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ORDINANCE 24-XX

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE IV, "ADMINISTRATIVE CONSTRUCTION CODE," OF THE CODE OF ORDINANCES OF THE CITY OF MARCO ISLAND BY REPEALING SECTION 6-111, IN ITS ENTIRETY, AND ENACTING A NEW SECTION 6-111, ESTABLISHING THE CITY OF MARCO ISLAND ADMINISTRATIVE CONSTRUCTION CODE, WITH SAID ADMINISTRATIVE CONSTRUCTION CODE ACTING AS THE ADMINISTRATIVE CHAPTER (CHAPTER 1) OF THE FLORIDA BUILDING CODE, AS REFERENCED; ADOPTING CHAPTER 1 OF THE 8TH EDITION (2023) OF THE FLORIDA BUILDING CODE WITH AMENDMENTS; PROVIDING FOR INCORPORATION, REPEALER, CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 553.73(4)(a), Florida Statutes, authorizes Florida municipalities to make local amendments to its building codes, provided they are no less stringent than the minimum standards described in the Florida Building Code; and

WHEREAS, the City of Marco Island desires to provided for a single ordinance for the administration of the Florida Building Code 8th Edition (2023), enforced by the City of Marco Island.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND:

Section 1. Recitals. The foregoing "WHEREAS" clauses are true and correct and reflective of the legislative intent underlying this Ordinance and are hereby ratified and made a specific part of this Ordinance.

Section 2. That Chapter 6, "Buildings and Building Regulations," Article IV, "Administrative Construction Code," of the City of Marco Island Code of Ordinances, be, and the same is hereby amended by repealing Section 6-111, "Administration Chapter of Florida Building Code adopted; amendments," in its entirety, and enacting a new Section 6-111, "Administration Chapter of Florida Building Code adopted; amendments," to be

47 referenced as the City of Marco Island’s Chapter 1, Administration, of the Florida Building
48 Code, 8th edition (2023) to read as follows :

49
50 **Sec. 6-111. - Administration chapter of Florida Building Code adopted;**
51 **amendments.**

52 a) Adoption. There is hereby adopted by reference, Chapter 1, Administration, of the
53 Florida Building Code, 8th edition (2023), as the administrative provisions of the Florida
54 Building Code, enforced by the City of Marco Island.

55 b) Amendment. That Chapter 1, Administration of the Florida Building Code,
56 8th edition (2023), is adopted in this section and is hereby amended by local amendment
57 to read as follows:

58
59 **CHAPTER 1**
60 **SCOPE AND ADMINISTRATION**

61
62 **PART 1—SCOPE AND APPLICATION**

63 **SECTION 101**
64 **GENERAL**

65
66 **101.1 Title.** These regulations shall be known as the *Florida Building Code*,
67 hereinafter referred to as “this code.”

68
69 **101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*,
70 *relocation*, enlargement, replacement, *repair*, equipment, use and occupancy,
71 *location*, maintenance, removal and demolition of every building or structure or any
72 appurtenances connected or attached to such buildings or structures.

73
74 **Exceptions:**

- 75 1. Detached one-and two-family *dwelling*s and multiple single-family *dwelling*s
76 *(townhouses)* not more than three *stories above grade plane* in height with a
77 *separate means of egress*, and their accessory structures not more than three
78 *stories above grade plane* in height, shall comply with this Code or the *Florida*
79 *Building Code, Residential.*
80 2. Code requirements that address snow loads and earthquake protection shall
81 not be utilized or enforced.

82
83 **101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically
84 adopted.

85
86 **101.2.2** Residential construction standards or practices which are not covered by
87 *Florida Building Code, Residential* volume shall be in accordance with the provisions
88 of *Florida Building Code, Building.*

89
90 **101.3 Intent.** The purpose of this code is to establish the minimum requirements to
91 provide a reasonable level of safety, public health and general welfare through
92 structural strength, *means of egress* facilities, stability, sanitation, adequate light and
93 ventilation, energy conservation, and safety to life and property from fire and other

94 hazards attributed to the built environment and to provide a reasonable level of safety
95 to fire fighters and emergency responders during emergency operations.

96
97 **101.3.1 Quality control.** Quality control of materials and workmanship is not within
98 the purview of this code except as it relates to the purposes stated herein.

99
100 **101.3.2 Warranty and Liability.** The permitting, plan review or inspection of any
101 building, system or plan by this jurisdiction, under the requirements of this code, shall
102 not be construed in any court as a warranty of the physical condition of such building,
103 system or plan or their adequacy. This jurisdiction shall not be liable in tort for
104 damages or hazardous or illegal condition or inadequacy in such building, system or
105 plan, nor for any failure of any component of such, which may occur subsequent to
106 such inspection or permitting.

107
108 **101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.9
109 and referenced elsewhere in this code shall be considered part of the requirements of
110 this code to the prescribed extent of each such reference.

111
112 **101.4.1 Gas.** The provisions of the *Florida Building Code, Fuel Gas* shall apply to the
113 installation of gas piping from the point of delivery, gas appliances and related
114 accessories as covered in this code. These requirements apply to gas piping
115 systems extending from the point of delivery to the inlet connections of appliances
116 and the installation and operation of residential and commercial gas appliances and
117 related accessories.

118
119 **101.4.2 Mechanical.** The provisions of the *Florida Building Code, Mechanical* shall
120 apply to the installation, *alterations, repairs* and replacement of mechanical systems,
121 including equipment, appliances, fixtures, fittings and/or appurtenances, including
122 ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators
123 and other energy related systems.

124
125 **101.4.3 Plumbing.** The provisions of the *Florida Building Code, Plumbing* shall
126 apply to the installation, *alteration, repair* and replacement of plumbing systems,
127 including equipment, appliances, fixtures, fittings and appurtenances, and where
128 connected to a water or sewage system and all aspects of a medical gas system.

129
130 **101.4.4 Property maintenance.** The provisions of the *International Property*
131 *Maintenance Code* shall apply to existing structures and premises; equipment and
132 facilities; light, ventilation, space heating, sanitation, life and fire safety hazards;
133 responsibilities of owners, operators and occupants; and occupancy of existing
134 premises and structures.

135
136 **101.4.5 Fire prevention.** For provisions related to fire prevention, refer to the *Florida*
137 *Fire Prevention Code*. The *Florida Fire Prevention Code* shall apply to matters
138 affecting or relating to structures, processes and premises from the hazard of fire and
139 explosion arising from the storage, handling or use of structures, materials or devices;
140 from conditions hazardous to life, property or public welfare in the occupancy of
141 structures or premises; and from the construction, extension, *repair, alteration* or

142 removal of fire suppression, automatic sprinkler systems and alarm systems or fire
143 hazards in the structure or on the premises from occupancy or operation.

144
145 **101.4.6 Energy.** The provisions of the Florida Building Code, Energy Conservation
146 shall apply to all matters governing the design and construction of buildings for energy
147 efficiency.

148
149 **101.4.7 Existing buildings.** The provisions of the Florida Building Code, Existing
150 Building shall apply to matters governing the repair, alteration, change of occupancy,
151 addition to and relocation of existing buildings.

152
153 **101.4.8 Accessibility.** For provisions related to accessibility, refer to the Florida
154 Building Code, Accessibility.

155
156 **101.4.9 Manufactured buildings.** For additional administrative and special code
157 requirements, see Section 458, Florida Building Code, Building, and Rule 61-41 F.A.C.

158
159 **SECTION 102**
160 **APPLICABILITY**

161
162 **102.1 General.** Where there is a conflict between a general requirement and a specific
163 requirement, the specific requirement shall be applicable. Where, in any specific case,
164 different sections of this code specify different materials, methods of construction or
165 other requirements, the most restrictive shall govern.

166
167 **102.1.1** The Florida Building Code does not apply to, and no code enforcement action
168 shall be brought with respect to, zoning requirements, land use requirements and
169 owner specifications or programmatic requirements which do not pertain to and
170 govern the design, construction, erection, alteration, modification, repair or demolition
171 of public or private buildings, structures or facilities or to programmatic requirements
172 that do not pertain to enforcement of the Florida Building Code. Additionally, a local
173 code enforcement agency may not administer or enforce the Florida Building Code,
174 Building to prevent the siting of any publicly owned facility, including, but not limited
175 to, correctional facilities, juvenile justice facilities, or state universities, community
176 colleges, or public education facilities, as provided by law.

177
178 **102.2 Building.** The provisions of the Florida Building Code shall apply to the
179 construction, erection, alteration, modification, repair, equipment, use and occupancy,
180 location, maintenance, removal and demolition of every public and private building,
181 structure or facility or floating residential structure, or any appurtenances connected
182 or attached to such buildings, structures or facilities. Additions, alterations, repairs and
183 changes of use or occupancy group in all buildings and structures shall comply with
184 the provisions provided in the Florida Building Code, Existing Building. The following
185 buildings, structures and facilities are exempt from the Florida Building Code as
186 provided by law, and any further exemptions shall be as determined by the legislature
187 and provided by law:

- 188 (a) Building and structures specifically regulated and preempted by the federal
189 government.
190 (b) Railroads and ancillary facilities associated with the railroad.

- 191 (c) Nonresidential farm buildings on farms.
192 (d) Temporary buildings or sheds used exclusively for construction purposes.
193
194 (e) Mobile or modular structures used as temporary offices, except that the
195 provisions of Part II (Sections 553.501-553.513, Florida Statutes) relating to
196 accessibility by persons with disabilities shall apply to such mobile or modular
197 structures. Permits shall be required for structural support and tie-down,
198 electric supply and all other such utility connections to such mobile or modular
199 structures as required by this jurisdiction.
200 (f) Those structures or facilities of electric utilities, as defined in Section 366.02,
201 Florida Statutes, which are directly involved in the generation, transmission, or
202 distribution of electricity.
203 (g) Temporary sets, assemblies, or structures used in commercial motion picture
204 or television production, or any sound-recording equipment used in such
205 production, on or off the premises.
206 (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the
207 Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means
208 an open-sided wooden hut that has a thatched roof of palm or palmetto or
209 other traditional materials, and that does not incorporate any electrical,
210 plumbing, or other nonwood features.
211 (i) Family mausoleums not exceeding 250 square feet (23 m²) in area which are
212 prefabricated and assembled on site or preassembled and delivered on site
213 and have walls, roofs, and a floor constructed of granite, marble, or reinforced
214 concrete.
215 (j) Temporary housing provided by the Department of Corrections to any prisoner
216 in the state correctional system.
217 (k) A building or structure having less than 1,000 square feet (93 m²) which is
218 constructed and owned by a natural person for hunting and which is repaired
219 or reconstructed to the same dimension and condition as existed on January
220 1, 2011, if the building or structure:
221 1. Is not rented or leased or used as a principal residence;
222 2. Is not located within the 100-year flood plain according to the Federal
223 Emergency Management Agency's current Flood Insurance Rate Map;
224 and
225 3. Is not connected to an off-site electric power or water supply.
226 (l) A drone port as defined in f.s. 330.41(2).
227

228 **102.2.1** In addition to the requirements of Sections 553.79 and 553.80, Florida
229 Statutes, facilities subject to the provisions of Chapter 395, Florida Statutes, and Part
230 II of Chapter 400, Florida Statutes, shall have facility plans reviewed and construction
231 surveyed by the state agency authorized to do so under the requirements of Chapter
232 395, Florida Statutes, and Part II of Chapter 400, Florida Statutes, and the certification
233 requirements of the federal government.
234

235 **102.2.2** Residential buildings or structures moved into or within a county or
236 municipality shall not be required to be brought into compliance with the state
237 minimum building code in force at the time the building or structure is moved, provided:

- 238 1. The building or structure is structurally sound and in occupiable condition for its
239 intended use;

- 240 2. The occupancy use classification for the building or structure is not changed as
241 a result of the move;
242 3. The building is not substantially remodeled;
243 4. Current fire code requirements for ingress and egress are met;
244 5. Electrical, gas and plumbing systems meet the codes in force at the time of
245 construction and are operational and safe for reconnection; and
246 6. Foundation plans are sealed by a professional engineer or architect licensed
247 to practice in this state, if required by the *Florida Building Code, Building* for all
248 residential buildings or structures of the same occupancy class.
249
250

251 **102.2.3** The *building official* shall apply the same standard to a moved residential
252 building or structure as that applied to the remodeling of any comparable residential
253 building or structure to determine whether the moved structure is substantially
254 remodeled. The cost of the foundation on which the moved building or structure is
255 placed shall not be included in the cost of remodeling for purposes of determining
256 whether a moved building or structure has been substantially remodeled.
257

258 **102.2.4** This section does not apply to the jurisdiction and authority of the Department
259 of Agriculture and Consumer Services to inspect amusement rides or the Department
260 of Financial Services to inspect state-owned buildings and boilers.
261

262 **102.2.5** Each enforcement district or local enforcement agency shall be governed by
263 a board, the composition of which shall be determined by the affected localities.

- 264 1. At its own option, each enforcement district or local enforcement agency may
265 adopt rules granting to the owner of a single-family residence one or more
266 exemptions from the *Florida Building Code* relating to:
267 a. Addition, alteration, or repairs performed by the property owner upon his
268 or her own property, provided any addition, alteration or repair shall not
269 exceed 1,000 square feet (93 m²) or the square footage of the primary
270 structure, whichever is less.
271 b. Addition, alteration, or repairs by a nonowner within a specific cost
272 limitation set by rule, provided the total cost shall not exceed \$5,000 within
273 any 12-month period.
274 c. Building plans review and inspection fees.
275 2. However, the exemptions under subparagraph 1 do not apply to single-family
276 residences that are located in mapped *flood hazard areas*, as defined in the
277 code, unless the enforcement district or local enforcement agency has
278 determined that the work, which is otherwise exempt, does not constitute a
279 substantial improvement, including the repair of substantial damage, of such
280 single-family residences.
281 3. Each code exemption, as defined in sub-subparagraphs 1a, 1b, and 1c shall
282 be certified to the local board 10 days prior to implementation and shall only
283 be effective in the territorial jurisdiction of the enforcement district or local
284 enforcement agency implementing it.
285

286 **102.2.6** This section does not apply to swings and other playground equipment
287 accessory to a one- or two-family dwelling.
288

289 **Exception:** Electrical service to such playground equipment shall be in accordance
290 with Chapter 27 of this code.

291
292 **102.3 Application of references.** References to chapter or section numbers, or to
293 provisions not specifically identified by number, shall be construed to refer to such
294 chapter, section or provision of this code.

295
296 **102.4 Referenced codes and standards.** The codes and standards referenced in
297 this code shall be considered part of the requirements of this code to the prescribed
298 extent of each such reference and as further regulated in Sections 102.4.1 and
299 102.4.2.

300
301 **102.4.1 Conflicts.** Where conflicts occur between provisions of this code and
302 referenced codes and standards, the provisions of this code shall apply.

303
304 **102.4.2 Provisions in referenced codes and standards.** Where the extent of the
305 reference to a referenced code or standard includes subject matter that is within the
306 scope of this code or the Florida Codes listed in Section 101.4, the provisions of this
307 code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence
308 over the provisions in the referenced code or standard.

309
310 **102.5 Partial invalidity.** In the event that any part or provision of this code is held to
311 be illegal or void, this shall not have the effect of making void or illegal any of the other
312 parts or provisions.

313
314 **102.6 Existing structures.** The legal occupancy of any structure existing on the date
315 of adoption of this code shall be permitted to continue without change, except as
316 otherwise specifically provided in this code, the *Florida Building Code, Existing*
317 *Building, International Property Maintenance Code* or the *Florida Fire Prevention*
318 *Code.*

319
320 **102.6.1 Buildings not previously occupied.** A building or portion of a building that
321 has not been previously occupied or used for its intended purpose in accordance with
322 the laws in existence at the time of its completion shall comply with the provisions of
323 the *Florida Building Code, Building* or *Florida Building Code, Residential*, as
324 applicable, for new construction or with any current *permit* for such occupancy.

325
326 **102.6.2 Buildings previously occupied.** The legal occupancy of any building existing
327 on the date of adoption of this code shall be permitted to continue without change,
328 except as otherwise specifically provided in this code, the *Florida Fire Prevention*
329 *Code, International Property Maintenance Code* or as is deemed necessary by the
330 *building official* for the general safety and welfare of the occupants and the public.

331
332 **102.7 Relocation of manufactured buildings.**

- 333 (1) Relocation of an existing manufactured building does not constitute an
334 alteration.
335 (2) A relocated building shall comply with wind speed requirements of the new
336 location, using the appropriate wind speed map. If the existing building was
337 manufactured in compliance with the Standard Building Code (prior to March

338 1, 2002), the wind speed map of the Standard Building Code shall be
339 applicable. If the existing building was manufactured in compliance with the
340 Florida Building Code (on or after March 1, 2002), the wind speed map of the
341 Florida Building Code shall be applicable.

342 (3) A relocated building shall comply with the flood hazard area requirements of
343 the new location, if applicable.

344
345 **102.8 Existing mechanical equipment.** An agency or local government may not
346 require that existing mechanical equipment located on or above the surface of a roof
347 be installed in compliance with the requirements of the Florida Building Code except
348 during reroofing when the equipment is being replaced or moved and is not in
349 compliance with the provisions of the Florida Building Code relating to roof-mounted
350 mechanical units.

351
352 **PART 2—ADMINISTRATION AND ENFORCEMENT**
353 **SECTION 103**
354 **DEPARTMENT OF BUILDING SAFETY**
355

356 **103.1 Creation of enforcement agency.** The Department of Building Safety is
357 hereby created and the official in charge thereof shall be known as the building
358 official.

359
360 **103.2 Appointment.** The building official shall be appointed by the chief appointing
361 authority of the jurisdiction.

362
363 **103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction
364 and with the concurrence of the appointing authority, the building official shall have
365 the authority to appoint a deputy building official, the related technical officers,
366 inspectors, plan examiners and other employees. Such employees shall have
367 powers as delegated by the building official.

368
369 For the maintenance of existing properties, see **the International Property**
370 **Maintenance Code.**

371
372 **SECTION 104**
373 **DUTIES AND POWERS OF BUILDING OFFICIAL**
374

375 **104.1 General.** The building official is hereby authorized and directed to enforce the
376 provisions of this code. The building official shall have the authority to render
377 interpretations of this code and to adopt policies and procedures in order to clarify the
378 application of its provisions. Such interpretations, policies and procedures shall be in
379 compliance with the intent and purpose of this code. Such policies and procedures
380 shall not have the effect of waiving requirements specifically provided for in this code.

381
382 **104.2 Applications and permits.** The building official shall receive applications,
383 review construction documents and issue permits for the erection, and alteration,
384 demolition and moving of buildings and structures, inspect the premises for which
385 such permits have been issued and enforce compliance with the provisions of this

386 code.

387
388 **104.2.1 Determination of substantially improved or substantially damaged**
389 **existing buildings and structures in flood hazard areas.** For applications for
390 reconstruction, rehabilitation, *repair, alteration, addition* or other improvement of
391 existing buildings or structures located in *flood hazard areas*, the *building official* shall
392 determine if the proposed work constitutes substantial improvement or *repair of*
393 *substantial damage*. Where the *building official* determines that the proposed work
394 constitutes *substantial improvement* or *repair of substantial damage*, and where
395 required by this code, the *building official* shall require the building to meet the
396 requirements of Section 1612 or R322 of the Florida Building Code, Residential, as
397 applicable.

398
399 **104.3 Notices and orders.** The *building official* shall issue all necessary notices or
400 orders to ensure compliance with this code.

401
402 **104.4 Inspections.** The *building official* shall make all of the required inspections, or
403 the *building official* shall have the authority to accept reports of inspection by *approved*
404 *agencies* or individuals. Reports of such inspections shall be in writing and be certified
405 by a responsible officer of such *approved agency* or by the responsible individual. The
406 *building official* is authorized to engage such expert opinion as deemed necessary to
407 report upon unusual technical issues that arise, subject to the approval of the
408 appointing authority.

409 **104.5 Identification.** The *building official* shall carry proper identification when
410 inspecting structures or premises in the performance of duties under this code.

411
412 **104.6 Right of entry.** Where it is necessary to make an inspection to enforce the
413 provisions of this code, or where the *building official* has reasonable cause to believe
414 that there exists in a structure or upon a premises a condition which is contrary to or
415 in violation of this code which makes the structure or premises unsafe, dangerous or
416 hazardous, the *building official* is authorized to enter the structure or premises at
417 reasonable times to inspect or to perform the duties imposed by this code, provided
418 that if such structure or premises be occupied that credentials be presented to the
419 occupant and entry requested. If such structure or premises is unoccupied, the
420 *building official* shall first make a reasonable effort to locate the owner or other person
421 having charge or control of the structure or premises and request entry. If entry is
422 refused, the *building official* shall have recourse to the remedies provided by law to
423 secure entry.

424
425 **104.7 Department records.** The *building official* shall keep official records of
426 applications received, *permits* and certificates issued, fees collected, reports of
427 inspections, and notices and orders issued. Such records shall be retained in the
428 official records for the period required for retention of public records per FS 119.

429
430 **104.8 Liability.** The *building official*, member of the board of appeals or employee
431 charged with the enforcement of this code, while acting for the jurisdiction in good faith
432 and without malice in the discharge of the duties required by this code or other

433 pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable
434 personally and is hereby relieved from personal liability for any damage accruing to
435 persons or property as a result of any act or by reason of an act or omission in the
436 discharge of official duties. Any suit instituted against an officer or employee because
437 of an act performed by that officer or employee in the lawful discharge of duties and
438 under the provisions of this code shall be defended by legal representative of the
439 jurisdiction until the final termination of the proceedings. The *building official* or any
440 subordinate shall not be liable for cost in any action, suit or proceeding that is instituted
441 in pursuance of the provisions of this code.

442
443 **104.8.1 Legal defense.** Any suit or criminal complaint instituted against an officer or
444 employee because of an act performed by that officer or employee in the lawful
445 discharge of duties and under the provisions of this code shall be defended by legal
446 representatives of the jurisdiction until the final termination of the proceedings. The
447 *building official* or any subordinate shall not be liable for cost in any action, suit or
448 proceeding that is instituted in pursuance of the provisions of this code.

449
450 **104.9 Approved materials and equipment.** Materials, equipment and devices
451 *approved* by the *building official* shall be constructed and installed in accordance with
452 such approval.

453
454 **104.9.1 Used materials and equipment.** The use of used materials that meet the
455 requirements of this code for new materials is permitted. Used equipment and devices
456 shall not be reused unless *approved* by the *building official*.

457
458 **104.10 Modifications.** Wherever there are practical difficulties involved in carrying
459 out the provisions of this code, the *building official* shall have the authority to grant
460 modifications for individual cases, upon application of the owner or owner's
461 representative, provided the *building official* shall first find that special individual
462 reason makes the strict letter of this code impractical and the modification is in
463 compliance with the intent and purpose of this code and that such modification does
464 not lessen health, accessibility, life and fire safety, or structural requirements. The
465 details of action granting modifications shall be recorded and entered in the files of the
466 department of building safety.

467
468 **104.10.1 Flood hazard areas.** The *building official* shall coordinate with the floodplain
469 administrator to review requests submitted to the *building official* that seek approval
470 to modify the strict application of the flood resistant construction requirements of the
471 *Florida Building Code* to determine whether such requests require the granting of a
472 variance pursuant to Section 117.

473
474 **104.11 Alternative materials, design and methods of construction and**
475 **equipment.** The provisions of this code are not intended to prevent the installation of
476 any material or to prohibit any design or method of construction not specifically
477 prescribed by this code, provided that any such alternative has been *approved*. An
478 alternative material, design or method of construction shall be *approved* where the
479 *building official* finds that the proposed alternative meets all of the following:

480 1. The alternative material, design or method of construction is satisfactory and
481 complies with the intent of the provisions of this code,

482 2. The material, method or work offered is, for the purpose intended, not less
483 than the equivalent of that prescribed in this code as it pertains to the following:

484 2.1. Quality.

485 2.2. Strength.

486 2.3. Effectiveness.

487 2.4. Fire resistance.

488 2.5. Durability.

489 2.6. Safety.

490 Where the alternative material, design or method of construction is not *approved*,
491 the *building official* shall respond in writing, stating the reasons why the
492 alternative was not *approved*.

493
494 **104.11.1 Research reports.** Supporting data, where necessary to assist in the
495 approval of materials or assemblies not specifically provided for in this code, shall
496 consist of valid research reports from *approved* sources.

497
498 **104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the
499 provisions of this code, or evidence that a material or method does not conform to the
500 requirements of this code, or in order to substantiate claims for alternative materials
501 or methods, the *building official* shall have the authority to require tests as evidence of
502 compliance to be made at no expense to the jurisdiction. Test methods shall be as
503 specified in this code or by other recognized test standards. In the absence of
504 recognized and accepted test methods, the *building official* shall approve the testing
505 procedures. Tests shall be performed by an *approved agency*. Reports of such tests
506 shall be retained by the *building official* for the period required for retention of public
507 records.

508
509 **104.12 Requirements not covered by code.** Any requirements necessary for
510 strength, stability or proper operation of an existing or proposed building, structure,
511 electrical, gas, mechanical or plumbing system, or for the public safety, health and
512 general welfare, not specifically covered by this or other technical codes, shall be
513 determined by the *building official*.

514 **SECTION 105**

515 **PERMITS**

516
517
518 **105.1 Required.** Any *owner* or *owner's* authorized agent who intends to construct,
519 enlarge, alter, *repair*, move, demolish or change the occupancy of a building or
520 structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any
521 impact-resistant coverings, electrical, gas, mechanical or plumbing system, the
522 installation of which is regulated by this code, or to cause any such work to be
523 performed, shall first make application to the *building official* and obtain the required
524 *permit*.

525
526 **105.1.1 Annual facility *permit*.** In lieu of an individual *permit* for each *alteration* to an
527 existing electrical, gas, mechanical, plumbing or interior nonstructural office

528 system(s), the *building official* is authorized to issue an annual *permit* for any
529 occupancy to facilitate routine or emergency service, repair, refurbishing, minor
530 renovations of service systems or manufacturing equipment installations/relocations.
531 The *building official* shall be notified of major changes and shall retain the right to
532 make inspections at the facility site as deemed necessary. An annual facility *permit*
533 shall be assessed with an annual fee and shall be valid for one year from date of
534 issuance. A separate *permit* shall be obtained for each facility and for each
535 construction trade, as applicable. The *permit* application shall contain a general
536 description of the parameters of work intended to be performed during the year.

537
538 **105.1.2 Annual Facility *permit* records.** The person to whom an annual *permit* is
539 issued shall keep a detailed record of *alterations* made under such annual *permit*. The
540 *building official* shall have access to such records at all times or such records shall be
541 filed with the *building official* as designated.

542 **105.1.3 Food *permit*.** In accordance with Section 500.12, *Florida Statutes*, a food
543 *permit* from the Department of Agriculture and Consumer Services is required of any
544 person who operates a food establishment or retail store.

545
546 **105.1.4 Public swimming pool.** The local enforcing agency may not issue a building
547 *permit* to construct, develop, or modify a public swimming pool without proof of
548 application, whether complete or incomplete, for an operating *permit* pursuant to
549 Section 514.031, *Florida Statutes*. A certificate of completion or occupancy may not be
550 issued until such operating *permit* is issued. The local enforcing agency shall conduct
551 their review of the building *permit* application upon filing and in accordance with
552 Chapter 553, *Florida Statutes*. The local enforcing agency may confer with the
553 Department of Health, if necessary, but may not delay the building *permit* application
554 review while awaiting comment from the Department of Health.

555
556 **105.2 Work exempt from *permit*.** Exemptions from *permit* requirements of this code
557 shall not be deemed to grant authorization for any work to be done in any manner in
558 violation of the provisions of this code or any other laws or ordinances of this
559 jurisdiction, to include work in any special *flood hazard area*. Exemptions granted
560 under this section do not relieve the owner or contractor from their duty to comply with
561 applicable provisions of the Florida Building Code, and requirements of the *local*
562 *floodplain management ordinance*. *Permits* shall not be required for the following:

563
564 **Electrical:**

565 **Repairs and maintenance:** Minor repair work, including the replacement of lamps or
566 the connection of *approved* portable electrical equipment to *approved* permanently
567 installed receptacles.

568 **Radio and television transmitting stations:** The provisions of this code shall not
569 apply to electrical equipment used for radio and television transmissions, but do apply
570 to equipment and wiring for a power supply and the installations of towers and
571 antennas.

572 **Temporary testing systems:** A *permit* shall not be required for the installation of any
573 temporary system required for the testing or servicing of electrical equipment or
574 apparatus.

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Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
8. The installation, replacement, removal or metering of any load management control device.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

105.2.2 Minor repairs. Ordinary minor repairs may be made with the approval of the *building official* without a *permit*, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

105.2.3 Public service agencies. A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for *permit*. To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the building department for that

624 purpose.

625
626 Permit application forms shall be in the format prescribed by a local administrative
627 board, if applicable, and must comply with the requirements of Sections 713.135(5)
628 and (6), Florida Statutes.

629
630 Each application shall be inscribed with the date of application, and the code in effect
631 as of that date. For a building permit for which an application is submitted prior to the
632 effective date of the Florida Building Code, the state minimum building code in effect
633 in the permitting jurisdiction on the date of the application governs the permitted work
634 for the life of the permit and any extension granted to the permit.

635
636 Effective October 1, 2017, a local enforcement agency shall post each type of building
637 permit application on its website. Completed applications must be able to be submitted
638 electronically to the appropriate building department. Accepted methods of electronic
639 submission include, but are not limited to, e-mail submission of applications in portable
640 document format or submission of applications through an electronic fill-in form
641 available on the building department's website or through a third-party submission
642 management software. Payments, attachments, or drawings required as part of the
643 application may be submitted in person in a nonelectronic format, at the discretion of
644 the building official.

645
646 **105.3.1 Action on application.** The building official shall examine or cause to be
647 examined applications for permits and amendments thereto within a reasonable time
648 after filing. If the application or the construction documents do not conform to the
649 requirements of pertinent laws, the building official shall reject such application in
650 writing, stating the reasons therefor. If the building official is satisfied that the proposed
651 work conforms to the requirements of this code and laws and ordinances applicable
652 thereto, the building official shall issue a permit therefor as soon as practicable. When
653 authorized through contractual agreement with a school board, in acting on
654 applications for permits, the building official shall give first priority to any applications
655 for the construction of, or addition or renovation to, any school or educational facility.

656
657 **105.3.1.1** If a state university, Florida college or public school district elects to use a
658 local government's code enforcement offices, fees charged by counties and
659 municipalities for enforcement of the Florida Building Code on buildings, structures,
660 and facilities of state universities, state colleges, and public school districts shall not
661 be more than the actual labor and administrative costs incurred for plans review and
662 inspections to ensure compliance with the code.

663
664 **105.3.1.2** No permit may be issued for any building construction, erection, alteration,
665 modification, repair, or addition unless the applicant for such permit provides to the
666 enforcing agency which issues the permit any of the following documents which apply
667 to the construction for which the permit is to be issued and which shall be prepared by
668 or under the direction of an engineer registered under Chapter 471, Florida Statutes:

- 669 1. Plumbing documents for any new building or addition which requires a
670 plumbing system with more than 250 fixture units or which costs more than
671 \$125,000.
- 672 2. Fire sprinkler documents for any new building or addition which includes a fire

673 sprinkler system which contains 50 or more sprinkler heads. Personnel as
674 authorized by chapter 633 Florida Statutes, may design a new fire protection
675 system of 49 or fewer sprinklers; may design the alteration of an existing fire
676 sprinkler system if the alteration consists of the relocation, addition or deletion
677 of 249 or fewer sprinklers and the addition of up to 49 sprinklers, as long as the
678 cumulative total number of fire sprinklers being added, relocated, or deleted
679 does not exceed 249, notwithstanding the size of the existing fire sprinkler
680 system; or may design the alteration of an existing fire sprinkler system if the
681 alteration consists of the relocation or deletion of 249 or fewer sprinklers,
682 notwithstanding the size of the existing fire sprinkler system, if there is no
683 change of occupancy of the affected areas, as defined in this Code and the
684 Florida Fire Prevention Code, and there is no change in the water demand as
685 defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and if
686 the occupancy hazard classification as defined in NFPA 13 is reduced or
687 remains the same as a result of the alteration.

- 688 3. Heating, ventilation, and air-conditioning documents for any new building or
689 addition which requires more than a 15-ton-per-system capacity which is
690 designed to accommodate 100 or more persons or for which the system costs
691 more than \$125,000. This paragraph does not include any document for the
692 replacement or repair of an existing system in which the work does not require
693 altering a structural part of the building or for work on a residential one-, two-,
694 three-, or four-family structure.

695 An air-conditioning system may be designed by an installing air-conditioning
696 contractor certified under Chapter 489, Florida Statutes, to serve any building
697 or addition which is designed to accommodate fewer than 100 persons and
698 requires an air-conditioning system with a value of \$125,000 or less; and when
699 a 15-ton-per system or less is designed for a singular space of a building and
700 each 15-ton system or less has an independent duct system. Systems not
701 complying with the above require design documents that are to be sealed by a
702 professional engineer.

703
704 **Example 1:** When a space has two 10-ton systems with each having an independent
705 duct system, the contractor may design these two systems since each unit (system)
706 is less than 15 tons.

707
708 **Example 2:** Consider a small single-story office building which consists of six
709 individual offices where each office has a single three-ton package air conditioning
710 heat pump. The six heat pumps are connected to a single water cooling tower. The
711 cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the
712 office building accommodates fewer than 100 persons. Because the six mechanical
713 units are connected to a common water tower, this is considered to be an 18-ton
714 system.

715
716 **Note:** It was further clarified by the Commission that the limiting criteria of 100
717 persons and \$125,000 apply to the building occupancy load and the cost for the total
718 air-conditioning system of the building.

- 719
720 4. Any specialized mechanical, electrical, or plumbing document for any new
721 building or addition which includes a medical gas, oxygen, steam, vacuum,

722 toxic air filtration, halon, or fire detection and alarm system which costs more
723 than \$5,000.

724
725 **Exception:**

726 Simplified permitting processes.

727 (1) As used in this section, the term:

728 (a) "Component" means valves, fire sprinklers, escutcheons, hangers,
729 compressors, or any other item deemed acceptable by the local enforcing
730 agency. For purposes of this paragraph, a valve does not include pressure-
731 regulating, pressure-reducing, or pressure-control valves.

732
733 (b) "Contractor" means a person who:

734 1. Is qualified to engage in the business of electrical or alarm system contracting
735 pursuant to a certificate or registration issued by the department under part II
736 of chapter 489, Florida Statutes; or

737 2. Is qualified to engage in the business of fire protection system contracting
738 pursuant to a license or certificate issued by the State Fire Marshal.

739
740 (c) "Fire alarm system project" means a fire alarm system alteration of a total of 20
741 or fewer initiating devices and notification devices, or the installation or
742 replacement of a fire communicator connected to an existing fire alarm control
743 panel in an existing commercial, residential, apartment, cooperative, or
744 condominium building.

745 (d) "Fire sprinkler system project" means a fire protection system alteration of
746 a total of 20 or fewer fire sprinklers in which the sprinklers are of the same K-
747 factor and located in spaces where there is no change of hazard classification
748 or increased system coverage area, or the installation or replacement of an
749 equivalent fire sprinkler system component in an existing commercial,
750 residential, apartment, cooperative, or condominium building. For purposes of
751 this paragraph, a component is equivalent if the component has the same or
752 better characteristics, including electrical, hydraulic, pressure losses, and
753 required listings and spacing as the component being replaced.

754
755 (2)(a) A local enforcement agency may require a contractor, as a condition of
756 obtaining a *permit* for a fire alarm system project or fire sprinkler system project,
757 to submit a completed application and payment.

758 (b) A local enforcement agency may not require a contractor to submit plans or
759 specifications as a condition of obtaining a *permit* for a fire alarm system project
760 or fire sprinkler system project.

761 (3) A local enforcement agency must issue a *permit* for a fire alarm system project
762 or fire sprinkler system project in person or electronically.

763 (4) A local enforcement agency must require at least one inspection of a fire alarm
764 system project or fire sprinkler system project to ensure compliance with
765 applicable codes and standards. If a fire alarm system project or fire sprinkler
766 system project fails an inspection, the contractor must take corrective action as
767 necessary to pass inspection.

768 (5) (a) For a fire sprinkler alarm system project, a contractor must keep a copy of

769 the plans and specifications at the fire alarm system project worksite and make
770 such plans and specifications available to the inspector at each inspection.

771 (b) For a fire sprinkler system project to alter an existing fire protection system,
772 a contractor must keep a copy of the plans and specifications at the fire
773 sprinkler system project worksite and make such plans and specifications
774 available to the inspector at each inspection.

775 (c) For a fire sprinkler system project to install or replace a component, a
776 contractor must keep a copy of the manufacturer's installation instructions and
777 any pertinent testing instructions needed to certify or accept the component at
778 the fire sprinkler system project worksite and make such documents available
779 to the inspector at each inspection.

780
781 5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical or
782 plumbing or air-conditioning and refrigeration system meeting the following
783 thresholds are required to be designed by a Florida Registered Engineer. The
784 system, requires an electrical system with a value of over \$125,000; and
785 Requires an aggregate service capacity of over 600 amperes (240 volts) on a
786 residential electrical system or over 800 amperes (240 volts) on a commercial
787 or industrial electrical system;

788 **Note:** It was further clarified by the Commission that the limiting factor of 240
789 volt or over is required to be designed by an Engineer. Documents requiring
790 an engineer seal by this part shall not be valid unless a professional engineer
791 who possesses a valid certificate of registration has signed, dated, and
792 stamped such document as provided in Section 471.025, Florida Statutes.

793 6. All public swimming pools and public bathing places defined by and regulated
794 under Chapter 514, Florida Statutes.

795
796 **105.3.1.3 Reviewing application for building permit.**

797 1. When reviewing an application for a building permit, a local government may
798 not request additional information from the applicant more than three times,
799 unless the applicant waives such limitation in writing.

800 2. If a local government requests additional information from an applicant and the
801 applicant submits the requested additional information to the local government
802 within 30 days after receiving the request, the local government must, within 15
803 days after receiving such information:

- 804 a. Determine if the application is properly completed;
- 805 b. Approve the application;
- 806 c. Approve the application with conditions;
- 807 d. Deny the application; or
- 808 e. Advise the applicant of information, if any, that is needed to deem the
809 application properly completed or to determine the sufficiency of the
810 application.

811 3. If a local government makes a second request for additional information from
812 the applicant and the applicant submits the requested additional information to
813 the local government within 30 days after receiving the request, the local
814 government must, within 10 days after receiving such information:

- 815 a. Determine if the application is properly completed;
- 816 b. Approve the application;

- 817 c. Approve the application with conditions;
818 d. Deny the application; or
819 e. Advise the applicant of information, if any, that is needed to deem the
820 application properly completed or to determine the sufficiency of the
821 application.
- 822 4. Before a third request for additional information may be made, the applicant
823 must be offered an opportunity to meet with the local government to attempt to
824 resolve outstanding issues. If a local government makes a third request for
825 additional information from the applicant and the applicant submits the
826 requested additional information to the local government within 30 days after
827 receiving the request, the local government must, within 10 days after receiving
828 such information unless the applicant waived the local government's limitation
829 in writing, determine that the application is complete and:
- 830 a. Approve the application;
831 b. Approve the application with conditions; or
832 c. Deny the application.
- 833 5. If the applicant believes the request for additional information is not authorized
834 by ordinance, rule, statute, or other legal authority, the local government, at the
835 applicant's request, must process the application and either approve the
836 application, approve the application with conditions, or deny the application.

837
838 **105.3.2 Time limitation of application.** An application for a *permit* for any proposed
839 work shall be deemed to have been abandoned becoming null and void 180 days after
840 the date of filing, unless such application has been pursued in good faith or a *permit*
841 has been issued; except that the *building official* is authorized to grant one or more
842 extensions of time for additional periods not exceeding 90 days each. The extension
843 shall be requested in writing and justifiable cause demonstrated.

844
845 **105.3.3** An enforcing authority may not issue a building *permit* for any building
846 construction, erection, alteration, modification, repair or addition unless the *permit*
847 either includes on its face or there is attached to the *permit* the following statement:
848 “NOTICE: In addition to the requirements of this *permit*, there may be additional
849 restrictions applicable to this property that may be found in the public records of this
850 county, and there may be additional *permits* required from other governmental entities
851 such as water management districts, state agencies, or federal agencies.”

852
853 **105.3.4** A building *permit* for a single-family residential dwelling must be issued within
854 30 working days of application therefor unless unusual circumstances require a longer
855 time for processing the application or unless the *permit* application fails to satisfy the
856 *Florida Building Code* or the enforcing agency’s laws or ordinances.

857
858 **105.3.5 Identification of minimum premium policy.** Except as otherwise provided
859 in Chapter 440, *Florida Statutes*, Workers’ Compensation, every employer shall, as a
860 condition to receiving a building *permit*, show proof that it has secured compensation
861 for its employees as provided in Sections 440.10 and 440.38, *Florida Statutes*.

862
863 **105.3.6 Asbestos removal.** Moving, removal or disposal of asbestos-containing
864 materials on a residential building where the owner occupies the building, the building

865 is not for sale or lease, and the work is performed according to the owner-builder
866 limitations provided in this paragraph. To qualify for exemption under this paragraph,
867 an owner must personally appear and sign the building *permit* application. The
868 permitting agency shall provide the person with a disclosure statement in substantially
869 the following form:

870
871 **Disclosure Statement:** State law requires asbestos abatement to be done by
872 licensed contractors. You have applied for a *permit* under an exemption to that law.
873 The exemption allows you, as the owner of your property, to act as your own asbestos
874 abatement contractor even though you do not have a license. You must supervise the
875 construction yourself. You may move, remove or dispose of asbestos-containing
876 materials on a residential building where you occupy the building and the building is
877 not for sale or lease, or the building is a farm outbuilding on your property. If you sell
878 or lease such building within 1 year after the asbestos abatement is complete, the law
879 will presume that you intended to sell or lease the property at the time the work was
880 done, which is a violation of this exemption. You may not hire an unlicensed person
881 as your contractor. Your work must be done according to all local, state and federal
882 laws and regulations which apply to asbestos abatement projects. It is your
883 responsibility to make sure that people employed by you have licenses required by
884 state law and by county or municipal licensing ordinances.

885
886 **105.3.7 Applicable Code for Manufactured Buildings.** Manufacturers should be
887 permitted to complete all buildings designed and *approved* prior to the effective date
888 of a new code edition, provided a clear signed contract is in place. The contract shall
889 provide specific data mirroring that required by an application for *permit*, specifically,
890 without limitation, date of execution, building owner or dealer, and anticipated date of
891 completion. However, the construction activity must commence within 6 months of the
892 contract's execution. The contract is subject to verification by the Department of
893 Business and Professional Regulation.

894
895 **105.3.8** A local government may not require a contract between a builder and an
896 owner for the issuance of a building *permit* or as a requirement for the submission of
897 a building *permit* application.

898
899 **105.3. 9 Public right of way.** A *permit* shall not be given by the *building official* for the
900 construction of any building, or for the alteration of any building where said building is
901 to be changed and such change will affect the exterior walls, bays, balconies, or other
902 appendages or projections fronting on any street, alley or public lane, or for the placing
903 on any lot or premises of any building or structure removed from another lot or
904 premises, unless the applicant has received a right of way *permit* from the authority
905 having jurisdiction over the street, alley or public lane.

906
907 **105.4 Conditions of the *permit*.** The issuance or granting of a *permit* shall not be
908 construed to be a *permit* for, or an approval of, any violation of any of the provisions
909 of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give
910 authority to violate or cancel the provisions of this code or other ordinances of the
911 jurisdiction shall not be valid. The issuance of a *permit* based on *construction*
912 *documents* and other data shall not prevent the *building official* from requiring the

913 correction of errors in the *construction documents* and other data. The *building official*
914 is also authorized to prevent occupancy or use of a structure where in violation of this
915 code or of any other ordinance of this jurisdiction.

916
917 **105.4.1 Permit intent.** A *permit* issued shall be construed to be a license to proceed
918 with the work and not as authority to violate, cancel, alter or set aside any of the
919 provisions of the technical codes, nor shall issuance of a *permit* prevent the *building*
920 *official* from thereafter requiring a correction of errors in plans, construction or
921 violations of this code. Every *permit* issued shall become invalid unless the work
922 authorized by such *permit* is commenced within 6 months after its issuance, or if the
923 work authorized by such *permit* is suspended or abandoned for a period of 6 months
924 after the time the work is commenced.

925
926 **105.4.1.1** If work has commenced and the *permit* is revoked, becomes null and void,
927 or expires because of lack of progress or abandonment, a new *permit* covering the
928 proposed construction shall be obtained before proceeding with the work.

929
930 **105.4.1.2** If a new *permit* is not obtained within 180 days from the date the initial *permit*
931 became null and void, the *building official* is authorized to require that any work which
932 has been commenced or completed be removed from the building site. Alternately, a
933 new *permit* may be issued on application, providing the work in place and required to
934 complete the structure meets all applicable regulations in effect at the time the initial
935 *permit* became null and void and any regulations which may have become effective
936 between the date of expiration and the date of issuance of the new *permit*.

937
938 **105.4.1.3** Work shall be considered to be in active progress when the *permit* has
939 received an *approved* inspection within 180 days. This provision shall not be
940 applicable in case of civil commotion or strike or when the building work is halted due
941 directly to judicial injunction, order or similar process.

942
943 **105.4.1.4** The fee for renewal reissuance and extension of a *permit* shall be set forth
944 by the administrative authority.

945
946 **105.4.1.5** After the local enforcing agency issues a permit, the local enforcing agency
947 may not make or require any substantive changes to the plans or specifications except
948 changes required for compliance with the Florida Building Code, the Florida Fire
949 Prevention Code, or the Life Safety Code, or local amendments thereto. If a local
950 enforcing agency makes or requires substantive changes to the plans or specifications
951 after a permit is issued, the local enforcing agency must identify the specific plan
952 features that do not comply with the applicable codes, identify the specific code
953 chapters and sections upon which the finding is based, and provide the information to
954 the permitholder in writing.

955
956 **105.5 Expiration.** Every *permit* issued shall become invalid unless the work on the
957 site authorized by such *permit* is commenced within 180 days after its issuance, or if
958 the work authorized on the site by such *permit* holder and property owner shall be
959 responsible to either complete all work in accordance with the permitted plans and
960 inspection or remove any partially completed work in a safe and code compliant

961 manner. The *building official* is authorized to grant, in writing, one or more extensions
962 of time, for periods not more than 180 days each. The extension shall be requested in
963 writing and justifiable cause demonstrated as determined by the *building official*.

964
965 **105.5.1 Additional options for closing a *permit*.** Pursuant to Section 553.79(15),
966 Florida Statutes, a property owner, regardless of whether the property owner is the
967 one listed on the application for the building *permit*, may close a building *permit* by
968 complying with the following requirements:

- 969 1. The property owner may retain the original contractor listed on the permit or
970 hire a different contractor appropriately licensed in this state to perform the
971 work necessary to satisfy the conditions of the permit and to obtain any
972 necessary inspection in order to close the *permit*. If a contractor other than the
973 original contractor listed on the *permit* is hired by the property owner to close
974 the *permit*, such contractor is not liable for any defects in the work performed
975 by the original contractor and is only liable for the work that he or she performs.
- 976 2. The property owner may assume the role of an owner- builder, in accordance
977 with Sections 489.103(7) and 489.503(6), *Florida Statutes*.
- 978 3. If a building *permit* is expired and its requirements have been substantially
979 completed, as determined by the local enforcement agency, the *permit* may be
980 closed without having to obtain a new building *permit*, and the work required to
981 close the *permit* may be done pursuant to the building code in effect at the time
982 the local enforcement agency received the application for the *permit*, unless
983 the contractor has sought and received approval from the local enforcement
984 agency for an alternative material, design or method of construction.
- 985 4. A local enforcement agency may close a building *permit* 6 years after the
986 issuance of the *permit*, even in the absence of a final inspection, if the local
987 enforcement agency determines that no apparent safety hazard exists.
988 For purposes of this section, the term “close” means that the requirements of
989 the *permit* have been satisfied.

990
991 **105.5.2** For the purposes of this subsection, a *closed permit* shall mean a *permit* for
992 which all requirements for completion have been satisfied or a *permit* that has been
993 administratively closed by the *building official*.

994
995 **105.5.3** For the purposes of this subsection, an *open permit* shall mean a *permit* that
996 has not satisfied all requirements for completion as defined in 105.5.1.1.

997
998 **105.6 Denial or revocation.** Whenever a *permit* required under this section is denied
999 or revoked because the plan, or the construction, erection, alteration, modification,
1000 repair, or demolition of a building, is found by the local enforcing agency to be not in
1001 compliance with the *Florida Building Code*, the local enforcing agency shall identify
1002 the specific plan or project features that do not comply with the applicable codes,
1003 identify the specific code chapters and sections upon which the finding is based, and
1004 provide this information to the *permit* applicant. If the local building code administrator
1005 or inspector finds that the plans are not in compliance with the *Florida Building Code*,
1006 the local building code administrator or inspector shall identify the specific plan
1007 features that do not comply with the applicable codes, identify the specific code
1008 chapters and sections upon which the finding is based, and provide this information

1009 to the local enforcing agency. The local enforcing agency shall provide this information
1010 to the *permit* applicant.

1011
1012 **105.6.1** Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency
1013 may not deny issuance of a building *permit* to; issue a notice of violation to; or fine,
1014 penalize, sanction or assess fees against an arm’s-length purchaser of a property for
1015 value solely because a building *permit* applied for by a previous owner of the property
1016 was not closed. The local enforcement agency shall maintain all rights and remedies
1017 against the property owner and contractor listed on the *permit*.

1018
1019 **105.6.2** Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency
1020 may not deny issuance of a building *permit* to a contractor solely because the
1021 contractor is listed on other building *permits* that were not closed. A local enforcement
1022 agency has the authority to deny a new *permit* application from an applicant for other
1023 reasons.

1024
1025 **105.7 Placement of *permit*.** The building *permit* or copy shall be kept on the site of
1026 the work until the completion of the project.

1027
1028 **105.8 Notice of commencement.** In accordance with Section 713.135, *Florida*
1029 *Statutes*, when any person applies for a building *permit*, the authority issuing such
1030 *permit* shall print on the face of each *permit* card in no less than 14-point, capitalized,
1031 boldfaced type: “WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE
1032 OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR
1033 IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST
1034 BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST
1035 INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR
1036 LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF
1037 COMMENCEMENT.”

1038
1039 **105.9 Asbestos.** The enforcing agency shall require each building *permit* for the
1040 demolition or renovation of an existing structure to contain an asbestos notification
1041 statement which indicates the owner’s or operator’s responsibility to comply with the
1042 provisions of Section 469.003, *Florida Statutes*, and to notify the Department of
1043 Environmental Protection of his or her intentions to remove asbestos, when
1044 applicable, in accordance with state and federal law.

1045
1046 **105.10 Certificate of protective treatment for prevention of termites.** A weather-
1047 resistant job-site posting board shall be provided to receive duplicate treatment
1048 certificates as each required protective treatment is completed, providing a copy for
1049 the person the *permit* is issued to and another copy for the building *permit* files. The
1050 treatment certificate shall provide the product used, identity of the applicator, time and
1051 date of the treatment, site location, area treated, chemical used, percent concentration
1052 and number of gallons used, to establish a verifiable record of protective treatment. If
1053 the soil chemical barrier method for termite prevention is used, final exterior treatment
1054 shall be completed prior to final building approval.

1055
1056 **105.11 Notice of termite protection.** A permanent sign which identifies the termite
1057 treatment provider and need for reinspection and treatment contract renewal shall be

1058 provided. The sign shall be posted near the water heater or electric panel.

1059
1060 **105.12 Work starting before permit issuance.** Upon approval of the *building official*,
1061 the scope of work delineated in the building permit application and plan may be started
1062 prior to the final approval and issuance of the permit, provided any work completed is
1063 entirely at risk of the permit applicant and the work does not proceed past the first
1064 required inspection.

1065
1066 **105.13 Phased permit approval.** After submittal of the appropriate *construction*
1067 documents, the building official is authorized to issue a permit for the construction of
1068 foundations or any other part of a building or structure before the construction
1069 documents for the whole building or structure have been submitted. The holder of
1070 such permit for the foundation or other parts of a building or structure shall proceed at
1071 the holder's own risk with the building operation and without assurance that a permit
1072 for the entire structure will be granted. Corrections may be required to meet the
1073 requirements of the technical codes.

1074
1075 **105.14 Permit issued on basis of an affidavit.** Whenever a *permit* is issued in
1076 reliance upon an affidavit or whenever the work to be covered by a permit involves
1077 installation under conditions which, in the opinion of the building official, are hazardous
1078 or complex, the building official shall require that the architect or engineer who signed
1079 the affidavit or prepared the drawings or computations shall supervise such work. In
1080 addition, they shall be responsible for conformity to the permit, provide copies of
1081 inspection reports as inspections are performed, and upon completion make and file
1082 with the building official written affidavit that the work has been done in conformity to
1083 the reviewed plans and with the structural provisions of the technical codes. In the
1084 event such architect or engineer is not available, the owner shall employ in his stead
1085 a competent person or agency whose qualifications are reviewed by the building
1086 official. The building official shall ensure that any person conducting plans review is
1087 qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that
1088 any person conducting inspections is qualified as a building inspector under Part XII
1089 of Chapter 468, Florida Statutes.

1090
1091 **105.14.1 Affidavits in flood hazard areas.** *Permit* issued on basis of an affidavit shall
1092 not extend to the flood load and flood resistance requirements of the Florida Building
1093 Code and the building official shall review and inspect those requirements.

1094
1095 **105.15 Opening protection.** When any activity requiring a building *permit*, not
1096 including roof covering replacement or repair work associated with the prevention of
1097 degradation of the residence, that is applied for on or after July 1, 2008, and for which
1098 the estimated cost is \$50,000 or more for a site built single-family detached residential
1099 structure that is located in the wind-borne debris region as defined in this code and
1100 that has an insured value of \$750,000 or more, or, if the site built single-family
1101 detached residential structure is uninsured or for which documentation of insured
1102 value is not presented, has a just valuation for the structure for purposes of ad valorem
1103 taxation of \$750,000 or more; opening protections as required within this code or
1104 Florida Building Code, Residential for new construction shall be provided.

1105
1106 **Exception:** Where defined wind-borne debris regions have not changed, single family

1107 detached residential structures permitted subject to the *Florida Building Code* are not
1108 required to comply with this section.

1109
1110 **105.16 Inspection of existing residential building not impacted by construction.**

- 1111 (a) A local enforcing agency, and any local building code administrator, inspector,
1112 or other official or entity, may not require as a condition of issuance of a one- or
1113 two-family residential building *permit* the inspection of any portion of a building,
1114 structure, or real property that is not directly impacted by the construction,
1115 erection, alteration, modification, repair, or demolition of the building, structure,
1116 or real property for which the *permit* is sought.
1117 (b) This subsection does not apply to a building *permit* sought for:
1118 1. A substantial improvement as defined in s. 161.54, *Florida Statutes* or as
1119 defined in the *Florida Building Code*.
1120 2. A change of occupancy as defined in the *Florida Building Code*.
1121 3. A conversion from residential to nonresidential or mixed use pursuant to s.
1122 553.507(2)(a), *Florida Statutes* or as defined in the *Florida Building Code*.
1123 4. A historic building as defined in the *Florida Building Code*.
1124 (c) This subsection does not prohibit a local enforcing agency, or any local building
1125 code administrator, inspector, or other official or entity, from:
1126 1. Citing any violation inadvertently observed in plain view during the ordinary
1127 course of an inspection conducted in accordance with the prohibition in
1128 paragraph (a).
1129 2. Inspecting a physically nonadjacent portion of a building, structure, or real
1130 property that is directly impacted by the construction, erection, alteration,
1131 modification, repair, or demolition of the building, structure, or real property
1132 for which the *permit* is sought in accordance with the prohibition in
1133 paragraph (a).
1134 3. Inspecting any portion of a building, structure, or real property for which the
1135 owner or other person having control of the building, structure, or real
1136 property has voluntarily consented to the inspection of that portion of the
1137 building, structure, or real property in accordance with the prohibition in
1138 paragraph (a).
1139 4. Inspecting any portion of a building, structure, or real property pursuant to
1140 an inspection warrant issued in accordance with ss. 933.20-933.30, *Florida*
1141 *Statutes*.

1142
1143 **105.17 Streamlined low-voltage alarm system installation permitting.**

- 1144 (1) As used in this section, the term:
1145 (a) “Contractor” means a person who is qualified to engage in the business of
1146 electrical or alarm system contracting pursuant to a certificate or registration
1147 issued by the department under Part II of Chapter 489, *Florida Statutes*.
1148 (b) “Low-voltage alarm system project” means a project related to the
1149 installation, maintenance, inspection, replacement, or service of a new or
1150 existing alarm system, as defined in s. 489.505, *Florida Statutes*, including
1151 video cameras and closed-circuit television systems used to signal or detect
1152 a burglary, fire, robbery, or medical emergency, that is hardwired and
1153 operating at low voltage, as defined in the *National Electrical Code* Standard
1154 70, Current Edition, or a new or existing low-voltage electric fence. The term
1155 also includes ancillary components or equipment attached to a low-voltage

- 1156 alarm system, or low-voltage electric fence, including, but not limited to,
1157 home-automation equipment, thermostats, closed-circuit television
1158 systems, access controls, battery recharging devices, and video cameras.
- 1159 (c) “Low-voltage electric fence” means an alarm system, as defined in s.
1160 489.505, that consists of a fence structure and an energizer powered by a
1161 commercial storage battery not exceeding 12 volts which produces an
1162 electric charge upon contact with the fence structure.
- 1163 (d) “Wireless alarm system” means a burglar alarm system or smoke detector
1164 that is not hardwired.
- 1165 (2) Notwithstanding any provision of this code, this section applies to all low-
1166 voltage alarm system projects for which a *permit* is required by a local
1167 enforcement agency. However, a *permit* is not required to install, maintain,
1168 inspect, replace, or service a wireless alarm system, including any ancillary
1169 components or equipment attached to the system.
- 1170 (3) A low-voltage electric fence must meet all of the following requirements to be
1171 permitted as a low-voltage alarm system project and no further *permit* shall be
1172 required for the low-voltage alarm system project other than as provided in this
1173 section:
- 1174 (a) The electric charge produced by the fence upon contact must not exceed
1175 energizer characteristics set forth in paragraph 22.108 and depicted in
1176 Figure 102 of International Electrotechnical Commission Standard No.
1177 60335-2-76, Current Edition.
- 1178 (b) A nonelectric fence or wall must completely enclose the low-voltage electric
1179 fence. The low- voltage electric fence may be up to 2 feet higher than the
1180 perimeter nonelectric fence or wall.
- 1181 (c) The low-voltage electric fence must be identified using warning signs
1182 attached to the fence at intervals of not more than 60 feet.
- 1183 (d) The low-voltage electric fence shall not be installed in an area zoned
1184 exclusively for single- family or multi-family residential use.
- 1185 (e) The low-voltage electric fence shall not enclose the portions of a property
1186 which are used for residential purposes.
- 1187 (4) This section does not apply to the installation or replacement of a fire alarm if
1188 a plan review is required.
- 1189 (5) A local enforcement agency shall make uniform basic *permit* labels available
1190 for purchase by a contractor to be used for the installation or replacement of a
1191 new or existing alarm system at a cost as indicated in s. 553.793, *Florida*
1192 *Statutes*. The local enforcement agency may not require the payment of any
1193 additional fees, charges, or expenses associated with the installation or
1194 replacement of a new or existing alarm.
- 1195 (a) A local enforcement agency may not require a contractor, as a condition of
1196 purchasing a label, to submit information other than identification
1197 information of the licensee and proof of registration or certification as a
1198 contractor.
- 1199 (b) A label is valid for 1 year after the date of purchase and may only be used
1200 within the jurisdiction of the local enforcement agency that issued the label.
1201 A contractor may purchase labels in bulk for one or more unspecified current
1202 or future projects.
- 1203 (6) A contractor shall post an unused uniform basic *permit* label in a conspicuous
1204 place on the premises of the low-voltage alarm system project site before

- 1205 commencing work on the project.
- 1206 (7) A contractor is not required to notify the local enforcement agency before
- 1207 commencing work on a low-voltage alarm system project. However, a
- 1208 contractor must submit a Uniform Notice of a Low-Voltage Alarm System
- 1209 Project as provided under subsection (7) to the local enforcement agency within
- 1210 14 days after completing the project. A local enforcement agency may take
- 1211 disciplinary action against a contractor who fails to timely submit a Uniform
- 1212 Notice of a Low-Voltage Alarm System Project.
- 1213 (8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted
- 1214 electronically or by facsimile if all submissions are signed by the owner, tenant,
- 1215 contractor, or authorized representative of such persons. The Uniform Notice
- 1216 of a Low-Voltage Alarm System Project shall be in the format prescribed by the
- 1217 local enforcement agency and must comply with the requirements of s.
- 1218 553.793(7), Florida Statutes.
- 1219 (9) A local enforcement agency may coordinate directly with the owner or customer
- 1220 to inspect a low-voltage alarm system to ensure compliance with applicable
- 1221 codes and standards. If a low-voltage alarm system project fails an inspection,
- 1222 the contractor must take corrective action as necessary to pass inspection.
- 1223 (10) A municipality, county, district, or other entity of local government may not
- 1224 adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm
- 1225 system project that is inconsistent with this section.
- 1226 (11) A uniform basic permit label shall not be required for the subsequent
- 1227 maintenance, inspection, or service of an alarm system that was permitted in
- 1228 accordance with this section.

1230 The provisions of this act are not intended to impose new or additional licensure

1231 requirements on persons licensed in accordance with the applicable provisions

1232 of Chapter 489, Florida Statutes.

1233

1234 **SECTION 106**

1235 **FLOOR AND ROOF DESIGN LOADS**

1236

1237 **106.1 Live loads posted.** In commercial or industrial buildings, for each floor or

1238 portion thereof designed for live loads exceeding 50 psf (2.40 kN/m²), such design live

1239 loads shall be conspicuously posted by the owner or the owner's authorized agent in

1240 that part of each story in which they apply, using durable signs. It shall be unlawful to

1241 remove or deface such notices.

1242

1243 **106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by

1244 Section 111 shall not be issued until the floor load signs, required by Section 106.1,

1245 have been installed.

1246

1247 **106.3 Restrictions on loading.** It shall be unlawful to place, or cause or permit to be

1248 placed, on any floor or roof of a building, structure or portion thereof, a load greater

1249 than is permitted by this code.

1250

1251 **SECTION 107**

1252 **SUBMITTAL DOCUMENTS**

1253

1254 **107.1 General.** Submittal documents consisting of *construction documents*, statement
1255 of *special inspections*, geotechnical report and other data shall be submitted with each
1256 *permit* application in accordance with Florida Statute 553.79. The *construction*
1257 *documents* shall be prepared by a *registered design professional* where required by
1258 Chapter 471, *Florida Statutes* & 61G15 Florida Administrative Code or Chapter 481,
1259 *Florida Statutes* & 61G1 Florida Administrative Code. Where special conditions exist,
1260 the *building official* is authorized to require additional *construction documents* to be
1261 prepared by a *registered design professional*.

1262
1263 **Exception:** The *building official* is authorized to waive the submission of *construction*
1264 *documents* and other data not required to be prepared by a *registered design*
1265 *professional* if it is found that the nature of the work applied for is such that review of
1266 *construction documents* is not necessary to obtain compliance with this code.

1267
1268 **107.2 Construction documents.** *Construction documents* shall be in accordance
1269 with Sections 107.2.1 through 107.2.6.

1270
1271 **107.2.1 Information on construction documents.** *Construction documents* shall be
1272 dimensioned and drawn upon suitable material. Electronic media documents are
1273 permitted to be submitted where *approved* by the *building official*. *Construction*
1274 *documents* shall be of sufficient clarity to indicate the location, nature and extent of
1275 the work proposed and show in detail that it will conform to the provisions of this code
1276 and relevant laws, ordinances, rules and regulations, as determined by the *building*
1277 *official*. Such drawings and specifications shall contain information, in the form of
1278 notes or otherwise, as to the quality of materials, where quality is essential to
1279 conformity with the technical codes. Such information shall be specific, and the
1280 technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its
1281 equivalent be used as a substitute for specific information. All information, drawings,
1282 specifications and accompanying data shall bear the name and signature of the
1283 person responsible for the design.

1284
1285 **107.2.2 Fire protection system shop drawings.** Shop drawings for the *fire protection*
1286 *system(s)* shall be submit- ted to indicate conformance to this code and the
1287 *construction documents* and shall be *approved* prior to the start of system installation.
1288 Shop drawings shall contain all information as required by the referenced installation
1289 standards in Chapter 9.

1290
1291 **107.2.3 Means of egress.** The *construction documents* shall show in sufficient detail
1292 the location, construction, size and character of all portions of the *means of egress*
1293 including the path of the *exit discharge* to the *public way* in compliance with the
1294 provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the
1295 *construction documents* shall designate the number of occupants to be
1296 accommodated on every floor, and in all rooms and spaces.

1297
1298 **107.2.4 Exterior wall envelope.** *Construction documents* for all buildings shall
1299 describe the *exterior wall envelope* in sufficient detail to determine compliance with
1300 this code. The *construction documents* shall provide details of the *exterior wall*
1301 *envelope* as required, including flashing, intersections with dissimilar materials,

1302 corners, end details, control joints, intersections at roof, eaves or parapets, means of
1303 drainage, water-resistive membrane and details around openings.

1304
1305 The *construction documents* shall include manufacturer's installation instructions that
1306 provide supporting documentation that the proposed penetration and opening details
1307 described in the *construction documents* maintain the weather resistance of the
1308 *exterior wall envelope*. The supporting documentation shall fully describe

1309
1310 **107.2.5 Exterior balcony and elevated walking surfaces.** Where balcony or other
1311 elevated walking surfaces are exposed to water from direct or blowing rain or
1312 irrigation, and the structural framing is protected by an impervious moisture barrier,
1313 the construction documents shall include details for all elements of the impervious
1314 moisture barrier system. The construction documents shall include manufacturer's
1315 installation instructions.

1316
1317 **107.2.6 Site plan.** The *construction documents* submitted with the application for
1318 *permit* shall be accompanied by a site plan showing to scale the size and location of
1319 new construction and existing structures on the site, distances from *lot lines*, the
1320 established street grades and the proposed finished grades and, as applicable, *flood*
1321 *hazard areas, floodways, and design flood elevations*; and it shall be drawn in
1322 accordance with an accurate boundary line survey. In the case of demolition, the site
1323 plan shall show construction to be demolished and the location and size of existing
1324 structures and construction that are to remain on the site or plot. The *building official*
1325 is authorized to waive or modify the requirement for a site plan where the application
1326 for *permit* is for *alteration* or *repair* or where other- wise warranted.

1327
1328 **107.2.6.1 Design flood elevations.** Where *design flood elevations* are not specified,
1329 they shall be established in accordance with Section 1612.3.1.

1330
1331 **107.2.6.2** For the purpose of inspection and record retention, site plans for a building
1332 may be maintained in the form of an electronic copy at the worksite. These plans must
1333 be open to inspection by the *building official* or a duly authorized representative, as
1334 required by the *Florida Building Code*.

1335
1336 **107.2.7 Structural information.** The *construction documents* shall provide the
1337 information specified in Section 1603.

1338
1339 **107.3 Examination of documents.** The *building official* shall examine or cause to be
1340 examined the accompanying submittal documents and shall ascertain by such
1341 examinations whether the construction indicated and described is in accordance with
1342 the requirements of this code and other pertinent laws or ordinances.

1343
1344 **Exceptions:**

- 1345 1. Building plans approved pursuant to Section 553.77(5), *Florida Statutes*, and state-
1346 approved manufactured buildings are exempt from local codes enforcing agency
1347 plan reviews except for provisions of the code relating to erection, assembly or
1348 construction at the site. Erection, assembly and construction at the site are subject
1349 to local permitting and inspections. Photocopies of plans approved according to
1350 Rule 61-41.009, *Florida Administrative Code*, shall be sufficient for local *permit*

1351 application documents of record for the modular building portion of the permitted
1352 project.
1353 2. Industrial construction on sites where design, construction and fire safety are
1354 supervised by appropriately licensed design and inspection professionals and
1355 which contain adequate in-house fire departments and rescue squads is exempt,
1356 subject to approval by the *building official*, from review of plans and inspections,
1357 providing the appropriate licensed design and inspection professionals certify that
1358 applicable codes and standards have been met and supply appropriate approved
1359 drawings to local building and fire-safety inspectors.
1360

1361 **107.3.1 Approval of construction documents.** When the *building official* issues a
1362 *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as
1363 “Reviewed for Code Compliance.” One set of *construction documents* so reviewed
1364 shall be retained by the *building official*. The other set shall be returned to the
1365 applicant, shall be kept at the site of work and shall be open to inspection by the
1366 *building official* or a duly authorized representative.
1367

1368 **107.3.2 Previous approvals.** This code shall not require changes in the *construction*
1369 *documents*, construction or designated occupancy of a structure for which a lawful
1370 *permit* has been heretofore issued or otherwise law- fully authorized, and the
1371 construction of which has been pursued in good faith within 180 days after the effective
1372 date of this code and has not been abandoned.
1373

1374 **107.3.3 Phased approval.** The *building official* is authorized to issue a *permit* for the
1375 construction of foundations or any other part of a building or structure before the
1376 *construction documents* for the whole building or structure have been submitted,
1377 provided that adequate information and detailed statements have been filed complying
1378 with pertinent requirements of this code. The holder of such *permit* for the foundation
1379 or other parts of a building or structure shall proceed at the holder’s own risk with the
1380 building operation and without assurance that a *permit* for the entire structure will be
1381 granted.
1382

1383 **107.3.4 Design professional in responsible charge.** Where it is required that
1384 documents be prepared by a *registered design professional*, the *building official* shall
1385 be authorized to require the *owner* or the *owner’s* authorized agent to engage and
1386 designate on the building *permit* application a *registered design professional* who shall
1387 act as the *registered design professional in responsible charge*. If the circumstances
1388 require, the *owner* or the *owner’s* authorized agent shall designate a successor
1389 *registered design professional in responsible charge* who shall perform the duties
1390 required of the original *registered design professional in responsible charge*. The
1391 *building official* shall be notified in writing by the *owner* or *owner’s* authorized agent if
1392 the *registered design professional in responsible charge* is changed or is unable to
1393 continue to perform the duties. Successor *registered design professional in*
1394 *responsible charge* licensed under Chapter 471 Florida Statutes shall comply with
1395 Section 471.025(4) Florida Statute and the procedure set forth in 61G15-27.001
1396 Florida Administrative Code; or licensed under Chapter 481 Florida Statutes shall
1397 comply with Section 481.221(6) Florida Statute and the procedure set forth in 61G1-
1398 18.002 Florida Administrative Code.
1399

1400 The *registered design professional in responsible charge* shall be responsible for
1401 reviewing and coordinating submittal documents prepared by others, including phased

1402 and deferred submittal items, for compatibility with the design of the building.

1403
1404 **107.3.4.1 Deferred submittals.** For the purposes of this section, deferred submittals
1405 are defined as those portions of the design that are not submitted at the time of the
1406 application and that are to be submitted to the *building official*.

1407
1408 Deferral of any submittal items shall have the prior approval of the *building official*.
1409 The *registered design professional in responsible charge* shall list the deferred
1410 submittals on the *construction documents* for review by the *building official*.

1411
1412 Documents for deferred submittal items shall be submitted to the *registered design*
1413 *professional in responsible charge* who shall review them and forward them to the
1414 *building official* with a notation indicating that the deferred submittal documents have
1415 been reviewed and found to be in general conformance to the design of the building.
1416 The deferred submittal items shall not be installed until the deferred submittal
1417 documents have been *approved* by the *building official*.

1418
1419 **107.3.4.2** Certifications by contractors authorized under the provisions of Section
1420 489.115(4)(b), *Florida Statutes*, shall be considered equivalent to sealed plans and
1421 specifications by a person licensed under Chapter 471, *Florida Statutes*, or Chapter
1422 481, *Florida Statutes*, by local enforcement agencies for plans review for permitting
1423 purposes relating to compliance with the wind- resistance provisions of the code or
1424 alternate methodologies approved by the Florida Building Commission for one- and
1425 two-family dwellings. Local enforcement agencies may rely upon such certification by
1426 contractors that the plans and specifications submitted conform to the requirements of
1427 the code for wind resistance. Upon good cause shown, local government code
1428 enforcement agencies may accept or reject plans sealed by persons licensed under
1429 Chapters 471, 481 or 489, *Florida Statutes*.

1430
1431 **107.3.5 Minimum plan review criteria for buildings.** The examination of the
1432 documents by the *building official* shall include the following minimum criteria and
1433 documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss
1434 layout; all fenestration and building envelope penetrations; flashing; and rough
1435 opening dimensions; and all exterior elevations:

1436
1437 **Commercial Buildings:**

1438 **Building:**

- 1439 1. Site requirements:
1440 Parking
1441 Fire access
1442 Vehicle loading
1443 Driving/turning radius
1444 Fire hydrant/water supply/post indicator valve (PIV)
1445 Set back/separation (assumed property lines)
1446 Location of specific tanks, water lines and sewer lines
1447 Flood hazard areas, flood zones, and *design flood elevations*
1448 2. Occupancy group and special occupancy requirements shall be determined.
1449 3. Minimum type of construction shall be determined (see Table 503).
1450 4. Fire-resistant construction requirements shall include the following

- 1451 components:
1452 Fire-resistant separations
1453 Fire-resistant protection for type of construction
1454 Protection of openings and penetrations of rated walls
1455 Fireblocking and draftstopping and calculated fire resistance
1456 5. Fire suppression systems shall include:
1457 Early warning smoke evacuation systems
1458 Schematic fire sprinklers
1459 Standpipes
1460 Pre-engineered systems
1461 Riser diagram.
1462 6. Life safety systems shall be determined and shall include the following
1463 requirements:
1464 Occupant load and egress capacities
1465 Early warning
1466 Smoke control
1467 Stair pressurization
1468 Systems schematic
1469 7. Occupancy load/egress requirements shall include:
1470 Occupancy load
1471 Gross
1472 Net
1473 Means of egress
1474 Exit access
1475 Exit
1476 Exit discharge
1477 Stairs construction/geometry and protection
1478 Doors
1479 Emergency lighting and exit signs
1480 Specific occupancy requirements
1481 Construction requirements
1482 Horizontal exits/exit passageways
1483 8. Structural requirements shall include:
1484 Soil conditions/analysis
1485 Termite protection
1486 Design loads
1487 Wind requirements
1488 Building envelope
1489 Impact resistant coverings or systems
1490 Structural calculations (if required)
1491 Foundation
1492 Flood requirements in accordance with Section 1612, including lowest floor
1493 elevations, enclosures, flood damage- resistant materials
1494 Wall systems Floor systems
1495 Roof systems
1496 Threshold inspection plan
1497 Stair systems
1498 9. Materials shall be reviewed and shall at a minimum include the following:
1499 Wood
1500 Steel

- 1501 Aluminum
- 1502 Concrete
- 1503 Plastic
- 1504 Glass
- 1505 Masonry
- 1506 Gypsum board and plaster Insulating (mechanical)
- 1507 Roofing
- 1508 Insulation
- 1509 Building envelope portions of the Energy Code (including calculation and
- 1510 mandatory requirements)
- 1511 10. Accessibility requirements shall include the following:
- 1512 Site requirements
- 1513 Accessible route
- 1514 Vertical accessibility
- 1515 Toilet and bathing facilities
- 1516 Drinking fountains
- 1517 Equipment
- 1518 Special occupancy requirements
- 1519 Fair housing requirements
- 1520 11. Interior requirements shall include the following:
- 1521 Interior finishes (flame spread/smoke development)
- 1522 Light and ventilation (including corresponding portion of the energy code)
- 1523 Sanitation
- 1524 12. Special systems:
- 1525 Elevators
- 1526 Escalators
- 1527 Lifts
- 1528 13. Swimming pools:
- 1529 Barrier requirements
- 1530 Spas
- 1531 Wading pools
- 1532 14. Location and installation details. The specific location and installation details
- 1533 of each fire door, fire damper, ceiling damper and smoke damper shall be
- 1534 shown and properly identified on the building plans by the designer.

Electrical:

- 1536 1. Electrical:
- 1537 Wiring
- 1538 Services
- 1539 Feeders and branch circuits
- 1540 Overcurrent protection
- 1541 Grounding
- 1542 Wiring methods and materials
- 1543 GFCIs
- 1544 Electrical portions of the Energy Code (including calculation and mandatory
- 1545 requirements)
- 1546 2. Equipment
- 1547 3. Special occupancies
- 1548 4. Emergency systems
- 1549 5. Communication systems

- 1550 6. Low voltage
- 1551 7. Load calculations
- 1552 8. Design flood elevation
- 1553 **Plumbing:**
- 1554 1. Minimum plumbing facilities
- 1555 2. Fixture requirements
- 1556 3. Water supply piping
- 1557 4. Sanitary drainage
- 1558 5. Water heaters
- 1559 6. Vents
- 1560 7. Roof drainage
- 1561 8. Back flow prevention
- 1562 9. Irrigation
- 1563 10. Location of water supply line
- 1564 11. Grease traps
- 1565 12. Environmental requirements
- 1566 13. Plumbing riser
- 1567 14. Design flood elevation
- 1568 15. Water/plumbing portions of the Energy Code (including calculation and
- 1569 mandatory requirements)
- 1570 **Mechanical:**
- 1571 1. Mechanical portions of the Energy calculations
- 1572 2. Exhaust systems:
- 1573 Clothes dryer exhaust
- 1574 Kitchen equipment exhaust
- 1575 Specialty exhaust systems
- 1576 3. Equipment
- 1577 4. Equipment location
- 1578 5. Make-up air
- 1579 6. Roof-mounted equipment
- 1580 7. Duct systems
- 1581 8. Ventilation
- 1582 9. Combustion air
- 1583 10. Chimneys, fireplaces and vents
- 1584 11. Appliances
- 1585 12. Boilers
- 1586 13. Refrigeration
- 1587 14. Bathroom ventilation
- 1588 15. Laboratory
- 1589 16. Design flood elevation
- 1590 17. Smoke and/or Fire Dampers
- 1591 **Gas:**
- 1592 1. Gas piping
- 1593 2. Venting
- 1594 3. Combustion air
- 1595 4. Chimneys and vents
- 1596 5. Appliances

- 1597 6. Type of gas
- 1598 7. Fireplaces
- 1599 8. LP tank location
- 1600 9. Riser diagram/shutoffs
- 1601 10. Design flood elevation
- 1602 11. Gas portions of the Energy Code (including calculation and mandatory
- 1603 requirements)

Demolition:

- 1605 1. Asbestos removal

Residential (one- and two-family):

- 1607 1. Site requirements:
- 1608 Set back/separation (assumed property lines) Location of septic tanks
- 1609 2. Fire-resistant construction (if required)
- 1610 3. Fire
- 1611 4. Smoke and/or carbon monoxide alarm/detector locations
- 1612 5. Egress:
- 1613 Egress window size and location stairs construction requirements
- 1614 6. Structural requirements shall include:
- 1615 Wall section from foundation through roof, including assembly and materials
- 1616 connector tables wind requirements structural calculations (if required)
- 1617 Termite protection
- 1618 Design loads
- 1619 Wind requirements
- 1620 Building envelope
- 1621 Foundation
- 1622 Wall systems
- 1623 Floor systems
- 1624 Roof systems
- 1625 Flood hazard areas, flood zones, design flood elevations, lowest floor
- 1626 elevations, enclosures, equipment, and flood damage- resistant materials
- 1627 7. Accessibility requirements:
- 1628 Show/identify
- 1629 Accessible bath
- 1630 8. Impact resistant coverings or systems
- 1631 9. Residential Energy Code submittal (including calculation and mandatory
- 1632 requirements)

Manufactured buildings/housing:

- 1634 1. Site requirements
- 1635 Setback/separation (assumed property lines)
- 1636 Location of septic tanks (if applicable)
- 1637 2. Structural
- 1638 Wind zone
- 1639 Flood
- 1640 Anchoring
- 1641 Blocking
- 1642 3. Plumbing
- 1643 List potable water source and meter size (if applicable)

- 1644 4. Mechanical
1645 Exhaust systems
1646 Clothes dryer exhaust
1647 Kitchen equipment exhaust
1648 5. Electrical exterior disconnect location
1649

1650 **Exemptions:** Plans examination by the *building official* shall not be required for the
1651 following work:

- 1652 1. Replacing existing equipment such as mechanical units, water heaters, etc.
1653 2. Reroofs
1654 3. Minor electrical, plumbing and mechanical repairs
1655 4. Annual maintenance *permits*
1656 5. Prototype plans:
1657 Except for local site adaptations, siding, foundations and/or modifications.
1658 Except for structures that require waiver.
1659 6. Manufactured buildings plan except for foundations and modifications of
1660 buildings on site and as listed above in manufactured buildings/housing.
1661

1662 **107.4 Amended construction documents.** Work shall be installed in accordance
1663 with the approved construction documents, and any changes made during
1664 construction that are not in compliance with the approved construction documents
1665 shall be resubmitted for approval as an amended set of construction documents.
1666

1667 **107.5 Retention of construction documents.** One set of approved construction
1668 documents shall be retained by the *building official* for a period of not less than 180
1669 days from date of completion of the permitted work, or as required by state or local
1670 laws.
1671

1672 **107.6 Affidavits.** The *building official* may accept a sworn affidavit from a registered
1673 architect or engineer stating that the plans submitted conform to the technical codes.
1674 For buildings and structures, the affidavit shall state that the plans conform to the laws
1675 as to egress, type of construction and general arrangement and, if accompanied by
1676 drawings, show the structural design and that the plans and design conform to the
1677 requirements of the technical codes as to strength, stresses, strains, loads and
1678 stability. The *building official* may without any examination or inspection accept such
1679 affidavit, provided the architect or engineer who made such affidavit agrees to submit
1680 to the *building official* copies of inspection reports as inspections are performed and
1681 upon completion of the structure, electrical, gas, mechanical or plumbing systems a
1682 certification that the structure, electrical, gas, mechanical or plumbing system has
1683 been erected in accordance with the requirements of the technical codes. Where the
1684 *building official* relies upon such affidavit, the architect or engineer shall assume full
1685 responsibility for compliance with all provisions of the technical codes and other
1686 pertinent laws or ordinances. The *building official* shall ensure that any person
1687 conducting plans review is qualified as a plans examiner under Part XII of Chapter
1688 468, *Florida Statutes*, and that any person conducting inspections is qualified as a
1689 building inspector under Part XII of Chapter 468, *Florida Statutes*.
1690

1691 **107.6.1 Building permits issued in flood hazard areas on the basis of an affidavit.**

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), the authority granted to the *building official* to issue *permits*, to rely on inspections, and to accept plans and *construction documents* on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood-resistance construction requirements of the *Florida Building Code*.

107.6.2 Affidavits Provided Pursuant to Section 553.791, Florida Statutes. For a building or structure in a *flood hazard area*, the *building official* shall review any affidavit certifying compliance with the flood load and flood-resistant construction requirements of the Florida Building Code.

107.7 If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. If the building code administrator, plans examiner, or inspector requests another local enforcing agency employee or a person contracted by the local enforcing agency to review the plans and that employee or person identifies specific plan features that do not comply with the applicable codes, the building code administrator, plans examiner, or inspector must provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

SECTION 108 **TEMPORARY STRUCTURES AND USES**

108.1 General. The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall comply with the requirements in Section 3103.

108.3 Temporary power. The *building official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

108.4 Termination of approval. The *building official* is authorized to terminate such *permit* for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109 **FEES**

109.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by law

1740 have been paid, nor shall an
1741 amendment to a *permit* be released until the additional fee, if any, has been paid.

1742
1743 **109.2 Schedule of *permit* fees.** On buildings, structures, electrical, gas, mechanical,
1744 and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be
1745 paid as required, in accordance with the schedule as established by the applicable
1746 governing authority.

1747
1748 **109.3 Building *permit* valuations.** The applicant for a *permit* shall provide an
1749 estimated *permit* value at time of application. *Permit* valuations shall include total
1750 value of work, including materials and labor, for which the *permit* is being issued, such
1751 as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the
1752 opinion of the *building official*, the valuation is underestimated on the application, the
1753 *permit* shall be denied, unless the applicant can show detailed estimates to meet the
1754 approval of the *building official*. Final building *permit* valuation shall be set by the
1755 *building official*.

1756
1757 **109.4 Work commencing before *permit* issuance.** Any person who commences
1758 any work on a building, structure, electrical, gas, mechanical or plumbing system
1759 before obtaining the necessary *permits* or without prior approval from the *building*
1760 *official* as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established
1761 by the *building official* that shall be in addition to the required *permit* fees or as provided
1762 by local ordinance. This provision shall not apply to emergency work when delay
1763 would clearly have placed life or property in imminent danger. But in all such cases
1764 the required *permit*(s) must be applied for within three (3) business days and any
1765 unreasonable delay in obtaining those *permit*(s) shall result in the charge of a double
1766 fee. The payment of a double fee shall not preclude or be deemed a substitute for
1767 prosecution for commencing work without first obtaining a *permit*. The *building official*
1768 may grant extensions of time or waive fees when justifiable cause has been
1769 demonstrated in writing.

1770
1771 **109.5 Related fees.** The payment of the fee for the construction, *alteration*, removal
1772 or demolition for work done in connection to or concurrently with the work authorized
1773 by a building *permit* shall not relieve the applicant or holder of the *permit* from the
1774 payment of other fees that are prescribed by law.

1775 **109.6 Refunds.** The *building official* is authorized to establish a refund policy.

SECTION 110 **INSPECTIONS**

1776
1777
1778
1779
1780 **110.1 General.** Construction or work for which a *permit* is required shall be subject to
1781 inspection by the *building official* and such construction or work shall remain exposed
1782 and provided with access for inspection purposes until *approved*. Approval as a result
1783 of an inspection shall not be construed to be an approval of a violation of the provisions
1784 of this code or of other ordinances of the jurisdiction. Inspections presuming to give
1785 authority to violate or cancel the provisions of this code or of other ordinances of the
1786 jurisdiction shall not be valid. It shall be the duty of the *owner* or the *owner's* authorized
1787 agent to cause the work to remain exposed and provided with access for inspection

1788 purposes. The building official shall be permitted to require a boundary line survey
1789 prepared by a Florida licensed professional surveyor and mapper whenever the
1790 boundary lines cannot be readily determined in the field. Neither the *building official*
1791 nor the jurisdiction shall be liable for expense entailed in the removal or replacement
1792 of any material required to allow inspection.
1793

1794 **110.1.1 Manufacturers and fabricators.** When deemed necessary by the *building*
1795 *official*, he/she shall make, or cause to be made, an inspection of materials or
1796 assemblies at the point of manufacture or fabrication. A record shall be made of every
1797 such examination and inspection and of all violations of the technical codes.
1798

1799 **110.1.2 Inspection service.** The *building official* may make, or cause to be made,
1800 the inspections required by Section 110. He or she may accept reports of department
1801 inspectors, independent inspectors or of recognized inspection services, provided that
1802 after investigation he/she is satisfied as to their licensure, qualifications and reliability.
1803 A certificate required by any provision of this code shall not be based on such reports
1804 unless the same are recorded by the building code inspector or the architect or
1805 engineer performing building code inspections in a manner specified by the *building*
1806 *official*. The *building official* shall ensure that all persons making such inspections
1807 shall be certified in accordance to Chapter 468 Florida Statutes; or licensed under
1808 Chapter 471 or 481 Florida Statutes.
1809

1810 **110.2 Preliminary inspection.** Before issuing a *permit*, the *building official* is
1811 authorized to examine or cause to be examined buildings, structures and sites for
1812 which an application has been filed.
1813

1814 **110.3 Required inspections.** The *building official* upon notification from the *permit*
1815 holder or his or her agent shall make the following inspections, or any other such
1816 inspection as deemed necessary and shall either release that portion of the
1817 construction or shall notify the *permit* holder or his or her agent of any violations which
1818 must be corrected in order to comply with the technical codes. The *building official*
1819 shall determine the timing and sequencing of when inspections occur and what
1820 elements are inspected at each inspection.
1821

1822 **Building**

- 1823 1. Foundation inspection. To be made after trenches are excavated, any required
1824 reinforcing steel is in place, forms erected and shall at a minimum include the
1825 following building components:

1826 Stem-wall

1827 Monolithic slab-on-grade

1828 Piling/pile caps

1829 Footers/grade beams

- 1830 1.1. Slab Inspection: Concrete slab and under-floor inspections shall be
1831 made after in-slab or under-floor reinforcing steel and building service
1832 equipment, conduit, piping accessories and other ancillary equipment items
1833 are in place, but before any concrete is placed or floor sheathing installed,
1834 including the subfloor.

- 1835 1.2. A foundation/form board survey prepared and certified by a Florida

- 1836 licensed professional surveyor and mapper may be required, prior to
 1837 approval of the slab inspection. The survey shall certify placement of the
 1838 building on the site, illustrate all surrounding setback dimensions and shall
 1839 be available at the job site for review by the building inspector. In lieu of
 1840 providing a survey, the contractor may elect to uncover all property line
 1841 markers and string-up all property lines in preparation for inspection.
- 1842 1.3. In flood hazard areas, upon placement of the lowest floor, including
 1843 basement, and prior to further vertical construction, the elevation
 1844 certification shall be submitted to the *building official*.
- 1845 2. Framing inspection. To be made after the roof, all framing, *fireblocking* and
 1846 bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents
 1847 are complete and the rough electrical, plumbing, heating wires, pipes and ducts
 1848 are *approved* and shall at a minimum include the following building
 1849 components:
- 1850 Window/door framing
 1851 Window U-factor/SHGC (as indicated on *approved* energy calculations)
 1852 Vertical cells/columns
 1853 Lintel/tie beams
 1854 Framing/trusses/bracing/connectors (including truss layout and engineered
 1855 drawings)
 1856 *Draftstopping/fireblocking*
 1857 Curtain wall framing
 1858 Energy insulation (Insulation R-factor as indicated on *approved* energy
 1859 calculations)
 1860 Accessibility
 1861 Verify rough opening dimensions are within tolerances.
 1862 Window/door buck attachment
- 1863 2.1 Insulation Inspection: To be made after the framing inspection is *approved*
 1864 and the insulation is in place, according to *approved* energy calculation
 1865 submittal. Includes wall and ceiling insulation.
- 1866 2.2 Lath and gypsum board inspection for fire-resistance rated or shear
 1867 assemblies. Lath and gypsum board inspections shall be made after lathing
 1868 and gypsum board, interior and exterior, is in place, but before ant plastering
 1869 is applied or gypsum board joints and fasteners are taped and finished.
- 1870 3. Sheathing inspection. To be made either as part of a dry-in inspection or done
 1871 separately at the request of the contractor after all roof and wall sheathing and
 1872 fasteners are complete and shall at a minimum include the following building
 1873 components:
- 1874 Roof sheathing
 1875 Wall sheathing
 1876 Continuous air barrier
 1877 Exterior siding/cladding
 1878 Sheathing fasteners
 1879 Roof/wall dry-in
 1880 Sheathing fasteners installed and found to be missing the structural member
 1881 (shiners) shall be removed and properly reinstalled prior to installation of the
 1882 dry-in material.
- 1883 4. Exterior wall coverings. Shall at a minimum include the following building

- 1884 components in progress inspections:
 1885 Exterior wall coverings and veneers
 1886 Soffit coverings
 1887 5. Roofing inspection. Shall at a minimum be made in at least two inspections
 1888 and include the following building components:
 1889 Dry-in
 1890 Insulation
 1891 Roof coverings (including In Progress as necessary)
 1892 Insulation on roof deck (according to submitted energy calculation)
 1893 Flashing
 1894 5.1 Re-roof sheathing inspection. An affidavit with a notarized signature of a
 1895 state or locally licensed roofing contractor for the installation of additional
 1896 sheathing fasteners as required by the Existing Building Code may be
 1897 accepted at the discretion of the *building official*.
 1898 6. Final inspection. To be made after the building is completed and ready for
 1899 occupancy.
 1900 6.1. In *flood hazard areas*, as part of the final inspection, a final certification of
 1901 the lowest floor elevation or the elevation to which a building is dry
 1902 floodproofed, as applicable, shall be submitted to the authority having
 1903 jurisdiction.
 1904 7. Swimming pool inspection. First inspection to be made after excavation and
 1905 installation of reinforcing steel, bonding and main drain and prior to placing of
 1906 concrete.
 1907 1. Steel reinforcement inspection
 1908 2. Underground electric inspection
 1909 3. Underground piping inspection including a pressure test.
 1910 4. Underground electric inspection under deck area (including the
 1911 equipotential bonding)
 1912 5. Underground piping inspection under deck area
 1913 6. Deck inspection: to be made prior to installation of the deck material (with
 1914 forms, deck drains, and any reinforcement in place
 1915 7. Safety Inspection; Made prior to filling the pool with the bonding connections
 1916 made, the proper drain covers installed and the final barriers installed.
 1917 8. Final pool piping
 1918 9. Final Electrical inspection
 1919 10. Final inspection to be made when the swimming pool is complete and all
 1920 required enclosure requirements are in place.
 1921 In order to pass final inspection and receive a certificate of completion, a
 1922 residential swimming pool must meet the requirements relating to pool
 1923 safety features as described in Section 454.2.17 of this code.
 1924 8. Demolition inspections. First inspection to be made after all utility connections
 1925 have been dis- connected and secured in such manner that no unsafe or
 1926 unsanitary conditions shall exist during or after demolition operations.
 1927 Final inspection to be made after all demolition work is completed.
 1928 9. Manufactured building inspections. The building department shall inspect
 1929 construction of foundations; connecting buildings to foundations; installation of
 1930 parts identified on plans as site installed items, joining the modules, including
 1931 utility cross- overs; utility connections from the building to utility lines on site;

1932 and any other work done on site which requires compliance with the *Florida*
1933 *Building Code*. Additional inspections may be required for public educational
1934 facilities (see Section 453.27.20 of this code).

1935 10. Where impact-resistant coverings or impact-resistant systems are installed, the
1936 building official shall schedule adequate inspections of impact-resistant
1937 coverings or impact-resistant systems to determine the following:

1938 The system indicated on the plans was installed.

1939 The system is installed in accordance with the manufacturer's installation
1940 instructions and the product approval.

1941 **Electrical**

1942 1. Underground inspection. To be made after trenches or ditches are excavated,
1943 conduit or cable installed, and before any backfill is put in place.

1944 2. Rough-in inspection. To be made after the roof, framing, fireblocking and
1945 bracing is in place and prior to the installation of wall or ceiling membranes.

1946 3. Final inspection. To be made after the building is complete, all required
1947 electrical fixtures are in place and properly connected or protected, and the
1948 structure is ready for occupancy.

1949 4. Existing Swimming Pools. To be made after all repairs or alterations are
1950 complete, all required electrical equipment, GFCI protection, and equipotential
1951 bonding are in place on said alterations or repairs.

1952 **Plumbing**

1953 1. Underground inspection. To be made after trenches or ditches are excavated,
1954 piping installed, and before any backfill is put in place.

1955 2. Rough-in inspection. To be made after the roof, framing, fireblocking and
1956 bracing is in place and all soil, waste and vent piping is complete, and prior to
1957 this installation of wall or ceiling membranes.

1958 Includes plumbing provisions of the energy code and approved energy
1959 calculation provisions.

1960 3. Final inspection. To be made after the building is complete, all plumbing fixtures
1961 are in place and properly connected, and the structure is ready for occupancy.

1962 **Note:** See Section 312 of the Florida Building Code, Plumbing for required
1963 tests.

1964 **Mechanical**

1965 1. Underground inspection. To be made after trenches or ditches are excavated,
1966 underground duct and fuel piping installed, and before any backfill is put in
1967 place.

1968 2. Rough-in inspection. To be made after the roof, framing, fireblocking and
1969 bracing are in place and all ducting, and other concealed components are
1970 complete, and prior to the installation of wall or ceiling membranes.

1971 Includes mechanical provisions of the energy code and approved energy
1972 calculation provisions.

1973 3. Final inspection. To be made after the building is complete, the mechanical
1974 system is in place and properly connected, and the structure is ready for
1975 occupancy.

1976 **Gas**

1977 1. Rough piping inspection. To be made after all new piping authorized by the
1978 permit has been installed, and before any such piping has been covered or
1979 concealed or any fixtures or gas appliances have been connected.

1980 Includes gas provisions of the energy code and approved energy calculation

- 1981 provisions.
- 1982 2. Final piping inspection. To be made after all piping authorized by the *permit*
- 1983 has been installed and after all portions which are to be concealed by plastering
- 1984 or otherwise have been so concealed, and before any fixtures or gas appliances
- 1985 have been connected. This inspection shall include a pressure test.
- 1986 3. Final inspection. To be made on all new gas work authorized by the *permit* and
- 1987 such portions of existing systems as may be affected by new work or any
- 1988 changes, to ensure compliance with all the requirements of this code and to
- 1989 assure that the installation and construction of the gas system is in accordance
- 1990 with reviewed plans.

Site Debris

- 1991
- 1992 1. The contractor and/or owner of any active or inactive construction project shall
- 1993 be responsible for the clean-up and removal of all construction debris or any
- 1994 other miscellaneous discarded articles during the course of the construction
- 1995 project and prior to receiving final inspection approval. Construction job sites
- 1996 must be kept clean and in a safe condition at all times.
- 1997 2. All debris shall be kept in such a manner as to prevent it from being spread by
- 1998 any means.

110.3.1 Footing and foundation inspection.

1999

2000 Footing and foundation inspections shall be made after excavations for footings are

2001 complete and any required reinforcing steel is in place. For concrete foundations, any

2002 required forms shall be in place prior to inspection. Materials for the foundation shall

2003 be on the job, except where concrete is ready mixed in accordance with ASTM C 94,

2004 the concrete need not be on the job.

2005

2006

2007 **110.3.2 Concrete slab and under-floor inspection.** Concrete slab and under-floor

2008 inspections shall be made after in-slab or under-floor reinforcing steel and building

2009 service equipment, conduit, piping accessories and other ancillary equipment items

2010 are in place, but before any concrete is placed or floor sheathing installed, including

2011 the subfloor.

2012

2013 **110.3.3 Lowest floor elevation.** In *flood hazard areas*, upon placement of the lowest

2014 floor, including the basement, and prior to further vertical construction, the elevation

2015 certification required in Section 1612.4 of the Florida Building Code, Building and

2016 Section R322 of the Florida Building Code, Residential, shall be submitted to the

2017 *building official*.

2018

2019 **110.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or

2020 sheathing, all framing, *fireblocking* and bracing are in place and pipes, chimneys and

2021 vents to be concealed are complete and the rough electrical, plumbing, heating wires,

2022 pipes and ducts are *approved*.

2023

2024 **110.3.5 Lath, gypsum board and gypsum panel product inspection.** Lath, gypsum

2025 board and gypsum panel product inspections shall be made after lathing, gypsum

2026 board and gypsum panel products, interior and exterior, are in place, but before any

2027 plastering is applied or gypsum board and gypsum panel product joints and fasteners

2028 are taped and finished.

2029

2030 **Exception:** Gypsum board and gypsum panel products that are not part of a fire-
2031 resistance-rated assembly or a shear assembly.

2032
2033 **110.3.6 Weather-exposed balcony and walking surface waterproofing.** Where
2034 balcony or other elevated walking surfaces are exposed to water from direct or blowing
2035 rain or irrigation, and the structural framing is protected by an impervious moisture
2036 barrier, all elements of the impervious-moisture-barrier system shall not be concealed
2037 until inspected and *approved*.

2038
2039 **110.3.7 Fire and smoke-resistant penetrations.** Protection of joints and
2040 penetrations in *fire-resistance- rated* assemblies, *smoke barriers* and smoke partitions
2041 shall not be concealed from view until inspected and *approved*.

2042
2043 **110.3.8 Energy efficiency inspections.** Inspections shall be made to determine
2044 compliance with *FBC, Energy Conservation* and confirm with the *approved* energy
2045 code submittal (by appropriate trade) and corresponding mandatory requirements and
2046 shall include, but not be limited to, inspections for: corresponding envelope insulation
2047 R- and U-values, fenestration U-value, and Solar Heat Gain Coefficient, duct system
2048 R-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

2049
2050 **110.3.9 Other inspections.** In addition to the inspections specified in Sections 110.3
2051 through 110.3.8, the *building official* is authorized to make or require other inspections
2052 of any construction work to ascertain compliance with the provisions of this code and
2053 other laws that are enforced by the department of building safety.

2054
2055 **110.3.10 Special inspections.** Reserved.

2056
2057 **110.3.11 Final inspection.** The final inspection shall be made after all work required
2058 by the building *permit* is completed.

2059
2060 **110.3.11.1 Flood hazard documentation.**
2061 If located in a *flood hazard area*, documentation as required in Section 1612.5 of the
2062 Florida Building Code, Building; or Section R322 of the Florida Building Code,
2063 Residential, shall be submitted to the *building official* prior to the final inspection.

2064
2065 **110.3.11.2 Commercial Energy Code documentation.** If required by energy code
2066 path submittal, confirmation that commissioning result requirements have been
2067 received by building owner.

2068
2069 **110.3.11.3 Residential Energy Code documentation.** If required by energy code
2070 path submittal (R405), confirmation that the envelope and duct test requirements shall
2071 be received by *building official*.

2072
2073 **110.3.12 Termites.** Building components and building surroundings required to be
2074 protected from termite dam- age in accordance with Section 1503.7, Section
2075 2304.12.9 or Section 2304.12.4, specifically required to be inspected for termites in
2076 accordance with Section 2114, or required to have chemical soil treatment in
2077 accordance with Section 1816 shall not be covered or concealed until the release from

2078 the *building official* has been received.

2079

2080 **110.3.13 Impact-resistant coverings or systems.** Where impact-resistant coverings
2081 or systems are installed to meet requirements of this code, the *building official* shall
2082 schedule adequate inspections of impact-resistant coverings or systems to determine
2083 the following:

2084 1. The system indicated on the plans was installed.

2085 2. The system is installed in accordance with the manufacturer's installation
2086 instructions and the product approval.

2087

2088 **110.4 Inspection agencies.** The *building official* is authorized to accept reports of
2089 *approved* inspection agencies, provided such agencies satisfy the requirements as to
2090 qualifications and reliability.

2091

2092 **110.5 Inspection requests.** It shall be the duty of the holder of the building *permit* or
2093 their duly authorized agent to notify the *building official* when work is ready for
2094 inspection. It shall be the duty of the *permit* holder to provide access to and means for
2095 inspections of such work that are required by this code.

2096

2097 **110.6 Approval required.** Work shall not be done beyond the point indicated in each
2098 successive inspection without first obtaining the approval of the *building official*. The
2099 *building official*, upon notification, shall make the requested inspections and shall
2100 either indicate the portion of the construction that is satisfactory as completed, or notify
2101 the *permit* holder or his or her agent wherein the same fails to comply with this code.
2102 Any portions that do not comply shall be corrected and such portion shall not be
2103 covered or concealed until authorized by the *building official*.

2104

2105 **110.7 Shoring.** For threshold buildings, shoring and associated formwork or falsework
2106 shall be designed and inspected by a Florida licensed professional engineer prior to
2107 any required mandatory inspections by the threshold building inspector.

2108

2109 **110.8 Threshold building.**

2110 **110.8.1** During new construction or during repair or restoration projects in which the
2111 structural system or structural loading of a building is being modified, the enforcing
2112 agency shall require a special inspector to perform structural inspections on a
2113 threshold building pursuant to a structural inspection plan prepared by the engineer
2114 or architect of record. The structural inspection plan must be submitted to the
2115 enforcing agency prior to the issuance of a building *permit* for the construction of a
2116 threshold building. The purpose of the structural inspection plans is to provide specific
2117 inspection procedures and schedules so that the building can be adequately inspected
2118 for compliance with the permitted documents. The special inspector may not serve as
2119 a surrogate in carrying out the responsibilities of the *building official*, the architect, or
2120 the engineer of record. The contractor's contractual or statutory obligations are not
2121 relieved by any action of the special inspector.

2122

2123 **110.8.2** The special inspector shall determine that a professional engineer who
2124 specializes in shoring design has inspected the shoring and reshoring for
2125 conformance with the shoring and reshoring plans submitted to the enforcing agency.

2126 A fee simple title owner of a building, which does not meet the minimum size, height,
2127 occupancy, occupancy classification, or number-of-stories criteria which would result
2128 in classification as a threshold building under s. 553.71(7), Florida Statutes may
2129 designate such building as a threshold building, subject to more than the minimum
2130 number of inspections required by the Florida Building Code.

2131
2132 **110.8.3** The fee owner of a threshold building shall select and pay all costs of
2133 employing a special inspector, but the special inspector shall be responsible to the
2134 enforcement agency. The inspector shall be a person certified, licensed or registered
2135 under Chapter 471, Florida Statutes, as an engineer or under Chapter 481, Florida
2136 Statutes, as an architect.

2137
2138 **110.8.4** Each enforcement agency shall require that, on every threshold building:

2139
2140 **110.8.4.1** The special inspector, upon completion of the building and prior to the
2141 issuance of a certificate of occupancy, file a signed and sealed statement with the
2142 enforcement agency in substantially the following form: “To the best of my knowledge
2143 and belief, the above described construction of all structural load- bearing components
2144 complies with the permitted documents, and the shoring and reshoring conforms to
2145 the shoring and reshoring plans submitted to the enforcement agency.”

2146
2147 **110.8.4.2** Any proposal to install an alternate structural product or system to which
2148 building codes apply be submitted to the enforcement agency for review for
2149 compliance with the codes and made part of the enforcement agency’s recorded set
2150 of permit documents.

2151
2152 **110.8.4.3** All shoring and reshoring procedures, plans and details be submitted to the
2153 enforcement agency for recordkeeping. Each shoring and reshoring installation shall
2154 be supervised, inspected and certified to be in compliance with the shoring documents
2155 by the contractor.

2156
2157 **110.8.4.4** All plans for the building which are required to be signed and sealed by the
2158 architect or engineer of record contain a statement that, to the best of the architect’s
2159 or engineer’s knowledge, the plans and specifications comply with the applicable
2160 minimum building codes and the applicable fire-safety standards as deter- mined by
2161 the local authority in accordance with this section and Chapter 633, Florida Statutes.

2162
2163 **110.8.5** No enforcing agency may issue a building permit for construction of any
2164 threshold building except to a licensed general contractor, as defined in Section
2165 489.105(3)(a), Florida Statutes, or to a licensed building contractor, as defined in
2166 Section 489.105(3)(b), Florida Statutes, within the scope of her or his license. The
2167 named contractor to whom the building permit is issued shall have the responsibility
2168 for supervision, direction, management and control of the construction activities on the
2169 project for which the building permit was issued.

2170
2171 **110.8.6** The building department may allow a special inspector to conduct the
2172 minimum structural inspection of threshold buildings required by this code, Section
2173 553.73, Florida Statutes, without duplicative inspection by the building department.
2174 The building official is responsible for ensuring that any person conducting inspections

2175 is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*, or
2176 certified as a special inspector under Chapter 471 or 481, *Florida Statutes*. Inspections
2177 of threshold buildings required by Section 553.79(5), *Florida Statutes*, are in addition
2178 to the minimum inspections required by this code.

2179 **110.9 Mandatory structural inspections for condominium and cooperative**
2180 **buildings.**

2181
2182 **110.9.1 General.** The Legislature finds that maintaining the structural integrity of a
2183 building throughout the life of the building is of paramount importance in order to
2184 ensure that buildings are structurally sound so as to not pose a threat to the public
2185 health, safety, or welfare. As such, the Legislature finds that the imposition of a
2186 statewide structural inspection program for aging condominium and cooperative
2187 buildings in this state is necessary to ensure that such buildings are safe for continued
2188 use.

2189
2190 **110.9.2. As used in this section, the terms:**

2191 (a) “Milestone inspection” means a structural inspection of a building, including an
2192 inspection of load-bearing elements and the primary structural members and
2193 primary structural systems as those terms are defined in s. 627.706, Florida
2194 Statutes, by an architect licensed under chapter 481 or engineer licensed under
2195 chapter 471 authorized to practice in this state for the purposes of attesting to the
2196 life safety and adequacy of the structural components of the building and, to the
2197 extent reasonably possible, determining the general structural condition of the
2198 building as it affects the safety of such building, including a determination of any
2199 necessary maintenance, repair, or replacement of any structural component of the
2200 building. The purpose of such inspection is not to determine if the condition of an
2201 existing building is in compliance with the Florida Building Code or the firesafety
2202 code. The milestone inspection services may be provided by a team of
2203 professionals with an architect or engineer acting as a registered design
2204 professional in responsible charge with all work and reports signed and sealed by
2205 the appropriate qualified team member.

2206 (b) “Substantial structural deterioration” means substantial structural distress or
2207 substantial structural weakness that negatively affects a building’s general
2208 structural condition and integrity. The term does not include surface imperfections
2209 such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or
2210 peeling of finishes unless the licensed engineer or architect performing the phase
2211 one or phase two inspection determines that such surface imperfections are a sign
2212 of substantial structural deterioration.

2213
2214 **110.9.3. (a)** An owner or owners of a building that is three stories or more in height
2215 as determined by the Florida Building Code and that is subject, in whole or in part, to
2216 the condominium or cooperative form of ownership as a residential condominium
2217 under chapter 718, Florida Statutes, or a residential cooperative under chapter 719,
2218 Florida Statutes, must have a milestone inspection performed by December 31 of the
2219 year in which the building reaches 30 years of age, based on the date the certificate
2220 of occupancy for the building was issued, and every 10 years thereafter. If a building
2221 reached 30 years of age before July 1, 2022, the building’s initial milestone inspection

2222 must be performed before December 31, 2024. If a building reaches 30 years of age
2223 on or after July 1, 2022, and before December 31, 2024, the building's initial milestone
2224 inspection must be performed before December 31, 2025. If the date of issuance for
2225 the certificate of occupancy is not available, the date of issuance of the building's
2226 certificate of occupancy shall be the date of occupancy evidenced in any record of the
2227 local building official.

2228 (b) The local enforcement agency may determine that local circumstances, including
2229 environmental conditions such as proximity to salt water as defined in s. 379.101,
2230 require that a milestone inspection must be performed by December 31 of the year in
2231 which the building reaches 25 years of age, based on the date the certificate of
2232 occupancy for the building was issued, and every 10 years thereafter.

2233 (c) The local enforcement agency may extend the date by which a building's initial
2234 milestone inspection must be completed upon a showing of good cause by the owner
2235 or owners of the building that the inspection cannot be timely completed if the owner
2236 or owners have entered into a contract with an architect or engineer to perform the
2237 milestone inspection and the inspection cannot reasonably be completed before the
2238 deadline or other circumstance to justify an extension.

2239 (d) The local enforcement agency may accept an inspection report prepared by a
2240 licensed engineer or architect for a structural integrity and condition inspection of a
2241 building performed before July 1, 2022, if the inspection and report substantially
2242 comply with the requirements of this section. Notwithstanding when such inspection
2243 was completed, the condominium or cooperative association must comply with the
2244 unit owner notice requirements in Section 110.9.9. The inspection for which an
2245 inspection report is accepted by the local enforcement agency under this paragraph
2246 is deemed a milestone inspection for the applicable requirements in chapters 718 and
2247 719. If a previous inspection and report is accepted by the local enforcement agency
2248 under this paragraph, the deadline for the building's subsequent 10-year milestone
2249 inspection is based on the date of the accepted previous inspection.

2250
2251 **110.9.4.** The milestone inspection report must be arranged by a condominium or
2252 cooperative association and any owner of any portion of the building which is not
2253 subject to the condominium or cooperative form of ownership. The condominium
2254 association or cooperative association and any owner of any portion of the building
2255 which is not subject to the condominium or cooperative form of ownership are each
2256 responsible for ensuring compliance with the requirements of this section. The
2257 condominium association or cooperative association is responsible for all costs
2258 associated with the milestone inspection attributable to the portions of a building which
2259 the association is responsible to maintain under the governing documents of the
2260 association. This section does not apply to a single-family, two-family, or three-family
2261 dwelling with three or fewer habitable stories above ground.

2262
2263 **110.9.5.** Upon determining that a building must have a milestone inspection, the local
2264 enforcement agency must provide written notice of such required inspection to the
2265 condominium association or cooperative association and any owner of any portion of
2266 the building which is not subject to the condominium or cooperative form of ownership,
2267 as applicable, by certified mail, return receipt requested. The condominium or
2268 cooperative association must notify the unit owners of the required milestone

2269 inspection within 14 days after receipt of the written notice from the local enforcement
2270 agency and provide the date that the milestone inspection must be completed. Such
2271 notice may be given by electronic submission to unit owners who consent to receive
2272 notice by electronic submission or by posting on the association's website.
2273

2274 **110.9.6. Phase one of the milestone inspection must be completed within 180 days**
2275 **after the owner or owners of the building receive the written notice under Section**
2276 **110.9.5. For purposes of this section, completion of phase one of the milestone**
2277 **inspection means the licensed engineer or architect who performed the phase one**
2278 **inspection submitted the inspection report by e-mail, United States Postal Service, or**
2279 **commercial delivery service to the local enforcement agency.**
2280

2281 **110.9.7. A milestone inspection consists of two phases:**
2282

2283 **110.9.7.1. For phase one of the milestone inspection, a licensed architect or engineer**
2284 **authorized to practice in this state shall perform a visual examination of habitable and**
2285 **nonhabitable areas of a building, including the major structural components of a**
2286 **building, and provide a qualitative assessment of the structural conditions of the**
2287 **building. If the architect or engineer finds no signs of substantial structural**
2288 **deterioration to any building components under visual examination, phase two of the**
2289 **inspection, as provided in Section 110.9.7.2, is not required. An architect or engineer**
2290 **who completes a phase one milestone inspection shall prepare and submit an**
2291 **inspection report pursuant to Section 110.9.8.**
2292

2293 **110.9.7.2. A phase two of the milestone inspection must be performed if any**
2294 **substantial structural deterioration is identified during phase one. A phase two**
2295 **inspection may involve destructive or nondestructive testing at the inspector's**
2296 **direction. The inspection may be as extensive or as limited as necessary to fully**
2297 **assess areas of structural distress in order to confirm that the building is structurally**
2298 **sound and safe for its intended use and to recommend a program for fully assessing**
2299 **and repairing distressed and damaged portions of the building. When determining**
2300 **testing locations, the inspector must give preference to locations that are the least**
2301 **disruptive and most easily repairable while still being representative of the structure.**
2302 **If a phase two inspection is required, within 180 days after submitting a phase one**
2303 **inspection report the architect or engineer performing the phase two inspection must**
2304 **submit a phase two progress report to the local enforcement agency with a timeline**
2305 **for completion of the phase two inspection. An inspector who completes a phase two**
2306 **milestone inspection shall prepare and submit an inspection report pursuant to Section**
2307 **110.9.8.**
2308

2309 **110.9.8. Upon completion of a phase one or phase two milestone inspection, the**
2310 **architect or engineer who performed the inspection must submit a sealed copy of the**
2311 **inspection report with a separate summary of, at minimum, the material findings and**
2312 **recommendations in the inspection report to the condominium association or**
2313 **cooperative association, to any other owner of any portion of the building which is not**
2314 **subject to the condominium or cooperative form of ownership, and to the *building***

2315 official of the local government which has jurisdiction. The inspection report must, at
2316 a minimum, meet all of the following criteria:

- 2317 (a) Bear the seal and signature, or the electronic signature, of the licensed engineer
2318 or architect who performed the inspection.
- 2319 (b) Indicate the manner and type of inspection forming the basis for the inspection
2320 report.
- 2321 (c) Identify any substantial structural deterioration, within a reasonable professional
2322 probability based on the scope of the inspection, describe the extent of such
2323 deterioration, and identify any recommended repairs for such deterioration.
- 2324 (d) State whether unsafe or dangerous conditions, as those terms are defined in the
2325 Florida Building Code, were observed.
- 2326 (e) Recommend any remedial or preventive repair for any items that are damaged
2327 but are not substantial structural deterioration.
- 2328 (f) Identify and describe any items requiring further inspection.
2329

2330 **110.9.9.** Within 45 days after receiving the applicable inspection report, the
2331 condominium or cooperative association must distribute a copy of the inspector-
2332 prepared summary of the inspection report to each condominium unit owner or
2333 cooperative unit owner, regardless of the findings or recommendations in the report,
2334 by United States mail or personal delivery at the mailing address, property address,
2335 or any other address of the owner provided to fulfill the association's notice
2336 requirements under chapter 718 or chapter 719, as applicable, and by electronic
2337 transmission to the e-mail address or facsimile number provided to fulfill the
2338 association's notice requirements to unit owners who previously consented to
2339 received notice by electronic transmission; must post a copy of the inspector-prepared
2340 summary in a conspicuous place on the condominium or cooperative property; and
2341 must publish the full report and inspector- prepared summary on the association's
2342 website, if the association is required to have a website.

2343
2344 **110.9.10.** A local enforcement agency may prescribe timelines and penalties with
2345 respect to compliance with this section.

2346
2347 **110.9.11.** A board of county commissioners or municipal governing body may adopt
2348 an ordinance requiring that a condominium or cooperative association and any other
2349 owner that is subject to this section schedule or commence repairs for substantial
2350 structural deterioration within a specified timeframe after the local enforcement agency
2351 receives a phase two inspection report; however, such repairs must be commenced
2352 within 365 days after receiving such report. If an owner of the building fails to submit
2353 proof to the local enforcement agency that repairs have been scheduled or have
2354 commenced for substantial structural deterioration identified in a phase two inspection
2355 report within the required timeframe, the local enforcement agency must review and
2356 determine if the building is unsafe for human occupancy.

2357
2358 **SECTION 111**
2359 **CERTIFICATE OF OCCUPANCY**
2360

2361 **111.1 Use and occupancy.** A building or structure shall not be used or occupied, and

2362 a change in the existing use or occupancy classification of a building or structure or
2363 portion thereof shall not be made, until the *building official* has issued a certificate of
2364 occupancy therefor as provided herein. Issuance of a certificate of occupancy shall
2365 not be construed as an approval of a violation of the provisions of this code or of other
2366 ordinances of the jurisdiction.

2367
2368 **Exception:** Certificates of occupancy are not required for work exempt from *permits*
2369 in accordance with Section 105.2.

2370
2371 **111.2 Certificate issued.** After the *building official* inspects the building or structure
2372 and does not find violations of the provisions of this code or other laws that are
2373 enforced by the department of building safety, the *building official* shall issue a
2374 certificate of occupancy that contains the following:

- 2375 1. The building *permit* number.
- 2376 2. The address of the structure.
- 2377 3. The name and address of the *owner* or the *owner's* authorized agent.
- 2378 4. A description of that portion of the structure for which the certificate is issued.
- 2379 5. A statement that the described portion of the structure has been inspected for
2380 compliance with the requirements of this code for the occupancy and division
2381 of occupancy and the use for which the proposed occupancy is classified.
- 2382 6. For buildings and structures in *flood hazard areas*, a statement that
2383 documentation of the as-built lowest floor elevation has been provided and is
2384 retained in the records of the *building official*.
- 2385 7. The name of the *building official*.
- 2386 8. The edition of the code under which the *permit* was issued.
- 2387 9. The use and occupancy, in accordance with the provisions of Chapter 3.
- 2388 10. The type of construction as defined in Chapter 6.
- 2389 11. The design *occupant load*.
- 2390 12. If an *automatic sprinkler system* is provided, whether the sprinkler system is
2391 required.
- 2392 13. Any special stipulations and conditions of the building *permit*.

2393
2394 **111.3 Temporary occupancy.** The *building official* is authorized to issue a temporary
2395 certificate of occupancy before the completion of the entire work covered by the
2396 *permit*, provided that such portion or portions shall be occupied safely. The *building*
2397 *official* shall set a time period during which the temporary certificate of occupancy is
2398 valid.

2399
2400 **111.4 Revocation.** The *building official* is authorized to, in writing, suspend or revoke
2401 a certificate of occupancy or completion issued under the provisions of this code
2402 wherever the certificate is issued in error, or on the basis of incorrect information
2403 supplied, or where it is determined that the building or structure or portion thereof is in
2404 violation of any ordinance or regulation or any of the provisions of this code.

2405
2406 **111.5 Certificate of completion.** A certificate of completion is proof that a structure
2407 or system is complete and for certain types of *permits* is released for use and may be
2408 connected to a utility system. This certificate does not grant authority to occupy a
2409 building, such as shell building, prior to the issuance of a certificate of occupancy.

2410

2411 **SECTION 112**
2412 **SERVICE UTILITIES**
2413

2414 **112.1 Connection of service utilities.** A person shall not make connections from a
2415 utility, source of energy, fuel or power to any building or system that is regulated by
2416 this code for which a permit is required, until released by the building official.
2417

2418 **112.2 Temporary connection.** The *building official* shall have the authority to
2419 authorize the temporary connection of the building or system to the utility, source of
2420 energy, fuel or power.
2421

2422 **112.3 Authority to disconnect service utilities.** The *building official* shall have the
2423 authority to authorize disconnection of utility service to the building, structure or
2424 system regulated by this code and the referenced codes and standards set forth in
2425 Section 101.4 in case of emergency where necessary to eliminate an immediate
2426 hazard to life or property or where such utility connection has been made without the
2427 approval required by Section 112.1 or 112.2. The building official shall notify the
2428 serving utility, and wherever possible the owner and occupant of the building, structure
2429 or service system of the decision to disconnect prior to taking such action. If not
2430 notified prior to disconnecting, the owner or occupant of the building, structure or
2431 service system shall be notified in writing, as soon as practical thereafter.
2432

2433 **SECTION 113**
2434 **BOARD OF APPEALS**
2435

2436 **CROSS REFERENCE - CONSTRUCTION BOARD OF ADJUSTMENT AND**
2437 **APPEALS, Chapter 6 Article II**
2438

2439 **SECTION 114**
2440 **VIOLATIONS**
2441 **RESERVED**
2442

2443 **SECTION 115**
2444 **STOP WORK ORDER**
2445

2446 **115.1 Authority.** Where the *building official* finds any work regulated by this code
2447 being performed in a manner either contrary to the provisions of this code or
2448 dangerous or unsafe, the building official is authorized to issue a stop work order.
2449

2450 **115.2 Issuance.** The stop work order shall be in writing and shall be given to the
2451 owner of the property involved, the owner's authorized agent or the person performing
2452 the work. Upon issuance of a stop work order, the cited work shall immediately cease.
2453 The stop work order shall state the reason for the order and the conditions under which
2454 the cited work will be permitted to resume.
2455

2456 **115.3 Unlawful continuance.** Any person who shall continue any work after having
2457 been served with a stop work order, except such work as that person is directed to
2458 perform, shall be liable for a civil penalty of not less than \$500 and not more than \$1,000
2459 per day for each day that such work is continued.

2460 perform to remove a violation or unsafe condition, shall be subject to penalties as
2461 prescribed by law.

2462
2463
2464 **SECTION 116**
2465 **UNSAFE STRUCTURES AND EQUIPMENT**
2466

2467 **116.1 Conditions.** Structures or existing equipment that are or hereafter become
2468 unsafe, insanitary or deficient because of inadequate *means of egress* facilities,
2469 inadequate light and ventilation, or which constitute a fire hazard, or are otherwise
2470 dangerous to human life or the public welfare, or that involve illegal or improper
2471 occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe
2472 structures shall be taken down and removed or made safe, as the *building official*
2473 deems necessary and as provided for in this section. A vacant structure that is not
2474 secured against entry shall be deemed unsafe.

2475
2476 **116.2 Record.** The *building official* shall cause a report to be filed on an unsafe
2477 condition. The report shall state the occupancy of the structure and the nature of the
2478 unsafe condition.

2479
2480 **116.3 Notice.** If an unsafe condition is found, the *building official* shall serve on the
2481 owner, agent or person in control of the structure, a written notice that describes the
2482 condition deemed unsafe and specifies the required repairs or improvements to be
2483 made to abate the unsafe condition, or that requires the unsafe structure to be
2484 demolished within a stipulated time. Such notice shall require the person thus notified
2485 to declare immediately to the *building official* acceptance or rejection of the terms of
2486 the order.

2487
2488 **116.4 Method of service.** Such notice shall be deemed properly served if a copy
2489 thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail
2490 addressed to the owner at the last known address with the return receipt requested;
2491 or (c) delivered in any other manner as prescribed by local law. If the certified or
2492 registered letter is returned showing that the letter was not delivered, a copy thereof
2493 shall be posted in a conspicuous place in or about the structure affected by such
2494 notice. Service of such notice in the foregoing manner upon the owner's agent or upon
2495 the person responsible for the structure shall constitute service of notice upon the
2496 owner.

2497
2498 **116.5 Restoration.** Where the structure or equipment determined to be unsafe by the
2499 *building official* is restored to a safe condition, to the extent that repairs, *alterations* or
2500 *additions* are made or a change of occupancy occurs during the restoration of the
2501 structure, such *repairs, alterations, additions* and change of occupancy shall comply
2502 with the requirements of Section 105.2.2 and the *Florida Building Code, Existing*
2503 *Building*.

2504
2505 **SECTION 117**
2506 **VARIANCES IN FLOOD HAZARD AREAS**
2507

2508 **117.1 Flood hazard areas.** Pursuant to Section 553.73(5), *Florida Statutes*, the
2509 variance procedures adopted in the local flood plain management ordinance shall
2510 apply to requests submitted to the *building official* for variances to the provisions of
2511 Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of
2512 Section R322 of the *Florida Building Code, Residential*. This section shall not apply
2513 to Section 3109 of the *Florida Building Code, Building*.

2514 **SECTION 118** 2515 **ADDITIONAL REQUIREMENTS**

2516 **118.1 Additional Electrical Requirements**

2517
2518
2519
2520 **118.1.8 Hard wired:** When building permits are required, then water heaters and air
2521 handlers shall be hard wired to an approved electrical disconnect device.

2522 **118.1.9 Protection during construction:**

2523 **118.1.9.1** Interior electrical work shall not start prior to the structure being dried-in.
2524 Both components and fasteners shall be protected against the elements.

2525 **118.1.9.2** Any components that are rusted or corroded shall be replaced.

2526 **118.1.9.3** Holes around boxes or holes made to accommodate pipes or wires shall
2527 be sealed with an approved filler.

2528 2529 **118.2 Additional site requirements.**

2530 All areas that are disturbed by construction activity shall be re-graded and
2531 satisfactorily ground covered prior to the final inspection. No final inspections or work
2532 complete inspections will pass inspection until the site is completely cleaned up and
2533 all work has been completed.

2534 **118.2.1** All new houses shall be built and graded to convey storm water to areas
2535 within their own property that will not negatively impact neighboring properties.

2536 **118.2.2** There shall be a 3 foot setback from the back side of the seawall for
2537 concrete decks. Concrete decks shall not be constructed in this setback to
2538 accommodate the function and maintenance of the French Drain. Walkways to
2539 access docks and boat lifts shall be allowed at a rate of one four foot wide walkway
2540 for every 50' of seawall, or two per lot, whichever is greater. Other coverings shall
2541 be removable for maintenance and shall not impede the function of the French
2542 Drain.

2543 2544 **118.3 Additional plumbing requirements.**

2545 Waste pipes that are located below structures that are located on lots that require
2546 pilings shall be a minimum of schedule 40 PVC, and supported by hangers at 6'-0"
2547 4'0" intervals and at each riser as it passes through the above floor.

2548 2549 **118.4 Additional mechanical requirements.**

2550 During the replacement of Mechanical Equipment, every effort should be made to
2551 accommodate the clearances needed to provide the required open air space around
2552 new equipment. These clearances are set forth by the manufacturer to maximize the
2553 energy efficiency and overall performance of the equipment.

- 2554 1. If the equipment cannot be rearranged to provide the required clearances,
2555 the pads/platforms may have to be expanded to accommodate the new larger
2556 units, provided it is not technically infeasible to do so.
2557 2. A letter from the manufacturer shall state the minimum allowable clearances
2558 for the equipment to be installed. If these clearances cannot be achieved, the
2559 Building Official shall determine if the pad/platform needs to be expanded to
2560 accommodate any new equipment or future installations.
2561 3. If the pad/platform is located on common property and was originally
2562 constructed to accommodate small equipment with no room for expansion, and
2563 small units are not available, it shall be the responsibility of the owner of the
2564 common property, to arrange to have the pad/platform expanded at its expense,
2565 to reasonably accommodate new units. The cost of relocation of the line sets and
2566 disconnects shall be included in the installation of the new equipment.
2567

2568 **118.5 Additional building requirements.**

2569
2570 **118.5.1 Minimum slab reinforcement.**

2571 All concrete slabs supported by pilings shall be a minimum 5" thick and be reinforced
2572 by #3 rebar @ 12" o.c. or 2 layers of heavy gauge (2.4 to 2.9 minimum) Woven Wire
2573 Fabric (WWF). Ancillary slabs, such as driveways, walkways, and sidewalks may use
2574 rolled wire or fiber-mesh.
2575

2576 **118.5.2 Slabs for non-waterfront houses shall be reinforced with (2.4 to 2.9 minimum)**
2577 **(W.W.F.) A.K.A. roadmesh or rebar and meet ACI-318 standards.**
2578

2579 **118.5.3 All new waterfront houses and pools shall be pile supported. This includes**
2580 **concrete stairs and elevated air-conditioner condenser pads. Cantilevering or other**
2581 **acceptable Engineering solutions will be acceptable. Other sound Engineered**
2582 **solutions will be considered if accompanied by a geo-technical soil boring report and**
2583 **a detailed customized foundation signed and sealed by a Design Professional, the**
2584 **Design Professional will supervise the layering of replacement fill and certify the**
2585 **foundation has been constructed as intended and meets the requirements of his/her**
2586 **design.**
2587

2588 **118.5.4 Additions and concrete slabs that depend on edge support, where the load**
2589 **path does not return to the foundation, dowels shall be spaced not greater than 18"**
2590 **on center and secured by epoxy into solid masonry or tied to the existing structure by**
2591 **concrete filling voids in the block or other methods that will support the new slab.**
2592

2593 **118.5.5 Corner bars shall be required on top and bottom bars located on the outside**
2594 **of each corner and shall be a minimum of 40 bar diameters.**
2595

2596 **118.5.6 No permanent structures shall be constructed within 15 (fifteen) feet of the**
2597 **seawall. However, in rare cases structures could be built within the 15 feet if a new**
2598 **seawall is constructed with a deadman system that does not require the deadmen to**
2599 **be located under the structure or undermine the foundation in any way.**

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118.5.7 Structures located in flood hazard areas (Zone A) other than coastal high hazard areas and Coastal A Zones

Structures located in a flood hazard area (Zone A) other than a coastal high hazard area and Coastal A Zone where BFE is greater than one (1) foot above natural grade of the site or the lowest adjacent grade of an exterior wall, will require the top of spread footings or the top of grade beam with a maximum elevation of 6 Feet NAVD.

118.5.8 Finished floor and lowest floor.

On parcels where unusual topographic conditions exist and the above standards conditions cannot be reasonably applied, the Building Official will consider requests to decrease the finished-floor elevation. All requests will require an analysis by a Florida registered professional engineer of the 25-year, three (3) day storm event and the 100 year, three (3) day storm event, using zero discharge for the entire drainage basin in which the proposed structure is located. Reductions may be allowed on the basis of the analysis, but in no case shall the lowest floor elevation of buildings in special flood hazard areas be lower than required by the Florida Building Code, as modified by Marco Island.

118.5.9 Lot pre-inspection for new Single Family and Seawall permits.

Pre-inspection of the lot(s) is required, prior to the issuance of any permit, for any new Construction project, major addition project, seawall replacement, or seawall maintenance project. The inspection will verify the current condition of the adjoining properties. It will proactively identify and storm-water drainage issues. Findings will be submitted to the permit applicant as a review comment or as a condition of the permit, at the Building Official's discretion.

118.5.10 Prohibited Materials. Materials that have the potential to become wind driven missiles shall be prohibited. Example: Aggregate such as that found on tar and gravel roofs, or gravel used as ballast on roofs. This includes roofing, re-roofing and any material that is likely to be misplaced and propelled by strong winds.

118.6 Additional requirements - General.

118.6.1 Weathered materials.

118.6.1.1 Materials shall be protected against the weather and insects prior to and during construction. Materials that could be damaged shall be protected from the time they are delivered until completion of the final inspection. Materials that have been adversely affected by the elements shall be replaced.

118.6.1.2 Trusses must be elevated off the ground and be erected within twenty-five (25) days of delivery. Trusses of questionable integrity shall be replaced.

NOTE: Every effort should be made to protect the end product from the adverse effects of water. Plywood buckling, delaminating, and excessive microbiological growth (fungus) can be prevented without extraordinary effort. Coordinating truss deliveries, house wrap, window installation, and dry-in procedures will greatly reduce premature weathering.

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118.6.2 Restricted hours on certain activities.

Pile driving and demolition activities are only allowed between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday. No pile driving or demolition activities may take place on Sundays or City observed holidays.

Section 3. Codification.

It is the intention of the City Council, and it is hereby ordained, that the amendments to the City of Marco Island Code of Ordinances made by this Ordinance shall constitute a new Section 6-111 of the City of Marco Island Code of Ordinances, and that the sections of this Ordinance may be renumbered and re-lettered as necessary, and that the word "Ordinance" may be changed to "Section", "Article" or other appropriate word.

Section 4. Conflicts.

All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby superseded and resolved to the extent of any conflict in favor of the provisions of this Ordinance.

Section 5. Severability.

If any term, section, clause, sentence or phrase of this Ordinance is for any reason held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the other or remaining terms, sections, clauses, sentences or phrases portions of this Ordinance, and this Ordinance shall be read and applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence or section did not exist.

Section 6. Effective Date.

This Ordinance shall become effective _____, 2024.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this _____ day of _____, 2024.

ATTEST:

CITY OF MARCO ISLAND, FLORIDA

Joan Taylor, City Clerk

By: _____
Jared Grifoni, Chairman

Approved as to form and legal sufficiency:

Alan L. Gabriel, City Attorney