BROWARD COUNTY
BOARD OF RULES AND APPEALS

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

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

www.broward.org/codeappeals

Building Safety Inspection Program (BSIP) Ad Hoc Committee Meeting
March 21st, 2023
1:30 PM
City of Fort Lauderdale Development Services Department
Conference Rooms 4, 5, and 6.
700 NW 19 Ave. 33311

Agenda

1. Approval of March 7, 2023, meeting minutes - Page 2
2. Review Sub Committee reports
3. Review Fred Nesbitt's Comments (Attached.) - Page 39
4. Vote on BSIP Policy changes presented by D. Rice
    a. All underlined changes on pages 5.83 through 5.87
    b. All strikeouts on pages 5.83 through 5.87
5. Vote on "Form" and "Scope" Changes, Electrical
    a. Revise and vote on item # 13 on the form, page 5.90 (d), and scope on page 5.88(d), "Conduits and Raceways."
    b. Vote to remove from item #16, page 5.90(e), and scope on page 5.88(d), "Infrared Thermography."
    c. Vote to add the words "And Transfer Switch" for item # 23, page 5.90(G).
    d. Vote to remove item # 25, page 5.90(g), "Parking Lot and Garage Lighting."
6. Vote on BSIP Policy changes presented by D. Wassink
7. Director Barbosa's review of revisions on the BSIP guidelines.- Page 42
8. Questions:
    a. Add a sheet for photos in the scope section?
    b. Page numbers
    c. Around the room
9. Schedule the next meeting
10. Adjourn

Attachments:

- Building Safety Inspection Program, current edition - Page 4
- Senate Bill 154 (proposed changes to Florida Statute 553.899) - Page 56
- FS 553.899 Mandatory structural inspections for condominium and cooperative buildings - Page 63
- House Bill 1395 - Page 68

Meeting Minutes
3-7/2023

Call to Order:
Mr. David Rice, P.E., called a published meeting of the BSIP- Ad-Hoc Committee to order at 1:30 PM. The following members were present:

Present:

1. David Rice, PE.
2. Art Kamm, P.E.
3. Jeff Falkanger
4. Dennis Ulmer
5. Wayne Webb, P.E.
6. John Travers
7. John Heller
8. Derek Wassink P.E.
9. Fred Nesbitt
10. Nick Todaro
11. Mark Leblanc
12. Wayne Webb

Excused:

1. David Tringo
2. Michael De Floria
3. Abbas Zackria

Guests

Adam Calabrese - Brady Infrared
Jack Fisher
Jack Moulli

Staff: Dr. Ana Barbosa, BORA Administrative Director
Jack Morell, Structural Chief Code Compliance Officer
Ken Castronovo, Electrical Chief Code Compliance Officer
Michael Guerasio, Structural Chief Code Compliance Officer
Ruth Boselli, Administrative Specialist

Guest Mr. Calabrese introduced himself to the members of the committee. Minutes from the January 19, 2023, meeting was approved by motion Mr. Travers, seconded by Mr. Wassink. February meeting minutes were also approved by motion, Mr. Travers moved and duly seconded by Mr. Todaro.

Mr. Le Banc was introduced as a full member of the committee.

DRAFT

Chair Rice presented a handout with modifications to policy 05-05 Item 4. The current version of the BSIP was referred to in the agenda. A review was indicated in the prior meeting. Dr. Barbosa, Administrative Director of the Board of Rules and Appeals presented the modifications that were gathered and reviewed at the staff level. BORA staff provided a copy of these modifications, and each item was reviewed. Mr. Ulmer asked who is responsible for the windows, it was clarified that maintenance or replacement is the owner's responsibility. Any opening on the exterior of the building is part of the integrity of the envelope itself, into the same issues on the electrical side. And basically, it's up to the Association to determine who pays for the repairs. According to my report, the repair has to be done. It's the condo Association they either do it, or they get the building owner to do it.

In addition to his modifications, Dr. Barbosa requested to take the recommendations of this committee to the Board of Rules and Appeals regarding the courtesy notices to the property owners, which are required by the Statute up to two years ahead. It was stated that there is a considerable amount of work in producing the courtesy notices and forwarding then to the cities. Some cities can produce their own but not the smallest ones that only rely on the records provided by the Property Appraiser's office and the Board of Rules and Appeals. The whole process of the notification to the cities was explained in detail. Mr. Rice requested that at the next meeting, we will revisit the courtesy notice to probably agree in a 1-year notice. Regarding Chapter I section 110.15, to modify to the 2 years requirement would simplify the fact of determining the 3 miles from the coastline as stated in the State law. Regarding Section 3 Item K's requirement of repairs or modifications, the timing in the schedule was reviewed. No corrections were made to the Structural Inspection report. In the Electrical Report, Mr. Rice addressed the in his review under the 1st section he added that the report must include a one-line diagram of the system, and he remarked on the importance of it. Next, he added a switch gear in the building must be identified and a visual evaluation of the switch gear and the conductors and terminations shall be performed. Conduit raceways also should be reviewed. The word must be changed to shall. The additional testing may include, not limited to infrared thermographic but thermographic imaging, Megameter testing generated, full load testing, etcetera. Again, this is up to the engineer or the Inspector to determine the need. Thermos imaging was removed. The addition of a space where pictures can be added to the report was brought to the committee as a need to improve the actual report form. OSHA and NFPA 70 have requirements that should be added to the report. Item 90 B, I just changed, just be just gutters, on tem 13, it says effective July one, 2023, was removed because we took all the verbiage out. 5.90 E Thermographic inspections were taken out. 5.90 G added emergency generated" system", not just the generators that transfer switch. Regarding Parking lot lighting, municipalities have tier own ordinances, not in the Florida Building Code, so it's out of our jurisdiction. Additional comments area and space for pictures need to be added to the form. It was mentioned that in include contact information, phone, and email, for the property owner would be beneficial.
It was determined to have another meeting in two weeks, to have a final document to present to the Board of Rules and Appeals.

Meeting was adjourned at 2:53 pm.

Policy 05-05 - Current version

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

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

---

I. GENERAL:

A. Section 110.15 of the Broward County Administrative Provisions of the Florida Building Code has established a **Building Safety Inspection Program.**

B. The procedures established herein are the basic guidelines for the Building Safety Inspection program.

C. The requirements contained in the Florida Building Code, covering the maintenance of buildings, shall apply to all buildings and/or structures now existing or hereafter erected. All buildings and/or structures and all parts thereof shall be maintained in a safe condition, and all devices or safeguards that are required by the Florida Building Code shall be maintained in good working order. Electrical wiring, apparatus and equipment, and installations for light heat or power and low voltage systems as are required and/or regulated by the Building Code, now existing, or hereinafter installed, shall be maintained in a safe condition and all devices and safeguards shall be maintained in good working order.

D. These guidelines shall not be construed as permitting the removal or non-maintenance of any existing devices or safeguards unless authorized by the Building Official.

II. DEFINITIONS:

A. **"Threshold Building"** shall be defined as any building which is greater than three stories or 50 feet in height, or which has an assembly occupancy classification as defined in the Florida Building Code which exceeds 5,000 square feet in area and an occupant content of greater than 500 persons, or as otherwise defined by section 553.71, Florida Statutes, which may be amended from time to time.

B. **"Minor Buildings or Structures"** for the purpose of this program, shall be defined as buildings or structures in any occupancy group having a gross area of less than 3,500 sq. ft.

1. Any building or structure which houses, covers, stores, or maintains any support features, materials, or equipment necessary for the operation of all or part of the primary structure, or operation of any feature located upon the real property, shall not be considered a minor building or structure and shall be subject to inspection as otherwise set forth herein.
2. Structures to be included in the Safety Inspection Program are elevated decks, docks, seawalls if attached to or supporting any structure, parking garages, and guardrails, and as such are not exempt.

C. **"Building Age"** shall be defined as the difference between (a) the present year and (b) the year-built information recorded with the County Property Appraiser notwithstanding any renovations or modifications that have been made to the building or structure since the year built.

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

A. For the purpose of these guidelines, **Building Safety Inspection** shall be construed to mean the requirement for the specific safety inspection of existing buildings and structures and furnishing the Building Official and Owner with a written report of such inspection as prescribed herein.

B. **Inspection procedures** shall conform to the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals titled as "General Considerations & Guidelines for Building Safety Inspections" which are included as part of this Policy.

1. This inspection is for the sole purpose of identifying structural and electrical deficiencies of the building or structure that pose an immediate threat to life safety. This inspection is not to determine if the condition of an existing building complies with the current edition of the Florida Building Code or the National Electrical Code.
2. Such inspection shall be for the purpose of determining the structural & electrical condition of the building or structure, to the extent reasonably possible, of any part, material, or assembly of a building or structure which affects the safety of such building or structure, and/or which supports any dead load, live load, or wind load, and the general condition of its electrical systems pursuant to the applicable Codes.

3. The owner, or association if applicable, shall be responsible for all costs associated with the inspection, and the resulting required repairs and/or modifications.
4. The inspecting Professional shall have a right of entry into all areas he/she deems necessary to comply with the program.
5. The Building Official shall ensure that the owner(s), or their duly authorized representative(s), of all buildings and structures requiring inspection under these guidelines file the necessary documentation to confirm compliance with the guidelines set forth herein.

C. All buildings and structures shall be inspected in the manner described herein, where such buildings or structures are thirty (30) years of age or older, based on the date that the certificate of occupancy was issued, and as determined by the Building Official, who shall at such time issue a **Notice of Required Inspection** to the building owner or association.
   1. The following are **Exempt** from this program:
      a. U.S. Government Buildings
      b. State of Florida Buildings
      c. Buildings built on Indian Reservations,
      d. School Buildings under the jurisdiction of the Broward County School Board
      e. One and Two-Family Dwellings
      f. Fee Simple Townhouses as defined in the Florida Building Code
      g. Minor Structures defined as buildings or structures in any occupancy group having a gross floor area less than three thousand five hundred (3,500) square feet

D. All buildings that are a Condominium or Cooperative, and are three (3) stories or more in height, and are located within three (3) miles of the coastline, shall be inspected in the manner described herein, where such buildings are twenty-five (25) years of age or older, based on the date that the certificate of occupancy was issued, and as determined by the Building Official in accordance with Florida Statutes Section 553.899, who shall at such time issue a **Notice of Required Inspection** to the building owner or association.

E. Subsequent Building Safety Inspections shall be required at ten (10) year intervals from the year of the building or structure reaching 30 years or 25 years of age (as applicable) regardless of when the previous inspection report for the building or structure was finalized or filed.

F. For any building or structure that must perform a "milestone inspection," as provided under section 553.899, Florida Statutes, such building or structure is required to undergo inspection in the manner described herein when it has reached a Building Age where it is required to undergo a "milestone inspection" and such inspection shall serve as compliance with any "milestone inspection" requirements under section 553.899, Florida Statutes.

G. **Notices of Required Inspection:**
   1. The Building Official shall provide the owner or association of the building or structure with a **Notice of Required Inspection** relating to the required Building Safety Inspection once the Building Official has determined that a building or structure has attained a Building Age of 30 years (or 25 years, as applicable) and every 10-year interval thereafter.
   2. Each calendar year the Building Official shall determine which buildings or structures will reach the age of 30 years (or 25 years, as applicable) and every 10-year interval thereafter during that calendar year.
   3. Between the dates of June 1st and August 31st of each calendar year, the Building Official shall send out by Certified Mail Return Receipt Requested a **Notice of Required Inspection** to the owner or association of all such buildings or structures being due for Building Inspection during that calendar year. This notice shall clearly indicate that the owner shall furnish, or cause to be furnished, within ninety (90) days of the Notice of Required Building Safety Inspection, a written report including the Broward County Board of Rules and Appeals Structural and Electrical Safety Inspection Report Forms to the Building Official, prepared by a qualified Florida Licensed Professional Engineer or Florida Registered Architect, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.
   4. **In addition to the Notice of Required Inspection**, between the dates of June 1st and August 31st of each calendar year, beginning in the year 2023, the Building Official shall provide the owner or association

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

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

H. **Qualifications of Inspectors:**

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

I. **Reporting Procedures:**

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

3. If the building inspected is a Condominium or Cooperative, the Association shall distribute a copy of an inspector- prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States Mail or personal delivery, and by electronic transmission to unit owners who previously consented to receive notice by electronic transmission; shall post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and shall publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website.
4. Such report shall be deemed timely if submitted any time between (a) two years prior to the applicable required Building Safety Inspection year for the building or structure, and (b) 90 days after the date of the Notice of Required Inspection, including any applicable extension periods granted or provided by the Building Official.

J. **Duty to Report:** Any Licensed Professional Engineer or Registered Architect who performs an inspection of an existing building or structure has a duty to report to the Building Official any findings that, if left unaddressed, would endanger life or property, no later than ten (10) days after informing the building owner of such findings unless the Engineer or Architect is made aware that action has been taken to address such findings in accordance with the applicable code. However, if such Engineer or Architect finds that there are conditions in the building or structure causing an actual or immediate danger of the failure or collapse of the building or structure, or if there is a health hazard, windstorm hazard, fire hazard, or any other life safety hazard, such Engineer or Architect shall report such conditions immediately to the Building Owner and to the Building Official within twenty-four (24) hours of the time of discovery. In addition to assessing any fines or penalties provided by Broward County or the Municipality, the Building Official shall also report any violations of this provision to the appropriate licensing agency, regulatory board, and professional organization of such Engineer or Architect.

K. **Required Repairs or Modifications:**
1. In the event that repairs or modifications are found to be necessary as a result of the Building Safety Inspection, the owner shall have a total of 180 days from the date of the Building Safety Inspection Report, unless otherwise specified by the Building Official in accordance with Florida Building Code Section 110.15 (Florida Building Code Broward County Amendments), in which to complete required repairs and correct the structural and electrical deficiencies. All applicable Building Code requirements shall be followed with all applicable permits obtained. The Florida Existing Building Code will specify whether the repairs or modification can be made under the code in effect when the building was originally permitted, or the code currently in effect.
2. When any electrical or structural repairs or modifications are required, the responsible Engineer or Architect who has performed the building safety inspection and issued the report shall provide the Building Owner and the Building Official with a signed and sealed letter indicating whether the building or structure may continue to be safely occupied while the building or structure is undergoing repairs. Such letter shall be valid for no more than 180 days, and a new letter shall be issued if repairs or modifications remain ongoing.
3. For deficiencies that cannot be corrected within 180 days, the time frame may be extended when a time frame is specified by the responsible Licensed Professional Engineer or Registered Architect and approved by the Building Official. Such extension shall be contingent on maintaining an active building permit as specified in Florida Building Code Section 105.3.2 (Florida Building Code Broward County Amendments).
4. Once all required repairs, whether structural or electrical or both, have been completed, the responsible Licensed Professional Engineer or Registered Architect who has performed the safety inspection and issued the report shall re-inspect the areas noted on the original report and shall provide the Building Owner and Building Official an amended report with a signed and sealed letter stating that all of the required repairs and corrections have been completed and that the building or structure has been certified for continued use under the present occupancy. The Building Owner or responsible Professional shall submit that letter to the Building Official.
5. The Building Official may issue an extension of not more than 60 days to submit a Building Safety Inspection report, or to obtain any necessary permits, upon a written extension request from a Licensed

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

L. If an owner of a building or structure fails to timely submit the Building Safety Inspection Program report to the Building Official or seek an extension request in accordance with the above, the Building Official shall elect the choice of either a Special Magistrate or Code Enforcement Board as set forth under Florida Statutes Sec. 162, et. al., to conduct a hearing to address such failure. In the event an owner fails to comply with the repair and/or modification requirements as determined from the Building Safety Inspection Report as set forth herein, the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be reviewed by the Building Official and shall be sent to the Special Magistrate, Code Enforcement Board, or Unsafe Structures Board, as appropriate.

M. If a building or structure is found to be Unsafe, the requirements of Section 116 of Chapter One of the Broward County Amendments to the Florida Building Code entitled “Unsafe Structures” shall be followed.

N. The Building Official may revoke any Building Safety Inspection and Certification if the Building Official determines that the written inspection report contains any misrepresentation of the actual conditions of the building or structure.

General Considerations & Guidelines for Building Safety Inspections Part of Broward County BORA Policy #05-05

I. SCOPE OF STRUCTURAL INSPECTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Foundations

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

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

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

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

Roofs

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

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

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

Masonry Bearing Walls

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

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

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

Floor and Roof Systems

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

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

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

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

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

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

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

Steel Framing System

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

Concrete Framing Systems

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

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

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

Windows and Doors

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

Structural Glazing

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

Wood Framing

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

Building Facade

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

Loading

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

II. SCOPE OF ELECTRICAL INSPECTION

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

Electric Service

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

Branch Circuits

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

Conduit Raceways

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

Emergency Lighting

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

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

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

III. HISTORICAL DOCUMENTS, PERMITTING, REPAIRS AND REPORTS

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

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

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

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

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

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

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

STRUCTURAL SAFETY INSPECTION REPORT FORM

Inspection Firm or Individual Name: _____

Address: _____

Telephone Number: _____

Inspection Commenced Date: _____ Inspection Completed Date: _____

☐ No Repairs Required ☐ Repairs are required as outlined in the attached inspection report

Licensed Design Professional: ☐ Engineer ☐ Architect

Name: _____

License Number: _____

Threshold Building - Certified Special Inspector: ☐ Yes ☐ No

I am qualified to practice in the discipline in which I am hereby signing,

Signature: _____ Date: _____

Seal

This report has been based upon the minimum inspection guidelines for building safety inspection as listed in the Broward County Board of Rules and Appeals' Policy #05-05. To the best of my knowledge and ability, this report represents an accurate appraisal of the present condition of the structure, based upon careful evaluation of observed conditions, to the extent reasonably possible.

1. DESCRIPTION OF STRUCTURE		
a. Name on Title:		
b. Street Address:		
c. Legal Description:		
d. Owner's Name:		
e. Owner's Mailing Address:		
f. Folio Number of Property on which Building is Located:		
g. Building Code Occupancy Classification:		
h. Present Use:		
i. General Description:		
j. Type of Construction: Square Footage:		Number of Stories:
k. Is this a Threshold Building per F.S. 553.71:	☐ Yes	☐ No
l. Special Features:		

m. Describe any additions to original structure:

n. Additional Comments:

2. PRESENT CONDITION OF STRUCTURE

a. General alignment (Note: good, fair, poor, explain if significant):

1. Bulging: ☐ Good ☐ Fair ☐ Poor Significant (explain):

2. Settlement: ☐ Good ☐ Fair ☐ Poor Significant (explain):

3. Deflections: ☐ Good ☐ Fair ☐ Poor Significant (explain):

4. Expansion: ☐ Good ☐ Fair ☐ Poor Significant (explain):

5. Contraction: ☐ Good ☐ Fair ☐ Poor Significant (explain):

b. Portion showing distress (note, beams, columns, structural walls, floor, roofs, other):

c. Surface conditions – describe general conditions of finishes, noting cracking, spalling, peeling, signs of moisture penetration and stains:

d. Cracks – note location in significant members. Identify crack size as HAIRLINE if barely discernible; FINE if less than 1 mm in width; MEDIUM if between 1- and 2-mm width; WIDE if over 2 mm:

e. General extent of deterioration – cracking or spalling of concrete or masonry, oxidation of metals; rot or borer attack in wood:

f. Note previous patching or repairs:

g. Nature of present loading indicate residential, commercial, other estimate magnitude:

3. INSPECTIONS

a. Date of notice of required inspection:

b. Date(s) of actual inspection:

c. Name and qualifications of individual preparing report:

d. Description of laboratory or other formal testing, if required, rather than manual or visual procedures:

e. Structural repairs:

1. ☐ None required ☐ Required (describe):

f. Has the property record been researched for any current code violations or unsafe structure cases? ☐ Yes ☐ No
Explanation/comments:

4. SUPPORTING DATA ATTACHED

a. ☐ Sheets of written data

b. ☐ Photographs

c. ☐ Drawings or sketches

d. ☐ Test reports

5. FOUNDATION

a. Describe building foundation:

b. Is wood in contact or near soil? ☐ Yes ☐ No

c. Signs of differential Settlement? ☐ Yes ☐ No

d. Describe any cracks or separation in the walls, columns, or beams that signal differential settlement:

e. Is water draining away from the foundation? ☐ Yes ☐ No

f. Is there additional sub-soil investigation required? ☐ Yes ☐ No

1. If yes, explain:

6. MASONRY BEARING WALL - Indicate good, fair, poor on appropriate lines			
a. Concrete masonry units:	☐ Good	☐ Fair	☐ Poor
b. Clay tile or terra cotta units:	☐ Good	☐ Fair	☐ Poor
c. Reinforced concrete tie columns:	☐ Good	☐ Fair	☐ Poor
d. Reinforced concrete tie beams:	☐ Good	☐ Fair	☐ Poor
e. Lintel:	☐ Good	☐ Fair	☐ Poor
f. Other type bond beams:	☐ Good	☐ Fair	☐ Poor
g. Masonry finishes - **Exterior**:			
1. Stucco:	☐ Good	☐ Fair	☐ Poor
2. Veneer:	☐ Good	☐ Fair	☐ Poor
3. Paint only:	☐ Good	☐ Fair	☐ Poor
4. Other:	☐ Good	☐ Fair	☐ Poor
a. Explain:			
h. Masonry finishes – I**nterior**:			
1. Vapor barrier:	☐ Good	☐ Fair	☐ Poor
2. Furring and plaster:	☐ Good	☐ Fair	☐ Poor
3. Paneling:	☐ Good	☐ Fair	☐ Poor
4. Paint only:	☐ Good	☐ Fair	☐ Poor
5. Other:	☐ Good	☐ Fair	☐ Poor
a. Explain:			
i. Cracks – Note beams, columns, or others, including locations (description):			

j. Spalling - in beams, columns, or others, including locations (description):

k. Rebar corrosion-check appropriate line:

1. ☐ None visible
2. ☐ Minor-patching will suffice
3. ☐ Significant - but patching will suffice
4. ☐ Significant - structural repairs required
    a. Describe:

l. Were samples chipped out for examination in spalled areas?

1. ☐ No
2. ☐ Yes – describe color, texture, aggregate, general quality:

7. FLOOR AND ROOF SYSTEM

a. **Roof:**

1. Describe (flat, slope, type roofing, type roof deck, condition):

2. Note water tanks, cooling towers, air conditioning equipment, signs, other heavy equipment, and condition of support:

3. Note types of drains, scuppers, and condition:

4. Describe parapet construction and current condition:

5. Describe mansard construction and current condition:

6. Describe roofing membrane/covering and current condition:

7. Describe any roof framing member with obvious overloading, overstress, deterioration, or excessive deflection:

8. Note any expansion joint and condition:

b. **Floor system(s):**

1. Describe (type of system framing, material, spans, condition):

2. Balconies - indicate location, framing system, material, and condition:

3. Stairs and escalators - indicate location, framing system, material, and condition:

4. Ramps - indicate location, framing system, material, and condition:

5. Guardrails – indicate type, location, material, and condition:

c. Inspection – note exposed areas available for inspection, and where it was found necessary to open ceilings, etc. for inspection of typical framing members:

8. STEEL FRAMING SYSTEM

a. Full description of system:

b. Exposed Steel- describe condition of paint and degree of corrosion:

c. Steel connections – describe type and condition:

d. Concrete or other fireproofing – describe any cracking or spalling and note where any covering was removed for inspection:

e. Identify any steel framing member with obvious overloading, overstress, deterioration, or excessive deflection (provide location(s)):

f. Elevator sheave beams, connections, and machine floor beams – note condition:

9. CONCRETE FRAMING SYSTEM

a. Full description of structural system:

b. Cracking:

1. ☐ Significant ☐ Not Significant

2. Description of members affected, location, and type of cracking:

c. General condition:

d. Rebar corrosion – check appropriate line:

1. ☐ None visible
2. ☐ Location and description of members affected and type cracking
3. ☐ Significant but patching will suffice
4. ☐ Significant – structural repairs required (describe):

e. Were samples chipped out for examination in spalled areas?

1. ☐ No
2. ☐ Yes, describe color, texture, aggregate, general quality:

f. Identify any concrete framing member with obvious overloading, overstress, deterioration, or excessive deflection (provide location(s)):

10. WINDOWS, STOREFRONTS, CURTAINWALLS, AND EXTERIOR DOORS

a. Windows, Storefronts, and Curtainwalls:

1. Type (Wood, steel, aluminum, jalousie, single hung, double hung, casement, awning, pivoted, fixed, other):

2. Anchorage- type and condition of fasteners and latches:

3. Sealant – type of condition of perimeter sealant and at mullions:

4. Interiors seals – type and condition at operable vents:

5. General condition – describe any repairs needed:

b. Structural Glazing on the exterior envelope of Threshold Building: ☐ Yes ☐ No

1. Previous inspection date:
2. Description of Curtainwall Structural Glazing and adhesive sealant:
3. Describe condition of system:

c. Exterior Doors:

1. Type (wood, steel, aluminum, sliding glass door, other):
2. Anchorage type and condition of fasteners and latches:
3. Sealant type and condition of sealant:
4. General condition:
5. Describe and repairs needed:

11. WOOD FRAMING

a. Type – fully describe if mill construction, light construction, major spans, trusses:

b. Indicate condition of the following:

1. Walls:

2. Floors:

3. Roof member, roof trusses:

c. Note metal fitting i.e., angles, plates, bolts, split pintles, other, and note condition:

d. Joints – note if well fitted and still closed:

e. Drainage – note accumulations of moisture:

f. Ventilation – note any concealed spaces not ventilated:

g. Note any concealed spaces opened for inspection:

h. Identify any wood framing member with obvious overloading, overstress, deterioration, or excessive deflection:

12. BUILDING FAÇADE INSPECTION (Threshold Building)

a. Identify and describe the exterior walls and appurtenances on all sides of the building (cladding type, corbels, precast appliques, etc.):

b. Identify attachment type of each appurtenance type (Mechanically attached or adhered):

c. Indicate the condition of each appurtenance (Distress, settlement, splitting, bulging, cracking, loosening of metal anchors and supports, water entry, movement of lintel or shelf angles, or other defects:

13. SPECIAL OR UNUSUAL FEATURES IN THE BUILDING

a. Identify and describe any special or unusual features (i.e., cable suspended structures, tensile fabric roof, large sculptures, chimney, porte-cochere, retaining walls, seawalls, etc.):

b. Indicate condition of special feature, its supports, and connections:

ELECTRICAL SAFETY INSPECTION REPORT FORM

Inspection Firm or Individual Name: _____

Address: _____

Telephone Number: _____

Inspection Commenced Date: _____ Inspection Completed Date: _____

☐ No Repairs Required ☐ Repairs are required as outlined in the attached inspection report

Licensed Design Professional: ☐ Engineer ☐ Architect

Name: _____

License Number: _____

P.E. Specialized in Electrical Design: ☐ Yes ☐ No

Provide resume of qualifications upon request.

I am qualified to practice in the discipline in which I am hereby signing,

Signature: _____ Date: _____

Seal

This report has been based upon the minimum inspection guidelines for building safety inspection as listed in the Broward County Board of Rules and Appeals' Policy #05-05. To the best of my knowledge and ability, this report represents an accurate appraisal of the present condition of the structure, based upon careful evaluation of observed conditions, to the extent reasonably possible.

1. DESCRIPTION OF STRUCTURE		
a. Name on Title:		
b. Street Address:		
c. Legal Description:		
d. Owner's Name:		
e. Owner's Mailing Address:		
f. Folio Number of Property on which Building is Located:		
g. Building Code Occupancy Classification:		
h. Present Use:		
i. General Description, Type of Construction:	Square Footage:	Number of Stories:
j. Is this a Threshold Building per F.S. 553.71: ☐ Yes ☐ No		
k. Special Features:		

l. Additional Comments:

2. INSPECTIONS

a. Date of notice of required inspection:

b. Date(s) of actual inspection:

c. Name and qualifications of individual preparing report:

d. Are any electrical repairs required:

1. ☐ No - none Required:
2. ☐ Yes - required (Describe nature of repairs):

***** NOTE:** *Provide photographs as necessary to reflect relevant conditions and index appropriately* *******

3. ELECTRIC SERVICE

a. Size: Voltage ( ); Amperage ( );

b. Main Service Protection (amps): ☐ Fuse ☐ Breaker

c. Service Rating Amperage (amps)

d. Phase: ☐ Three Phase ☐ Single Phase

e. Condition: ☐ Good ☐ Needs Repairs

Describe nature of repairs:

4. SERVICE EQUIPMENT

a. Clearances: ☐ Good ☐ Requires Repair

Describe nature of repairs:

5. ELECTRIC ROOMS

a. Clearances: ☐ Good ☐ Requires Repair

Describe nature of repairs:

6. GUTTERS

a. Location: ☐ Good ☐ Requires Repair

Describe nature of repairs:

b. Taps and box fill: ☐ Good ☐ Requires Repair

Describe nature of repairs:

7. ELECTRICAL PANELS

a. Panel # ( ) ☐ Good ☐ Needs Repairs

b. Panel # ( ) ☐ Good ☐ Needs Repairs

c. Panel # ( ) ☐ Good ☐ Needs Repairs

d. Panel # ( ) ☐ Good ☐ Needs Repairs

e. Panel # ( ) ☐ Good ☐ Needs Repairs

Describe nature of repairs:

8. BRANCH CIRCUITS

a. Identified: ☐ Yes ☐ Must be identified

b. Conductors: ☐ Good ☐ Deteriorated ☐ Must be replaced

Describe nature of repairs:

9. GROUNDING OF SERVICE

☐ Good ☐ Repairs Required

Comments:

10. GROUNDING OF EQUIPMENT

☐ Good ☐ Repairs Required

Comments:

11. SERVICE CONDUITS/RACEWAYS

☐ Good ☐ Repairs Required

Comments:

12. SERVICE CONDUCTOR AND CABELS

☐ Good ☐ Repairs Required

Comments:

13. Effective July 1st, 2023. GENERAL CONDUIT/RACEWAYS

☐ Good ☐ Repairs Required

Comments:

14. FEEDER CONDUCTORS

☐ Good ☐ Repairs Required

Comments:

15. BUSWAYS

a. Location: ☐ Good ☐ Requires Repair

Describe nature of repairs:

16. Effective July 1st, 2023.

THERMOGRAPHY INSPECTION RESULTS *(add sheets as required and pictures if needed).*

Comments:

17. OTHER CONDUCTORS

☐ Good ☐ Repairs Required

Comments:

18. EMERGENCY LIGHTING

☐ Good ☐ Repairs Required

Comments:

19. BUILDING EGRESS ILLUMINATION

☐ Good ☐ Repairs Required

Comments:

20. FIRE ALARM SYSTEM

☐ Good ☐ Repairs Required

Comments:

21. SMOKE DETECTORS

☐ Good ☐ Repairs Required

Comments:

22. EXIT LIGHTS

☐ Good ☐ Repairs Required

Comments:

23. EMERGENCY GENERATOR

☐ Good ☐ Repairs Required

Comments:

24. WIRING & CONDUIT AT ALL PARKING LOTS AND GARAGES

☐ Good ☐ Repairs Required

Comments:

25. ALL PARKING LOT AND GARAGE LIGHTING

☐ Good ☐ Repairs Required

Comments:

26. SWIMMING POOL WIRING

☐ Good ☐ Repairs Required

Comments:

27. WIRING TO MECHANICAL EQUIPMENT

☐ Good ☐ Repairs Required

Comments:

28. ADDITIONAL COMMENTS

ITEM 3
Fred Nesbitt comments

COMMENTS FROM FRED NESBITT, PRESIDENT, GALT MILE COMMUNITY ASSOCIATION

As a member of the Broward County Building Safety Inspection Ad Hoc Committee, I am submitting my comments on the proposed recommendations that will be forwarded to the Board of Rules and Appears on the safety inspection program. Generally, I agree with many of the comments and suggestions made by the members of the Ad Hoc Committee. However, there are a couple of areas in which I do not agree or have recommendations.

#1 – Year of the first safety inspection: I agree the building age of the first safety inspection should be uniform and trying the differentiate between within three miles or the coast or not is too confusing. My preference is the first inspection take place at 30 years. However, the law passed last year (SB-4D) mandates distinguishing between three miles from the coast (25 years) and further than three miles from the coast (30 years). Given the current law, our best option is the 25-year first safety inspection. However, if the state legislature amends that law in 2023 and gives jurisdictions the option of 25 or 30 years, I believe Broward County should adopt the 30-year first inspection. It was recommended by Mayor Geller's "Broward County Condominium Structural Issues Committee" before SB-4D passed.

#2 – Electrical Inspection: The proposal is to add language to the "Scope of Electrical Inspections, Additional Testing and Inspections" that states, *"Additional testing and inspections may be required by the inspector based on equipment usage, condition, maintenance, history, location, and visual inspections. The additional testing may include but not limited to: Infrared Thermography imaging, megger testing, generator full load testing, etc."* I have two objections to this added language.

First, electrical fires in residential buildings are a very small percentage of all fires – cooking is the biggest cause (52% as reported by the US Fire Administration, "Fire in the United States 2008-2017," November 2019). According to Fort Lauderdale Fire Marshal Jeff Lucas, he stated that, *"Most of the fires we see are human error cooking fires. Overloaded gang plugs cause problems as well when too many amps are pushed through the cheaper plugs. In some cases, larger breakers also are installed causing wires to overheat and start fires. The electrical code is really getting on top of it, new construction systems have lots of technology involved to eliminate or lower the instances of fires caused by electricity."* Therefore, adding more testing requirements does not meet the cost/benefit model. It was stated that infrared thermography could cost $1,000 per day – but what would the cost be for a 29-story condo like mine? And specifically, how would we benefit from these added tests? I know the costs of the inspections are borne by the association owning the structure (the collective owners of the building) so there may be an attitude of "just pass the costs onto them," but these safety inspections already cost over $30,000 for an average sized building and with the collapse of Champagne Towers (for which we still do not know the causes), the costs for the same safety inspection keep going up.

Second, by adding this language and specifying certain tests and "etc." it "strongly" suggests that these tests should be done. Inspectors will feel that if BORA is mentioning these tests, then to be on the safe side, I should probably due these to cover all my bases. The results: more costs for residential buildings without benefits.

I recommend the entire section, "Additional Testing and Inspections" be removed from the recommendations. These are always options for a safety inspection, given the specific circumstances of each inspection and building. I trust that the electrical inspectors will use their best judgement in making these decisions. I believe residential buildings could provide some safety guidance to their owners regarding overloading plus and non-approved cheaper plugs. All buildings have requirements for electrical work that includes permitting (city inspection), insurance, and a licensed vendor to do the work.

#3 – Building Safety Inspection of Buildings/Structures and Components (Item G: Notice of Required Inspections): The proposed changes shorten the notification timelines and eliminate the advanced courtesy notices, both of which I oppose.

I was part of Mayor Geller's "Broward County Condominium Structural Issues Committee" that made recommendations to the county and state legislature on proposed changes to the structural issues affecting high-rise buildings. I recommended the Advance Courtesy Notice in order to make the entire process more effective and to reach greater compliance.

Associations of condos and cooperatives tend to have a high turnover rate. The average manager's tenure is 4.3 years and board members sometimes change every two years. Many board members come from other states and have never heard of the safety inspections, and manages many times come from places other than Broward and Miami-Dade counties or from private sector. Therefore, a safety inspection is somewhat foreign to them.

The Advance Courtesy Notice gives them two full years to come into compliance. The first notice (two years out) provides the initial notice, whereby the association can contract their engineers and have the structural and electrical inspections completed. The next year (one year out), the board of directors can review the reports and take whatever actions are necessary to address any deficiencies. This could include a special assessment to make the repairs. By the end of that year, the goal is to have the work completed and be able to submit the final report in time for the safety inspection, showing all repairs have been completed, or there were no deficiencies.

It is important to consider that in today's environment, several factors cause delays. It can sometimes take up to 6 months to get a permit approved. Not as many vendors are bidding on structural repairs as in the past. Bidders will sometimes give you a date far in advance when they can begin work. Materials are in short supply and many times on back order or arrival dates unknown. If a special assessment is required to complete the work, there are legal requirements, time lines and guidelines to enact this assessment. A board cannot just assess and collect in one simple motion.

Our goal is NOT to avoid or delay the safety inspection. However, in the real world, the time lines spelled out in the proposed changes to the Notice of Required Inspections are too short in today's world. They call for notifications from June-August, then from September-November the buildings have 90 days to contract an engineer, complete the survey and report, and submit it to the building department. Then December-May, the buildings have 180 days to complete the required structural and electrical repairs. These deadlines are not realistic in today's economy.

We need to find a way to get the data from the Property Appraiser's office earlier and in a more user-friendly format. Afterall, one data dump should show all the buildings in a city in existence as of say January 1, 2023. The data would have the building name, address and age of occupancy. After that, each city building would be responsible for adding to their database or deleting buildings. We should not need another data dump from the Property Appraiser's office ever again. Afterall, you cannot build, teardown or renovate a building without a building permit issued by the city. Thus, the city now would have a complete inventory of its buildings and from this they can create notices based on the occupancy dates in their files. BORA should only have to do this once (if at all). The responsibility falls to the city building departments to administer and track these inspections.

Therefore, I recommend we do not change the notification dates and requirements for safety inspections.

Fred Nesbitt, President, Galt Mile Community Association

Item 6 -
Policy 05-05 Revisions -

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

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

---

1

I. GENERAL:

A. Section 110.15 of the Broward County Administrative Provisions of the Florida Building Code has established a **Building Safety Inspection Program (BSIP.)**

B. The procedures established herein are the basic guidelines for the BSIP.

C. ~~The requirements contained in the Florida Building Code, covering the maintenance of buildings, shall apply to all buildings and/or structures now existing or hereafter erected. All buildings and/or structures and all parts thereof shall be maintained in a safe condition, and all devices or safeguards that are required by the Florida Building Code shall be maintained in good working order. Electrical wiring, apparatus and equipment, and installations for light heat, or power, and low voltage systems as are required and/or regulated by the Building Code/, now existing, or hereinafter installed, shall be maintained in a safe condition and all devices and safeguards shall be maintained in good working order.~~

D. ~~These guidelines shall not be construed as permitting the removal or non-maintenance of any existing devices or safeguards unless authorized by the Building Official.~~

II. DEFINITIONS:

A. **"Threshold Building"** shall be defined as any building which is greater than three stories or 50 feet in height, or which has an assembly occupancy classification as defined in the Florida Building Code which exceeds 5,000 square feet in area and an occupant content of greater than 500 persons, or as otherwise defined by section 553.71, Florida Statutes, which may be amended from time to time.

B. **"Minor Buildings or Structures"** for the purpose of this program, shall be defined as buildings or structures in any occupancy group having a gross area of less than 3,500 sq. ft.

1. Any building or structure, <u>regardless of size,</u> which houses, covers, stores, or maintains any support features, materials, or equipment necessary for the operation of all or part of the primary structure, or operation of any feature located upon the real property, shall not be considered a minor building or structure and shall be subject to inspection as otherwise set forth herein.

2. Structures to be included in the BSIP are elevated decks<u>/balconies</u>, docks, <u>and</u> seawalls if attached to or supporting any structure, parking garages, and guardrails, ~~and as such are not exempt~~.

C. ~~**"Building Age"** shall be defined as the difference between (a) the present year and (b) the year built information recorded with the County Property Appraiser notwithstanding any renovations or modifications that have been made to the building or structure since the year built~~. <u>**"Substantial Structural Deterioration"** means substantial structural distress or substantial structural weakness that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the Florida licensed professional performing the inspection determines that such surface imperfections are a sign of substantial structural deterioration.</u>

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

A. For the purpose of these guidelines, **Building Safety Inspection** shall be construed to mean the requirement for the specific safety inspection of existing buildings and structures and furnishing the Building Official (BO) and owner with a written report of such inspection as prescribed herein <u>by a qualified Florida licensed professional engineer or Florida registered architect</u>.

B. **Inspection procedures** shall conform to the minimum inspection procedural guidelines ~~as~~ issued by the Board of Rules and Appeals (BORA) titled ~~as~~ "General Considerations & Guidelines for Building Safety Inspections" ~~which are~~ included ~~as part of~~ in this Policy.

1. This inspection is for the sole purpose of identifying structural and electrical deficiencies of the building or structure that pose ~~an immediate~~ a threat to life safety. This inspection is not to determine if the condition of an existing building complies with the current edition of the Florida Building Code or the National Electrical Code.

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

3. The owner or association, if applicable, shall be responsible for all costs associated with the inspection and ~~the~~ any resulting required repairs and/or modifications.

4. The inspecting professional shall have a right of entry into all areas ~~he/she~~ they deems necessary to comply with the program.

5. The BO shall ensure that the owner(s), or their duly authorized representative(s), of all buildings and structures requiring inspection under these guidelines, file the necessary documentation to confirm compliance with the guidelines set forth herein.

C. All buildings and structures shall be inspected in the manner described herein, where such buildings or structures are thirty (30) years of age or older, based on the date that the original certificate of occupancy was issued, and as determined by the BO, who shall at such time issue a **Notice of Required Inspection** to the building owner or association.

1. The following are **Exempt** from this program:

    a. U.S. Government Buildings

    b. State of Florida Buildings

    c. Buildings built on Indian Reservations

    d. School Buildings under the jurisdiction of the Broward County School Board

    e. One and Two-Family Dwellings

    f. Fee Simple Townhouses as defined in the Florida Building Code

    g. Minor structures are defined as buildings or structures in any occupancy group having a gross floor area of less than three thousand five hundred (3,500) square feet, except buildings that support the primary structure, see definition B.1.

D. All buildings that are a Condominium or Cooperative, and are three (3) stories or more in height, and are located within three (3) miles of the coastline, shall be inspected in the manner described herein, where such buildings are twenty-five (25) years of age or older, based on the date that the certificate of occupancy was issued, and as determined by the BO in accordance with Florida Statutes Section 553.899, who shall at such time issue a **Notice of Required Inspection** to the building owner or association.

E. Subsequent Building Safety Inspections shall be required at every ten (10) year intervals from the year ~~of~~ the building or structure reach~~inges~~ 30 years or 25 years of age (as applicable), regardless of when the previous inspection

report for the building or structure was finalized or filed.

F. ~~For any building or structure that must perform a "milestone inspection," as provided under, section 553.899, Florida Statutes, such building or structure is required to undergo inspection in the manner described herein when it has reached a Building Age where it is required to undergo a "milestone inspection" and such inspection shall serve as compliance with any "milestone inspection" requirements under, Florida Statutes.~~

G. **Notices of Required Inspection:**

1. ~~The Building Official shall provide the owner or association of the building or structure with a **Notice of Required Inspection** relating to the required Building Safety Inspection once the Building Official has determined that a building or structure has attained a Building Age of 30 years (or 25 years, as applicable) and every 10-year interval thereafter.~~ By June of each year, BORAwill provide each city with a list of buildings due for inspection.

2. ~~Each calendar year the Building Official shall determine which buildings or structures will reach the age of 30 years (or 25 years, as applicable) and every 10-year interval thereafter during that calendar year~~. Between June thru August, the Building Official will notify the building owners or associations by Certified Mail Return Receipt Requested that their properties are due for inspection.

3. ~~Between the dates of June 1st and August 31st of each calendar year, the Building Official shall send out by Certified Mail Return Receipt Requested, a **Notice of Required Inspection** to the owner or association of all such buildings or structures being due for Building Inspection during that calendar year. This notice shall clearly indicate that the owner~~ qualified Florida Licensed Professional Engineer or Florida Registered Architect ~~shall furnish, or cause to be furnished, within ninety (90) days of the Notice of Required Building Safety Inspection, a written report including the Broward County Board of Rules and Appeals Structural and Electrical Safety Inspection Report Forms to the Building Official, prepared by a qualified Florida Licensed Professional Engineer or Florida Registered Architect, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.~~ In the 90-day period, between September and November, the Florida Licensed Professional will return the reports to the city/county.

4. ~~**In addition to the Notice of Required Inspection**, between the dates of June 1st and August 31st of each calendar year, beginning in the year 2023, the Building Official shall provide the owner or association with an **Advance Courtesy Notice** relating to their forthcoming Building Inspection. One courtesy notice shall be provided at two years prior to the Building Inspection due year, and one subsequent courtesy notice shall be provided at one year prior to the Building Inspection due year.~~ In the 180-day period, between December and May, any necessary structural or electrical repairs to the building will be made.

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

H. **Qualifications of Inspectors:**

1. If the building or structure is not a "Threshold Building" as defined by the Florida Building Code, required reports shall be prepared by a Florida Licensed Professional Engineer or Florida Registered Architect qualified by training and experience in the specific technical field involved in the inspection and report.

2. If the building or structure is a "Threshold Building", as defined herein, then:

    a. The structural portion of such report shall be prepared by a Professional Engineer licensed in the

State of Florida specializing in structural ~~design~~ engineering and licensed ~~certified~~ as a "Special Inspector" under the Threshold Law F.S. 471.

b. The electrical portion of such written report shall be prepared by a Professional Engineer licensed in the State of Florida specializing in electrical ~~design~~ engineering.

c. A self-qualification letter shall be submitted as part of the structural report for Threshold Buildings, stating that the Professional Engineer is a practicing structural engineer and has worked with buildings equivalent to the building being ~~certified, and shall be accompanied by proof of the engineer's State of Florida Department of Business and Professional Regulation (DPBR) structural specialization~~ inspected.

~~3. Such Engineer or Architect shall undertake such assignments only where qualified by training and experience in the specific technical field involved in the inspection and report.~~

I. **Reporting Procedures:**

1. ~~The owner of a building or structure subject to Building Safety Inspection shall furnish~~, ~~or cause to be furnished,~~ Within ninety (90) days of the date of receipt of the **Notice of Required Building Safety Inspection**, the owner or association must complete the Building Safety Inspection phase. The Florida Licensed Professional will issue a written report with a summary including the Broward County BORAStructural and Electrical Safety Inspection Report Forms to the BO, and owner or association. The report will state that ~~prepared by a qualified Florida Licensed Professional Engineer or Florida Registered Architect, certifying~~ that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe, for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the BORAor will indicate the types of repairs necessary to be undertaken.

2. The inspection report shall at a minimum meet all the following criteria:

   a. Such written report shall be~~ar the impressed~~ signed and sealed by the responsible engineer or architect who has performed the inspection.~~, unless submitted electronically with a verifiable digital signature as described in section 668.001, Florida Statutes~~

   b. In addition to a detailed written narrative report, the completed BORA Structural and Electrical Safety Inspection Report forms shall be submitted as part of the report.

   c. Sufficient color photos with sufficient resolution shall be included to adequately convey typical conditions observed, particularly where defects have been found.

   d. Indicate the manner and type of inspection forming the basis for the inspection report.

   e. Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.

   f. State whether any unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.

   g. Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.

   h. Identify and describe any items requiring further inspection.

~~3.~~ If the building inspected is a Condominium or Cooperative, the association shall distribute a copy of the ~~an inspector~~ prepared summary ~~of the~~ inspection report to each condominium unit owner or cooperative unit owner (see FS 553.899). ~~, regardless of the findings or recommendations in the report, by United States Mail or personal delivery, and by electronic transmission to unit owners who previously consented to receive notice by electronic transmission; shall post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and shall publish the full report a and inspector-prepared summary on the association's website, if the association is required to have a website.~~

4. Such report shall be deemed timely if ~~submitted~~ prepared any time between (a) two years prior to the applicable required Building Safety Inspection year for the building or structure, and (b) 90 days after the date of the Notice of Required Inspection, including any applicable extension periods granted or provided by the BO. This permits ample time necessary to obtain the inspections and does not change the actual year the inspection for the building or structure is required to be performed and subsequent years.

J. **Duty to Report:** Any licensed professional engineer or registered architect who performs an inspection of an existing building or structure has a duty to report to the BO any findings that, if left unaddressed, would endanger life or property, no later than ten (10) days after informing the building owner of such findings unless the engineer or architect is made aware that action has been taken to address such findings in accordance with the applicable code. However, if such engineer or architect finds that there are conditions in the building or structure causing an actual or immediate danger of the failure or collapse of the building or structure, or if there is a health hazard, windstorm hazard, fire hazard, or any other life safety hazard, such engineer or architect shall report such conditions immediately to the building owner and to the BO within twenty-four (24) hours of the time of discovery. In addition to assessing any fines or penalties provided by Broward County or the municipality, the BO shall also report any violations of this provision to the appropriate licensing agency, regulatory board, and professional organization of such engineer or architect.

K. **Required Repairs or Modifications:**

1. In the event that repairs or modifications are found to be necessary as a result of the Building Safety Inspection, the owner shall have a total of 180 days from the date of the inspection report, unless otherwise specified by the BO in accordance with Florida Building Code Section 110.15 (Florida Building Code Broward County Amendments), in which to complete required repairs and correct the structural and electrical deficiencies. All applicable Building Code requirements shall be followed with all applicable permits obtained. The Florida existing Building Code will specify whether the repairs or modification can be made under the code in effect when the building was originally permitted, or the code currently in effect.

2. When any electrical or structural repairs or modifications are required, the responsible engineer or architect who has performed the building safety inspection and issued the report shall provide the building wwner and the BO with a signed and sealed letter indicating whether the building or structure may continue to be safely occupied while the building or structure is undergoing repairs. Such letter shall be valid for no more than 180 days, and a new letter shall be issued if repairs or modifications remain ongoing.

3. For deficiencies that cannot be corrected within 180 days, ~~the time frame may be extended when a time frame is specified by the responsible Licensed Professional Engineer or Registered Architect and approved by the Building Official., such~~ any extensions shall be governed and contingent on maintaining an active building permit as specified in Florida Building Code Section 105.3.2 (Florida Building Code Broward County Amendments).

4. Once all required repairs, whether structural or electrical or both, have been completed, the responsible licensed professional engineer or registered architect who has performed the safety inspection and issued the report shall re-inspect the areas noted on the original report and shall provide the building owner or

association and BO an amended report, ~~with a~~ signed and sealed, ~~letter~~ stating that all of the required repairs and corrections have been completed and that the building or structure ~~has been certified~~ is acceptable for continued use under the present occupancy. ~~The Building Owner or responsible Professional shall submit that letter to the Building Official.~~

5. The BO may issue an extension of not more than 60 days to submit a Inspection report, or to obtain any necessary permits, upon a written extension request from a Florida licensed professional ~~Engineer or Registered Architect qualified as stated herein for the type of building or structure in question~~. Such request shall contain a signed and sealed statement from the engineer or architect that the building may continue to be occupied while undergoing the Building Safety Inspection ~~and Certification~~.

L. If an owner of a building or structure fails to timely submit the BSIP report to the BO, or seeks an extension request in accordance with the above, the BO shall elect the choice of either a Special Magistrate or Code Enforcement Board, as set forth under Florida Statutes Sec., et. al., to conduct a hearing to address such failure. In the event an owner fails to comply with the repair and/or modification requirements as determined from the Inspection report as set forth herein, the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be sent to reviewed by the BO and shall be sent to the Special Magistrate, Code Enforcement Board, or Unsafe Structures Board, as appropriate. If the building or structure owner fails to ensure the timely submittal of the inspection report or extension request to the BO, the BO shall elect to bring such violation to the Special Magistrate or the Code Enforcement Board. In the event an owner fails to comply with the repair and/or modification requirements as determined from the inspection report, the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be sent to Unsafe Structures Board, as appropriate.

M. If a building or structure is found to be unsafe, the requirements of Section 116 of Chapter One of the Broward County Amendments to the Florida Building Code entitled “Unsafe Structures” shall be followed.

N. The BO may revoke any Inspection report ~~and Certification~~ indicating acceptance of continued building use if the BO determines that the written inspection report contains any misrepresentation of the actual conditions of the building or structure.

7

General Considerations & Guidelines for Building Safety Inspections
Part of Broward County BORA Policy #05-05

I. SCOPE OF STRUCTURAL INSPECTION

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

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

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

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

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

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

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

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

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

In this marine climate, highly aggressive conditions exist year-round. For most of the year, outside relative humidity may frequently be about 90 or 95%, while within air-conditioned building, relative humidity will normally be about 55% to 60%. Under these conditions moisture vapor pressures ranging from about 1/3 to 1/2 pounds per square inch will exist much of the time. Moisture vapor will migrate to lower pressure areas. Common building materials such as stucco, masonry and even concrete, are permeable even to these slight pressures. Since most of our local construction does not use vapor barriers, condensation ~~will~~ may take place within the enclosed walls of the building. As a result, deterioration is most likely adjacent to exterior walls, or wherever else moisture or direct leakage has been permitted to penetrate the building shell.

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

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

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

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

Foundations

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

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

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

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

Roofs

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

Flat roofs with built up membrane roofs will be similarly critical with respect to deflection considerations. Additionally, since they will generally be approaching expected life limits at the age when The Building Safety Inspection is required, careful examination is important. Blisters, wrinkling, alligatoring, and loss of gravel are usual signs of difficulty. ~~Punctures or loss of adhesion of base flashings, coupled with loose counterflashing will also signify possibility of other debris, may result in ponding, which if permitted, may become critical.~~

Masonry Bearing Walls

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

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

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

Floor and Roof Systems

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

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

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

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

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

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

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

Steel Framing System

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

Concrete Framing Systems

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

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

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

Windows and Doors

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

~~**Structural Glazing**~~

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

Wood Framing

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

Building Facade

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

Loading

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

II. SCOPE OF ELECTRICAL INSPECTION

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

Electric Service

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

Branch Circuits

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

Conduit Raceways

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

Emergency Lighting

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

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

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

III. HISTORICAL DOCUMENTS, PERMITTING, REPAIRS AND REPORTS

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

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

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

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

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

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

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

SB-154-2-24-2023 Revised

Word Search Tip - Press Ctrl-F to search for a specific word on this page.

Florida Senate - 2023 **CS for SB 15**

By the Committee on Regulated Industries; and Senator Bradley

580-02150-23 2023154c

A bill to be entitled

An act relating to condominium and cooperative associations; amending s. 468.4334, F.S.; revising the circumstances under which community association managers or management firms must comply with a specified provision; amending s. 553.899, F.S.; revising legislative findings; revising the definition of the terms "milestone inspection" and "substantial structural deterioration"; revising who must have milestone inspections performed for buildings; authorizing local enforcement agencies to make certain determinations relating to milestone inspections after a building reaches a specified age; revising costs that condominium and cooperative associations are responsible for; requiring certain parties to obtain milestone inspection reports; authorizing local enforcement agencies to extend deadlines for milestone inspections under certain circumstances; revising requirements relating to written notice of required inspections; requiring architects or engineers performing milestone inspections to submit a specified progress report to a local enforcement agency within a specified timeframe under certain circumstances; specifying that associations must distribute copies of certain inspection reports within a specified timeframe and in a specified manner; authorizing municipal governing bodies to adopt certain ordinances relating to association repairs; requiring the Florida Building Commission to adopt rules by a specified date; providing requirements for such rules; conforming provisions; amending s. 627.351, F.S.; revising the types of policyholders not required to purchase flood insurance as a condition for maintaining certain policies issued by the Citizens Property Insurance Corporation; amending s. 718.103, F.S.; defining the term "alternative funding meth revising the definition of the term "structural integrity reserve study"; amending s. 718.111, F.

waiving reserve requirements or providing less reserves than required by law; revising requirements relating to using reserve funds or interest accrued on reserve funds for certain purposes; revising requirements for structural integrity reserve studies; providing applicability; conforming provisions to changes made by the act; amending s. 718.1255, F.S.; revising the definition of the term "dispute"; specifying that certain disputes are not subject to nonbinding arbitration and must be submitted to presuit mediation; amending s. 718.113, F.S.; revising requirements relating to maintenance, repair, and replacement of common elements and condominium property; amending s. 718.503, F.S.; revising the documents developers are required to provide to prospective buyers or lessees; requiring specified disclosures relating to milestone inspections and structural integrity reserve studies for certain contracts entered into after a specified date; amending s. 719.103, F.S.; revising the definition of the term "structural integrity reserve study"; amending s. 719.104, F.S.; revising rights relating to the official records of a cooperative association; providing maintenance requirements for cooperative associations; amending s. 719.106, F.S.; revising cooperative association reserve account requirements; revising requirements relating to waiving reserve requirements or providing less reserves than required by law; revising a prohibition on using reserve funds or interest accrued on reserve funds for certain purposes; revising requirements for structural integrity reserve studies; providing applicability; conforming provisions to changes made by the act; amending s. 719.503, F.S.; revising the types of documents developers are required to provide to prospective buyers and lessees; requiring specified disclosures relating to milestone inspections and structural integrity reserve studies for certain contracts entered into after a specified date; amending ss. 558.002, 718.116, and 720.3085, F.S.; conforming cross-references; reenacting s. 719.1255, F.S., relating to alternative resolution of disputes, to incorporate amendments made to s. 718.1255, F.S., in a reference thereto; reenacting ss. 718.501(1)(f) and 719.501(1)(f), F.S., relating to the rulemaking authority of the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (1) of section 468.4334, Florida Statutes, is amended to read:

468.4334 Professional practice standards; liabi...

(1)

^TOP

~~that~~ is subject to s. 553.899, the community association manager or the community association management firm must comply with that section as directed by the board.

Section 2. Subsections (1) through (6), paragraph (b) of subsection (7), and subsections (8), (9), (11), and (12) of section 553.899, Florida Statutes, are amended to read:

553.899 Mandatory structural inspections for condominium and cooperative buildings.

(1) The Legislature finds that maintaining the structural integrity of a building throughout the life of the building ~~its service life~~ 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. As such, the Legislature finds 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.

(2) As used in this section, the terms:

(a) "Milestone inspection" means a structural inspection a building, including an inspection of load-bearing elements ~~walls~~ and the primary structural members and primary structural systems as those terms are defined in s. 627.706, by an ~~a licensed~~ architect licensed under chapter 481 or engineer licensed under chapter 471 authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code. The milestone inspection services may be provided by a team of professionals with an architect or engineer acting as a registered design professional in responsible charge with all work and reports signed and sealed by the appropriate qualified team member.

(b) "Substantial structural deterioration" means substantial structural distress or substantial structural weakness that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

(3) An owner or owners of a building that is three stories or more in height that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium ~~association~~ under chapter 718 or ~~and~~ a residential cooperative ~~association~~ under chapter 719 must have a milestone inspection performed ~~for each building that is three stories or more in height~~ 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

~~If the building is located within 3 miles of a coastline as defined in s. 376.031, the condominium association or cooperative association must have~~ 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. The milestone inspection report must be arranged 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 owner or owners of the building, including the condominium association or cooperative association, are each ~~must arrange for the milestone inspection to be performed and is~~ 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. This subsection does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

(4) If a milestone inspection is required under this section and the building's certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024. The local enforcement agency may extend the deadline for a building's initial milestone inspection 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 and the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension. 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.

(5) 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 to any other owner of the building by certified mail, return receipt requested.

(6) Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive ~~receiving~~ the written notice under subsection (5)~~, the condominium association or cooperative association must complete phase one of the milestone inspection~~. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

(7) A milestone inspection consists of two phases:

(b) A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may be destructive or nondestructive testing at the inspector's

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. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer performing the phase two inspection must submit a phase two progress report to the local enforcement agency with a timeline for completion of the phase two inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection (8).

(8) Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed 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 the building, 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 who performed 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.

(9) Within 30 days after receiving the applicable inspection report, the condominium or cooperative association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under chapter 718 or chapter 719, as applicable, and by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission; must post a copy of the inspector prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector-prepared summary on the association's website if the association is required to have a website.

(11) A board of county commissioners or municipal [illegible]

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. If an owner of the building ~~association~~ fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

(12) By December 31, 2024, the Florida Building Commissi shall adopt rules pursuant to ss. 120.536(1) and 120.54 to establish a building safety program for the implementation of this section within the Florida Building Code: Existing Building. The building inspection program must, at minimum, include inspection criteria, testing protocols, standardized inspection and reporting forms that are adaptable to an electronic format, and record maintenance requirements for the local authority ~~review the milestone inspection requirements under this section and make recommendations, if any, to the Legislature to ensure inspections are sufficient to determine the structural integrity of a building. The commission must provide a written report of any recommendations to the Governor the President of the Senate, and the Speaker of the House of Representatives by December 31, 2022~~.

Section 3. Paragraph (aa) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.

(6) CITIZENS PROPERTY INSURANCE CORPORATION.

(aa) Except as otherwise provided in this paragraph, the corporation shall require the securing and maintaining of flood insurance as a condition of coverage of a personal lines residential risk. The insured or applicant must execute a form approved by the office affirming that flood insurance is not provided by the corporation and that if flood insurance is not secured by the applicant or insured from an insurer other than the corporation and in addition to coverage by the corporation, the risk will not be eligible for coverage by the corporation. The corporation may deny coverage of a personal lines residential risk to an applicant or insured who refuses to secure and maintain flood insurance. The requirement to purchase flood insurance shall be implemented as follows:

1. Except as provided in subparagraphs 2. and 3., all personal lines residential policyholders must have flood coverage in place for policies effective on or after:

a. January 1, 2024, for property valued at $600,000 or more.

b. January 1, 2025, for property valued at $500,000 or more.

c. January 1, 2026, for property valued at $400,000 or more.

d. January 1, 2027, for all other personal lines residential property insured by the corporation.

2. All personal lines residential policyholders property insured by the corporation is located within special flood hazard area defined by the Federal Emergenc,

FS 553.889 - Milestone Inspection

Section 3. Section 553.899, Florida Statutes, is created to read:

553.899 Mandatory structural inspections for condominium and cooperative buildings.—

(1) The Legislature finds that maintaining the structural integrity of a building throughout its service life 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. As such, the Legislature finds 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.

(2) As used in this section, the terms:

(a) "Milestone inspection" means a structural inspection of a building, including an inspection of load-bearing walls and the primary structural members and primary structural systems as those terms are defined in s. 627.706, by a licensed architect or engineer authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code.

(b) "Substantial structural deterioration" means substantial structural distress that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

(3) A condominium association under chapter 718 and a cooperative association under chapter 719 must have a milestone inspection performed for each building that is three stories or more in height 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 the building is located within 3 miles of a coastline as defined in s. 376.031, the condominium association or cooperative association must have a milestone inspection 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. The condominium association or cooperative association must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated

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

(4) If a milestone inspection is required under this section and the building's certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024. 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.

(5) 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 by certified mail, return receipt requested.

(6) Within 180 days after receiving the written notice under subsection (5), the condominium association or cooperative association must complete phase one of the milestone inspection. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

(7) A milestone inspection consists of two phases:

(a) 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 paragraph (b), is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to subsection (8).

(b) A phase two of the 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. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection (8).

(8) Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed 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, 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 who performed 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.

(9) The association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery and by electronic transmission to unit owners who previously consented to received notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website.

(10) A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

(11) A board of county commissioners may adopt an ordinance requiring that a condominium or cooperative association 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. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

(12) The Florida Building Commission shall review the milestone inspection requirements under this section and make recommendations, if any, to the Legislature to ensure inspections are sufficient to determine the structural integrity of a building. The commission must provide a written report of any recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2022.

(13) The Florida Building Commission shall consult with the State Fire Marshal to provide recommendations to the Legislature for the adoption of comprehensive structural and life safety standards for maintaining and inspecting all types of buildings and structures in this state that are three stories or more in height. The commission shall provide a written report of its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2023.

Section 4. Subsections (25) through (30) of section 718.103, Florida Statutes, are renumbered as subsections (26) through (31), respectively, and a new subsection (25) is added to that section, to read:

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

(25) "Structural integrity reserve study" means a study of the reserve funds required for future major repairs and replacement of the common areas based on a visual inspection of the common areas. A structural integrity reserve study may be performed by any person qualified to perform such study. However, the visual inspection portion of the structural integrity reserve study must be performed by an engineer licensed under chapter 471 or an architect licensed under chapter 481. At a minimum, a structural integrity reserve study must identify the common areas being visually inspected, state the estimated remaining useful life and the estimated replacement cost or deferred maintenance expense of the common areas being visually inspected, and provide a recommended annual reserve amount that achieves the estimated replacement cost or deferred maintenance expense of each common area being visually inspected by the end of the estimated remaining useful life of each common area.

Section 5. Paragraph (b) of subsection (7) and paragraphs (a), (c), and (g) of subsection (12) of section 718.111, Florida Statutes, are amended to read:

718.111 The association.—

(7) TITLE TO PROPERTY.—

(b) Subject to s. 718.112(2)(o) ~~the provisions of s. 718.112(2)(m)~~, the association, through its board, has the limited power to convey a portion of the common elements to a condemning authority for the purposes of providing utility easements, right-of-way expansion, or other public purposes, whether negotiated or as a result of eminent domain proceedings.

(12) OFFICIAL RECORDS.—

House Bill 1395

A bill to be entitled

An act relating to the management and safety of condominium and cooperative buildings; amending s. 468.4334, F.S.; revising professional practice standards for community association managers and community association management firms; amending s. 553.899, F.S.; revising legislative findings; revising definitions; requiring condominium associations and cooperative associations to have milestone inspections performed on certain buildings after they reach 25 years of age; removing provisions relating to certain buildings located near coastlines; revising the date on which a building's certificate of occupancy was issued to trigger the requirement of a milestone inspection; authorizing an extension of the deadline for the completion of a milestone inspection under certain circumstances; requiring certain notice be given to unit owners within a specified time period; authorizing additional persons to conduct phase one inspections; specifying the only persons authorized to conduct phase two inspections; requiring certain associations to enter into contracts with certain persons within a specified timeframe; requiring that a phase two inspection begin within a specified timeframe; requiring certain inspection reports to

bear certain attestations; authorizing the governing body of a municipality to adopt certain ordinances; removing a specified review by the Florida Building Commission; removing the requirement that the commission submit a certain report to the Governor and Legislature by a specified date; requiring the commission to create standardized milestone inspection forms; authorizing local enforcement agencies to develop their own forms and requirements; conforming provisions to changes made by the act; amending ss. 718.103 and 719.103, F.S.; revising the definition of "structural integrity reserve study"; amending ss. 718.112 and 719.106, F.S.; requiring certain items that will require maintenance, repair, or replacement within a certain timeframe to be included in reserve accounts; removing a date by which certain structural integrity reserve studies must be completed; providing an exception to the requirement of a structural integrity reserve study; requiring certain associations' budgets to include reserves, in an amount determined by a specified study, for certain items; requiring the structural integrity reserve study to include exterior doors; authorizing certain inspections to be used in place of other inspections under certain circumstances; requiring that the

inspector-prepared summary of the inspection report be provided to certain persons within a specified time period; conforming provisions to changes made by the act; amending s. 718.1255, F.S.; revising the definition of a "dispute" for purposes of alternative dispute resolution; requiring certain disputes to be submitted to presuit mediation; creating ss. 718.13 and 719.132, F.S.; authorizing unit owners and certain entities to file an action in court for certain injunctive relief; amending ss. 718.301 and 719.301, F.S.; conforming provisions to changes made by the act; amending ss. 718.503 and 719.503, F.S.; requiring that certain provisions be included in certain contracts entered into after specified dates under certain circumstances; conforming provisions to changes made by the act; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (1) of section 468.4334, Florida Statutes, is amended to read:

468.4334 Professional practice standards; liability.—

(1)

(b) If a community association manager or a community association management firm has a contract with a community

association that ~~has a building on the association's property that~~ is subject to s. 553.899, the community association manager or the community association management firm must comply with that section as directed by the board.

Section 2. Subsection (13) of section 553.899, Florida Statutes, is renumbered as subsection (12), subsections (1) through (8) and (11) and present subsection (12) are amended, and a new subsection (13) is added to that section, to read:

553.899 Mandatory structural inspections for condominium and cooperative buildings.—

(1) The Legislature finds that maintaining the structural integrity of a building throughout the ~~its service~~ 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. As such, the Legislature finds 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.

(2) As used in this section, the terms:

(a) "Milestone inspection" means a structural inspection of a building, including an inspection of load-bearing elements ~~walls~~ and the primary structural members and primary structural systems as those terms are defined in s. 627.706. Phase one of the milestone inspection must be performed~~,~~ by a general

contractor licensed under chapter 489 with at least 5 years' experience building or constructing threshold buildings, a building code administrator or building code inspector licensed under part XII of chapter 468 with at least 5 years' experience inspecting threshold buildings, or by a licensed architect or engineer authorized to practice in this state. Phase two of the milestone inspection must be performed by a licensed architect or engineer authorized to practice in this state. Such structural inspection must be completed with the purpose ~~for the purposes~~ of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code.

(b) "Substantial structural deterioration" means substantial structural distress or a substantial structural weakness that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless

the licensed general contractor, building code administrator, building code inspector, engineer, or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

(3) A condominium association under chapter 718 and a cooperative association under chapter 719 must have a milestone inspection performed for each building that is three stories or more in height by December 31 of the year in which the building reaches 25 ~~30~~ years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. ~~If the building is located within 3 miles of a coastline as defined in s. 376.031, the condominium association or cooperative association must have a milestone inspection 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.~~ The condominium association or cooperative association must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the inspection. This subsection does not apply to associations that only include ~~a~~ single-family, two-family, or three-family dwellings ~~dwelling~~ with three or fewer habitable

stories above ground.

(4) If a milestone inspection is required under this section and the building's certificate of occupancy was issued on or before December 31, 1994 ~~July 1, 1992~~, the building's initial milestone inspection must be performed before December 31, 2024. If a milestone inspection is required under this section and the building's certificate of occupancy was issued during the period of January 1, 1995, through December 31, 2000, the building's initial milestone inspection must be performed before December 31, 2026. The local enforcement agency may extend the deadline for a building's initial milestone inspection upon a showing of good cause by the condominium or cooperative association that the association has entered into a contract for the performance of the milestone inspection but that the inspection cannot reasonably be completed before the deadline. 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.

(5) 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 by certified mail, return receipt requested. The condominium or cooperative association

must notify the unit owners of the required milestone inspection within 14 days after receipt of the written notice from the local enforcement agency and provide the date that the milestone inspection must be completed.

(6) Within 180 days after receiving the written notice under subsection (5), the condominium association or cooperative association must complete phase one of the milestone inspection. For purposes of this section, completion of phase one of the milestone inspection means the licensed general contractor, building code administrator, building code inspector, engineer, or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

(7) A milestone inspection consists of two phases:

(a) For phase one of the milestone inspection, a general contractor licensed under chapter 489 with at least 5 years' experience building or constructing threshold buildings, a building code administrator or building code inspector licensed under part XII of chapter 468 with at least 5 years' experience inspecting threshold buildings, or 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 general contractor, building

code administrator, building code inspector, 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 paragraph (b), is not required. A general contractor, a building code administrator, a building code inspector, an architect, or an engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to subsection (8).

(b) A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. Only a licensed architect or engineer authorized to practice in this state may perform a phase two milestone inspection. If a phase two inspection is required, the association must contract, within 90 days after receipt of the phase one inspection report, with a licensed architect or engineer to perform the phase two inspection. The licensed architect or engineer contracted with to perform the inspection must begin the phase two inspection within 90 days after entering into a contract with the association. 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. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection (8).

(8) Upon completion of a phase one or phase two milestone inspection, the general contractor, building code administrator, building code inspector, architect, or engineer who performed the inspection must submit a copy, or a sealed copy, if applicable, 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, 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)1. Bear an attestation and signature, or electronic signature, of the licensed general contractor, building code administrator, or building code inspector who performed the inspection; or

2. Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection,

indicating that such report complies with the statutory

requirements 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.

(11) A board of county commissioners or the governing body of a municipality may adopt an ordinance requiring that a condominium or cooperative association 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. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local

enforcement agency must review and determine if the building is unsafe for human occupancy.

~~(12) The Florida Building Commission shall review the milestone inspection requirements under this section and make recommendations, if any, to the Legislature to ensure inspections are sufficient to determine the structural integrity of a building. The commission must provide a written report of any recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2022.~~

(13) The Florida Building Commission shall create a standardized milestone inspection report form for the submission of such reports to local enforcement agencies by general contractors, building code administrators, building code inspectors, engineers, and architects. Local enforcement agencies may develop their own forms and requirements and are not required to use the commission's standardized forms.

Section 3. Subsection (25) of section 718.103, Florida Statutes, is amended to read:

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

(25) "Structural integrity reserve study" means a study of the reserve funds required for future major repairs and replacement of the common areas based on a visual inspection of the common areas. A structural integrity reserve study may be performed by any person qualified to perform such study.

However, the visual inspection portion of the structural integrity reserve study must be performed by an engineer licensed under chapter 471, a general contractor licensed under chapter 489 with at least 5 years' experience building or constructing threshold buildings as defined in s. 553.71, a building code administrator or building code inspector licensed under part XII of chapter 468 with at least 5 years' experience inspecting threshold buildings as defined in s. 553.71, or an architect licensed under chapter 481. At a minimum, a structural integrity reserve study must identify the common areas being visually inspected, state the estimated remaining useful life and the estimated replacement cost or deferred maintenance expense of the common areas being visually inspected, and provide a recommended annual reserve amount that achieves the estimated replacement cost or deferred maintenance expense of each common area being visually inspected by the end of the estimated remaining useful life of each common area.

Section 4. Paragraphs (f), (g), and (h) of subsection (2) of section 718.112, Florida Statutes, are amended to read:

718.112 Bylaws.—

(2) REQUIRED PROVISIONS.—The bylaws shall provide for the following and, if they do not do so, shall be deemed to include the following:

(f) Annual budget.—

1. The proposed annual budget of estimated revenues and

expenses must be detailed and must show the amounts budgeted by accounts and expense classifications, including, at a minimum, any applicable expenses listed in s. 718.504(21). The board shall adopt the annual budget at least 14 days before the start of the association's fiscal year. In the event that the board fails to timely adopt the annual budget a second time, it is deemed a minor violation and the prior year's budget shall continue in effect until a new budget is adopted. A multicondominium association must adopt a separate budget of common expenses for each condominium the association operates and must adopt a separate budget of common expenses for the association. In addition, if the association maintains limited common elements with the cost to be shared only by those entitled to use the limited common elements as provided for in s. 718.113(1), the budget or a schedule attached to it must show the amount budgeted for this maintenance. If, after turnover of control of the association to the unit owners, any of the expenses listed in s. 718.504(21) are not applicable, they do not need to be listed.

2.a. In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. These accounts must include, but are not limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, ~~and~~ any other item that has a

deferred maintenance expense or replacement cost that exceeds $10,000, and those items listed in paragraph (g) that will require maintenance, repair, or replacement within the next 25 years. The amount to be reserved for an item is determined by the association's most recent structural integrity reserve study that must be completed as provided in paragraph (g) ~~by December 31, 2024~~. If the amount to be reserved for an item is not in the association's initial or most recent structural integrity reserve study or the association has not completed a structural integrity reserve study, the amount must be computed using a formula based upon estimated remaining useful life and estimated replacement cost or deferred maintenance expense of the reserve item. However, any item with a remaining useful life greater than 25 years is not required to be included in the study. If an association is required to complete a structural integrity reserve study, the association's budget must maintain reserves, in the amount recommended in the association's most recent structural integrity reserve study, for the items listed in paragraph (g). The association may adjust replacement reserve assessments annually to take into account any changes in estimates or extension of the useful life of a reserve item caused by deferred maintenance. The members of a unit-owner-controlled association may determine, by a majority vote at a duly called meeting of the association, to provide no reserves or less reserves than required by this subsection. Effective

December 31, 2024, the members of a unit-owner-controlled association may not determine to provide no reserves or less reserves than required by this subsection for items listed in paragraph (g).

b. Before turnover of control of an association by a developer to unit owners other than a developer under s. 718.301, the developer-controlled association may not vote to waive the reserves or reduce funding of the reserves. If a meeting of the unit owners has been called to determine whether to waive or reduce the funding of reserves and no such result is achieved or a quorum is not attained, the reserves included in the budget shall go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves.

3. Reserve funds and any interest accruing thereon shall remain in the reserve account or accounts, and may be used only for authorized reserve expenditures unless their use for other purposes is approved in advance by a majority vote at a duly called meeting of the association. Before turnover of control of an association by a developer to unit owners other than the developer pursuant to s. 718.301, the developer-controlled association may not vote to use reserves for purposes other than those for which they were intended. Effective December 31, 2024, members of a unit-owner-controlled association may not vote to use reserve funds, or any interest accruing thereon, that are

reserved for items listed in paragraph (g) for any other purpose other than their intended purpose.

4. The only voting interests that are eligible to vote on questions that involve waiving or reducing the funding of reserves, or using existing reserve funds for purposes other than purposes for which the reserves were intended, are the voting interests of the units subject to assessment to fund the reserves in question. Proxy questions relating to waiving or reducing the funding of reserves or using existing reserve funds for purposes other than purposes for which the reserves were intended must contain the following statement in capitalized, bold letters in a font size larger than any other used on the face of the proxy ballot: WAIVING OF RESERVES, IN WHOLE OR IN PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

(g) Structural integrity reserve study.—

1. An association must have a structural integrity reserve study completed at least every 10 years after the condominium's creation for each building on the condominium property that is three stories or higher in height which includes, at a minimum, a study of the following items as related to the structural integrity and safety of the building:

a. Roof.

b. Load-bearing walls or other primary structural members.

c. Floor.

d. Foundation.

e. Fireproofing and fire protection systems.

f. Plumbing.

g. Electrical systems.

h. Waterproofing and exterior painting.

i. Windows and exterior doors.

j. Any other item that has a deferred maintenance expense or replacement cost that exceeds $10,000 and the failure to replace or maintain such item negatively affects the items listed in sub-subparagraphs a.-i., as determined by the licensed engineer, general contractor, building code administrator, building code inspector, or architect performing the visual inspection portion of the structural integrity reserve study.

2. Before a developer turns over control of an association to unit owners other than the developer, the developer must have a structural integrity reserve study completed for each building on the condominium property that is three stories or higher in height.

3. Associations that ~~existing on or before July 1, 2022, which~~ are controlled by unit owners other than the developer, must have a structural integrity reserve study completed by December 31, 2024, for each building on the condominium property that is three stories or higher in height. An association that is required to complete a milestone inspection on or before

December 31, 2026, in accordance with s. 553.899, may complete the structural integrity reserve study simultaneously with the milestone inspection. In no event may the structural integrity reserve study be completed after December 31, 2026.

4. If an association fails to complete a structural integrity reserve study pursuant to this paragraph, such failure is a breach of an officer's and director's fiduciary relationship to the unit owners under s. 718.111(1).

5. If the milestone inspection required by s. 553.899, or an inspection completed for a similar local requirement, was performed within the past 5 years and meets the requirements of this paragraph, such inspection may be used in place of the visual inspection portion of the structural integrity reserve study.

(h) Mandatory milestone inspections.—If an association is required to have a milestone inspection performed pursuant to s. 553.899, the association must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of s. 553.899. The association is responsible for all costs associated with the inspection. If the officers or directors of an association willfully and knowingly fail to have a milestone inspection performed pursuant to s. 553.899, such failure is a breach of the officers' and directors' fiduciary relationship to the unit owners under s. 718.111(1)(a). Within 60 days after ~~Upon completion of a phase~~

~~one or phase two milestone inspection and~~ receipt of the inspector-prepared summary of the milestone inspection report from any phase one or phase two milestone inspection ~~from the architect or engineer who performed the inspection~~, the association must distribute a copy of the inspector-prepared summary of the inspection report to each unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery and by electronic transmission to unit owners who previously consented to receive notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium property; and must publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website. If the visual inspection portion of the structural integrity reserve study required under paragraph (g) was performed within the past 5 years and meets the requirements for a milestone inspection in s. 553.899, such inspection may be used in place of the phase one milestone inspection.

Section 5. Effective July 1, 2027, subsection (5) of section 718.1255, Florida Statutes, is amended, and paragraph (d) is added to subsection (1) of that section, to read:

718.1255 Alternative dispute resolution; mediation; nonbinding arbitration; applicability.—

(1) DEFINITIONS.—As used in this section, the term