

BROWARD COUNTY BOARD OF RULES AND APPEALS



THE IMPORTANCE OF PERMITS & CONFLICT RESOLUTION

Stronger codes mean safer buildings!

ABOUT BORA

WHO WE ARE

The Broward County Board of Rules and Appeals (BORA) was established by a special act of the Florida Legislature in 1971.

The act was later incorporated into the Broward County Charter, mandating code decisions for the Board to perform. BORA works to ensure that Building and Fire Codes are applied uniformly throughout Broward County.

ABOUT THE BOARD

The Board consists of building industry and building/fire code professionals and a representative of the disabled community. Some are appointed by the Broward League of Cities, and others by the Board of County Commissioners. Members serve without compensation.

The Board meets monthly, or as needed, to consider proposed amendments to the Florida Building and Fire Prevention codes, to hear appeals on decisions made by Building and Fire Code Officials, and to render formal interpretations on precise meanings of code sections that may currently be in dispute.

Board meeting agendas, code amendments, interpretation, building department contact and many other resources can be found on the Broward BORA website.



BROWARD COUNTY BOARD OF RULES AND APPEALS

1 N. University Drive, Suite 3500B

Plantation, FL 33324

broward.org/CodeAppeals

2,000 copies of this public document were promulgated at a gross cost of \$1,100.00 for \$0.55 per copy to provide the public with information about BORA.

WHY IS IT IMPORTANT TO OBTAIN A BUILDING PERMIT?

SAFETY

Building permits and inspections are made to protect the present and future owners of the structure. Building permits reduce potential hazards of unsafe construction for public safety, health, and welfare. Work done improperly could result in fires or other property damage. Doors and windows that do not meet the code or are installed incorrectly could fail in hurricane-force winds, exposing your home to physical damage.

SAVES MONEY

Property owners' insurance may not cover damages caused by work done without permits. When selling a home, the owner is required to disclose any improvements made to the property and disclose if a permit was obtained and if any inspections (including the final inspection) were completed. Fines, lawsuits, and other legal issues are all possible outcomes that may result from work done without permits. Any person who commences work, for which a permit is required before obtaining the Building Official's written approval of the necessary permits, may be subject to a penalty of up to 100 percent of the usual permit fee in addition to the required permit fee.

FLORIDA LEGAL REQUIREMENT

Building permits benefit individuals and the community. Individuals benefit by having access to the knowledge of the local building and fire code officials. These professionals ensure that construction projects meet minimum code requirements. The local building department can provide advice and answer questions about the property.

There is no filing fee for unlimited service from the BORA to resolve your formal appeal.

A BUILDING PERMIT IS REQUIRED WHEN:

- Constructing buildings and other structures
- Installing, replacement and/or alteration of doors, windows, fences, pools, garage doors, screen enclosures and driveways
- Relocating plumbing fixtures; replacing water heaters, sewers, water lines (within the building), gas supply systems; changing water lines from the meter to the home and installation of lawn sprinkler systems
- Installing new electrical boxes, electrical service upgrades, extending/adding wiring for new receptacles and lighting
- Installing, altering, replacing or any other major repair of any air conditioning, refrigeration, boiler, pressure vessel and other mechanical systems
- For a complete list of when building permits are necessary, contact your local AHJ (Authority Having Jurisdiction).

A BUILDING PERMIT IS NOT REQUIRED FOR:

- Buildings and structures specifically regulated and preempted by the federal government; nonresidential farms and buildings; and chickees constructed by the Miccosukee and Seminole Tribes (ONLY when being built on reservations)
- The stopping of leaks in drains, water, soil and waste piping, unless it becomes necessary to remove and replace the same for new material. As well as the clearing of stoppages and cleaning of septic tanks
- Electrical work regulated by Chapter 364 of the Florida Statutes in single family occupancies, detached structures or townhouses, including telephones and cable wiring.
- Portable mechanical equipment such as: heating appliances, air compressors, dust collectors, ventilation equipment and cooling units
- For a complete list of when building permits are not necessary, contact your local AHJ (Authority Having Jurisdiction).

BUILDING PERMIT APPLICATION SIGNATURE

An owner's signature is not required on a Broward County building permit application. An owner may sign when acting in the capacity of an owner as contractor, or the owner's duly appointed agent may sign on behalf of an owner who has given that agent proper authority.

THERE ARE WAYS TO HELP RESOLVE DIFFERENCES IN BUILDING CODE INTERPRETATION IN BROWARD COUNTY.

HERE ARE STEPS THAT CAN HELP RESOLVE BUILDING CODE CONFLICTS:

1. An owner, contractor, designer, or any party directly involved in building code interpretation differences contacts the municipality's Chief Inspector about the concern.
2. The Chief Inspector or Building Official provides an interpretation of the code relative to the concern.

Quite often, the challenge ends here.

3. If the complainant is unsatisfied with the Authority Having Jurisdiction's (AHJ) decision, they may call upon the Board of Rules and Appeals (BORA) for assistance.
4. The complainant may contact a BORA Chief Code Compliance Officer to explain the concern. Having learned one side of the concern, the Chief Code Compliance Officer contacts the jurisdiction and the Chief Inspector to learn the municipality's position.
5. After deliberation, the Chief Code Compliance Officer provides an explanation of the relative code sections to both parties.

This has the potential to end the dispute.

6. If this does not end the dispute, the complainant may appeal with BORA.
7. BORA's staff will assist as needed in completing the appeal process.
8. At the next scheduled Board Meeting, members will hear the concerns of affected parties and will make a ruling. The matter may be referred by the Board to a Technical Advisory Committee.
9. Fire appeals go to the Fire Code Committee for a recommendation to the Board.

DIRECT DISCIPLINE CONTACTS

It is recommended that you start your discussion with the local building or fire department. Do not hesitate to contact the BORA staff as needed to help resolve problems the Broward County Board of Rules and Appeals expeditiously. If a resolution is not reached, it could be time to file an appeal to the Board. If the issue is specified in building or fire code book language, it can be appealed.

ADMINISTRATIVE CONTACTS

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CODE COMPLIANCE CONTACTS

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