

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, RELATING TO BUILDINGS; REPEALING AND REPLACING CH. 150, BUILDING REGULATIONS, ART. I, ADMINISTRATION, TO INCORPORATE THE MOST CURRENT EDITION OF THE FLORIDA BUILDING CODE WITH CERTAIN ADMINISTRATIVE AMENDMENTS; PROVIDING FOR GENERAL REGULATIONS APPLICABLE TO ALL CONSTRUCTION; PROVIDING FOR THE DUTIES AND POWERS OF THE BUILDING DEPARTMENT AND BUILDING OFFICIAL; PROVIDING FOR REGULATIONS REGARDING PERMITS, FLOOR AND ROOF DESIGN LOADS, SUBMITTAL DOCUMENTS, AND TEMPORARY STRUCTURES; SETTING FORTH AN AMENDED FEE SCHEDULE; PROVIDING FOR REGULATIONS REGARDING INSPECTIONS, CERTIFICATES OF OCCUPANCY, AND SERVICE UTILITIES; ESTABLISHING A CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR VIOLATIONS AND STOP WORK ORDERS; SETTING FORTH PROCEDURES FOR DECLARING STRUCTURES OR EXISTING EQUIPMENT UNSAFE AND FOR REMOVAL, DEMOLITION OR REPAIR OF SAME; PROVIDING FOR VARIANCES IN FLOOD HAZARD AREAS; REPEALING ART. V, MISCELLANEOUS; AMENDING ART. VII, FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Building Code Act of 1998 directed the Florida Building Commission to establish a statewide uniform building code known as the Florida Building Code;

WHEREAS, the 7th Edition Florida Building Code will be in effect throughout the State of Florida as of January 1, 2021;

WHEREAS, the enforcement of the Florida Building Code is the responsibility of local governments;

WHEREAS, the City of Port St. Lucie, Florida (“City”) actively participates in the enforcement of building construction regulations for the benefit of the public safety of its citizens;

WHEREAS, to facilitate the enforcement of the Florida Building Code, the City Council enacted Title XV, Land Usage, Chapter 150, Building Regulations, of the City’s Code of Ordinances which applies to the construction, alteration, movement, enlargement, replacement,

repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures;

WHEREAS, the City Council finds amendments to the building regulations are necessary to update the administrative provisions of the City Building Code to reflect the most current provisions of the 7th edition (2020) of the Florida Building Code;

WHEREAS, in addition to updating the provisions of the Code, the City Council desires to adopt administrative amendments to the Florida Building Code pursuant to Chapter 553, Florida Statutes, which allows local governments to adopt and enact local administrative amendments to the Florida Building Code that are more stringent than the minimum standards described therein, so long as such amendments are transmitted to the Florida Building Commission within 30 days after enactment and are made available to the general public in a useable format; and

WHEREAS, the City Council has determined that the amendments to the Code are in the best interest of the health, safety and general welfare of the residents of the City of Port St. Lucie and the general public.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Article I, Administration, of Chapter 150, Building Regulations, of Title XV, Land Usage, is repealed and a new Article I is substituted to read as follows:

CHAPTER 150. - BUILDING REGULATIONS

ARTICLE I. – ADMINISTRATION.

Sec. 150.001. - Florida Building Code; administrative amendments. The following administrative amendments to the Florida Building Code, 7th Edition (2020), are hereby adopted as follows:

CHAPTER 1. SCOPE AND ADMINISTRATION

SECTION 101 **GENERAL**

101.1 Title. These regulations shall be known as the Florida Building Code hereinafter referred to as "this code."

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

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with the Florida Building Code, Residential.
2. Code requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Not covered. Florida Building Code, Residential Construction standards or practices which are not covered by the Florida Building Code, Residential Volume shall be in accordance with the provisions of the Florida Building Code, Building.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.11 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

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

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

101.4.3 Plumbing. The provisions of the Florida Building Code, Plumbing shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment,

appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.4 Property maintenance. The provisions of Chapter 41 of the city Code of Ordinances shall govern property maintenance except as otherwise regulated by this code.

101.4.5 Fire prevention. For provisions related to fire prevention, refer to the Florida Fire Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

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

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

101.4.8 Accessibility. For provisions related to accessibility, refer to the Florida Building Code, Accessibility.

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see Section 58, Florida Building Code, Building, and Rule 61-41, Florida Administrative Code.

101.4.10 Electrical. The provisions of Chapter 27 of the Florida Building Code, Building Volume, and Part VIII – Electrical, of the Florida Building Code, Residential Volume, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.11 Flood Damage Prevention. Chapter 152 of the city Code of Ordinances shall be considered part of the requirements of this code relative to flood control. Conflicting requirements between the Florida Building Code and chapter 152 of the city Code of Ordinances shall be resolved in favor of the requirement that offers the greatest degree of flood damage prevention or alternatives that would provide an equivalent degree of flood damage prevention and an equivalent method of construction.

101.5 Building Official. Whenever “building official” is mentioned in this code, it is also intended to mean the building official’s designee.

101.6 Department. Whenever “department” is mentioned in this code, it is intended to mean the City Building Department.

SECTION 102 **APPLICABILITY**

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

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

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

- (a) Buildings and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Section 553.501—553.513, Florida Statutes) relating to accessibility by persons with disabilities apply to such mobile or modular structures.
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.

- (g) Temporary sets, assemblies or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less are not required to comply with the mandatory wind-borne-debris-impact standards of the Florida Building Code. In addition, such buildings that are 400 square feet or less and that are intended for use in conjunction with one- and two-family residences are not subject to the door height and width requirements of the Florida Building Code.
- (i) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (j) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (k) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (l) A building or structure having less than 1,000 square feet (93 m²) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:
1. Is not rented or leased or used as a principal residence;
 2. Is not located within the 100-year floodplain according to the Federal Emergency Management Agency’s current Flood Insurance Rate Map; and
 3. Is not connected to an off-site electric power or water supply.
- (m) Service providers of water, sewer, storm, gas, cable, telephone, or other similar utility systems are exempt to the point of service connection for the building or structure. Additional telecommunication exemptions may be found in Section 489.503(14), Florida Statutes.

However, these exempt structures may be subject to local zoning and/or land development regulations.

102.2.1 In addition to the requirements of Sections 553.79 and 553.80, Florida Statutes, facilities subject to the provisions of Chapter 395, Florida Statutes, and Part II of Chapter 400, Florida Statutes, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, Florida Statutes, and Part

II of Chapter 400, Florida Statutes, and the certification requirements of the federal government.

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

1. The building or structure is structurally sound and in occupiable condition for its intended use;
2. The occupancy use classification for the building or structure is not changed as a result of the move;
3. The building is not substantially remodeled;
4. Current fire code requirements for ingress and egress are met;
5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the Florida Building Code, Building for all residential buildings or structures of the same occupancy class.
7. The requirements of Florida Building Code, Existing Building Volume, are also satisfied.

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

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

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

1. At its own option, each enforcement district or local enforcement agency may promulgate rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

- (a) Addition, alteration or repair performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet (93 m²) or the square footage of the primary structure, whichever is less.
 - (b) Addition, alteration or repairs by a nonowner within a specific cost limitation set by rule, provided the total cost shall not exceed \$5,000 within any 12-month period.
 - (c) Building and inspection fees.
2. However, the exemptions under subparagraph 1 do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.
 3. Each code exemption, as defined in sub-subparagraphs 1a, 1b, and 1c, shall be certified to the local board 10 days prior to implementation and shall only be effective only in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.
 4. Each enforcement district or local enforcement agency may establish an alternative permitting program for replacing nonstructural components of building systems in a residential dwelling unit. A licensed contractor performing such work for the resident shall also be exempt from individual permits and inspections if either the owner or the licensed contractor obtains a valid Annual Permit per Section 105.1.1 of this code and all such work is reported as required in Section 105.1.2 of this code for compliance evaluation. No added capacity, system expansion or new building work of any type shall be excluded from individual permit and inspection by this provision.

102.2.6 This section does not apply to traditional swings and other standard playground equipment accessory to a one- or two-family dwelling, as determined by the building official. Exempt structures covered under this section may still be subject to zoning permits.

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code or Part VIII, Electrical, of the Florida Building Code, Residential Volume.

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

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

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

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

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

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code.

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

102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the Florida Building Code, Existing Building Volume; Florida Fire Prevention Code; the city's Property Maintenance Code; the codes referenced in Section 101.4 of this code; or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

- (1) Relocation of an existing manufactured building does not constitute an alteration.**
- (2) A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the Florida Building Code (after March 1, 2002), the wind speed map of the Florida Building Code shall be applicable.**
- (3) A relocated building shall comply with the flood hazard area requirements of the new location, if applicable.**

102.8 Existing mechanical equipment. An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the Florida Building Code except during reroofing when the equipment

is being replaced or moved during reroofing and is not in compliance with the provisions of the Florida Building Code relating to roof-mounted mechanical units.

SECTION 103 **BUILDING DEPARTMENT**

103.1 Creation of enforcement agency. The Building Department is hereby created and the official in charge thereof shall be known as the building official. All building code officials employed by the department shall be certified in accordance with Chapter 468, Florida Statutes.

103.2 Appointment. The building official shall be appointed by the city manager. The building official may appoint such assistant building officials or deputy building officials as necessary to carry out the provisions of this code.

103.3 Restrictions on employees. An employee employed by or connected with the department shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he/she is the owner of such. An employee shall not engage in any other work which is inconsistent with his/her duties, or conflicts with the interests of the department, or which violates Section 112.313(7), Florida Statutes.

SECTION 104 **DUTIES AND POWERS OF THE BUILDING OFFICIAL**

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

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

104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine if the proposed work constitutes substantial improvement or repair of substantial damage. Where the building official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of Sections 1612 or R322 of this code, and Chapter 152 of the city's Code of Ordinances.

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

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

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

104.6 Right of entry.

104.6.1 Where it is necessary to make an inspection to enforce any of the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon any premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous, or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure, or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedy provided by law to secure entry.

104.6.2. When the building official obtains a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or other persons having charge, care, or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and entry pursuant to this code.

104.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Liability. Any officer or employee, or member of the board of adjustments and appeals, charged with the enforcement of this code, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties.

104.8.1 Legal defense. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provisions of this code shall be defended by

legal representatives of the jurisdiction until the final termination of the proceedings, unless such person is found to have acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

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

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

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

104.10.1 Flood hazard areas. Modifications in flood hazard areas may only be granted by the building official, pursuant to chapter 152 of the city's Code of Ordinances and the Florida Building Code.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, level of sanitation and safety. The building official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternative. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing stating the reason why the alternative was not approved.

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

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the

building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

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

SECTION 105 **PERMITS**

105.1 Required. Any owner or owner's authorized agent in accordance with Chapter 489, Florida Statutes, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy or use of a building, tenancy or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, fire protection system, accessible element, flood resistant element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.1 Annual facility permit. In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the building official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The building official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

105.1.2 Annual facility permit records. The person to whom an annual facility permit is issued shall keep a detailed record of alterations made under such annual facility permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated. The building official is authorized to revoke such permit and deny future permits, if code violations are found to exist.

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

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application

upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code. As determined by the building official, permits shall not be required for the following:

Electrical:

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installations of towers and antennas, except as exempted by Chapter 489.503(14), Florida Statutes.

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 which 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 (746 W) 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.
3. The replacement of common household plumbing fixtures to existing supply lines and outlets in one- and two-family dwellings. This does not include water heaters, bathtubs, and showers.

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 business day to the building official. Notification shall be given to the building official, including the work address, nature of emergency, and scope of work immediately, or by the next business day.

105.2.2 Minor repairs. Ordinary minor repairs may be made with the approval of the building official without a permit, provided the repairs shall 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. Reserved.

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 purpose.

Permit application forms shall be in the format prescribed by the building official, if applicable, and must comply with the requirements of Section 713.135(5) and (6), Florida Statutes.

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

Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the building department. Accepted methods of electronic submission include, but are not limited

to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the permit application may be submitted in person in a non-electronic format, at the discretion of the building official.

105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the building official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility. If permit fees are not paid in full within 30 days of a complete plans review, the application shall be null and void.

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

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

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.00.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by Chapter 633, Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.
3. Heating, ventilation and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is

designed to accommodate 100 or more persons or for which the system costs more than \$125,000.00. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-, two-, three-, or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, Florida Statutes, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000.00 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

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

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single 3-ton package air conditioning heat pump. The six heat pumps are connected to a single water-cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000.00 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system.

NOTE: It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000.00 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.00.
5. Electrical documents. See Section 471.003(2)(h), Florida Statutes. Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. The system requires an electrical system with a value of over \$125,000; and requires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system;

NOTE: It was further clarified by the Commission that the limiting factor of 240 volt or over is required to be designed by an Engineer.

Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, Florida Statutes.

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

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned, becoming null and void, if required application fees are not paid within 10 working days of filing, or after 180 days of inactivity, abandonment, or failure to respond to requested corrections during the application process after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing prior to the abandonment date, with justifiable cause demonstrated. Abandoned applications shall be subject to destruction in accordance with state law. The fee for extension of a permit application shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit application extensions.

105.3.3. An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, such as the requirement for Homeowners Association or Property Owners Association approval, and there may be additional permits required from other governmental entities such as water management districts, state agencies or federal agencies."

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

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

105.3.6 Asbestos removal contractor exemption. Refer to Section 105.9 of this code for additional requirements. A licensed asbestos removal contractor is not required when moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph and Section 489.103(7), Florida Statutes. To qualify for exemption under this paragraph, an owner must

personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

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

105.3.7 Applicable code for manufactured buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 180 days of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.3.8 Public right of way. A permit shall not be issued by the building official for the construction, alteration, or relocation of any building impacting any street, alley, public lane, or body of water unless the applicant has received a right of way permit or written authorization from the authority having jurisdiction over the right of way.

105.4 Conditions of the permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other federal, state and local laws, ordinances, codes and regulations. Permits presuming to give authority to violate or cancel the provisions of this code or of any other federal, state and local laws, ordinances, codes and regulations shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure that is in violation of this code or of any other federal, state and local laws, ordinances, codes and regulations.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within

180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

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

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

105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, or due to action by an environmental or archeological agency having jurisdiction. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated, prior to expiration.

105.4.1.4 The fee for renewal reissuance and extension of a permit shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit extensions and renewals.

105.4.1.5 Any residential building permit authorizing work that has not received a certificate of occupancy or certificate of completion within 3 years of the residential building permit's original issuance date shall be considered expired notwithstanding receipt of an approved inspection within 180 days. The building official is authorized to grant, in writing, two extensions of time, for periods not more than 90 days each. All residential building permit extension requests shall be requested in writing 20 days prior to the expiration of the residential building permit, be accompanied by a schedule of completion, and demonstrate justifiable cause. If the expired residential building permit is not extended, and a new residential building permit is not obtained in accordance with Section 105.4.1.2 herein, within 90 days of the expiration of the residential building permit, the construction shall be subject to unsafe dwelling/structure abatement proceedings pursuant to chapter 40 of the city Code of Ordinances. This remedy is in addition to, not a limitation of, any other right, power, privilege or remedy, either in law, in equity, or otherwise, to which the city may be entitled.

105.5 Additional options for closing out permits. Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the

application for the building permit, may close a building permit by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in the state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspections in order to close the permit. If a contractor other than the original listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an owner builder, in accordance with Section 489.103(7) and 489.503(6), Florida Statutes.
3. If a building permit is expired and its requirements have been substantially completed, as determined by the local enforcing agency, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcing agency received the application for the permit, unless the contractor has sought and received approval from the local enforcing agency for an alternative material, design, or method of construction.
4. A local enforcement agency may close a building permit 6 years after the issuance of the permit, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For the purpose of this section, the term “close” means that the requirements of the permit have been satisfied, or the permit has been administratively cancelled by the building official.

105.6 Denial or revocation. Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project 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 permit applicant. 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. The local enforcing agency shall provide this information to the permit applicant.

Pursuant to Section 533.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize, sanction, or assess fee against an arm’s-length purchaser of a property for value solely because a building permit applied for by a previous owner of a the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to contractor solely because the contractor is listed on other building permits that were not closed.

105.6.1 Misrepresentation of application. The building official may revoke a permit or approval, issued under the provisions of this code, when there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

105.6.2 Violation of code provisions. The building official may require correction or revoke a permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

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

105.8 Notice of commencement. As per Section 713.135, Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: **"WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."**

105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Refer to Section 105.3.6 "Asbestos removal contractor exemption" of this code for additional requirements.

105.10 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval. For a bait system, see Section 1816.1.7 of the Florida Building Code for contract document requirements.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon written request and approval of the building official, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection. This provision only applies to the Florida Building Code, all other agency approvals necessary for construction must be secured prior to this provision being applied.

105.13 Phased permit approval. After submittal of the appropriate construction documents, the building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's and owners own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes. This provision only applies to the Florida Building Code, all other agency approvals necessary for construction must be secured prior to this provision being applied.

105.14 Permit issued on basis of an affidavit. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the building official, are hazardous or complex, the building official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the building official written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his or her stead a competent person or agency whose qualifications are reviewed by the building official. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part III of Chapter 468, Florida Statutes. Nothing hereof shall preclude plan review or inspections by the building official (See also Section 107.6 of this code).

Exception: Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the Florida Building Code.

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

Exception: Single family residential structures permitted subject to the Florida Building Code are not required to comply with this section, unless constructed as a partially enclosed structure without opening protection.

105.16 Inspection of existing residential building not impacted by construction.

(a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.

(b) This subsection does not apply to a building permit sought for:

1. A substantial improvement as defined in Section 161.54, Florida Statutes, or as defined in the Florida Building Code.
2. A change of occupancy as defined in the Florida Building Code.
3. A conversion from residential to nonresidential or mixed use pursuant to Section 553.507(2)(a), Florida Statutes, or as defined in the Florida Building Code.
4. A historic building as defined in the Florida Building Code.

(c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:

1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).
3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has

- voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20-933.30, Florida Statutes.

105.17 Streamlined low-voltage alarm system installation permitting.

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

(a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the Florida Department of Business and Professional Regulation under part II of Chapter 489, Florida Statutes.

(b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, Florida Statutes, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, Current Edition, or a new or existing low-voltage electric fence, and ancillary components or equipment attached to such a system, or fence, including, but not limited to, home-automation equipment, thermostats, closed-circuit television systems, access controls, battery recharging devices and video cameras.

(c) "Low-voltage electric fence" means an alarm system, as defined in Section 489.505, Florida Statutes, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.

(d) "Wireless alarm system" means a burglar alarm system or smoke detector that is not hardwired.

(2) Notwithstanding any provision of this code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.

(3) A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further permit shall be required for the low-voltage alarm system project other than as provided in this section:

(a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.

- (b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low-voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.
- (c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.
- (d) The low-voltage electric fence shall not be installed in an area zoned exclusively for single-family or multi-family residential use.
- (e) The low-voltage electric fence shall not enclose the portions of a property which are used for residential purposes.
- (4) This section does not apply to the installation or replacement of a fire alarm, or access control system affecting required means of egress as required by Florida Building Code Chapter 10, if a plan review is required.
- (5) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, Florida Statutes. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.

 - (a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
 - (b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.
- (6) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.
- (7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.
- (8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local

enforcement agency and must comply with the requirements of Section 553.793(7), Florida Statutes.

(9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

(10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.

(11) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of Chapter 489, Florida Statutes.

SECTION 106 **FLOOR AND ROOF DESIGN LOADS**

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 of this code shall not be issued until the floor and attic load signs, required by Section 106.1 of this code, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 **SUBMITTAL DOCUMENTS**

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in 2 or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by Chapter 471, Florida Statutes, or 61G15, Florida Administrative Code, Chapter 481, Florida Statutes, and 61G1, Florida Administrative Code. Where special conditions exist, the building official is authorized to require additional construction documents

to be prepared by a registered design professional. Electronic media documents shall be submitted when required by the building official in a format acceptable to the building official and may require only 1 set of submittals.

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

If the design professional is an architect, interior designer or engineer legally registered under the laws of the State of Florida regulating the practice of architecture or interior design as provided for in Chapter 481, Florida Statutes, Part I, or landscape architecture as provided for in Chapter 481, Florida Statutes, Part II, or engineering as provided for in Chapter 471, Florida Statutes, then he or she shall affix his or her official seal to said drawings, specifications and accompanying data, as required by Florida Statutes.

107.2 Construction documents. Construction documents shall be in accordance with Sections 107.2.1 through 107.2.6 of this code.

107.2.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. Such drawings and specification shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part nor shall the term “legal” or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design. (See also Section 107.1 of this code).

107.2.1.1 Roof assemblies. For roof assemblies required by this code, the construction documents shall illustrate, describe and delineate the type of roofing system, materials, fastening requirements, flashing requirements and wind resistance rating that are required to be installed. Product evaluation and installation shall indicate compliance with the wind criteria required for the specific site or a statement by an architect or engineer certifying suitability for the specific site must be submitted with the construction documents.

107.2.1.2 Additional data. The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal, signature and date as state law requires.

107.2.1.3 Quality of building plans. Building plans shall be drawn to a minimum 1/8 inch scale. The building official may establish, through department policy, other standards for plans and specifications, including electronic format, in order to provide conformity to its electronic permit review and record retention program. This policy may include such things as minimum size, shape, contrast, clarity, or other items related to records management. Electronic media must be compatible with the archive requirements.

107.2.2 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the Florida Building Code.

107.2.3 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this code. The construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

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

107.2.6 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and

size of existing structures and construction that are to remain on the site or lot. The site plan shall include accessible parking and accessible routes as required by the Florida Building Code, Accessibility when applicable. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. Site surveys shall be included, and it shall reflect the city approved setbacks as determined by the approved and recorded plat.

Where an accessory use structure, addition or swimming pool is proposed to be constructed on a lot zoned for single family dwellings, a site survey locating existing structures on the lot is required to assure the proposed structure, addition, or swimming pool will comply with required yard setbacks. A final survey of the accessory use structure, addition, or swimming pool shall be provided to the building department to complete the close out of the permit.

107.2.6.1 Design flood elevations. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the Florida Building Code.

107.2.6.2 Surface water drainage plan. A functional surface water drainage plan for the subject premises that will effectively protect the subject premises without damage to adjacent property approved by the public works department shall be provided at the time of submittal. The public works department may provide for a standard format for the functional surface water drainage plan.

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

107.2.7 Structural information. The construction documents shall provide the information specified in Section 1603 of the Florida Building Code and include shoring details, where applicable, for new construction and alteration. Where construction includes excavation, shoring details shall include protection of the angle of repose for foundation systems of existing adjacent structures.

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

Exceptions:

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

permit application documents of record for the modular building portion of the permitted project.

2. Industrial construction on sites where design, construction and fire safety are supervised by appropriately licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to approval by the building official, from review of plans and inspections, providing the appropriately licensed design and inspection professionals certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

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

107.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

107.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. This provision only applies to the Florida Building Code; all other agency approvals necessary for construction must be secured prior to the provision being applied.

107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner or the owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Those products which are regulated by Rule 61G20, Florida Administrative Code, shall be reviewed and approved in writing by the designer of record prior to submittal for jurisdictional approval.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are submitted to the building official. The building official may specify the timing of deferred submittals.

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

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

107.3.4.2 Wind design certifications by contractors. Certifications by contractors authorized under the provisions of Section 489.115(4)(b)(2), Florida Statutes, shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, Florida Statutes, or Chapter 481, Florida Statutes, by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind-resistance provisions of the code or alternate methodologies approved by the Florida Building Commission for one- and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, Florida Statutes.

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the building official shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; and all exterior elevations:

107.3.5.1 Finished floor elevation. Finished floor elevation for buildings shall be a minimum of 24 inches above the crown of the road in front of the property, corner lots shall use the nearest intersection elevation. For buildings located in special flood hazard area, the finished floor elevation shall be in compliance with Section 1612, Florida Building Code, Building or Section 322, Florida Building Code, Residential.

Commercial Buildings:

Building:

1. Site requirements:

Parking

Fire access

Vehicle loading

Driving/turning radius

Fire hydrant/water supply/post indicator valve (PIV)

Set back/separation (assumed property lines)

Location of specific tanks, water lines and sewer lines

Flood hazard areas, flood zones, and design flood elevations

2. Occupancy group and special occupancy requirements shall be determined.

3. Minimum type of construction shall be determined (see Table 503).

4. Fire-resistant construction requirements shall include the following components:

Fire-resistant separations

Fire-resistant protection for type of construction

Protection of openings and penetrations of rated walls

Fire blocking and draft-stopping and calculated fire resistance

5. Fire suppression systems shall include:

Early warning smoke evacuation systems

Schematic fire sprinklers

Standpipes

Pre-engineered systems

Riser diagram

6. Life safety systems shall be determined and shall include the following requirements:

Occupant load and egress capacities

Early warning

Smoke control

Stair pressurization

Systems schematic

Safeguards during construction, as applicable

7. Occupancy load/egress requirements shall include:

Occupancy load

Gross
Net
Means of egress
Exit access
Exit
Exit discharge
Stairs construction/geometry and protection
Doors
Emergency lighting and exit signs
Specific occupancy requirements
Construction requirements
Horizontal exits/exit passageways

8. Structural requirements shall include:

Soil conditions/analysis
Termite protection
Design loads
Wind requirements
Building envelope (including Section 107.2.4 of this code)
Structural calculations (if required)
Foundation
Flood requirements in accordance with Section 1612 of this code, including lowest floor elevations, enclosures, flood damage-resistant materials
Wall systems
Floor systems
Roof systems
Threshold inspection plan
Stair systems

9. Materials shall be reviewed and shall at a minimum include the following:

Wood
Steel
Aluminum
Concrete
Plastic
Glass
Masonry
Gypsum board and plaster
Insulating (mechanical)
Roofing
Insulation
Building envelope portions of the energy code (including calculation and mandatory requirements)

10. Accessibility requirements shall include the following:

Site requirements
Accessible route
Vertical accessibility
Toilet and bathing facilities
Drinking fountains
Equipment
Special occupancy requirements
Fair housing requirements

11. Interior requirements shall include the following:

Interior finishes (flame spread/smoke development)
Light and ventilation
Sanitation

12. Special systems:

Elevators
Escalators
Lifts

13. Commercial Energy Code submittal

14. Swimming pools:

Barrier requirements
Spas
Wading pools

15. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical

1. Electrical:

Wiring
Services
Feeders and branch circuits
Overcurrent protection
Grounding
Wiring methods and materials
GFCIs

2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. Design flood elevation

Plumbing

1. Minimum plumbing facilities
2. Fixture requirements
3. Water supply piping
4. Sanitary drainage
5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. Design flood elevation

Mechanical

1. Energy calculations
2. Exhaust systems:
 - Clothes dryer exhaust
 - Kitchen equipment exhaust
 - Specialty exhaust systems
3. Equipment
4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. Design flood elevation

Gas

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents

5. Appliances
6. Type of gas
7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation

Demolition

1. Asbestos removal (Section 105.9 of this code)

Residential (one- and two-family):

1. Site requirements:

Set back/separation (assumed property lines)
Location of septic tanks

2. Fire-resistant construction (if required)
3. Fire protection system (if required)
4. Smoke detector locations
5. Egress:

Egress window size and location stairs construction requirements

6. Structural requirements shall include:

Wall section from foundation through roof, including assembly and materials connector tables wind requirements structural calculations (if required)

Termite protection

Design loads

Wind requirements

Building envelope (including Section 107.2 of this code)

Structural calculations (if required)

Foundation

Wall systems

Floor systems

7. Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials

8. Accessibility requirements: show/identify accessible bath

9. Impact resistant coverings or systems

10. Residential Energy Code submittal

11. Electrical:

Electric service riser with wire sizes, conduit detail and grounding detail

Complete load calculations

Panel schedules

12. Mechanical:

Equipment and location

Duct systems

13. Plumbing:

Plumbing riser

14. Gas:

Gas piping

Venting

Combustion air

Chimneys and vents

Appliances

Type of gas

Fireplaces

LP tank location

Riser diagram/shutoffs

15. Swimming Pools

Barrier requirements

Spas

Wading pools

Manufactured buildings/housing

1. Site requirements:

Setback/separation (assumed property lines)
Location of septic tanks (if applicable)

2. Structural wind zone anchoring blocking

3. Plumbing:

List potable water source and meter size (if applicable)

4. Mechanical:

Exhaust systems

Clothes dryer exhaust

Kitchen equipment exhaust

5. Electrical exterior disconnect location

Exemptions

Plans examination by the building official shall not be required for the following work:

1. Replacing existing equipment such as mechanical units, water heaters, etc.

2. Reroofs (as determined by the building official)

3. Minor electrical, plumbing and mechanical repairs

4. Annual maintenance permits

5. Prototype plans:

Except for local site adaptations, siding, foundations and/or modifications.

Except for structures that require waiver.

6. Manufactured buildings plan except for foundations and modifications of buildings on site and as listed above in manufactured building/housing.

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

107.5 Retention of construction documents. One set of approved construction documents shall be retained by the building official for a period as required by Florida Statutes.

107.6 Affidavits. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes. Nothing shall preclude plan review or inspections by the building official.

107.6.1 Building permits issued on the basis of an affidavit in special flood hazard areas. 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 of this code, shall not extend to the flood load and flood-resistance construction requirements of the Florida Building Code.

SECTION 108 **TEMPORARY STRUCTURES**

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 of this code.

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 (National Electrical Code [NEC]).

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 be removed or the use be discontinued.

SECTION 109 FEEES

109.1 Payment of fees. An application shall not be valid and shall not be reviewed until the applicable fees have been paid. A permit shall not be valid or released until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority and located in Section 109.7 of this code.

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. For permitting purposes, permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as structural, electrical, gas, mechanical, plumbing equipment, interior finish, related site work, architectural and design fees, marketing costs, overhead, and profit, excluding only land value. Valuation references may include the latest published data of national construction cost analysis services, such as Marshall-Swift, Means, etc., or as published by the International Code Council. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed quantity estimates, or bona fide signed contracts, acceptable to the building official. Final building permit valuation shall be set by the building official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the building official, as permitted in Section 105.2.2 or 105.12 of this code shall be subject to a penalty fee established by the building official that shall be in addition to the required permit fees as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger as determined by the building official. But in all cases the required permit(s) must be applied for within the next business day and any unreasonable delay in obtaining those permit(s) shall result in the charge of a penalty fee. The payment of a penalty fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

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

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

109.7 Schedule of permit fees.

109.7.1. Residential fees for new single-family dwellings, additions to single-family dwellings and accessory use structures erected on building lots zoned for single-family dwellings.

(a) General.

- (1) The permit fees for new-construction single family residences are established based on the latest Building Valuation Data compiled by the International Code Council ("ICC"). Building Valuation Data is published in the Building Safety Journal bi-annually.
- (2) The permit fee is the total of all fees for the applicable categories. Statutory surcharge fees are added to all permits as set forth below. The calculated single-family permit fee includes all sub-contractor fees except for gas.
- (3) Fees are assessed based on 1 initial plan review and 1 inspection for every required inspection. An additional fee of \$75.00 will be assessed for any additional inspection and any additional plans review.
- (4) Statutory surcharge fees are added to all permits.
- (5) Fees other than those specifically stated in this section shall be as determined by the building official based on department costs.

(b) Residential permit fees.

(1) New construction.

Residential permit fees =	(ICC valuation per square foot) x (square foot) x (0.005)
---------------------------	---

- (2) An additional plan review fee of 11% of the standard building permit fee shall be assessed for each permit submittal, not deemed an express permit, to be paid in full at the time of submittal.
- (3) The submittal fee for the initial master express permits shall be \$200.00 per model type.
- (4) The plan review fee for each subsequent site-specific, express single-family permits shall be \$50.00.
- (5) **Additions to living areas.** The fee for additions to living areas of single-family dwellings shall be based on the following table. An additional \$75.00 will be charged for each sub-permit.

<u>Square Footage</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
-----------------------	-------------------	--------------------------

<u>200 sq ft or less</u>	<u>\$250.00</u>	<u>\$235.00</u>
<u>201 sq ft – 400 sq ft</u>	<u>\$350.00</u>	<u>\$335.00</u>
<u>401 sq ft – 600 sq ft</u>	<u>\$400.00</u>	<u>\$385.00</u>
<u>601 sq ft – 800 sq ft</u>	<u>\$450.00</u>	<u>\$435.00</u>
<u>801 sq ft or greater</u>	<u>\$650.00</u>	<u>\$635.00</u>

(6) Additions to non-living areas.

<u>Type of Permit</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>Aluminum pan or poly roof enclosures</u>	<u>\$150.00</u>	<u>\$135.00</u>
<u>Attached new (carport, porch, storage, workshop):</u>		
<u>Area less than 150 sq ft</u>	<u>\$125.00</u>	<u>\$110.00</u>
<u>Area more than 151 sq ft</u>	<u>\$175.00</u>	<u>\$160.00</u>
<u>Enclose existing porch, carport or garage</u>	<u>\$200.00</u>	<u>\$185.00</u>
<u>Garage:</u>		
<u>One car</u>	<u>\$200.00</u>	<u>\$185.00</u>
<u>Two car</u>	<u>\$350.00</u>	<u>\$335.00</u>
<u>Three car</u>	<u>\$450.00</u>	<u>\$435.00</u>
<u>Glass room</u>	<u>\$225.00</u>	<u>\$210.00</u>
<u>Screen roof enclosures</u>	<u>\$200.00</u>	<u>\$185.00</u>
<u>Unattached accessory structure:</u>		
<u>Prefabricated engineered</u>	<u>\$65.00</u>	<u>\$55.00</u>
<u>Site built</u>	<u>\$150.00</u>	<u>\$135.00</u>

(7) Miscellaneous permit fees.

<u>Type of Permit</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>A/C new, changeout or duct</u>	<u>\$86.00</u>	<u>\$72.00</u>
<u>Appeal to the board of adjustments and appeals</u>	<u>\$500.00</u>	<u>N/A</u>
<u>Change of contractor and/or owner application</u>	<u>\$75.00</u>	<u>N/A</u>
<u>Child safety barrier:</u>		
<u>Existing pool</u>	<u>\$100.00</u>	<u>\$86.00</u>
<u>New pool construction</u>	<u>\$35.00</u>	<u>N/A</u>
<u>Concrete slab (not foundation)</u>	<u>\$75.00</u>	<u>\$61.00</u>
<u>Demolition:</u>		
<u>Structural</u>	<u>\$75.00</u>	<u>N/A</u>
<u>Non-structural</u>	<u>\$150.00</u>	<u>N/A</u>
<u>Single-family residence</u>	<u>\$300.00</u>	<u>N/A</u>
<u>Docks</u>	<u>\$225 plus</u> <u>\$32.00 per boat</u> <u>slip</u>	<u>N/A</u> <u>N/A</u>
<u>Electric:</u>		
<u>Lawn irrigation</u>	<u>\$75.00</u>	<u>\$61.00</u>

<u>Pool deck</u>	<u>\$75.00</u>	<u>N/A</u>
<u>Pool remodel</u>	<u>\$150.00, plus sub-permit fees</u>	<u>\$145.00, plus sub-permit fees</u>
<u>Pool enclosure</u>	<u>\$200.00</u>	<u>\$185.00</u>
<u>Renovations</u>	<u>\$150.00, plus sub-permit fees</u>	<u>N/A</u>
<u>Roof:</u>		
<u>Roof repair up to 100 sq ft (excluding tile)</u>	<u>\$100.00</u>	<u>\$86.00</u>
<u>Re-roof, shingle</u>	<u>\$200.00</u>	<u>\$185.00</u>
<u>Re-roof, metal or tile</u>	<u>\$275.00</u>	<u>\$260.00</u>
<u>Flat roof</u>	<u>\$100.00</u>	<u>\$86.00</u>
<u>Seawalls, retention walls, bulkheads</u>	<u>\$100.00/100 LF, plus \$5.00/ additional ft</u>	<u>N/A</u>
<u>Shed:</u>		
<u>Prefabricated</u>	<u>\$65.00</u>	<u>N/A</u>
<u>Site-built (excluding slab)</u>	<u>\$150.00</u>	<u>\$135.00</u>
<u>Shutters</u>	<u>\$100.00</u>	<u>\$86.00</u>
<u>Siding (wire lath, stucco, other)</u>	<u>\$100.00</u>	<u>\$86.00</u>
<u>Skylights, add or replace</u>	<u>\$100.00 for first, \$25.00 each additional</u>	<u>\$86.00 for first, \$25.00 each additional</u>
<u>Solar:</u>		
<u>Solar electric systems</u>		
<u>1kW – 2.9kW</u>	<u>\$150.00</u>	<u>N/A</u>
<u>3kW – 4.9kW</u>	<u>\$250.00</u>	<u>N/A</u>
<u>5kW or greater</u>	<u>\$350.00</u>	<u>N/A</u>
<u>Solar heat (pools)</u>	<u>\$100.00</u>	<u>N/A</u>
<u>Solar water heater</u>	<u>\$175.00</u>	<u>N/A</u>
<u>Solar photovoltaic systems</u>	<u>\$40.00/kW of system capacity</u>	<u>N/A</u>
<u>Tiki and/or chickee huts</u>	<u>\$200.00</u>	<u>N/A</u>
<u>Windows/exterior door replacement</u>	<u>\$75.00 for first, plus \$5.00 each additional</u>	<u>\$61.00 for first, plus \$5.00 each additional</u>

(c) **Statutory fees.** The surcharge fees listed at the rates set forth in the table below shall be assessed pursuant to Sections 553.721 and 468.631, Florida Statutes.

<u>Department of Business and Professional Regulation surcharge per Section 553.721, Florida Statutes</u>	<u>1% of total permit fees with \$2.00 minimum</u>
---	--

Building Code Administrators and Inspectors Board surcharge per Section 468.631, Florida Statutes	1.5% of total permit fees with \$2.00 minimum
---	---

109.7.2. Permit fees for commercial and non-residential.

(a) General.

- (1) The permit fees are assessed per the following categories: flood, building, mechanical, plumbing, electrical, gas, and miscellaneous. The permit fee is the total of all applicable categories. Statutory surcharge fees are added to all permits as set forth below.
- (2) Fees are assessed based on 1 initial plan review and 1 inspection for every required inspection. An additional fee of \$100.00 will be assessed for any additional inspection and any additional plans review.
- (3) At the time of submittal, a minimum of \$500.00 will be collected for all new commercial construction, to be credited towards the plans review fees.
- (4) The costs per square foot are adopted only to calculate the permit fee. They are not intended to reflect estimated or actual costs of the structure which may vary according to design, labor and material costs, and other economic values at the time of application for permit.
- (5) Valuation and permit fees for multiple dwelling units shall be based upon the total square footage of all floors of the entire building. A separate permit is required for every building.
- (6) Fees other than those specifically stated in this section shall be as determined by the building official based on department costs.

(b) Building fees. The minimum building valuations are computed on relative costs per square foot based on the most recent building valuation data compiled by the International Code Council “ICC”, published in the Building Safety Journal, and including the appropriate modifier as determined by the building official. The minimum building fee is \$150.00.

<u>Valuation</u>	<u>.01 to 100K</u>	<u>100.01K to 500K</u>	<u>500.01K to 1M</u>	<u>1.01M to 10M</u>	<u>Over 10M</u>
<u>New construction fee rate (multiplier)</u>	<u>1.10%</u>	<u>0.90%</u>	<u>0.80%</u>	<u>0.70%</u>	<u>0.65%</u>
<u>Alteration/remodel</u>	<u>1.59%</u>				
<u>Building fees</u>	<u>(ICC valuation per square footage) x (square footage) x (multiplier from above)</u>				

(c) Mechanical fees. Mechanical fees will be the total of all categories indicated in the table below. The mechanical fees shall be a minimum of \$150.00.

<u>Type of Permit</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>Commercial kitchen hood Type I</u>	<u>\$30.00/LF of hood</u>	<u>N/A</u>
<u>Commercial kitchen hood Type II</u>	<u>\$20.00/LF of hood</u>	<u>N/A</u>
<u>Dryer vents and exhaust fans</u>	<u>\$50.00 per dryer vent or exhaust fan</u>	<u>N/A</u>
<u>HVAC systems</u>	<u>\$50.00/Ton refrigeration, or heating whichever is higher</u>	<u>N/A</u>
<u>Other mechanical scope not listed</u>	<u>15% of the valuation of the mechanical work</u>	<u>N/A</u>

(d) Electrical fees. Electrical fees will be the total of all categories indicated in the table below. Electric fees shall be a minimum of \$150.00.

<u>Type of Permit</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>Automatic lawn irrigation</u>	<u>\$150.00</u>	<u>\$75.00</u>
<u>Commercial service:</u>		
<u>Less than 200 amps</u>	<u>\$100.00</u>	<u>N/A</u>
<u>200 amps – 600 amps</u>	<u>\$250.00</u>	<u>N/A</u>
<u>Above 600 amps</u>	<u>\$350.00</u>	<u>N/A</u>
<u>Electric work not listed above</u>	<u>15% of the valuation of work</u>	<u>N/A</u>
<u>Fire alarm systems</u>	<u>\$250.00</u>	<u>N/A</u>
<u>Generators:</u>		
<u>Less than 50kW</u>	<u>\$300.00 plus sub-permit fees</u>	<u>N/A</u>
<u>50kW to 249kW</u>	<u>\$600.00 plus sub-permit fees</u>	<u>N/A</u>
<u>250kW to 499kW</u>	<u>\$800.00 plus sub-permit fees</u>	<u>N/A</u>
<u>500kW and greater</u>	<u>\$1000.00 plus sub-permit fees</u>	<u>N/A</u>
<u>Lift station (only electric required)</u>	<u>\$150.00</u>	<u>N/A</u>
<u>Low voltage system</u>	<u>\$150.00</u>	<u>\$135.00</u>
<u>New construction</u>	<u>10% of the building fees calculated in subsection (2)(a) above</u>	<u>N/A</u>
<u>Pool electric</u>	<u>\$150.00</u>	<u>N/A</u>

<u>Site lighting</u>	<u>\$200.00</u> plus <u>\$25.00/pole</u>	<u>N/A</u>
<u>Solar photovoltaic systems</u>	<u>\$40.00/kW of system</u> <u>capacity</u>	<u>N/A</u>

(e) **Plumbing fees.** Plumbing fees will be the total of all categories indicated in the table below. Plumbing fees shall be a minimum of \$150.00.

<u>Type of Permit</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>Grease traps</u>	<u>\$200.00</u>	<u>N/A</u>
<u>Per Fixture</u>	<u>\$16.00</u>	<u>N/A</u>
<u>Plumbing work other than listed</u>	<u>15% of the valuation</u> <u>of work</u>	<u>N/A</u>
<u>Solar heating systems</u>	<u>\$150.00</u>	<u>\$135.00</u>
<u>Water heater</u>	<u>\$150.00</u>	<u>\$135.00</u>

(f) **Gas fees.** Gas fees will be the total of all categories indicated in the table below with a minimum fee of \$150.00.

<u>Type of Permit</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>Gas piping and distribution</u>	<u>\$5.00 per 1000 BTU</u> <u>of the new system</u> <u>capacity</u>	<u>N/A</u>
<u>Gas work not listed below</u>	<u>15% of the valuation of</u> <u>work</u>	<u>N/A</u>

(g) **Miscellaneous fees.** Miscellaneous fees are stated in following table.

<u>Type of Permit/Application</u>	<u>Permit Fee</u>	<u>Online Permit Fee</u>
<u>Appeal to the board of adjustments and appeals</u>	<u>\$500.00</u>	<u>N/A</u>
<u>Change of contractor and/or owner application</u>	<u>\$75.00</u>	<u>N/A</u>
<u>Concrete slab (not foundation)</u>	<u>\$100.00</u>	<u>\$85.00</u>
<u>Construction site wall</u>	<u>\$200.00 per 100 LF</u>	<u>N/A</u>
<u>Construction trailer for 6 months only</u>	<u>\$400.00</u>	<u>N/A</u>
<u>Construction trailer renewal for an additional 6 months</u>	<u>\$150.00</u>	<u>N/A</u>
<u>Demolition permit</u>	<u>\$500.00</u>	<u>N/A</u>
<u>Docks</u>	<u>\$225.00, plus \$32.00</u> <u>per boat slip</u>	<u>N/A</u>
<u>Fences (commercial)</u>	<u>\$250.00</u>	<u>\$235.00</u>
<u>Hot tub or Spa:</u>		
<u>Aboveground</u>	<u>\$100.00</u>	<u>N/A</u>
<u>Inground</u>	<u>\$150.00</u>	<u>N/A</u>

<u>Manufactured nonresidential building (electric fee included)</u>	<u>\$300.00</u>	<u>N/A</u>
<u>Moving structures:</u>		
<u>Moving a structure within city limits</u>	<u>\$625.00</u>	<u>N/A</u>
<u>Moving a structure from outside city limits to inside city limits</u>	<u>\$1000.00</u>	<u>N/A</u>
<u>Moving a structure from inside city limits to outside city limits</u>	<u>\$400.00</u>	<u>N/A</u>
<u>Private provider and special inspector credential review</u>	<u>\$400.00</u>	<u>N/A</u>
<u>Replacement of windows, doors, and shutters</u>	<u>\$150.00 for first, plus \$10.00 each additional</u>	<u>\$135.00 for first, plus \$10.00 each additional</u>
<u>Re-roof of commercial roofs</u>	<u>\$500.00</u>	<u>\$485.00</u>
<u>Seawalls, retention walls, bulkheads</u>	<u>\$200.00 per 100 LF</u>	<u>N/A</u>
<u>Signs:</u>		
<u>Illuminated signs</u>		
<u>up to 32 sq ft</u>	<u>\$200.00</u>	<u>N/A</u>
<u>over 32 sq ft</u>	<u>\$325.00</u>	<u>N/A</u>
<u>Non-illuminated signs</u>		
<u>up to 32 sq ft</u>	<u>\$200.00</u>	<u>N/A</u>
<u>over 32 sq ft</u>	<u>\$325.00</u>	<u>N/A</u>
<u>Temporary signs</u>		
<u>up to 32 sq ft</u>	<u>\$150.00</u>	<u>N/A</u>
<u>over 32 sq ft</u>	<u>\$200.00</u>	<u>N/A</u>
<u>Billboards</u>	<u>\$5000.00</u>	<u>N/A</u>
<u>Spray booth</u>	<u>\$400.00</u>	<u>N/A</u>
<u>Stocking permit application review and inspection</u>	<u>\$250.00</u>	<u>N/A</u>
<u>Swimming pool (excluding electric)</u>	<u>\$875.00</u>	<u>N/A</u>
<u>Swimming pool enclosure</u>	<u>\$200.00</u>	<u>\$185.00</u>
<u>Threshold inspector credential review</u>	<u>\$200.00</u>	<u>N/A</u>

(h) **Floodplain fees.** Floodplain fees shall be 5% of the building permit fees listed in section (b) above.

(i) **Statutory fees.** The surcharge fees listed at the rates set forth in the table below shall be assessed pursuant to Sections 553.721 and 468.631, Florida Statutes.

<u>Department of Business and Professional Regulation per Section 553.721, Florida Statutes</u>	<u>1% of total permit fees with \$2 minimum</u>
<u>Building Code Administrators and Inspectors Board per Section 468.631, Florida Statutes</u>	<u>1.5% of total permit fees with \$2 minimum</u>

109.7.3 Fee structure breakdown of permit fees

Permit fees are based on the following percentage allocation for administration, plans review and inspection costs:

<u>Permit fee breakdown</u>	<u>Percentage allocated</u>
<u>Administration</u>	<u>30%</u>
<u>Plans review</u>	<u>30%</u>
<u>Inspection</u>	<u>40%</u>

SECTION 110 **INSPECTIONS**

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain exposed and provided with access for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The building official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

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

110.1.2 Inspection service. The building official may make, or cause to be made, the inspections required by Section 110 of this code. The building official may accept reports of department inspectors, independent inspectors, or of recognized inspection services, provided that after investigation the building official is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are certified by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the building official. The building official shall ensure that all persons making such inspections shall be certified in accordance with Chapter 468, Florida Statutes.

The building official may require the owner to employ an inspection service in the following instances:

1. For buildings or additions of Type I construction;

2. For all major structural alterations;
3. Where the concrete design is based on compressive strength in excess of 3000 pounds per square inch;
4. For pile driving;
5. For buildings with an area greater than 20,000 square feet;
6. For buildings more than two stories in height; or
7. For buildings and structures of unusual design or methods of construction.

Such inspectors shall be present when work is underway on the structural elements of the building to adequately attest to its compliance. Such inspectors shall be a registered architect or engineer. An employee of the architect or engineer licensed under Chapter 468, Part XII, Florida Statutes, may perform the inspections under the direction of and with final certification from the architect or engineer. Such inspectors shall submit weekly progress reports including the daily inspections to the building official and including a code compliance opinion of the resident inspector.

At the completion of the construction work or project, the architect or engineer shall submit a certificate of compliance to the building official, stating that the work was done in compliance with this code and in accordance with the permitted drawing. Final inspection shall be made by the building official before a Certificate of Occupancy or Certificate of Completion is issued; and confirmation inspections may be made at any time to monitor activities and resident inspectors.

110.2 Preliminary inspection. Subject to the limitations of Chapter 553, Florida Statutes, before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.2.1 Existing building inspections. Before issuing a permit, the building official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy. The building official may inspect the buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, before, during and upon completion of the work for which a permit was issued. The building official shall make a record of every such examination and inspection and of all observed violations of the technical codes. Additional regulations in the Florida Building Code, Existing Building Volume, may apply.

110.3 Required inspections. The building official upon notification from the permit holder or his or her agent, shall make the following inspections or any other such inspection as deemed necessary, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical

codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. A complete survey, or special purpose survey may be required before an inspection is approved.

Site inspection

1. Portable toilets inspection. All portable toilets located on construction sites must be anchored at the time of placement with a 30" eye auger type anchor or equivalent. The anchoring device must withstand reasonable wind speeds and remain attached to the portable toilet by the use of screws, nails or similar fasteners at all times. In lieu of the 30" auger type anchor, the portable toilet may be secured to an immovable object such as a building, construction trailer or similar structure. The door to the portable toilet shall face the construction site
2. Site debris. Construction sites shall be maintained as set forth in the city Code of Ordinances.

Building

1. Foundation inspection. To be made after trenches are excavated and forms erected and shall at a minimum include the following building components:

- Stem-wall
- Monolithic slab-on-grade
- Piling/pile caps
- Footers/grade beams

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

A foundation/form board survey prepared and certified by a registered surveyor may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

1.2 In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification, as required in Section 1612.5 of this code shall be submitted to the authority having jurisdiction.

2. Shell inspection.

2.1 Lintel/tie beams/columns/masonry units. To be made after masonry units, forms, reinforcing steel, shoring, conduit, piping accessories, and other ancillary equipment items are in place, but before any concrete is placed.

2.2 Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:

- Roof sheathing
- Wall sheathing
- Continuous air barrier
- Floor sheathing
- Sheathing fasteners
- Roof/wall dry-in
- Gypsum board, as required
- Sheathing/cladding inspection

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall not be corrected prior to installation of the dry-in material.

2.3 Exterior wall covering. Shall at a minimum include the following building components “in progress inspections”:

- Exterior wall covering and veneer
- Soffit covering

3. Roofing inspection. Shall at a minimum be made in at least two inspections and include the following building components:

- Dry-in
- Insulation
- Roof coverings (including in progress as necessary)
- Insulation on roof deck (according to submitted energy calculation)

- Flashing

3.1 Re-Roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Florida Building Code, Existing Building may be accepted at the discretion of the building official.

4. Framing inspection. To be made after the roof deck or sheathing, all framing, fire blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and are approved and shall at a minimum include the following building components:

- Window/door framing and installation
- Window U-factor/SHGC as indicated on approved calculations
- Vertical cells/columns complete, if applicable
- Lintel/tie beams complete, if applicable
- Framing/trusses/bracing/connectors (including truss layout and engineered drawings)
- Draft stopping/fire blocking
- Fire resistant assemblies, joints, and penetrations, as required
- Curtain wall/ bearing wall framing
- Accessibility
- Verify rough opening dimensions are within tolerances
- Window/door buck attachment

5. Insulation inspection. To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal. Includes wall and ceiling insulation, thermal and ignition barriers.

6. Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Swimming pools

1. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete shell.
2. Steel reinforcement inspection.
3. Underground electric inspection.
4. Underground piping inspection including a pressure test.
5. Underground electric inspection under deck area (including the equipotential bonding).
6. Underground piping inspection under deck area.
7. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place).
8. Safety Inspection: Made prior to filling the pool with the bonding connections made, the proper drain covers installed, and the final barriers installed.
9. Final pool piping.
10. Final electrical inspection.
11. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2 of this code.

Demolition inspections

1. First inspection (pre-demolition) to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.
2. Final inspection (post-demolition) to be made after all demolition work is completed.

Manufactured building inspections

1. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the Florida

Building Code. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).

Impact resistant coverings

1. Where impact-resistant coverings or impact resistant systems are installed, the building official shall perform inspections, at the request of the applicant, on all impact-resistant coverings or impact resistant systems to determine the following:

The system indicated on the plans was installed.

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

Electrical

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fire blocking and bracing is in place and prior to the installation of wall or ceiling membranes.
3. Power release inspection. To be made after the building electrical system is substantially complete, or completed in phases, with all circuitry installed and electrical fixtures and devices in place, or properly tagged and safed-off.
4. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected, tested, and the structure is ready for occupancy.
5. Existing swimming pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping is installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fire-blocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.
3. Final inspection. To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

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

Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping is installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection. To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. Underground piping and tanks. To be made after trenches or ditches are excavated, underground gas piping is installed, and before back fill is put in place.
2. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.
3. Final piping inspection. To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
4. Final inspection. To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

110.3.1 Footing and foundation inspection. Reserved.

110.3.2 Concrete slab and under-floor inspection. Reserved.

110.3.3 Lowest floor elevation. Reserved.

110.3.4 Frame inspection. Reserved.

110.3.5 Lath, gypsum board, and gypsum panel product inspection. Reserved.

110.3.6 Weather-exposed balcony and walking surfaces waterproofing. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all

elements of the impervious moisture barrier system shall not be concealed until protected and approved.

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

110.3.8 Energy efficiency inspections. Inspections shall be made to determine compliance with the Florida Energy Code and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

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

110.3.10 Reserved.

110.3.11 Final inspection. The final inspection shall be made after all work required by the building permit is completed and the building is ready for occupancy.

110.3.11.1 Flood hazard documentation. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.

110.3.11.2 Energy Code documentation. As required by Section C408.2.4.1 of the Florida Building Code, Energy Conservation, confirmation that the preliminary commissioning report has been received by building owner shall be provided at the time of final mechanical inspection.

110.3.12 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2403.12.9 or Section 2403.12.4, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the building official has been received.

110.3.13 Reinforcing steel and structural frames. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining a release from the building official. Certification that field welding and structural bolted connections meet design requirements shall be submitted to the building official, upon request.

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

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

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

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

110.8 Threshold building.

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

110.8.2 The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the Florida Building Code.

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

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

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

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

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

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

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

110.8.6 The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, Florida Statutes, without duplicative inspection by the building department. The building official is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes, or certified as a special inspector under Chapter 471 or 481, Florida Statutes. Inspections of threshold buildings required by Section 553.79(5), Florida Statutes, are in addition to the minimum inspections required by this code.

110.9 Impact of construction. All construction activity regulated by this code shall be performed in a manner so as not to adversely impact the condition of adjacent property, unless such activity is permitted to affect said property pursuant to a consent granted by the applicable property owner, under terms or conditions agreeable to the applicable property owner. This includes, but is not limited to, the control of dust, noise, water or drainage runoffs, debris, and the storage of construction materials. New construction activity shall not adversely impact legal historic surface

water drainage flows serving adjacent properties and may require special drainage design complying with engineering standards to preserve the positive drainage patterns of the affected sites. Accordingly, developers, contractors and owners of all new residential development, including additions, pools, patios, driveways, decks or similar items, on existing properties resulting in a significant decrease of permeable land area on any parcel or has altered the drainage flow on the developed property shall, as a permit condition, provide a professionally prepared drainage plan clearly indicating compliance with this paragraph. Upon completion of the improvement, a certification from a licensed professional, as appropriate under Florida law, shall be submitted to the inspector in order to receive approval of the final inspection.

SECTION 111 **CERTIFICATE OF OCCUPANCY**

111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other federal, state or local laws, ordinances, codes and regulations of the jurisdiction. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing and fire protection systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the building official.

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

111.2 Certificate issued. After the building official inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety or other agency whose approval is inherent in the building permitting process, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction.

7. The name of the building official.
8. The edition of the code under which the permit was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3 of the Florida Building Code.
10. The type of construction as defined in Chapter 6 of the Florida Building Code.
11. The design occupant load.
12. If an automatic sprinkler system is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building permit.

111.3 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid. A temporary Certificate of Occupancy or Certificate of Completion may be issued for a portion or portions of a building that may safely be occupied prior to final completion of the building.

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

111.5 Certificate of completion. Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a certificate of completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

111.6 Fixturing and Stocking. The building official is authorized to issue approval for fixturing, stocking, or decorating, when appropriate, to allow the builder to prepare the structure for permanent occupancy. The building may not be open to the general public or be used for the transaction of any commerce. Such approval must be conditioned upon the approval of the Fire Marshal, when applicable.

111.7 Digital Submittal Requirements for New Construction.

111.7.1 Building footprints. The building official is authorized to require the submittal of digital shape (CAD) files, in a specific format, depicting a geo-referenced footprint with elevation for all new structures as a condition of the issuance of a Certificate of Occupancy.

111.7.2 Subdivision Topography. The building official is authorized to require the submittal of electronic topographical data and re-delineated 100-year floodplain boundaries for all new subdivisions or lots of record for the purposes of updating and maintaining the community's flood maps.

SECTION 112 **SERVICE UTILITIES**

112.1 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official and a certificate of Occupancy or Certificate of Completion is issued. The servicing utility company shall not connect the power supply until notified by the building official.

112.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service system or for use under temporary or partial certificate of occupancy.

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

SECTION 113 **CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

113.1 General. There is hereby established a Construction Board of Adjustment and Appeals (the "board") to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. The board shall not hear appeals of or render determinations on unsafe building, structures, systems, and equipment, or demolitions of same as set forth in Section 116. The board members shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Qualifications. The board shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the city.

113.4 Board structure.

113.4.1 Membership. The board shall consist of 7 regular members plus 2 alternate members. Regular board members shall be composed of individuals with knowledge and experience in the technical codes to include, to the greatest extent possible, an architect or engineer, Division I contractor (GC, BC, or RC), electrical contractor, HVAC contractor, plumbing contractor, building code administrator, and a member at large from the public. In addition to the regular members, there should be 2 alternate members, 1 member with the qualifications referenced above and 1 member at large from the public. A board member shall not act in a case in which the board member has a personal or financial interest.

113.4.2 Terms. The terms of office of the regular board members shall be for 3 years and staggered so no more than one-third of the board is appointed or replaced in any 12- month period. The 2 alternates shall serve 3-year terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. No board member shall be appointed or re-appointed to this board for more than 3 consecutives, 3-year terms.

113.4.3 Quorum and voting. A simple majority of the board shall constitute a quorum. In modifying a decision of the building official, the affirmative vote of the majority present, but not less than 3 affirmative votes, shall be required. In the event that regular members are unable to attend a meeting, the alternate members shall vote.

113.4.4 Secretary of board. The building official or his/her authorized representative shall act as secretary of the board and shall make a record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

113.4.5 Removal from office. Members shall be automatically removed for lack of attendance. Lack of attendance is defined as a failure to attend 3 consecutive meetings or a failure to attend more than one-half of the meetings scheduled during a calendar year without the board excusing the absence. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Members removed pursuant to this provision shall not continue to serve on the board and such removal shall create a vacancy.

113.5 Powers. The board shall have the power, as further defined in 113.6 of this code, to hear appeals of decisions and interpretations of the building official.

113.6 Appeals.

113.6.1 Decision of the building official. The owner of a building, structure or service system, or duly authorized agent, may appeal a decision or determination of the building official to the board by filing a written request for an appeal to the building official or his designee and the

board shall set a public hearing, notify the owner of said hearing and hear the appeal whenever any one of the following conditions are claimed to exist:

1. The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.
2. The provisions of this code do not apply to this specific case.
3. That an equally good or more desirable form of installation can be employed in any specific case, which the building official has rejected or refused.
4. The true intent and meaning of this code or any of the regulations hereunder have been misconstrued or incorrectly interpreted.

113.6.2 Notice of appeal. Notice of appeal shall be in writing and filed within 30 calendar days after the building official renders the decision. Appeals shall be in a form acceptable to the building official.

113.7 Procedures of the board.

113.7.1 Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code or any other provision of city Code of Ordinances. The board shall meet as needed at the call of the chairperson, subsequent to a request to call a meeting by the secretary.

113.7.1.1 Rules of evidence. Formal rules of evidence shall not apply, but fundamental due process should be observed and govern the proceedings. Upon determination by the chairperson, irrelevant, immaterial, or unduly repetitious evidence may be excluded, but all other evidence of a type commonly relied upon by reasonable, prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form. The board may request certain evidence from the appellant to be provided by an architect or engineer registered in the State of Florida, in which case, said evidence shall be signed, sealed, and dated.

113.7.1.2 Testimony. Any member of the board or the attorney representing the board may inquire of, or question, any witness before the board. Any member of the board, the appellant or his/her attorney, and/or the building official shall be permitted to inquire of any witness before the board. The board may consider testimony presented by the building official, the appellant, or any other witness.

113.7.2 Decisions. The board shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official, the building official shall immediately take action in accordance with such decision.

Every decision shall be promptly filed in writing in the office of the city clerk and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant. Every decision of the board shall be final; subject however to such remedy as any aggrieved party might have at law or in equity.

SECTION 114 **VIOLATIONS**

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure, system, site, or equipment regulated by this code, or any other laws, ordinances, rules, or regulations; or cause same to be done, in conflict with or in violation of any of the provisions of this code. . Each day or portion thereof shall be considered a separate offense.

114.2 Notice of violation. The building official is authorized to serve a notice of violation and/or stop work order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (See also Section 115 of this code.)

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.3.1 Nothing in this code shall prevent the city from imposing fines, liens, or seek injunctive relief, or exercising other enforcement powers as permitted by law.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties, fees, and fines as prescribed by law.

114.4.1 In addition to the proceedings set forth in this chapter, code enforcement proceedings and penalties, fines, costs of repair and liens identified in Chapter 162, Florida Statutes Parts I and II shall be authorized if building work begins without payment of all required fees, and for the purposes of enforcing this code, code officials licensed under Florida Statute 468 Part XII are deemed "Code Inspectors" as defined in Section 162.04, Florida Statutes.

SECTION 115
STOP WORK ORDER

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

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Where an emergency exists as determined by the building official, the building official shall not be required to give a written notice prior to stopping the work.

115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116
UNSAFE BUILDINGS, STRUCTURES, SYSTEMS, AND EQUIPMENT

116.1 Unsafe buildings, structures, systems and equipment. Buildings, structures, systems or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition. Unsafe buildings, structures, systems or equipment shall be taken down and removed or made safe, as the building official deems necessary. A vacant building or structure that is not secured against entry shall be deemed unsafe.

116.2 Declared public nuisance. In addition to, and not in limitation upon any enforcement action for violation of this section, it is the intent of the city council to declare the existence of unsafe buildings, structures, systems, and equipment, as hereinbefore described and prohibited, a public nuisance and to subject violators of this section to the provisions of chapter 40 of the city Code of Ordinances calling for removal of such a public nuisance through notice, hearing and a lien enforcement procedure if the city so chooses to remedy the prohibited condition. Any action taken pursuant to this section in enforcing the provisions of chapter 40 shall be considered cumulative and in addition to penalties and other remedies as permitted by law. Nothing contained in this section shall prohibit the City from enforcing its codes or ordinances by any other lawful means.

SECTION 117
VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), Florida Statutes, the variance procedures adopted in chapter 152 of the city Code of Ordinances shall apply to requests submitted to the building official for variances to the provisions of Section 1612.4 of the Florida Building

Code, Building or, as applicable, the provisions of Section R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.

SECTION 118
RESERVED

SECTION 119
SEVERABILITY

119.1 If any section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

Secs. 150.002—150.360. - Reserved.

Section 3. Title XV, Land Usage, Chapter 150, Building Regulations, Article III through Article V are amended as follows:

ARTICLES III—IVV. – RESERVED

Secs. 150.364—150.400500. - Reserved.

ARTICLE V. – MISCELLANEOUS

Sec. 150.401. – Finished floor grade for buildings.

- ~~(1) Except as otherwise provided herein, the finished floor grade elevation for buildings shall be a minimum of twenty-four (24) inches above the crown of the road in front of the property. Corner lots shall use the nearest intersection elevation.~~
- ~~(2) The city engineer shall review and approve a higher finished floor grade elevation for buildings in those cases where topographical features indicate that a deviation from the requirements in this section is warranted.~~
- ~~(3) Where individual sewage disposal systems are required, the finished floor grade elevation shall be as required for compliance with state health standards.~~
- ~~(4) The finished floor grade elevation for all buildings subject to special flood hazards within the city shall comply with section 152.10.~~
- ~~(5) The deviation from finished floor grades established by this section and shown in the permit documents shall be limited to plus three (3) inches, except as increase in elevation in addition to the above three-inch limitation will be allowed to permit plumbing waste lines for plumbing fixture to comply with the plumbing code. No minimum deviation will be allowed.~~
- ~~(6) Reserved.~~
- ~~(7) Reserved.~~
- ~~(8) The slab elevation of accessory use structures constructed on lots zoned for single family dwellings shall be compatible with the site drainage plan for the dwellings.~~

Sec. 150.402. ~~Surface drainage plan required for certain structures.~~

- ~~(1) The building official of the city shall not accept an application for a building permit on any new construction until the owner, developer, or contractor shall provide to the city engineering department a functional surface water drainage plan for the subject premises that will effectively protect the subject premises without damage to adjacent property. The city engineering department may provide for a standard format for the functional surface water drainage plan.~~
- ~~(2) Upon the city engineering department's approval in writing the surface water drainage system as installed on the subject premises, and upon ascertaining that the subject surface water drainage plan effectively protects the subject premises without damage to adjacent property, the building official shall, if all other building requirements have been met, issue a certificate of occupancy for the subject premises.~~
- ~~(3) Where the city engineer determines that, due to weather conditions beyond the control of the builder, the drainage system has not been completed, at the request of the builder, the city engineering department shall set a performance bond in an amount to be determined by the city engineer to be double the actual cost of the drainage work to be completed, and shall set a certain time for this work to be completed. The performance bond shall be posted in either cash money or by approved surety with the city clerk, and in the event the builder fails to complete the drainage work, as required by the city engineer, the cash money or bond shall be forfeited to the city, and the city engineer shall advertise the drainage work for completion, and shall contract with the best bidder for that work, using the sums so forfeited to complete the drainage system, and any funds in excess of the actual cost of the completion shall go into the general fund of the city. Upon the builder completing work as required by the city engineer, within the time specified, the cash money or bond shall be returned to the builder, and any surety exonerated. Upon such cash money or bond being posted with the city clerk, a certificate of occupancy shall be delivered to the builder.~~

Sec. 150.403. ~~Drainage pipes.~~

- ~~(1) Required under driveways covering roadside swales.
 - ~~(a) Any driveway, hereafter constructed into any business, building, residence, or other building in the city, where roadside swales are parallel to property lines over which the driveway must be constructed shall have under the driveway for the purpose of drainage, a corrugated metal pipe (CMP) of a minimum of 17 × 13 inch squash or eighteen (18) inches in diameter, extending three (3) feet on each side of the driveway. Larger culvert size may be required where drainage area exceeds four (4.0) acres. Pipe placed under commercial driveways must have ends metered a maximum of forty five (45) degrees off of the horizontal in addition to the three foot extension required on each side of the driveway.~~
 - ~~(b) If any alternate method of drainage is necessary, it shall be on the approval of the city engineering department.~~
 - ~~(c) Grade elevations for each drainage pipe to be installed under a driveway must be set and inspected by the engineering department.~~
 - ~~(d) For the establishment of the grade elevation for drainage and drainage pipes by the city engineering department, there shall be a fee as prescribed in section 150.700.~~~~

- ~~(2) It is hereby prohibited for the installation of any drainage pipes across the entire front of any lot in the city.~~
- ~~(3) The owner or contractor or their agent shall obtain a permit to install the drainage pipe from the city engineering department and pay the fee as prescribed in section 150.700.~~

~~Sec. 150.404. -- Surveys required.~~

~~No building permit for a new building shall be issued without the application for such permit containing a survey of the lot, parcel or tract prepared and sealed by a professional surveyor registered and licensed to practice in the state.~~

~~The building permit application shall also include a plot plan siting the building on the property by dimensioning the calculated set backs from property lines. The plot plan for a single family residence shall be shown on a copy of the survey.~~

~~Prior to placement of the slab or erection of the foundation of a primary building on a lot, parcel or tract, a form board survey siting the actual location of the building shall be prepared by a professional surveyor, licensed to practice in the State of Florida. The survey shall show the rear yard set backs of the property lines and the actual elevation of the lowest habitable floor from the set point established by the permit documents. Construction work shall not proceed until a copy of this survey has been filed with and approved by the Building Department.~~

~~Where an accessory use structure, addition or swimming pool is proposed to be constructed on a lot zoned for single family dwellings, an "as built" survey locating existing structures on the lot is required to assure the proposed structure, addition, or swimming pool will comply with required yard setbacks.~~

~~Secs. 150.405 -- 150.419. -- Reserved.~~

~~Sec. 150.420. -- Burial of land-clearing debris.~~

~~It shall be unlawful for any person to accumulate or bury and land clearing debris. Land clearing debris shall be as defined by the city's garbage collection regulations (see section 50.01). Burial of land clearing debris on property zoned other than single family residential may be permitted as a special exception with the written permission of the site plan review committee.~~

~~Sec. 150.421. -- Portable toilets.~~

~~All portable toilets located on construction sites must be anchored at the time of placement with a 30" eye auger type anchor or equivalent. The anchoring device must withstand reasonable wind speeds and remain attached to the portable toilet by the use of screws, nails or similar fasteners at all times. In lieu of the 30" auger type anchor, the portable toilet may be secured to an immovable object such as a building, construction trailer or similar structure.~~

~~**150.421.1.** The plan review division of the building department will review the anchoring methods for compliance.~~

~~150.421.2.~~ The inspections division of the building department will conduct periodic inspections of the anchoring of portable toilets.

~~150.421.3.~~ The responsibility for securing the portable toilet shall be that of the permit applicant.

~~150.421.4.~~ The door to the portable toilet shall face the construction site.

~~Secs. 150.422—150.500. – Reserved.~~

Section 4. Title XV, Land Usage, Chapter 150, Building Regulations, Article VII, Fees, Sections 150.700 through 150.704 are amended as follows:

Sec. 150.700. - Fees.

For provisions regarding building fees see section 150.001, Florida Building Code; administrative amendments, subsection 109.

Secs. 150.701-704. – Reserved.

[See below sections 150.701—150.705.]

~~Sec. 150.701. – Penalty fees, reinspection fees, overtime inspection fees, refunds, transfer fees and permit transfer fees.~~

- ~~(1) *Penalty fees for after-the-fact permit.* When work for which a permit is required by this section is started or proceeded with prior to obtaining said permit, regular fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.~~
- ~~(2) *Penalty fees for work not ready.* Requests for inspection of work that is incomplete or not ready for inspection when the inspector visits the work site shall incur a penalty of seventy five (\$75.00) for single-family residential permits and one hundred dollars (\$100.00) for commercial permits, assessed against the contractor or permit for each inspection not ready. The work will not be inspected until the penalty fee has been paid.~~
- ~~(3) *Reinspection fee.* A reinspection fee of seventy five dollars (\$75.00) shall be assessed against the contractor or subcontractor, for single-family residences and accessory uses to residentially zoned property, for each reinspection of the same work. For commercial projects the fee shall be one hundred dollars (\$100.00). If more than three (3) reinspections are required for the same type of inspection, the reinspection fee for each inspection thereafter shall be one hundred dollars (\$100.00) for single-family residences, and one hundred twenty-five dollars (\$125.00) for non-residential projects.~~
- ~~(4) *Requested overtime fee.* Time spent by a plans examiner or an inspector in travel and at the work site to review plans or inspect on site work beyond normal working hours upon~~

~~application of the contractor, shall incur a separate fee at the rate of one hundred dollars (\$100.00) an hour for each hour or fraction thereof. The minimum fee shall be one hundred dollars (\$100.00) for single family residential construction and two hundred dollars (\$200.00) for commercial and multi family construction and shall be paid to the city before a certificate of occupancy is issued. A separate fee shall apply for each inspection type. All overtime inspections and/or plan examinations shall incur a \$100.00 fee to be paid in addition to the inspection fee per Port St. Lucie Code of Ordinances, when applicable.~~

~~(5) Refundable permit fees. Permit fees will be refunded provided no inspections have been performed by the building department. Refunds will be determined as follows:~~

~~(a) Refunds will be made of single family permit fees subject to a charge of one hundred and fifty dollars (\$150.00). Refund for accessory use buildings shall be fifty (50) percent of the permit fee, not to exceed fifty dollars (\$50.00) and three hundred dollars (\$300.00) for commercial permits.~~

~~(b) Plan review fees are not refundable. For single family residence, additions, detached garages, pools or other residential zoned type permits fees to have a plan re-examined and/or re-stamped shall be fifty dollars (\$50.00). A penalty fee for incomplete plans shall be fifty dollars (\$50.00) upon initial submittal, fifty dollars (\$50.00) upon second submittal, and fifty dollars (\$50.00) upon third submittal. If plans must be resubmitted more than three (3) times, an additional plan review fee shall be paid, which shall be equal to the original plan review fee.~~

~~(6)(a) Updated fees. The fee to update or transfer permits for single family residences, additions, detached garages, and pools shall be as follows:~~

~~1. Permit not issued. The fee shall be seventy five dollars (\$75.00).~~

~~2. Permit issued. The fee shall be two hundred dollars (\$200.00)~~

~~(b) Reserved.~~

~~(c) The fee for re-submittal of a sub-contractor permit shall be twenty five dollars (\$25.00).~~

~~(7) Expiration, update, and transfer of permits. An issued building permit expires after one hundred and eighty (180) days if construction is not started. A building permit application that has not been issued expires after one hundred and eighty (180) days from date of filing. The fee to update an expired permit within ninety (90) days after date of expiration shall be twenty-five dollars (\$25.00) for accessory use permits. A permit may not be updated more than two (2) times in a six month period, unless written application for due cause is submitted to the building official and the building official determines such cause exists. Permit renewals shall not be permitted if more than one (1) year has elapsed since the original application date. A new application and all required paperwork and fees shall be submitted as required for a new permit. Such permit shall be subject to the code in effect at the time of resubmittal.~~

~~(a) Fees to update or transfer commercial permits shall be as follows:~~

~~1. Permit not issued. Fee shall be two hundred dollars (\$200.00); for tenant improvements, the fee shall be one hundred fifty dollars (\$150.00).~~

~~2. Permit issued. Fee shall be one hundred forty dollars (\$140.00), plus seventy five dollars (\$75.00) per inspection, to determine condition of structure and associated work; for tenant improvements, the fee shall be one hundred and forty dollars (\$140.00).~~

~~For commercial type permits, fees to have a plan re-examined shall be seventy five dollars (\$75.00) per discipline. The fees for re-stamping of commercial plans shall be~~

two hundred dollars (\$200.00). Plans missing items unique to that particular design shall not be considered incomplete for the purposes of this section.

- (8) *Fees in general.* In addition to re-inspection fees incurred, the following shall carry a fee when the condition is not corrected within thirty-six (36) hours of notification. All fees shall be paid within five (5) days of notice and no certificate of occupancy shall be issued if there are any outstanding fees.
- (a) *No trash container on-site.* Between the stages of poured slab thru final grade the fee shall be one hundred dollars (\$100.00).
 - (b) *Uncontained trash and debris on-site.* The fee shall be one hundred fifty dollars (\$150.00) for the first occurrence, three hundred dollars (\$300.00) for the second occurrence, and four hundred fifty dollars (\$450.00) for the third and subsequent occurrence per job site.
 - (c) *Hazardous condition.* The fee shall be five hundred dollars (\$500.00).
 - (d) *Trash, debris, construction materials and items dumped on neighboring properties.* The fee shall be one hundred fifty dollars (\$150.00).
No fee shall be imposed if the condition is corrected within thirty-six (36) hours of notification, excluding weekends and holidays.
- (9) *Requests for abandonment of easement.* Per section 150.705(b), Port St. Lucie City Code.
- (10) *Requests for encroachment permits.* The fee shall be assessed at two hundred dollars (\$200.00) for each permit application. In addition, the necessary fee for recording the permit in the public records shall accompany each application.
- (11) *Plot plan revision or rejection.* Residential permits will be charged a fifty dollar (\$50.00) fee for each rejection.
- (12) *Change of occupancy use/life safety inspection.* Fee shall be seventy-five dollars (\$75.00) for change of occupancy use/life safety inspection to be performed prior to a business taking occupancy of a commercial building space.

Sec. 150.702.— Fees for new single-family dwellings, additions to single-family dwellings and accessory use structures erected on building lots zoned for single-family dwellings.

Fees for new single-family dwellings, additions to single-family dwellings, and accessory use structures erected on building lots zoned for single-family dwellings:

- (1) *Single family dwellings.* Permit fees for single family dwellings are established pursuant to valuations as follows: The fee includes permits for construction, plumbing, electrical, mechanical (heating/cooling) and insulation.
The valuation is established by multiplying the gross area by building valuation data compiled by the International Code Council "ICC", published in the Building Safety Journal including the appropriate modifier as determined by the building official. For the purpose of calculating an evaluation, all construction shall be presumed to be of "good" as opposed to "average" construction. The data published in the February issue shall become effective the first day of April following publication. The data published in the August issue shall become effective the first day of October following publication. The effective date shall be at the discretion of the building official. Square footage shall be determined by employing the exterior dimensions of the dwelling as shown on plans submitted for review to this department.

~~A plan review fee of eleven percent (11%) of the building permit fee shall be paid at the time of plan submission. All single family permit and plan review fees shall be paid at time of permit submittal.~~

~~The costs per square foot are adopted only to calculate the permit fee. They are not intended to reflect estimated or actual costs of the structure which may vary according to design, labor and material costs, and other economic values at the time of application for a permit.~~

~~All homeowner builders shall be subject to an additional fifteen percent (15%) surcharge of the calculated single family permit fee.~~

~~(2) Additions to living areas of single family dwellings:~~

~~(a) The permit fee shall be two hundred fifty dollars (\$250.00) for additions of two hundred (200) square feet or less. Additional fee of seventy five (\$75.00) dollars will be accessed for each sub permit.~~

~~(b) The permit fee shall be three hundred fifty dollars (\$350.00) for additions of two hundred one (201) square feet to four hundred (400) square feet. Additional fee of seventy five (\$75.00) dollars will be accessed for each sub permit.~~

~~(c) The permit fee shall be four hundred dollars (\$400.00) for additions of four hundred one (401) to six hundred (600) square feet. Additional fee of seventy five (\$75.00) dollars will be accessed for each sub permit.~~

~~(d) The permit fee shall be four hundred fifty dollars (\$450.00) for additions of six hundred one (601) to eight hundred (800) square feet. Additional fee of seventy five (\$75.00) dollars will be accessed for each sub permit.~~

~~(e) The permit fee for additions greater than eight hundred (800) square feet shall be six hundred fifty dollars (\$650.00). Additional fee of seventy five (\$75.00) dollars will be accessed for each sub permit.~~

~~(3) Additions of garages, (attached or detached); glass rooms, carports, porches, attached storage and/or workshop areas, and enclosing existing open porches and/or carports, the permit fee, including plan review fees shall be as follows:~~

~~(a) The permit fee to add a detached or attached garage shall be two hundred dollars (\$200.00) for a one (1) car garage.~~

~~(b) The permit fee to add a detached or attached garage shall be three hundred and fifty dollars (\$350.00) for a two (2) car garage.~~

~~(c) The permit fee to add a detached or attached garage shall be four hundred and fifty dollars (\$450.00) for a three (3) car garage or greater.~~

~~(d) The permit fee to add a glass room shall be two hundred and twenty five dollars (\$225.00).~~

~~(e) The permit fee to enclose an existing porch, garage or carport shall be two hundred dollars (\$200.00).~~

~~(f) The permit fee for new carports, porches, attached storage, workshop areas and other such non living space shall be one hundred twenty five dollars (\$125.00) for structures less than one hundred fifty (150) square feet and one hundred seventy five dollars (\$175.00) for structures one hundred fifty (150) square feet and greater, not including a slab or foundation. Screen roof enclosures shall be two hundred dollars (\$200.00).~~

~~(4) Unattached (detached) accessory buildings for storage, home workshops, and other similar uses, the permit fee shall be sixty five dollars (\$65.00) for prefabricated~~

engineered buildings. For site built structures the fee shall be one hundred and fifty dollars (\$150.00), plus slab permit fee.

- (5) ~~The minimum fee for residential electrical, plumbing and mechanical work shall be seventy five dollars (\$75.00) each. The permit fee for electrical, mechanical, and plumbing work applicable for subsections (3), and (4), above, shall be seventy five dollars (\$75.00).~~
- (6) ~~The permit fee for recovering or repair of up to one hundred (100) square foot section of an existing single family residential roof, excluding tile, shall be one hundred dollars (\$100.00) or eighty six dollars (\$86.00) if submitted through the online permitting system. The permit fee for replacing an existing single family residential roof, excluding tile, shall be two hundred dollars (\$200.00) or one hundred eighty six dollars (\$186.00) if submitted through the online permitting system. The permit fee to replace a single family residential tile roof shall be two hundred seventy five dollars (\$275.00).~~
- (7) ~~Fees two hundred dollars (\$200.00) and under shall be paid upon plan submission.~~
- (8) ~~The permit fee for residential A/C or A/C changeout shall be eighty six dollars (\$86.00) or seventy two dollars (\$72.00) if submitted through the online permitting system.~~
- (9) ~~The permit fee for insulation replacement shall be seventy five dollars (\$75.00) or sixty one dollars (\$61.00) if submitted through the online permitting system.~~
- (10) ~~The permit fee for wire lath/stucco and other siding replacement/installation shall be one hundred dollars (\$100.00) or eighty six dollars (\$86.00) if submitted through the online permitting system.~~
- (11) ~~The permit fee for Tiki and/or Chickee huts shall be two hundred dollars (\$200.00).~~
- (12) ~~The permit fee to replace or add skylights shall be one hundred dollars (\$100.00) for the first and twenty five dollars (\$25.00) for each additional skylight being replaced.~~
- (13) ~~The permit fee for replacement of smoke alarms in a dwelling unit shall be seventy five dollars (\$75.00) or seventy two dollars (\$72.00) if submitted through the online permitting system.~~
- (14) ~~The permit fee for replacement of pool heater shall be seventy five dollars (\$75.00) plus required sub permits or sixty one dollars (\$61.00) if submitted through the online permitting system.~~
- (15) ~~The permit fee to remodel a pool shall be one hundred fifty dollars (\$150.00) plus required sub permits.~~
- (16) ~~The permit fee for residential renovations shall be seventy five dollars (\$75.00), plus required sub permits.~~
- (17) ~~The permit fee for residential fire damage shall be two hundred fifty dollars (\$250.00), plus plan review fees and sub permit fees for non structural and five hundred dollars (\$500.00) plus plan review and sub permit fees for structural repair.~~
- (18) ~~All construction that impacts the footprint of the structure or property shall be accessed a zoning fee of six dollars (\$6.00).~~

Sec. 150.703. -- Fees for other than single-family dwellings.

Permit fees for buildings and structures other than those erected on lots zoned for single-family dwellings:

(1) *Building permit fees:*

- a. The permit fees for new construction are established by the following schedule:

Valuation	Fee
Up to \$10,000	\$45.00 + \$11.60 per thousand Minimum fee of \$200.00
10,001 to 25,000	\$63.00 + \$10.17 per thousand
25,001 to 50,000	\$143.00 + \$9.24 per thousand
50,001 to 100,000	\$145.00 + \$8.63 per thousand
100,001 to 250,000	\$454.00 + \$7.48 per thousand
250,001 to 500,000	\$889.00 + \$5.36 per thousand
500,001 to 1,000,000	\$1,687.00 + \$5.43 per thousand
1,000,001 to 2,500,000	\$2,720.00 + \$4.55 per thousand
2,500,001 to 5,000,000	\$5,731.00 + \$3.80 per thousand
5,000,001 to 10,000,000	\$8,163.00 + \$4.84 per thousand
Over \$10,000,001	\$11,148.00 + \$5.85 per thousand

A plan review fee of twenty five (25) percent shall be added to the building permit fee. The plan review fee is to be paid at the time of plan submission. The minimum plan review fee shall be one hundred fifty dollars (150.00).

The valuations are computed on relative costs per square foot shown in the building valuation table for each floor level of the structure based on exterior wall dimensions and on the type of construction represented in the building code.

The Building Valuation Table shall be the building valuation data compiled by the International Code Council "ICC", published in the Building Safety Journal including the appropriate modifier as determined by the building official. For the purpose of calculating an evaluation, all construction shall be presumed to be of "good" as opposed to "average" construction. The data published in the November/December issue shall become effective the first day of February following publication. The data published in the May/June issue shall become effective the first day of August following publication, or the effective date shall be at the discretion of the building official.

In addition, the following items should be added to the total valuation of the building:

1. Automatic detectors: nine hundred thirty one dollars (\$931.00) plus fifty four cents (\$0.54) per square foot of protected area.
2. Standpipe: one thousand six hundred forty two dollars (\$1,642.00) per riser per floor.
3. Signaling system: two hundred forty one dollars (\$241.00) per station.
4. Elevator or lift: thirty one thousand dollars (\$31,000.00) plus five thousand two hundred fifty dollars (\$5,250.00) per floor stop.

The costs per square foot are adopted only to calculate the permit fee. They are not intended to reflect estimated or actual costs of the structure which may vary according to design, labor and material costs, and other economic values at the time of application for permit.

For buildings or structures not categorized in the building valuation data, the valuation shall be based upon the contracted price, including electric, plumbing, and heating/air conditioning costs.

- b. *Remodeling and alteration work.* The permit fee shall be 1.59 percent of the estimated cost of the work but not less than one hundred seven dollars (\$107.00).

- c. ~~Multiple dwellings.~~ Permit fees shall be based upon the total square footage of all floors of the entire building. One (1) permit will be issued for each building. The building official may allow permits to be issued for each dwelling unit.
- (2) ~~Plumbing permit fee.~~ The fee for plumbing of any building shall be sixteen dollars (\$16.00) per fixture with a minimum fee of one hundred fifty dollars (\$150.00);
- (3) ~~Mechanical permit fees:~~
- a. ~~Hotels and motels with individual self-contained equipment installed in each room, the fee shall be seventy five (\$75.00) for each unit. The minimum fee shall be one hundred and fifty dollars (150.00).~~
- b. ~~Mechanical equipment installations other than hotels and motels, the fee shall be eleven dollars (\$11.00) per one thousand dollars (\$1,000.00) based upon the valuation of the work. The minimum permit fee shall be one hundred fifty dollars (\$150.00). Mechanical equipment shall include, but not limited to, gas piping systems, LP gas tank installation, gas-fired equipment, and appliances.~~
- (4) ~~Electrical permit fees.~~ The permit fee for electrical work associated with the building construction, alteration, addition, and/or improvement shall be ten (10) percent of the construction permit fee of the structure established in subsection (1)a. above, but not less than one hundred fifty dollars (\$150.00). The permit fee for site electrical work shall be based on the estimated cost of work and shall be calculated using the valuations found in the permit fee schedule for commercial work.
- (5) ~~Insulation permit fee.~~ The insulation permit fee shall be five (5) percent of the cost of the construction permit fee established in (1)a. above, but not less than one hundred dollars (\$100.00).
- (6) ~~All threshold buildings will require a threshold inspector certification credential review, as per FBC. The fee for this review shall be two hundred dollars (\$200.00).~~
- (7) ~~The permit fee for grease traps, located outside the exterior of structure, shall be two hundred dollars (\$200.00).~~
- (8) ~~The permit fee for paint spray booths shall be four hundred dollars (\$400.00) plus required sub permit fees.~~
- (9) ~~The permit fee for site lighting shall be one hundred fifty dollars (\$150.00) for first pole plus twenty dollars (\$20.00) each additional pole, plus required plan review fee.~~
- (10) ~~The inspection fee to have a stop work order lifted shall be two hundred fifty dollars (\$250.00)~~
- (11) ~~The permit fee for commercial replacement or installation of windows, doors, shutters and/or awnings shall be one hundred fifty dollars (\$150.00) for the first, plus ten dollars (\$10.00) each additional.~~

Sec. 150.704. — Building permit fees for construction of other than that provided in sections 150.702 and 150.703.

- (1) ~~Temporary pole, residential electric service, temporary underground electric or service change fee shall be one hundred dollars (\$100.00) or eight six dollars (\$86.00) if submitted through the online permitting system. Non-residential/commercial fees shall be one hundred dollars (\$100.00) for less than 200 amps, two hundred fifty dollars (\$250.00) for 200 amps to 600 amps and three hundred fifty dollars (\$350.00) for 601 amps or greater.~~

- ~~(2) The permit fee for recovering an existing commercial roof shall be five hundred dollars (\$500.00) except when commercial structure is a converted residential dwelling refer to section 150.702(6).~~
- ~~(3) The permit fee for construction trailers and movable temporary buildings used in connection with land development or construction projects shall be two hundred dollars (\$200.00). A permit shall be valid for six (6) months. The renewal fee shall be one hundred dollars (\$100.00). Only one renewal shall be permitted. Electrical service connection fee shall be one hundred dollars (\$100.00). A construction trailer shall be defined as a trailer used temporarily by the contractor or subcontractor only to conduct the business of supervising and coordinating job site activities for the project where it is located.~~
- ~~(4) Reserved.~~
- ~~(5) An automatic lawn irrigation system shall require an electrical permit only. The permit fee shall be seventy five dollars (\$75.00) or sixty one dollars (\$61.00) if submitted through the online permitting system.~~
- ~~(6) The permit fee for the installation of a solar heating system shall be one hundred dollars (\$100.00).~~
- ~~(7) A fee of three hundred dollars (\$300.00) shall be required for a permit to install a manufactured (mobile HUD approved) home in a manufactured (mobile) home park. The fee to pour a slab or foundation for the placement of a manufactured (mobile HUD approved) home shall be one hundred dollars (\$100.00). Fees for porches and carports shall be the same as for other single family porches and carports.~~
- ~~(8) Fees for permits to replace residential water heaters shall be eighty six dollars (\$86.00) or seventy two dollars (\$72.00) if submitted through the online permitting system. Fees for replacement of commercial water heaters shall be one hundred fifty dollars (\$150.00).~~
- ~~(9) Demolition of buildings or structures: For the demolition of buildings or structures, the fee shall be as follows:
 - ~~(a) Commercial permit fee shall be two hundred dollars (\$200.00) for nonstructural demolition and five hundred dollars (\$500.00) for structural interior and exterior demolition.~~
 - ~~(b) The fee to demolish a single family residential dwelling shall be three hundred dollars (\$300.00).~~~~
- ~~(10) The permit fee for fences installed on lots zoned for single family dwellings is sixty five dollars (\$65.00) or fifty one dollars (\$51.00) if submitted through the online permitting system. The permit fee for concrete, masonry, stone, or other such walls installed on lots zoned for single family dwellings is one hundred dollars (\$100.00). The permit fee for fences installed as pool barriers is one hundred dollars (\$100.00). The permit fee for fences and walls installed on properties zoned for other than single family residential shall be as follows:
 - ~~(a) Fences shall be two hundred fifty dollars (\$250.00).~~
 - ~~(b) Walls shall be two hundred dollars (\$200.00) for the first one hundred (100) linear feet, plus seventy five cents (\$0.75) for each linear foot thereafter.~~
 - ~~(c) The minimum fee for commercial site walls shall be one hundred forty dollars (\$140.00)~~~~
- ~~(11) The permit fee for an in ground swimming pool located on residential single family dwelling lots shall be five hundred fifty dollars (\$550.00). Aboveground swimming pools installed below grade shall be three hundred dollars (\$300.00). An additional fee of seventy five dollars (\$75.00) shall be paid on all home owner builder swimming pools. This includes the electric permit fee. Above ground pools without excavation shall have a fee of one hundred~~

- dollars (\$100.00). The permit fee for public swimming pools or swimming pools in multifamily residential developments shall be eight hundred and seventy five dollars (\$875.00). Electric permit for such swimming pools shall be seventy five dollars (\$75.00).
- (12) ~~The permit fee for aboveground hot tubs or spas independent from a swimming pool shall be one hundred dollars (\$100.00) and one hundred fifty dollars (\$150.00) for in-ground hot tubs or spas.~~
- (13) ~~The permit fee for moving an existing building or structure shall be as follows:~~
- (a) ~~To move a building or structure from within the city limits to another property within the city limits, the fee shall be six hundred twenty five dollars (\$625.00). This fee includes the initial inspection by the building department and the foundation permit. This fee shall be paid at application.~~
 - (b) ~~The fee to move a building or structure from outside the city limits to within the city limits shall be one thousand dollars (\$1,000.00). This fee includes the initial inspection by the building department and the foundation permit. This fee shall be paid at application.~~
 - (c) ~~The fee to move a building from within the city limits to outside the city limits shall be four hundred dollars (\$400.00). This includes a post move inspection of the site vacated by the moved structure.~~
 - (d) ~~Additional building and site inspection fee for the above shall be seventy five dollars (\$75.00) per site visited.~~
- (14) ~~The permit fee for pool enclosures shall be two hundred dollars (\$200.00).~~
- (15) ~~The fee for a dock extending into the waterways within the city limits of Port St. Lucie, for lots on waterways which are zoned for single-family dwellings, shall be one hundred fifty dollars (\$150.00). Fees for seawalls, bulkheads, and retention walls on lots zoned for single-family dwellings abutting waterways within the city limits of Port St. Lucie shall be one hundred dollars (\$100.00) for the first one hundred (100) linear feet and five dollars (\$5.00) per linear foot thereafter.~~
- (16) ~~The fee for a public dock at a public marina or for dock(s) serving more than one (1) single-family residence shall be two hundred twenty five dollars (\$225.00), plus thirty two dollars (\$32.00) for each boat slip of docking space. The plan review fee shall be fifty four dollars (\$54.00). Fees for bulkheads, seawalls, and retention walls on lots zoned other than for single-family dwelling shall be two hundred dollars (\$200.00) for the first one hundred (100) linear feet and five dollars (\$5.00) per linear foot thereafter.~~
- (17) (a) ~~The fee for setting a nonpermanent or mobile structure not placed on a permanent foundation, to serve as a temporary sales or business office used in connection with land development or construction projects, shall be two hundred dollars (\$200.00), plus required sub permit fees. A permit is valid for six (6) months. The fee to renew shall be two hundred dollars (\$200.00).~~
- (b) ~~The fee for setting a nonpermanent or mobile structure not placed on a permanent foundation, to be used for a temporary office, church, bank, or other legally permitted approved occupancy, shall be two hundred fifty dollars (\$250.00), plus required sub permit fees. A permit shall be valid for one (1) year. All temporary offices shall meet all building, zoning, and engineering codes, and any other regulations.~~
- (18) ~~The permit fee for a concrete slab shall be seventy five dollars (\$75.00) for structures on lots zoned for single-family dwellings or sixty one dollars (\$61.00) if submitted through the~~

online permitting system. The permit fee for a concrete slab shall be one hundred dollars (\$100.00) for lots zoned for other than single family use.

(19) — The permit fee for a fireplace shall be seventy five dollars (\$75.00) plus applicable sub permit fees.

(20) — The electric permit for solar electric systems shall be:

Electric Permit:	1 KW — 2.9 KW	\$150.00
	3 KW — 4.9 KW	\$250.00
	5 KW — or greater	\$350.00
Plan Review:		\$150.00

(21) — *Reserved.*

(22) — *Reserved.*

(23) — The minimum fee for commercial permits shall be one hundred fifty dollars (\$150.00) unless otherwise stated.

(24) — *Reserved.*

(25) — Fees for duplicate building permit cards shall be twenty five dollars (\$25.00).

(26) — Fee's for generators shall be as follows:

Residential:	
Less than 25kw	\$150.00 plus applicable sub permits
25kw and greater	\$250.00 plus applicable sub permits
Commercial:	
Less than 50kw	\$300.00 plus applicable sub permits
50kw to 249kw	\$600.00 plus applicable sub permits
250kw to 499kw	\$800.00 plus applicable sub permits
500kw and greater	\$1,000.00 plus applicable sub permits

(27) — Fees other than those specifically stated in this section shall be as determined by the building official based on building department costs.

(28) — Fees for residential garage door or any exterior door replacement shall be seventy five dollars (\$75.00) or sixty one dollars (\$61.00) if submitted through the online permitting system for each type of door.

(29) — The permit fee for a residential shutter installation shall be one hundred dollars (\$100.00) or eighty six dollars (\$86.00) if submitted through the online permitting system.

(30) — The permit fee for the installation of child safety pool barrier shall be thirty five dollars (\$35.00) for new construction. The permit fee for the installation of child safety pool barrier for existing pools shall be one hundred dollars (\$100.00).

(31) — The electric permit fee for man made bodies of water as defined in NEC 682 shall be two hundred dollars (\$200.00).

(32) — The permit fee for the replacement or installation of windows shall be seventy five dollars (\$75.00) for first, plus five dollars (\$5.00) each additional.

Section 5. Title XV, Land Usage, Chapter 156, Subdivision Regulations, Article VI, Design and Improvement; Model Standards, Principles and Guidelines, Section 156.088 is amended as follows:

Sec. 156.088. - Finished Floor Elevation.

No platted lot shall be approved that does not contain a suitable building site of sufficient elevation to permit construction utilizing a first-floor elevation based upon the following:

- (A) Minimum building floor elevation shall be six (6) inches above the three-day rainfall, 100-year return period. Where the floodway of any stream or river is defined, lots shall be platted for residential use only if all parts of the platted lots located within the floodway are expressly limited to open space uses. On-site drainage storage capacity shall not be reduced.
- (B) The minimum finished floor elevation of any structure shall be as set forth in section ~~150.401~~ 150.001, subsection 107.3.5.1.
- (C) Driveways or other areas of access to a building or structure shall be sloped so as to prevent the runoff of surface water into any building or structure.

Section 6. Title XV, Land Usage, Chapter 154, Landscape and Land Clearing Code, Article III, Land Clearing, Section 154.22(G) is amended as follows:

- (G) The clearing of platted single-family parcels bordering on waterways of the North Fork of the St. Lucie River shall require a plot plan, erosion control plan, and clearing permit as stipulated in Ordinance 81-17. A 15-foot native vegetation buffer shall be preserved or provided along the mean high water line as a means to deter shoreline erosion. For these parcels, the residential plot plan survey shall also show the 15-foot buffer ~~in addition to the requirements outlined in §150.404.~~ The residential plot plans shall be submitted to the Engineering Department for review.

Section 7. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 8. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 9. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 10. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2020.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney