipline specific category. Meetings of BORA Committees shall be counted as one (1) hour in the non-discipline specific category and professional association meetings shall be counted as not to exceed one (1) hour in the discipline specific category for a maximum of fourteen (14) contact hours within a two (2) consecutive calendar year biennial renewal period. ~~Only a maximum of half of the twenty-eight (28) required contact hours can be attended online.~~

~~Exception: Due to the COVID-19 health emergency, for the 2020—2021 recertification cycle online courses approved by FL DBPR are acceptable for the twenty-eight (28) required contact hours. This exception expires on December 31, 2021.~~

## 6.9.2022 CLEAN DRAFT

### 104.18 Recertification of Building Departments and Building Code Inspection Enforcement Personnel.

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

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**104.18.1.3** All Building Officials, Assistant Building Officials, Chief Inspectors, Plans Examiners, and Inspectors, to be recertified shall obtain twenty-eight (28) contact hours within a two (2) consecutive calendar year biennial renewal period (starting January 1, on an even year, through December 31, of the next odd year) by attending classroom or online education courses, workshops, and seminars, any of which shall be approved by BORA, the Miami-Dade County Code Compliance Office, or the Florida Department of Business and Professional Regulation. Continuing education contact hours shall include courses approved as discipline specific category (courses which are specific to the code chapters enforced by the specific discipline) and non-discipline specific category. Specific courses mandated for license holders by the State of Florida Boards shall be classified as non-discipline specific, unless clearly indicated as discipline specific by a State agency. A minimum of one-half ( $\frac{1}{2}$ ) of the twenty-eight (28) contact hours within a two (2) consecutive calendar year biennial renewal period shall be discipline specific category. Meetings of BORA Committees shall be counted as one (1) hour in the non-discipline specific category and professional association meetings shall be counted as not to exceed one (1) hour in the discipline specific category for a maximum of fourteen (14) contact hours within a two (2) consecutive calendar year biennial renewal period.

# Section 2





**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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To: Members of the Board of Rules and Appeals

From: Administrative Director

Date: June 9, 2022

RE: **Local Amendment for 2<sup>nd</sup> Reading and Public Hearing  
Proposed amendment to Florida Fire Prevention Code – Section F-103.5.3.2 – Limiting  
the Number of Times Fire Inspector Exam can be taken by an Individual  
(2020).**

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This Fire Prevention Code amendment was approved on 1<sup>st</sup> reading on May 12, 2022. It is now scheduled for 2<sup>nd</sup> reading and public hearing.

James DiPietro

Order ID: 7214217

\* Agency Commission not included

**GROSS PRICE \* :** **\$86.60**

**PACKAGE NAME: SSC Other Legal Notices**

**Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com\_Legal

**AdSize(s):** 1 Column

**Run Date(s):** Sunday, May 29, 2022

**Zone:** Full Run

**Color Spec.** B/W

**Preview**

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**NOTICE OF PUBLIC HEARING**

Notice is hereby given by the Broward County Board of Rules and Appeals that said Board will hold a public hearing starting at 7:00 p.m. on June 9, 2022. At the Broward County Governmental Center 115 South Andrews Avenue, Room 422, Fort Lauderdale, FL.

The Board will consider amending on second reading the Florida Fire Prevention Code, 7th Edition (2020) – Broward County Local Fire Amendments, (1) Section F-103.5.3.2, limiting the number of times fire inspector exam can be taken by an individual; (2) Section F-124.1, scope to clarify types of facilities required to comply with Uniform Generator Code.



The Board will consider amending on second reading the Florida Building Code, 7th Edition (2020) – Chapter 1, Section 101.2, definitions for accredited school and practice.

The effective date for these amendments is June 20, 2022.

A copy of the proposed code change is available for review at 1 N. University Drive, Suite 3500B, Plantation, Florida 33324. We can also email you a copy. Call (954) 765-4500.

Dated this 29th day of May, 2022.  
5/29/20227214217



BROWARD COUNTY

# Board of Rules & Appeals

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<http://www.broward.org/codeappeals>

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To: Board of Rules and Appeals  
From: Bryan Parks, Chief Fire Code Official *BP*  
Date: June 9, 2022  
RE: Modification of F-103.5.3.2 Number of times fire exam can be given.

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## Recommendation

In a vote of 9 to 0 in favor, It is recommended by the Board of Rules and Appeals, Fire Code Committee that F-103.5.3.2 be modified to limit the number of times an individual may attempt to pass the Board's Fire Exam as follows, if unsuccessful in the first three (3) attempts they must take a remedial class where upon completion can attempt the exam for an additional three (3) attempts. If the individual fails, the additional three (3) exams attempt(s) they cannot take the exam for one year from the date of the last exam.

## Reason

The Board's Fire Code Committee tabled the original motion and sought input for the Fire Chiefs Association of Broward County (FCABC) where a compromise between the original proposal and the what the FCABC believe would be appropriate. The Fire Code Committee agreed and accepted the below F-103.5.3.2

**F-103.5.3.2 Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year. Other than the mandated test dates as provided above, the test may be given when requested by at least three (3) applicants.**

~~¶ If the candidate is unsuccessful after three(3) attempts, a remedial class developed and provided by the FCABC, Fire Prevention Subcommittee shall be taken. Upon completion of the remedial class the candidate will be permitted three (3) additional attempts. ¶ If the candidate is still unsuccessful the candidate shall wait a mandatory period of no less than twelve (12) months from their last test before being able to retest. or The test may be given when requested by at least three (3) applicants.~~

## Existing Code Section F-103.5.3.2

**F-103.5.3.2 Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year, or the test may be given when requested by at least three (3) applicants.**

# Section 3



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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To: Members of the Board of Rules and Appeals

From: Administrative Director

Date: June 9, 2022

RE: **Amendment to Florida Fire Prevention Code – Section F-124.1, Uniform Generator Code – clarifying the types of facilities required to comply with the Uniform Generator Code**

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This Board of Rules and Appeals Policy amendment was approved on 1<sup>st</sup> reading on May 12, 2022. It is now scheduled for 2<sup>nd</sup> reading and public hearing.

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

James DiPietro

Order ID: 7214217

\* Agency Commission not included

**GROSS PRICE \* :** **\$86.60**

**PACKAGE NAME: SSC Other Legal Notices**

**Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com\_Legal

**AdSize(s):** 1 Column

**Run Date(s):** Sunday, May 29, 2022

**Zone:** Full Run

**Color Spec.** B/W

**Preview**

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**NOTICE OF PUBLIC HEARING**

Notice is hereby given by the Broward County Board of Rules and Appeals that said Board will hold a public hearing starting at 7:00 p.m. on June 9, 2022. At the Broward County Governmental Center 115 South Andrews Avenue, Room 422, Fort Lauderdale, FL.

The Board will consider amending on second reading the Florida Fire Prevention Code, 7th Edition (2020) – Broward County Local Fire Amendments, (1) Section F-103.5.3.2, limiting the number of times fire inspector exam can be taken by an individual; (2) Section F-124.1, scope to clarify types of facilities required to comply with Uniform Generator Code.



The Board will consider amending on second reading the Florida Building Code, 7th Edition (2020) – Chapter 1, Section 101.2, definitions for accredited school and practice.

The effective date for these amendments is June 20, 2022.

A copy of the proposed code change is available for review at 1 N. University Drive, Suite 3500B, Plantation, Florida 33324. We can also email you a copy. Call (954) 765-4500.

Dated this 29th day of May, 2022.  
5/29/20227214217



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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To: Board of Rules and Appeals

From: Bryan Parks, Chief Fire Code Official

Date: June 9, 2022

RE: Modification of F-124.1 Uniform Generator Code; Scope to provide clarity.

---

## **Recommendation**

It is recommended by BORA'S, Fire Code Committee in a vote of 8 to 1 in favor that F-124.1 be modified to provide more clarity to what specific type of facilities this code section applies to.

## **Reason**

This office receives numerous complaints from code officials and challenges by the public as it relates to small homes and facilities which are not required by statute or code to install generators outside the provision found in FS 633.208 which requires a different code adoption process. This office has even been questioned by governmental official as it relates to the application of this section to private homes being used to care for friends.

## **Proposed Modification F-124.1**

### **F-124 Uniform Generator Code**

**F-124.1** Scope The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any ~~Board and Care~~ occupancy as defined by the provisions of the Florida Fire Prevention Code (FFPC) as requiring emergency or legally required standby power, this code that is required to receive an inspection from an AHJ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

## **Existing Code Section F-124.1**

### **F-124 Uniform Generator Code**

**F-124.1** Scope The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any Residential Board and Care occupancy as defined by the provisions of this code that is required to receive an inspection from an AHJ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

**3.3.196.12\* Residential Board and Care Occupancy.** An occupancy used for lodging and boarding of four or more residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services. (SAF-BCF)

**A.3.3.196.12 Residential Board and Care Occupancy.** The following are examples of facilities that are classified as residential board and care occupancies:

- (1) Group housing arrangement for physically or mentally handicapped persons who normally attend school in the community, attend worship in the community, or otherwise use community facilities
- (2) Group housing arrangement for physically or mentally handicapped persons who are undergoing training in preparation for independent living, for paid employment, or for other normal community activities
- (3) Group housing arrangement for the elderly that provides personal care services but that does not provide nursing care
- (4) Facilities for social rehabilitation, alcoholism, drug abuse, or mental health problems that contain a group housing arrangement and that provide personal care services but do not provide acute care
- (5) Assisted living facilities
- (6) Other group housing arrangements that provide personal care services but not nursing care



## FFPC 6<sup>th</sup> Edition Broward County Local Amendments

association acceptable to the AHJ in accordance with NFPA 96, Section 11.6.1.

F-123.3 Certification of training shall be submitted to the Local AHJ prior to cleaning operations taking place.

F-123.4 The completed inspection or cleaning report as found in NFPA 96, 11.6.14 shall be provided to the owner and a copy along with photos taken prior to cleaning and after cleaning shall be submitted to the local AHJ.

### F-124 Uniform Generator Code

**F-124.1** Scope The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any ~~Board and Care~~ occupancy as defined by the provisions of the Florida Fire Prevention Code (FFPC) as requiring emergency or legally required standby power, ~~this code that is required to receive an inspection from an AHJ~~ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

### F-124.2 Referenced Publications:

NFPA 1, *Fire Code*

NFPA 30, *Flammable and Combustible Liquids Code*

NFPA 37, *Standard for the Installation of and Use of Stationary Combustion Engines and Gas Turbines*

NFPA 54, *National Fuel Gas Code*

NFPA 58, *Liquefied Petroleum Gas Code*

NFPA 70, *National Electrical Code*

NFPA 72, *National Fire Alarm and Signaling Code*

NFPA 110, *Standard for Emergency and Standby Power Systems*

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*

Florida Administrative Code 58A-5.036 for Assisted Living Facilities

Florida Administrative Code 59A-4.1265 for Nursing Homes

Florida Building Code

### F-124.3 General:

F-124.3.1 Existing approved, non-conforming installations shall be deemed compliant with this code unless the AHJ determines that non conformity presents a distinct hazard to life.

F-124.3.2 All facilities shall store a minimum of seventy-two (72) hours of fuel onsite and be able to show proof (such as a fuel service contract) of a reliable method to obtain the additional twenty-four (24) hours of fuel within forty-eight (48) hours of a declared State of Emergency. Piped natural gas is an allowable fuel source.

F-124.3.3 If local ordinances or other regulations limit the amount of onsite fuel storage at the location of the facility, then the owner/operator shall develop a plan that includes maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to the depletion of the onsite fuel.

F-124.3.4 Storage of any fuels shall be compliant with the applicable National Fire Protection Association's (NFPA) codes and standards.

**F-124.3.5 Other fuel sources shall be permitted in conformance with the NFPA 54 and 58 as currently adopted.**

### F-124.4 Minimum Permit Submittal Requirements:

F-124.4.1 The following is a list of the minimum required information that shall be submitted to the AHJ for review:

- A) Plans shall be submitted for permitting, with details and manufacturer specifications that demonstrate compliance with all applicable NFPA codes and standards. The submittal shall be made by a qualified and licensed contractor.
- B) All generators shall be NFPA 110 compliant.
- C) Plans shall clearly identify the class, type, and level of the generator.
- D) A site plan shall be provided indicating the location of the emergency generator in relation to the building openings as well as adjacent building openings, exit discharges, the fuel source type, and the automatic transfer switch.
- E) The location of the manual emergency shut off shall be clearly identified on the plans. The emergency shut off shall be readily accessible at all times, identified with permanent weatherproof signage, shall be readily visible to emergency responders, and the location shall be approved by the AHJ.

## FFPC 6<sup>th</sup> Edition Broward County Local Amendments

- F) Plans shall demonstrate that the fuel supply can accommodate the specific EPS class and time duration identified on the plans.
- G) Physical protection of the fuel source and generator when located in areas subject to vehicular traffic shall be clearly identified.
- H) A remote generator annunciator shall be installed at a continuously attended location and indicated on the plans, approved by the AHJ.
- I) A signed generator maintenance contract shall be submitted, maintained, and made available to the AHJ upon request.
- J) Carbon monoxide protection shall be installed in accordance with NFPA 720. The location(s) of Carbon Monoxide Alarms shall be indicated on the plans.

### F-124.5 Inspection and Testing

- A) Emergency Power Supply Systems' (EPSS), including all appurtenant components, shall be inspected weekly and exercised under load at least monthly.
- B) The facility owner shall ensure that the EPSS is properly maintained and serviced not less than annually by a qualified person or contractor in accordance with the manufacturer's specifications.

### F-124.6 Records Retention

- A) Each facility shall provide a binder which contains a log of weekly inspections and monthly load exercise. The owner or their agent is responsible for the proper recording of this information.
- B) The binder shall also include a copy of the annual service agreement as well as the most current annual service report.
- C) This binder shall be made readily accessible to the AHJ upon request.

# Section 4



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

---

To: Members of the Board of Rules and Appeals

From: Administrative Director

Date: June 9, 2022

RE: **Amendment to Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition, Adding Definitions for "accredited school" and "practice"**

---

This Board of Rules and Appeals Building Code amendment was approved on 1<sup>st</sup> reading on May 12, 2022. It is now scheduled for 2<sup>nd</sup> reading and public hearing.

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

James DiPietro

Order ID: 7214217

\* Agency Commission not included

**GROSS PRICE \* :** **\$86.60**

**PACKAGE NAME: SSC Other Legal Notices**

**Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com\_Legal

**AdSize(s):** 1 Column

**Run Date(s):** Sunday, May 29, 2022

**Zone:** Full Run

**Color Spec.** B/W

**Preview**

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**NOTICE OF PUBLIC HEARING**

Notice is hereby given by the Broward County Board of Rules and Appeals that said Board will hold a public hearing starting at 7:00 p.m. on June 9, 2022. At the Broward County Governmental Center 115 South Andrews Avenue, Room 422, Fort Lauderdale, FL.

The Board will consider amending on second reading the Florida Fire Prevention Code, 7th Edition (2020) – Broward County Local Fire Amendments, (1) Section F-103.5.3.2, limiting the number of times fire inspector exam can be taken by an individual; (2) Section F-124.1, scope to clarify types of facilities required to comply with Uniform Generator Code.

The Board will consider amending on second reading the Florida Building Code, 7th Edition (2020) – Chapter 1, Section 101.2, definitions for accredited school and practice.



The effective date for these amendments is June 20, 2022.

A copy of the proposed code change is available for review at 1 N. University Drive, Suite 3500B, Plantation, Florida 33324. We can also email you a copy. Call (954) 765-4500.

Dated this 29th day of May, 2022.  
5/29/20227214217



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

---

**To:** Members of the Broward County Board of Rules and Appeals.  
**From:** James DiPietro, Administrative Director.  
**Date:** June 9, 2022.  
**Subject:** Second reading of changes to Section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7th Edition adding definitions for "Accredited School" and "Practice".

---

## Recommendation

That BORA adopt by vote, the first reading of changes to section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7th Edition adding definitions for "Accredited School" and "Practice".

## Reasons

BORA's Certification Review Committee discussed the matter and recommended the adoption of both definitions to clarify the qualifications stated in section 104 for the certification of building officials, assistant building officials, chiefs, plans examiners and inspectors. See **Version 1**.

→ An alternative definition of "Practice" is recommended by BORA's attorney and staff for your consideration. See **Version 2**.

Additionally, we alphabetized the Definitions in section 101.2.

## Additional information

List of attached documents:

1. **Version 1** of revised section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7th Edition with stricken and underlined text to show changes.
2. **Version 1 of clean** revised section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7th Edition.
3. Minutes of BORA Certification Review Committee meeting.
- 4. **Version 2** of revised section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7th Edition with stricken and underlined text to show changes with additional language recommended by staff.
- 5. **Version 2 of clean** revised section 101.2 Definitions, Chapter 1, 2020 Florida Building Code, 7th Edition with additional language recommended by staff.
6. Florida Statute (F.S.) 471.005(7) and F.S. 481.203(2), definition of "Engineering" and "Architecture".

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

Respectfully Submitted,  
James DiPietro.

STRONGER CODES MEAN SAFER BUILDINGS  
~ESTABLISHED 1971~

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# DRAFT

## Version 2

### 101.2.2 Definitions.

A. Accredited school –means a school that meets the same criteria that the State of Florida DPBR uses in evaluating a school for licensing or registration of Engineers and Architects.

~~A~~ B. AHJ (means Authority Having Jurisdiction) shall be a federal, state, local (Building or Fire Service Provider), or individual such as a Building Official, Assistant Building Official; Chief Electrical/Mechanical/Plumbing/Structural Inspector; Fire Chief; Fire Marshal/Fire Code Official; or Broward County Board of Rules and Appeals.

C. **Architect** means Registered Architect, registered in the State of Florida.

~~E~~ D. BCAIB means the Building Code Administrators and Inspectors Board.

~~B~~ E. BORA means the Broward County Board of Rules and Appeals.

~~N~~ F. CILB means the Florida Construction Industry Licensing Board.

~~Ø~~ G. ECLB means the Florida Electrical Contractors Licensing Board.

~~Ð~~ H. Engineer means licensed Professional Engineer, licensed in the State of Florida.

I. **FAC** means Florida Administrative Code.

~~F~~ J. FFPC means the adopted Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code.

K. **Fire Code Manager/Administrator** means Fire Code Official or Fire Marshal.

~~∫~~ L. Fire Service Provider means Fire Department.

M. **G.C.** means an unlimited General Contractor licensed by either the CILB, the Broward County Central Examining Board or the Miami-Dade Construction Trades Qualifying Board.

~~⊕~~ N. HVHZ means the High Velocity Hurricane Zone.

M. Practice – the term practice as it relates to Architects and Engineers is deemed to be the active engagement in the field of Architecture or Engineering. See F.S.471.005(7) and/or F.S.481.203(2), for definitions of “Engineering” and/or “Architecture”.

~~⊔~~ N. SFBC means South Florida Building Code, Broward Edition.

~~⊞~~ O. State means the State of Florida.

**DRAFT**

**Version 2 Clean**

**101.2.2 Definitions.**

- A. **Accredited school** –means a school that meets the same criteria that the State of Florida DPBR uses in evaluating a school for licensing or registration of Engineers and Architects.
- B. **AHJ** (means Authority Having Jurisdiction) shall be a federal, state, local (Building or Fire Service Provider), or individual such as a Building Official, Assistant Building Official; Chief Electrical/Mechanical/Plumbing/Structural Inspector; Fire Chief; Fire Marshal/Fire Code Official; or Broward County Board of Rules and Appeals.
- C. **Architect** means Registered Architect, registered in the State of Florida.
- D. **BCAIB** means the Building Code Administrators and Inspectors Board.
- E. **BORA** means the Broward County Board of Rules and Appeals.
- F. **CILB** means the Florida Construction Industry Licensing Board.
- G. **ECLB** means the Florida Electrical Contractors Licensing Board.
- H. **Engineer** means licensed Professional Engineer, licensed in the State of Florida.
- I. **FAC** means Florida Administrative Code.
- J. **FFPC** means the adopted Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code.
- K. **Fire Code Manager/Administrator** means Fire Code Official or Fire Marshal.
- L. **Fire Service Provider** means Fire Department.
- M. **G.C.** means an unlimited General Contractor licensed by either the CILB, the Broward County Central Examining Board or the Miami-Dade Construction Trades Qualifying Board.
- N. **HVHZ** means the High Velocity Hurricane Zone.
- O. **Practice** – the term practice as it relates to Architects and Engineers is deemed to be the active engagement in the field of Architecture or Engineering. See F.S.471.005(7) and/or F.S.481.203(2), for definitions of “Engineering” and/or “Architecture”.
- P. **SFBC** means South Florida Building Code, Broward Edition.
- Q. **State** means the State of Florida.



# The 2021 Florida Statutes

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## Title XXXII

## Chapter 471 [View Entire Chapter](#)

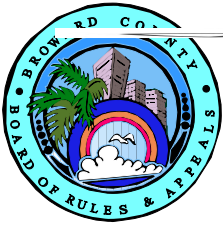
### REGULATION OF PROFESSIONS AND OCCUPATIONS ENGINEERING

**471.005 Definitions.**—As used in this chapter, the term:

- (1) “Board” means the Board of Professional Engineers.
- (2) “Board of directors” means the board of directors of the Florida Engineers Management Corporation.
- (3) “Defense company” means any business entity that holds a valid Department of Defense contract or any business entity that is a subcontractor under a valid Department of Defense contract. The term includes any business entity that holds valid contracts or subcontracts for products or services for military use under prime contracts with the United States Department of Defense, the United States Department of State, or the United States Coast Guard.
- (4) “Department” means the Department of Business and Professional Regulation.
- (5) “Engineer” includes the terms “professional engineer” and “licensed engineer” and means a person who is licensed to engage in the practice of engineering under this chapter.
- (6) “Engineer intern” means a person who has graduated from an engineering curriculum approved by the board and has passed the fundamentals of engineering examination as provided by rules adopted by the board.
- (7) “Engineering” includes the term “professional engineering” and means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, teaching of the principles and methods of engineering design, engineering surveys, and the inspection of construction for the purpose of determining in general if the work is proceeding in compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property; and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering; who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, represents himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter.



# Section 5



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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**To:** Members of the Broward County Board of Rules and Appeals.  
**From:** James DiPietro, Administrative Director.  
**Date:** June 9, 2022.  
**Subject:** Second reading of amendment to Board of Rules and Appeals Policy 95-02, Rules and Regulations, Article 5, Section 1, by adding language to allow for meetings to be held on a virtual basis via Zoom or other electronic media.

---

## Recommendation

This rule change was approved on first reading on May 12, 2022; and is scheduled for second reading and public hearing on June 9, 2022.

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

Respectfully submitted,  
James DiPietro.

Order ID: 7216881

\* Agency Commission not included

**GROSS PRICE \* :** \$65.45

**PACKAGE NAME: SSC Other Legal Notices**

**Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com\_Legal

**AdSize(s):** 1 Column

**Run Date(s):** Sunday, May 29, 2022

**Zone:** Full Run

**Color Spec.** B/W

**Preview**

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**NOTICE OF PUBLIC HEARING**

Notice is hereby given by the Broward County Board of Rules and Appeals that said Board will hold a public hearing starting at 7:00 p.m. on June 9, 2022 at the Broward County Governmental Center, 115 South Andrews Avenue, Room 422, Fort Lauderdale, Florida.

The Board will consider amending on second reading the Board of Rules and Appeals Policy 95-02, Rules and Regulations, Article 5, Section 1, by adding language to allow for meetings to be held on a virtual basis via Zoom or other electronic media.

The effective date for these amendments is June 20, 2022.

A copy of the proposed code change is available for review at 1 N. University Drive, Suite 3500B, Plantation, Florida 33324. We can also email you a copy. Call (954) 765-4500.

Dated this 29th day of May 2022.  
5/29/20227216881

**Section 2.** Nomination of the Vice-Chairperson shall be made from among the voting members at the annual organizational meeting, and the election shall be held immediately thereafter.

**Section 3.** A candidate receiving a majority vote shall be declared elected and shall serve a term of one (1) year.

**Section 4.** Vacancies in the position of Vice-chairperson shall be filled immediately by regular election procedures.  
**Revised 1/9/97**

## **ARTICLE V MEETINGS**

**Section 1.** Regular meeting of the Board of Rules and Appeals shall be held on the second Thursday of each month at 7 o'clock p.m. in the Broward County Commission Chambers Room 422 in the Broward County Government Center; or in electronic media format accessible to all BORA members, attendees and the public with due notice provided as set forth in Florida Statutes §125.001, as that term relates to the provisions of the Sunshine Law F.S. §286.001. **Revised 6/9/2022**

**Section 2.** Special meetings of the Board may be convened by the chairperson by giving notice thereof to each member of the Board or by written request signed by at least seven (7) members of the Board of Rules and Appeals.

**Section 3. Notices.**

**A.** Notice of a special meeting shall be given to all Board members at least three (3) working days in advance of the meeting. At any meeting, the Board may set a future meeting date.

**B.** Notice of all meetings shall be provided to the county administrator for inclusion in the county's weekly schedule of meetings and events.

**Section 4. Attendance.**

**A.** There may be thirteen of the twenty-two members of the Board of Rules and Appeals seated at every meeting. Members shall notify the secretary to the Board if they cannot attend a meeting.  
**Revised 1/9/97**

**B.** If a member misses three (3) consecutive meetings without cause or without prior approval of the chairperson, the Board may by formal action request the appointing agency to replace said member.

**C.** If a member of the Board is absent and there is a designated alternate appointed, then that alternate will be seated. (E.g., if the appointed structural engineer is absent then the alternate structural engineer will be seated.) If the designated alternate cannot attend, then any available alternate may be seated as a voting member. If a member of the Board is absent and there is no designated alternate appointed, then any available alternate will be seated. The staff will contact the available alternates, on an alphabetical basis, starting with the name following the last alternate seated at a prior Board meeting. (e.g., consumer affairs does not have a designated alternate, therefore, any available alternate may be seated.)

**New 1/9/97 Revised 12/13/01**

**Rules and Regulations**

**Article I**

**Name and Powers**

The name of this Board shall be the Broward County Board of Rules & Appeals. The powers of the Board of Rules & Appeals are those set forth in the South Florida Building Code, Broward County Edition, and in particular, Chapter 203.5 (Powers) of the South Florida Building Code, Broward County Edition, and in the Charter of Broward County, Section 8.18, and those powers conferred in the Board by all National, State and County laws, ordinances, rules and regulations.

**Revised 9/12/96**

**Article II**

**Jurisdiction**

The Board has jurisdiction over those matters which are set forth in the South Florida Building Code, Broward County Edition, and the Charter of Broward County, Section 8.18, and those matters in which the Board has power as set forth in National, State and County laws, ordinances, rules and regulations.

**Revised 9/12/96**

**Section 1 New 1/9/97.** The Board shall consist of thirteen (13) members and nine (9) alternates as follows:

<b>Voting Members</b>	
League of Cities (7)	County Commission (6)
Architect	Air Conditioning Contractor
General Contractor	Mechanical Engineer
Structural Engineer	Master Electrician
Electrical Engineer	Consumer Advocate
Roofing Contractor	Fire Service Professional
Master Plumber	Disabled Person
Swimming Pool Contractor	

MARK S. MUCCI, P.A.  
*Certified Civil Mediator*

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WILLIAM H. BENSON  
(1929 – 2013)

BRIAN M. ABELOW, P.A.  
*Board Certified in Real Estate Law*

CHARLES M. KRAMER, Of Counsel  
*Board Certified in Construction Law*

MATTHEW D. COHEN  
ROBERT P. GAINES

April 29, 2022

James DiPietro, Administrative Director  
The Broward County Board of Rules and Appeals  
1 N. University Drive, Suite #3500-B  
Plantation Florida 33324

**ADVISORY OPINION AS TO THE BROWARD COUNTY BOARD OF RULES  
AND APPEALS MEETINGS BEING HELD IN VIRTUAL FORUM**

Jim,

You have asked the Office of General Counsel for an Advisory Opinion with respect to the ability of the Broward County Board of Rules and Appeals to conduct its monthly meetings on a virtual basis i.e., via Zoom or other electronic media.

**Issue:**

On March 9, 2020, the Office of the Governor of the State of Florida, Ron DeSantis, issued Executive Order 20-52 which suspended the requirements for many offices of state and local government to conduct their affairs from their usual place of work and instituted remote workplace protocols.

On October 31, 2020, Executive Order 20-52 and all extensions of same were allowed to expire and the Office of the Governor ordered state and local government personnel, including advisory and administrative boards, back to conducting business



Florida Statutes, provides that “[a]ll meetings of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken at such meeting.” § 286.011(1), Fla. Stat. (2019). Section 286.0114, Florida Statutes, also provides, with respect to certain “propositions” before a board or commission, that an opportunity for public comment must be afforded.

Although the Florida Constitution and the Sunshine Law both require that, unless exempt by law, meetings of a local government body must be “public meetings” that are “open to the public,” there is no express provision in either which requires that members of the public body be physically present during the meeting. Nor does either provision prescribe any particular means of holding meetings. We presume that at the time of drafting the original documents, electronic media was essentially nonexistent.

Since 1997, Florida law has allowed many state agencies to conduct public meetings, hearings, and workshops by “communications media technology” in full compliance with the Sunshine Law. *See* § 120.52(5)(b)2., Fla. Stat. (2019); Ch. 28-109, Fla. Adm. Code.

More importantly, there is no reported judicial decision holding that meetings conducted by such means violate the Florida Constitution or the Sunshine Law. The Legislature has also, by statute, permitted certain public entities other than state agencies to conduct meetings using communications media technology.

**iv. Broward County Charter**

The Broward County Charter, Section 9.02, and all subcomponents, sets forth the purpose, composition, staffing, fees, and adoption of ordinances and ethical standards which must be upheld but does not provide any requirements for physical attendance at meetings nor the time and location of same.

**v. Board of Rules and Appeals Policy 95-2**

**a. Article V**

Policy 95-2 sets forth the Rules and Regulations of the Board which the Board has imposed upon itself as the governing authority for all legislatively established rights and duties. Having exhausted analysis of legislatively established meaning, we turn to precedent established through Board Policy 95-2 wherein is stated:

**ARTICLE V  
MEETINGS**

**Section 1.** Regular meetings of the Board of Rules and Appeals shall be held on the second Thursday of each month at 7 o'clock p.m. in the Broward County commission chambers Room 422 in the Broward County government center.

Although the language does not specifically establish the requirement of a physical presence, based on precedent we would state that it has been established as a policy that meeting take place with the physical presence of both Board members and attendees on the second Thursday of every month at 7 o'clock p.m. With the sunset of the Local State of Emergency as noted in the Cassini memorandum the self-imposed

Furthermore, in the absence of language prohibiting certain practices which are not in violation of Florida Statutes, neither the courts, nor this Board, nor the Broward County Intergovernmental Affairs Office may add words to impart a different meaning to words crafted by the legislature and clearly expressing legislative intent. *See Armstrong v. City of Edgewater*, 157 So.2d 422 (Fla.1963); *Villanueva v. State*, 200 So.3d 47 (Fla. 2016) (“In construing a statute, courts are not at liberty to add to a statute word that the Legislature itself has not used in drafting that statute.”); *Florida Dept. of Revenue v. Florida Mun. Power Agency*, 789 So.2d 320 (Fla. 2001) (“Under fundamental principles of separation of powers, courts cannot judicially alter the wording of statutes where the legislature clearly has not done so.”)

In so saying, the Board’s policy is to conduct meetings at a predetermined time, date, and location, however policy may be changed if deemed necessary for “benefit of the public” and “by the affirmative vote of at least a majority of the Board provided notice of the proposed change is given to the Board at a preceding regular meeting.”

Our review of the Florida Constitution, Special Act of legislature 71-575, Florida Statutes, Florida Building Code, and Board Policy 95-2 shows there is no language which would prohibit the Board of Rules and Appeals adopting a new meeting procedure so long as the protocol for change comports with Article XV of the Policy.

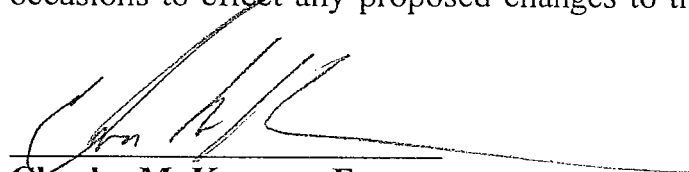
#### **b. Review of Precedent**

Starting in 1992, the Office of Attorney General, Robert Butterworth, published the first Florida Attorney General Opinions with respect to attendance at county commission and school board meetings by members who were physically unable to

The acceptance of conducting administrative board and committee meeting has reached a point of legislative recognition and approval. Barring constitutional or statutory language prohibiting same, the Board of Rules and Appeals is free to make the necessary changes to its own meeting protocols so long as it complies with its established policies.

In this case, Board Policy requires that there: 1) be a finding that a change in the meeting locations will provide an overall benefit to the public.<sup>1</sup> 2) notice of the proposed changes be given at an initial regularly scheduled meeting; 3) that there be an affirmative vote of at least a majority of the Board after provision of notice at a prior meeting; 4) any amendment is then recorded and published after acceptance by the majority of the Board at the second meeting.

With the Local State of Emergency now sunset it will be necessary for the Board to meet in person on at least two (2) occasions to effect any proposed changes to the procedures.



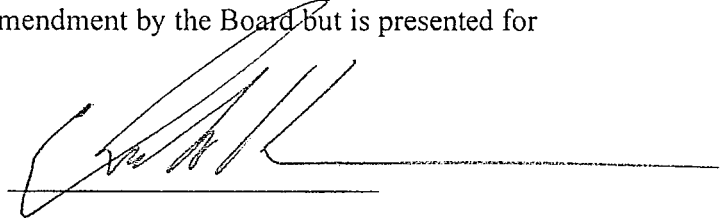
**Charles M. Kramer, Esq.**  
**General Counsel to the Broward County**  
**Board of Rules and Appeals**  
Florida Bar Board Certified  
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<sup>1</sup> This may be through a determination that electronic media offers an opportunity for greater numbers of the public are able to attend simply because of the ease that attendance is more readily accomplished

Page 2  
Proposed language for Amendment to Article V  
May 4, 2022

This recommendation is subject to review and amendment by the Board but is presented for consideration at this time.

A handwritten signature in black ink, appearing to read 'Charles M. Kramer', is written over a horizontal line. The signature is stylized and cursive.

Charles M. Kramer, Esq.  
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Board of Rules and Appeals  
Florida Bar Board Certified  
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Alternates (5)

Fire Service Professional  
Structural Engineer  
Mechanical Engineer  
Master Plumber  
Master Electrician

Alternates (4)

General contractor  
Electrical Engineer  
Architect  
Roofing Contractor

**ARTICLE III  
OFFICERS AND THEIR DUTIES**

Section 1. The officers shall consist of a chairperson and vice-chairperson. There shall also be an Administrative Director employed by the Board who shall be the secretary to the Board.

Section 2. The chairperson shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage of such officers.

Section 3. The chairperson shall be a member of the Board. The chairperson shall have the privilege of discussing all matters before the Board and shall have the same voting rights as all Board members.

Section 4. The vice-chairperson shall act in the absence of the chairperson.

Section 5. The Administrative Director shall appoint or remove all Board employees according to policy established by the Board. Employees of the Board shall not be subject to the civil service classifications and procedures of Broward County. The Administrative Director shall be responsible for preparing the annual budget request of the Board for timely submission to the Broward County Commission. The Administrative Director shall Perform other duties and have and exercise other powers as may be prescribed by the South Florida Building Code, Broward Edition, or as the Board may direct. Revised 1/9/97

**ARTICLE IV  
ELECTION OF OFFICERS**

Section 1. Nomination of the Chairperson shall be made from among the appointed voting members at the annual organizational meeting, and the election shall be held immediately thereafter.

Section 2. Nomination of the Vice-Chairperson shall be made from among the voting members at the annual organizational meeting, and the election shall be held immediately thereafter.

## Section 5. Quorum.

A. A quorum of the Board shall consist of eleven (11) members and an affirmative vote of a majority of those present shall be necessary to pass any motion or adopt any order unless otherwise specified herein. Alternate members may not vote on any matter before the Board unless they are seated as voting members. **Revised 1/9/97**

## Section 6. Voting.

A. Voting shall be by roll call vote and shall be recorded by individual "aye" or "nay." However, the Board by consensus may call for a voice vote with the recording of individual "nay" votes into the record.

B. Each member present shall cast an "aye" or "nay" vote on each question before the Board, except no member shall vote in their official capacity upon any measure which would inure to their special private gain, or which they know would inure to the special private gain of any principal by whom they are retained, of the parent organization or subsidiary of a corporate principal by whom they are retained, of a relative, or of a business associate. The Board member must publicly announce the nature of their interest before the vote and must file a memorandum of voting conflict on commission form 8b with the Board's Administrative Director within 15 days after the vote occurs. Any appointed member required to abstain from voting pursuant to the requirements of this Section shall be sequestered during the deliberation and vote of the Board. Furthermore, no member of the Board shall communicate with staff, accept by written document through the Administrative Director, regarding any matter upon which they may file a conflict of interest.

C. No appointed member or employee of the Board of Rules and Appeals, for a period of two (2) years after termination of service shall personally represent any person or entity for compensation, payment or other value before the Board of Rules and Appeals.

Section 7. Records. All regular and special meetings, hearings, and records shall be open to the public.

Section 8. Procedure. Parliamentary procedures during Board meetings may follow Robert's rules of order, as amended, and by the rules and regulations contained herein. **Revised 1/9/97**

## **ARTICLE VI** **ORDER OF BUSINESS**

1. Call to order
2. Roll call
3. Approval of minutes of previous meeting(s)
4. Appeals and rulings
5. Interpretations

of staff to committees will be made after consultation with the Board's Administrative Director. Staff shall not be appointed voting members. Revised 1/9/97

## **ARTICLE VIII APPEALS TO THE BOARD OF RULES AND APPEALS**

Section 1. All actions before the Board shall be initiated by filing an appeal and request for hearing on a form approved by the Board with the secretary to the Board. No member of the Board may initiate an appeal before the Board.

Section 2. The secretary to the Board shall establish the procedures to be followed when an appeal is filed.

Section 3. The secretary to the Board shall deliver to each member of the Board a copy of the appeal and related documents with sufficient time before the hearing for the Board member to study the dispute.

Section 4. All appeal hearings will be conducted according to chapter 203.3 of the South Florida Building Code, Broward Edition.

Section 5. The hearing shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. All testimony shall be under oath and shall be recorded. The Board shall take testimony from the appellant ( plaintiff) and then from the appellee (defendant) and then from other interested parties.

**REVISED 9/12/96**

Section 6. Formal rules of evidence shall not apply; however, fundamental due process shall be observed, and all parties shall have an opportunity to respond, to present evidence, witnesses, and arguments on all issues involved, to conduct cross-examination, and to submit rebuttal evidence.

Section 7. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to relying in the conduct of serious affairs, despite the existence of any common law or statutory rules which might make improper the admission of such evidence over an objection in civil actions.

Section 8. Hearsay evidence may be used for supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over an objection in civil actions.

Section 9. The rules of privilege shall be effective to the same extent that they are now, or hereafter may be, recognized in civil actions, and irrelevant and unduly repetitious evidence shall be



2. Approved as revised
3. Disapproved
4. Table for further study
5. Assigned to subcommittee
6. Referred to another technical committee

Section 4. All proposed changes in which the technical committee(s) has concluded their review and taken a final action shall be forwarded to the Board along with the committee's recommendation. The Board at a regularly scheduled meeting shall review the recommendation of the technical committee, and take one of the following actions;

1. Approve for public hearing.
2. Approve for public hearing and issue Interim amendment.
3. Disapprove.
4. Table for further study.
5. Assign to any technical committee.

**REVISED 9/12/96**

Section 5. The executive committee shall review all proposed changes to chapters 1-3 of the code before being sent to the Board.

Section 6. In September of even numbered years the Board shall conduct a public meeting when any person may comment on the proposed amendment(s). The Board shall then review the proposed code amendments, comments, technical committee(s) recommendation(s), and take one of the following actions:

1. Approve and set an effective date of January 1.
2. Disapprove

**REVISED 9/12/96**

## **ARTICLE X NEW 9/12/96**

### **INTERPRETATIONS AND OPINIONS**

A. In response to a written inquiry or request setting forth a specific situation, or upon its own initiative, the Board may issue a formal interpretation to clarify provisions of the adopted code. Such formal interpretations shall be signed by the chairman and shall be binding in Broward County.

**ARTICLE XII NEW 9/12/96**

**DISCIPLINARY PROCEEDINGS**

Section 1. For any investigation or proceedings conducted under this Section the Administrative Director shall have the power to administer oaths, take depositions, issue subpoenas, which shall be supported by affidavit, serve subpoenas and compel the attendance of witnesses, and the production of books, papers, documents and other evidence. The Administrative Director shall exercise this power on its own initiative or by direction of the Board or the probable cause panel.

Section 2. The Administrative Director shall cause to be investigated any complaint which is filed, if the complaint is in writing, and signed by the complainant.

Section 3. The Administrative Director may have investigated an anonymous complaint if it is in writing.

Section 4. When the investigation is completed, the Administrative Director shall prepare and submit to the probable cause panel a report. This report shall contain the investigative findings and the recommendation of the Administrative Director concerning the existence of probable cause.

Section 5. The determination whether probable cause exists shall be made by a majority vote of a probable cause panel made up of at least three members of the Board of Rules and Appeals, appointed by the Board chairman. If the probable cause panel finds that probable cause exists it shall request that the Board conduct a decertification/disciplinary hearing. Members of the probable cause panel shall be excused from this hearing. For Section XII the Boards Administrative Director shall be the complainant.

Section 6. In accordance with chapter 71-575, the Board shall have the power to revoke, suspend, or deny the renewal of certification of competency, or to reprimand, censure, or otherwise discipline a certificate holder, if the Board finds that:

A. The South Florida Building Code, Broward Edition, or chapter 71-575 has been violated, or any other law, ordinance, rules and regulations the Board may have the authority to enforce.

Section 7. The Board may elect to accept an agreement setting an appropriate punishment in lieu of a hearing.

B. The answer shall include a specific admission, denial, or explanation of each allegation of the complaint; or if the respondent is without knowledge thereof, it shall so state, in which case such statement shall operate as a denial. Admissions or denials may be made to all or part of a particular allegation.

C. The answer shall include a specific, detailed statement of any defense.

D. If a respondent fails to file a timely answer, such failure shall be deemed to constitute a default by that respondent.

#### **ARTICLE XIV NEW 9/12/96**

### **RIGHTS OF THE PARTIES AND HEARING PROCEDURES**

Section 1. Each party to a hearing or proceeding shall have the following rights:

- A. To appear with and be represented by an attorney;
- B. To call and examine witnesses;
- C. To introduce relevant evidence;
- D. To cross-examine adverse witnesses on any relevant matter; and
- E. To rebut evidence presented.

Section 2. Hearings or proceedings under this Section shall be conducted in the following manner:

A. Opening statements may be presented by the complainant and respondent. The complainant's opening statement shall be presented first. Respondent's opening statement may then follow, or may be reserved until the presentation of its case.

B. Following opening statements, the complainant shall present its evidence, followed by the presentation of the respondent's evidence. After the presentation of the respondent's evidence, the complainant may present rebuttal evidence.

C. Following the direct examination of each witness, the opposing party shall be given the opportunity to cross-examine the witness.

A. Any party to a hearing or proceeding under this Section who fails to file a timely answer as provided for in this Section, or who fails to appear, either in person or through counsel, at the hearing or proceeding for which the cause was scheduled, shall be deemed to be in default. Upon considering the matter, as completely as possible at the hearing or proceeding, the Board of Rules and Appeals may enter an order as to the defaulting party, even if averse to that party.

#### Section 8. Orders of the Board:

A. After any hearing or proceeding under this Section, the Board of Rules and Appeals, upon a majority vote of those Board members attending, shall issue its order. All orders shall be based upon the greater weight of evidence and shall contain any findings of fact supporting the order and any recommendations of the Board.

B. If, at the conclusion of the hearing or proceeding, the Board finds that the person against whom the complaint was filed has not violated any provision of the code for which they have been charged, any rule of this Board, or any law or regulation of the state of Florida where the Board has jurisdiction, then the Board shall so state and issue an order dismissing the Complaint.

#### Section 9. JUDICIAL REVIEW:

A. Notwithstanding the provisions of Section 203.7 of the South Florida Building Code, Broward Edition, Broward Edition, application for judicial review of any final order of the Board of Rules and Appeals shall be made in accordance with the Florida Rules of Appellate Procedure.

### **ARTICLE XV**

#### **MISCELLANEOUS**

Section 1. These rules and regulations may be altered in a manner consistent with Board policy during a regular meeting by the affirmative vote of at least a majority of the Board, provided notice of the proposed change is given to the Board at a preceding regular meeting.

Section 2. These procedures may be changed from time to time by the Board if they deem it necessary for benefit of the public.

# Section 6



**Broward County  
Board of Rules and Appeals**

1 North University Drive, Suite 3500B, Plantation, FL 33324  
Phone 954-765-4500 Fax: 954-765-4504  
<http://www.broward.org/codeappeals>

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**To:** Members of the Board of Rules and Appeals

**From:**  James DiPietro, Administrative Director

**Date:** May 25, 2022

**Re:** Board determination as to whether all meetings will be held in-person or virtually

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**Recommendation:** It is recommended that the Board determine by motion whether all meetings will be held in-person or virtually.

**Reasons:** This evening the Board was scheduled to adopt on second reading a change to Policy 95-2 that would permit all Board meetings to be held virtually instead of in-person. Accordingly the Board is now positioned to make a decision on this matter.

**Additional Information:** The above policy decision will not apply to appointed committees of the Board of Rules and Appeals. Committee chairs can choose whether they will meet in-person or virtually.

Thank You,

James DiPietro

# Section 7

## Building Safety Inspection Program: Summary of Notices Sent and Inspection Reports Received for 2019, 2020 and 2021

MUNICIPALITY	Total number of buildings for 2019, 2020 and 2021?	BORA BUILDING AUDIT REVIEW	Date range that the notices were sent?	How many inspection reports were returned to your department for 2019, 2020 and 2021?	Sent to Magistrate or Code Enforcement/ Extensions	NO ACTION TAKEN	AUDITED BY CITY (AFTER 03-25-22)	NOTES
Broward County	47	OK	July 2019 - August 2021	34	13			• 100% Complete
Coconut Creek	68		June 2019 - June 2021	68				• 100% Complete
Cooper City	14		12/04/2020 - 11/29/2021	13	1		YES	• 100% Complete
Coral Springs	318	OK	June - August	273	45		YES	• 100% Complete
Dania Beach	68		June 2019 - June 2021	65	3		YES	• 100% Complete
Davie	115	OK	07/26/2019 - 07/12/2021	94	21		YES	• 1 property was sold after 1st letter sent. Sent request to new owner; 1 in contact with engineer, reports are done, waiting on submittal. 100% Complete
Deerfield Beach	249	OK	06/20/19 - 06/11/2021	198	51			• 100% Complete
Fort Lauderdale	7,969		08/20/2019 - 10/31/2021	6,253	1,716		YES	• 100% Complete
Hallandale Beach	126		06/30/2021 - 07/22/2021	80		46		
Hillsboro Beach	6		Summer	5	1		YES	• 100% Complete
Hollywood	2,027		June 2019 - December 2021	1,915	112		YES	• Remaining 112; (5) Properties were written up for non-compliant; (107) staff is working on NOV for remainder. 100% Complete
Lauderdale-by-the-Sea	54		07/02/2021 - 08/16/2021	49	4		YES	• 1 removed administratively. 100% Complete
Lauderdale Lakes	110		08/26/2019 - 06/28/2021	56		54		
Lauderhill	108		July - August 2021	95	13		YES	• 100% Complete
Lazy Lake	NO INSPECTIONS REQUIRED							
Lighthouse Point	32		07/16/2019 - 08/13/2021	25	5	2	YES	
Margate	128		09/11/2019 - 08/19/2021	119	10		YES	• 1 Additional Voluntary Report Received. 100% Complete
Miramar	67		08/05/2019 - 07/13/2021	56		11		
North Lauderdale	111		September 2019 - August 2021	85	26		YES	• 1 Extension; 25 Code Cases; 100% Complete
Oakland Park	390		08/29/2019 - 07/14/2021	256	134		YES	• 100% Complete
Parkland	NO INSPECTIONS REQUIRED							
Pembroke Park	27		07/10/2019 - 06/15/2021	23	4			• 100% Complete
Pembroke Pines	89		June 2019 - June 2022	37		52		
Plantation	983		08/12/2019 - 11/19/2021	815	168		YES	• 129 Special Magistrate; 39 extensions. 100% Complete
Pompano Beach	757		04/20/2021 - 08/10-2021	415	342		YES	• 100% Complete
Sea Ranch Lakes	NO INSPECTIONS REQUIRED							
Southwest Ranches	NO INSPECTIONS REQUIRED							
Sunrise	159		August 2019 - September 2021	147	12		YES	• 100% Complete
Tamarac	81		May 2020 - November 2021	65		16		
West Park	50		June-21	25		25		
Weston	164		02/06/2020 - 06/28/2021	110	54		YES	• 100% Complete
Wilton Manors	79		07/14/2021 - 08/26/2021	57	22			• 100% Complete
<b>TOTAL</b>	<b>14,396</b>				<b>14,396</b>			



**From:** [Morell, John](#)  
**To:** [Building Official](#)  
**Cc:** [Dipietro, James](#); [Curry, Brianna](#); [Morell, John](#)  
**Subject:** 2022 40 year survey  
**Date:** Friday, May 27, 2022 10:55:02 AM  
**Attachments:** [Survey 1-05202022.xlsx](#)

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Attached is a copy of the survey that is incomplete. Please let us know by May 31, 2022. weather or not you have sent out your notices for 2022, Yes or No answer please.  
If you have already responded thank you.

Respectfully

Jack Morell  
Chief Structural Code Compliance Officer  
Broward County Board of Rules and Appeals  
954-765-4500 x 9887  
[jmorell@broward.org](mailto:jmorell@broward.org)



Jurisdiction	40 Year Early Notice Sent				
	YES	NO			
Broward County	Yes				
Coconut Creek	Yes				
Cooper City					
Coral Springs	Yes				
Dania Beach					
Davie	Yes				
Deerfield Beach		No			
Fort Lauderdale	Yes				
Hallandale Beach					
Hillsboro Beach		NO			
Hollywood		No			
Lauderdale by the Sea	Yes				
Lauderdale Lakes					
Lauderhill		No			
Lazy Lake					
Lighthouse Point					
Margate	Yes				
Miramar					
North Lauderdale	Yes				
Oakland Park					
Parkland					
Pembroke Park					
Pembroke Pines					
Plantation					
Pompano Beach		NO			
Sea Ranch Lakes					
Southwest Ranches					
Sunrise					
Tamarac		No			
West Park					
Weston	Yes				
Wilton Manors					
Totals	9	6			