

**ORDINANCE NO. 2024-\_\_\_\_**

**SEMINOLE COUNTY, FLORIDA**

**AN ORDINANCE AMENDING APPENDIX A (SCOPE AND ADMINISTRATION) OF CHAPTER 40 (BUILDING AND CONSTRUCTION) OF THE SEMINOLE COUNTY CODE; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the Seminole County Building Division to codify administrative provisions of Chapter 40 Seminole County Code (the “Building Code”) to be generally consistent with the Florida Statutes; and

**WHEREAS**, to maintain administrative consistency at the local level, it is the desire of the Building Division to implement changes to the Building Code that reflect recent legislative changes within the Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

**Section 1. Incorporation of Recitals.** The above recitals represent the legislative findings of the Seminole County Board of County Commissioners supporting the need for this Ordinance.

**Section 2.** Appendix A (Scope and Administration) of Chapter 40 (Building and Construction) of the Seminole County Code is hereby amended to read as follows:

**CHAPTER 40 - BUILDING AND CONSTRUCTION**

\* \* \*

**APPENDIX A**

**CHAPTER 1, SCOPE AND ADMINISTRATION**

**SECTION 101**

**SCOPE AND GENERAL REQUIREMENTS**

**101.1 Title.** These regulations shall be known as the ~~Florida Building Code~~ Seminole County Code, Building and Construction, Appendix “A”, hereinafter referred to as “this code.”

**101.2 Scope.** The provisions of this code shall apply to the construction, alteration, relocation, 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 ~~(town houses)~~ (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. Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the *Florida Building Code, Existing Building*.

3. 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~~ shall not be utilized or enforced.

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

44           **101.2.2 Florida Building Code, Residential.** Construction standards or practices which  
are not covered by *Florida Building Code, Residential* volume shall be in accordance with the  
46 provisions of *Florida Building Code, Building*.

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

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

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

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through ~~101.4.9~~ 101.4.10  
62 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 Electrical.** The provisions of Chapter 27 of the *Florida Building Code, Building*~~  
~~shall apply to the installation of electrical systems, including alterations, repairs, replacement,~~  
66 ~~equipment, appliances, fixtures, fittings and appurtenances thereto.~~ The provisions of FBC 2023

8<sup>th</sup> ed., NEC, and NFPA 70 shall govern the design, construction, erection and installation of the  
68 electrical components, appliances, equipment, and systems used in buildings and structures  
covered by this code. The *Florida Fire Prevention Code* and NFPA 70 shall govern the use and  
70 maintenance of electrical components, appliances, equipment, and systems. The *Florida Building*  
*Code, Existing Building* and NFPA 70 shall govern the alteration, repair, relocation, replacement,  
72 and addition of electrical components, appliances, equipment, and systems.

**101.4.2 Gas.** The provisions of the *Florida Building Code, Fuel Gas* shall apply to the  
74 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  
76 delivery to the inlet connections of appliances and the installation and operation of residential and  
commercial gas appliances and related accessories.

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

**101.4.4 Plumbing.** The provisions of the *Florida Building Code, Plumbing* shall apply to  
82 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  
84 and all aspects of a medical gas system.

**101.4.5 Property maintenance.** Reserved.  
86

**101.4.6 Fire prevention.** For provisions related to fire prevention, refer to the *Florida*  
88 *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, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**101.4.7 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.

**101.4.8 Existing buildings.** 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.

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

**101.4.10 Manufactured buildings.** For additional administrative and special code requirements, see section 458, *Florida Building Code, Building*, and Rule 61-41 F.A.C.

## **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 ~~or~~ 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  
114 *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,  
116 including, but not limited to, correctional facilities, juvenile justice facilities, or state universities,  
community colleges, or public education facilities, as provided by law.

118 **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,  
120 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  
122 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*  
124 *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  
126 and provided by law:

- a. Building and structures specifically regulated and preempted by the federal  
128 government.
- b. Railroads and ancillary facilities associated with the railroad.
- 130 c. Nonresidential farm buildings on farms.
- d. Temporary buildings or sheds used exclusively for construction purposes.
- 132 e. Mobile or modular structures used as temporary offices, except that the provisions of  
Part II (Sections 553.501—553.513, *Florida Statutes*) relating to accessibility by persons with  
134 disabilities shall apply to such mobile or modular structures. Permits shall be required for structural

support and tie down, electric supply and all other such utility connections to such mobile or  
136 modular structures as required by this jurisdiction.

f. Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida*  
138 *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  
140 television production, or any sound-recording equipment used in such production, on or off the  
premises.

h. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole  
142 Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut  
144 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.

i. Family mausoleums not exceeding 250 square feet (23 m<sup>2</sup>) in area which are  
146 prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs,  
148 and a floor constructed of granite, marble, or reinforced concrete.

j. Temporary housing provided by the Department of Corrections to any prisoner in the  
150 state correctional system.

k. A building or structure having less than 1,000 square feet (93 m<sup>2</sup>) which is constructed  
152 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, ~~or~~ if the building or structure:

- 154 1. Is not rented or leased or used as a principal residence;
2. Is not located within the 100-year flood plain according to the Federal Emergency  
156 Management Agency's current Flood Insurance Rate Map; and
3. Is not connected to an off-site electric power or water supply.

158           1. A drone port as defined in Section 330.41(2).

**102.2.1** In addition to the requirements of Sections 553.79 and 553.80, *Florida Statutes*,  
160 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  
162 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.

164           **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  
166 at the time the building or structure is moved, provided:

          1. The building or structure is structurally sound, meeting the wind speed requirements of  
168 the new location and in occupiable condition for its intended use;

          2. The occupancy use classification for the building or structure is not changed as a result  
170 of the move;

          3. The building is not substantially remodeled;

172           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  
174 and are operational and safe for reconnection; and

          6. Foundation plans are sealed by a professional engineer or architect licensed to practice  
176 in this state, if required by the *Florida Building Code, Building*, for all residential buildings or  
structures of the same occupancy class. (See *Florida Building Code, Existing Building* Chapter 13  
178 for additional requirements for relocated or moved buildings)

**102.2.3** The building official shall apply the same standard to a moved residential building  
180 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 or local enforcement agency 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 adopt  
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 or repair shall not exceed 1,000 square feet (93 m<sup>2</sup>)  
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 \$5,000.00 within any 12-month period.

c. Building plans review 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.

204           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 in the territorial  
206 jurisdiction of the enforcement district or local enforcement agency implementing it.

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

**Exception:** Electrical service to such playground equipment shall be in accordance with  
210 Chapter 27 of the *Florida Building Code, Building*.

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

214           **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  
216 reference and as further regulated in Sections 102.4.1 and 102.4.2.

**102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced  
218 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  
220 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  
222 Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or  
standard.

224           **102.5 Partial invalidity.**~~In the event that~~ If 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  
226 provisions.

**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 otherwise specifically provided in this code, the *Florida Building Code, Existing Building*, or the *Florida Fire Prevention Code*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

**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 Fire Prevention 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 and is not in compliance with the provisions of the *Florida Building Code* relating to roof-mounted mechanical units.

## **PART 2 — ADMINISTRATION**

### **AND ENFORCEMENT**

#### **SECTION 103**

##### **BUILDING DIVISION**

**103.1 Creation of enforcement agency.** The Seminole County Building Division is hereby created and the official in charge thereof shall be known as the building official. All code officials employed by the division shall be certified in accordance with Chapter 468, Part XII, *Florida Statutes*.

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

**103.3 Restrictions on employees.** An officer or employee connected with the Building Division, except one whose only connection is as a member of a board established by this code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration or maintenance of building, structure, service, system or in the making of

plans or of specifications thereof, within the jurisdiction of the division, unless he is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with his duties or conflict with the interest of the division.

## **SECTION 104**

### **DUTIES AND POWERS OF BUILDING OFFICIAL**

**104.1 General powers.** 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.

**104.1.1 Delegation of authority.** Whenever a provision of this code requires the building official to perform an act or duty, it is to be construed to authorize a person to whom the building official has designated authority to perform the act or duty.

**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, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**104.2.1 Revocation of permits.** The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or based on the basis of false, incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any provisions of this code.

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

**104.2.3 Determination of substantially improved or substantially damaged existing**  
**buildings and structures in flood hazard areas.** For applications for reconstruction,  
302 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  
304 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  
306 where required by this code, the building official shall require the building to meet the  
requirements of Section 1612 or R322 of the *Florida Building Code, Residential*, as applicable.

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

**104.4 Inspections.** The building official shall make all of the required inspections, or the  
310 building official shall have the authority to accept reports of inspection by approved agencies or  
building official shall have the authority to accept reports of inspection by approved agencies or  
312 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  
314 engage such expert opinion as deemed necessary to report upon unusual technical issues that arise,  
subject to the approval of the appointing authority.

316       **104.5 Identification.** The building official or duly authorized representative shall carry proper  
identification when inspecting structures or premises in the performance of their duties under this  
318 code.

**104.6 Right of entry.** Whenever it is necessary to make an inspection to enforce the  
320 provisions of this code, or where the building official has reasonable cause to believe that there  
exists in a structure or upon a premises a condition which is contrary to or in violation of this code  
322 which makes the structure or premises unsafe, dangerous or hazardous, the building official or  
duly authorized representative is authorized to enter the structure or premises at reasonable times  
324 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 request. If such structure or  
326 premises is unoccupied, the building official or duly authorized representative shall first make a  
reasonable effort to locate the owner or other persons having charge or control of the structure or  
328 premises and requested entry. If entry is refused, the building official shall have recourse to the  
remedies provided by law to secure entry.

330       **104.6.1** When the building official shall have first obtained a proper inspection warrant or  
other remedy provided by law to secure entry, no owner or occupant or any other persons having  
332 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 or  
334 duly authorized representative for the purpose of inspection and examination pursuant to this code.

**104.7 Division records.** The building official shall keep official records of applications  
336 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 per Section 119, *Florida Statutes*. The records of the division shall be open to public inspection consistent with applicable law.

**104.8 Liability.** The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

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

**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 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 Building Division.

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

**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 and safety. Where alternative material, design or method

of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved, meets all the following:

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

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

2.1 Quality

2.2 Strength

2.3 Effectiveness

2.4 Fire resistance

2.5 Durability

2.6 Safety

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  
406 retained by the building official for the period required for retention of public records.

**104.12 Requirements not covered by code.** Any requirements necessary for strength,  
408 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  
410 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 who intends to construct, enlarge,  
414 alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install,  
enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas,  
416 mechanical or plumbing system, the installation of which is regulated by this code, or to cause any  
such work to be performed, shall first make application to the building official and obtain the  
418 required permit.

**105.1.1 Annual facility permit.** In lieu of an individual permit for each alteration to an  
420 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  
422 emergency service, repair, refurbishing, minor renovations of service systems or manufacturing  
equipment installations/relocations. The building official shall be notified of major changes and  
424 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.  
426 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  
428 be performed during the year.

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

**105.1.3 Food permit.** In accordance with Section 500.12, *Florida Statutes*, a food permit  
434 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  
436 to construct, develop, or modify a public swimming pool without proof of application, whether  
to construct, develop, or modify a public swimming pool without proof of application, whether  
438 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.  
440 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  
442 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  
444 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  
446 any special flood hazard area. Exemptions granted under this section do not relieve the owner or  
any special flood hazard area. Exemptions granted under this section do not relieve the owner or  
448 contractor from their duty to comply with applicable provisions of the *Florida Building Code*, and

requirements of the local floodplain management ordinance. Permits shall not be required for the  
450 following:

**Building:**

- 452 1. Oil derricks.
2. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons  
454 (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
3. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- 456 4. Temporary motion picture, television and theater stage sets and scenery.
5. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than  
458 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above  
ground.
- 460 6. Shade cloth structures constructed for nursery or agricultural purposes, not including  
service systems.
- 462 7. Swings and other playground equipment accessory to detached one- and two-family  
dwellings.
- 464 8. Window awnings supported by an exterior wall that do not project more than 54 inches  
(1372 mm) from the exterior wall and do not require additional support, of Groups R-3 and U  
466 occupancies.
9. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9  
468 inches (1753 mm) in height.

**Electrical:**

470        1. Repairs and maintenance: Minor repair work, including the replacement of lamps or  
the connection of approved portable electrical equipment to approved permanently installed  
472 receptacles.

2. Radio and television transmitting stations: The provisions of this code shall not apply  
474 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.

476        3. Temporary testing systems: A permit shall not be required for the installation of any  
temporary system required for the testing or servicing of electrical equipment or apparatus.

478        **Gas:**

         1. Portable heating appliance.

480        2. Replacement of any minor part that does not alter approval of equipment or make such  
equipment unsafe.

482        **Mechanical:**

         1. Portable heating appliance.

484        2. Portable ventilation equipment.

         3. Portable cooling unit.

486        4. Steam, hot or chilled water piping within any heating or cooling equipment regulated  
by this code.

488        5. Replacement of any part that does not alter its approval or make it unsafe.

         6. Portable evaporative cooler.

490        7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of  
refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

492 8. The installation, replacement, removal, or metering of any load management control  
device.

494 **Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that  
496 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  
498 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  
500 removal and reinstallation of water closets, provided such repairs do not involve or require the  
replacement or rearrangement of valves, pipes or fixtures.

502 **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  
504 working business day to the building official.

**105.2.2 Minor repairs.** Ordinary minor repairs may be made with the approval of the  
506 building official without a permit, provided the repairs do not include the cutting away of any wall,  
partition or portion thereof, the removal or cutting of any structural beam or load-bearing support,  
508 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,  
510 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  
512 affecting public health or general safety, and such repairs shall not violate any of the provisions of  
the technical codes.

514 **105.2.3 Public service agencies.** Reserved.

**105.3 Application for permit.** To obtain a permit, the applicant shall first file an application  
516 therefore in writing on a form furnished by the Building Division for that purpose.

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

520 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  
522 the latest edition 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  
524 permit and any extension granted to the permit.

Effective October 1, 2017, a local enforcement agency shall post each type of building permit  
526 application on its website. Completed applications must be able to be submitted electronically to  
the appropriate Building Division. Accepted methods of electronic submission include, but are not  
528 limited to, e-mail submission of applications in portable document format or submission of  
applications through and electronic fill-in form available on the Building Division's website or  
530 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 nonelectronic format, at  
532 the discretion of the building official.

**105.3.1 Action on application.** The building official shall examine or cause to be  
534 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  
536 laws, the building official shall reject such application in writing, stating the reasons ~~therefor~~  
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 therefore 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.

**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 by counties and municipalities 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.

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 new 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 or fewer, notwithstanding the size of the existing fire sprinkler system; or may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of the

existing fire sprinkler system, if there is no change to occupancy of the affected areas, as defined  
in this code and the *Florida Fire Prevention Code*, and there is no change in the water demand as  
defined in NFPA 13 “Standard for the Installation of Sprinkler Systems”, and if the occupancy  
hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the  
alteration.

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. 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 value of \$125, 000 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 6 individual offices where each office has a single three-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 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.

**Exception: Simplified permitting process for fire alarm system projects.**

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 department under Part II of Chapter 489, Florida Statutes.

b. “Fire alarm system project” means a fire alarm system alteration of a total of 20 or fewer initiating devices and notification devices, or the installation or replacement of a fire communicator connected to an existing fire alarm control panel in an existing commercial, residential, apartment, cooperative or condominium building.

2. A local enforcement agency:

a. May require a contractor, as a condition of obtaining a permit for a fire alarm system project, to submit a completed application and payment.

b. May not require a contractor to submit plans or specifications as a condition of obtaining a permit for a fire alarm system project.

3. A local enforcement agency must issue a permit for a fire alarm system project in person or electronically.

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

5. A contractor must keep a copy of a fire alarm system project worksite and make such plans and specifications available to the inspector at each inspection.

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~~ requires an electrical system with a value of over \$125,000; and ~~Requires~~ 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 ~~volts~~ 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*.

**105.3.1.3 Reviewing application for building permit:**

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

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

          a. Determine if the application is properly completed;  
638           b. Approve the application;  
          c. Approve the application with conditions;  
640           d. Deny the application; or  
          e. Advise the applicant of information, if any, that is needed to deem the  
642 application properly completed or to determine the sufficiency of the application.

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

          a. Determine if the application is properly completed;  
648           b. Approve the application;  
          c. Approve the application with conditions;  
650           d. Deny the application; or

e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.

4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:

a. Approve the application;

b. Approve the application with conditions; or

c. Deny the application.

5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.

**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 180 days 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 and justifiable cause demonstrated.

**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, 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 ~~there for~~ 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 Sections 440.10 and 440.38, *Florida Statutes*.

**105.3.6 Asbestos removal.** 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. 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 and by county or 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 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

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

**105.3.9 Public right of way.** A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or



projections fronting on any street, alley or public lane, or for the placing on any lot or premises of  
any building or structure removed from another lot or premises, unless the applicant has received  
a right of way permit from the authority having jurisdiction over the street, alley or public lane.

**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 ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction 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 where in violation of this code or of any other ordinances of this jurisdiction.

**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 six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months 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 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

742 been commenced or completed be removed from the building site. Alternately, a new permit may  
be issued or the original permit reinstated on application, providing the work in place and the work  
744 required to complete the structure meets all applicable regulations in effect at the time the  
application was submitted for the initial permit became null and void and any regulations which  
746 may have become effective between the date of expiration and the date of issuance of the new  
permit or the date of the reinstatement of the original permit. Applicable regulations which may  
748 have become effective between the date of the original permit application and the date of issuance  
of the new permit or reinstated permit may be modified if their application clearly would be  
750 impractical in the judgment of the building official, but only where it is clearly evident a reasonable  
degree of safety is maintained.

752 **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  
754 civil commotion or strike or when the building work is halted due directly to judicial injunction,  
order or similar process.

756 **105.4.1.4** The fee for renewal reissuance and extension of a permit shall be set forth  
by the administrative authority.

758 **105.4.1.5** After the local enforcing agency issues a permit, the local enforcing agency  
may not make or require any substantive changes to the plans, or specifications except changes  
760 required for compliance with the *Florida Building Code*, the *Florida Fire Prevention Code*, or the  
Life Safety Code, or local amendments thereto. If a local enforcing agency makes or requires  
762 substantive changes to the plans or specifications after a permit is issued, the local enforcing  
agency must identify the specific plan features that do not comply with the applicable codes,

764 identify the specific code chapters and sections upon which the finding is based and provide the  
information to the permitholder in writing.

766       **105.5 Expiration.** Every permit issued shall become invalid unless the work on the site  
authorized by such permit is commenced within 180 days after its issuance, or if the work  
768 authorized on the site by such permit holder and property owner shall be responsible to either  
complete all work in accordance with the permitted plans and inspection or remove any partially  
770 completed work in a safe and code compliant manner. The building official is authorized to grant,  
in writing, one or more extensions of time, for periods not more than 180 days each. The extension  
772 shall be requested in writing and justifiable cause demonstrated as determined by the building  
official.

774       **105.5.1 Additional options for closing a permit.** Pursuant to Section 553.79(15), *Florida*  
*Statutes*, a property owner, regardless of whether the property owner is the one listed on the  
776 application for the building permit, may close a building permit by complying with the following  
requirements:

778           1. The property owner may retain the original contractor listed on the permit or hire a  
different contractor appropriately licensed in this state to perform the work necessary to satisfy the  
780 conditions of the permit and to obtain any necessary inspection in order to close the permit. If a  
contractor other than the original contractor listed on the permit is hired by the property owner to  
782 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.

784           2. The property owner may assume the role of an owner-builder, in accordance with  
Sections 489.103(7) and 489.503(6), *Florida Statutes*.

786           3. If a building permit is expired and its requirements have been substantially completed,  
as determined by the local enforcement agency, the permit may be closed without having to obtain  
788 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 enforcement agency received the application for the  
790 permit, unless the contractor has sought and received approval from the local enforcement agency  
for an alternative material, design or method of construction.

792           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  
794 that no apparent safety hazard exists.

For purposes of this section, the term “close” means that the requirements of the permit  
796 have been satisfied.

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

800           **105.5.3** For the purposes of this subsection, an open permit shall mean a permit that has  
not satisfied all requirements for completion as defined in 105.5.1.1.

802           **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  
804 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  
806 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  
808 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  
810 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  
812 enforcing agency. The local enforcing agency shall provide this information to the permit  
applicant.

814 **105.6.1** Pursuant to Section 553.79(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  
816 or assess fees against an arm's-length purchaser of a property for value solely because a building  
permit applied for by a previous owner of the property was not closed. The local enforcement  
818 agency shall maintain all rights and remedies against the property owner and contractor listed on  
the permit.

820 **105.6.2** Pursuant to Section 553.79(16), *Florida Statutes*, a local enforcement agency may  
not deny issuance of a building permit to a contractor solely because the contractor is listed on  
822 other building permits that were not closed. A local enforcement agency has the authority to deny  
a new permit application from an applicant for other reasons.

824 **105.6.3** The building official is authorized to suspend or revoke a permit issued under the  
provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate  
826 or incomplete information, or in violation of any ordinance or regulation or any of the provisions  
of this code.

828 **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.

830       **105.8 Notice of commencement.** In accordance with Section 713.135, *Florida Statutes*, when  
any person applies for a building permit, the authority issuing such permit shall print on the face  
832 of each permit card in no less than 14-point, capitalized, boldfaced type:

“WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF  
834 COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO  
YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND  
836 POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO  
OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE  
838 RECORDING YOUR NOTICE OF COMMENCEMENT.”

**105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition  
840 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*  
842 *Statutes*, and to notify the Department of Environmental Protection of her or his intentions to  
remove asbestos, when applicable, in accordance with state and federal law.

844       **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  
846 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  
848 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  
850 protective treatment. If the soil chemical barrier method for termite prevention is used, final  
exterior treatment shall be completed prior to final building approval.

852       **105.11 Notice of termite protection.** A permanent sign which identifies the termite treatment  
provider and need for re-inspection and treatment contract renewal shall be provided. The sign  
854 shall be posted near the water heater or electric panel.

856       **105.12 Work starting before permit issuance.** Upon 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  
858 permit applicant and the work does not proceed past the first required inspection.

860       **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  
862 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 own risk with the building operation and without assurance  
864 that a permit for the entire structure will be granted. Corrections may be required to meet the  
requirements of the technical codes.

866       **105.14 Permit issued on basis of an affidavit.** Whenever a permit is issued in reliance upon  
an affidavit or whenever the work to be covered by a permit involves installation under conditions  
868 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  
870 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  
872 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  
874 architect or engineer is not available, the owner shall employ in his stead a competent person or

agency whose qualifications are reviewed by the building official. The building official shall  
876 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  
878 inspector under Part XII of Chapter 468, *Florida Statutes*.

~~**Exception:**~~ **105.14.1 Affidavits in flood areas.** Permit issued on basis of an affidavit shall  
880 not extend to the flood load and flood resistance requirements of the *Florida Building Code* and  
the building official shall review and inspect those requirements.

**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  
884 residence, that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000.00  
or more for a site-built single-family detached residential structure that is located in the wind-  
886 borne debris region as defined in this code and that has an insured value of \$750,000.00 or more,  
or, if the site-built single-family detached residential structure is uninsured or for which  
888 documentation of insured value is not presented, has a just valuation for the structure for purposes  
of ad valorem taxation of \$750,000.00 or more; opening protections as required within this code  
890 or *Florida Building Code, Residential* for new construction shall be provided.

**Exception:** Where defined wind-borne debris regions have not changed, single family  
892 detached residential structures permitted subject to the *Florida Building Code* are not required to  
comply with this section.

**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  
896 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



898 directly impacted by the construction, erection, alteration, modification, repair, or demolition of  
the building, structure, or real property for which the permit is sought.

900 (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  
902 in the *Florida Building Code*.

2. A change of occupancy as defined in the *Florida Building Code*.

904 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*.

906 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  
908 administrator, inspector, or other official or entity, from:

1. Citing any violation inadvertently observed in plain view during the ordinary course of  
910 an inspection conducted in accordance with the prohibition in paragraph (a).

2. Inspecting a physically nonadjacent portion of a building, structure, or real property  
912 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  
914 with the prohibition in paragraph (a).

3 Inspecting any portion of a building, structure, or real property for which the owner or  
916 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  
918 prohibition in paragraph (a).

4. Inspecting any portion of a building, structure, or real property pursuant to an  
920 inspection warrant issued in accordance with subsections 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 ~~registrations~~ registration issued by the department 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*, including video cameras and closed circuit television systems used to signal or detect a burglary, fire, robbery or medical emergency, 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~~ The term also includes ancillary components or equipment attached to ~~such a low voltage alarm system, or low voltage electric 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  
944 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  
946 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:

948 (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  
950 Electrotechnical Commission Standard No. 60335-2-76, Current Edition.

(b) A nonelectric fence or wall must completely enclose the low-voltage electric fence.  
952 The low-voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or  
wall.

954 (c) The low-voltage electric fence must be identified using warning signs attached to the  
fence at intervals of not more than 60 feet.

956 (d) The low-voltage electric fence shall not be installed in an area zoned exclusively for  
single-family or multi-family residential use.

958 (e) The low-voltage electric fence shall not enclose the portions of a property which are  
used for residential purposes.

960 (4) This section does not apply to the installation or replacement of a fire alarm if a plan review  
is required.

962 (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  
964 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  
966 replacement of a new or existing alarm.

(a) A local enforcement agency may not require a contractor, as a condition of purchasing  
968 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  
970 jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels  
972 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  
974 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  
976 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  
978 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-  
980 Voltage Alarm System Project.

(8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted  
982 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  
984 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  
986 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.** In commercial or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50 psf (2.40 kN/m<sup>2</sup>), 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 shall not be issued until the floor load signs, required by Section 106.1, 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 inspection, geotechnical report and other data shall be submitted in two or more sets with each permit application in accordance with Section 553.79, *Florida Statutes*. The construction documents shall be prepared by a registered design professional where required by Chapter 471, *Florida Statutes*, and 61G15, *Florida Administrative Code*, or 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.

**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.

**107.2 Construction documents.** Construction documents shall be in accordance with Sections 107.2.1 through ~~107.2.7~~ 107.2.6.

**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 where 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.

**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.

**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. In other than occupancies in Groups R-2, R-3, and I-1, 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 ~~documentations~~ documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

**107.2.5 Exterior balcony 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 an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include 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 plot. 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 when otherwise warranted.

**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, Building*.

**107.2.6.2** 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  
1078 information specified in Section 1603.

**107.3 Examination of documents.** The building official shall examine or cause to be  
1080 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  
1082 code and other pertinent laws or ordinances.

**Exceptions:**

1084 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  
1086 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  
1088 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  
1090 modular building portion of the permitted project.

2. Industrial construction on sites where design, construction and fire safety are  
1092 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  
1094 building official or local government option, from review of plans and inspections, providing the  
appropriate licensed design and inspection professionals or owners certify that applicable codes  
1096 and standards have been met and supply appropriate approved drawings to local building and fire-  
safety inspectors.

1098 **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.

**107.3.4 Design professional in responsible charge.** ~~Reserved.~~ 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 successor 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 owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

Successor registered design professional in responsible charge licensed under Chapter 471, Florida Statutes, shall comply with Section 471.025(4), *Florida Statutes*, and the procedure set forth in 61G15-27.001, Florida Administrative Code; or licensed under Chapter 481, *Florida Statutes*, shall comply with Section 481.221(6), *Florida Statutes*, and the procedure set forth in 61G1-18.002, Florida Administrative Code.

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.

**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 to be submitted to the building official.

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** Certifications by contractors authorized under the provisions of Section 489.115(4)(b), *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; all fenestration and building envelope penetrations; flashing; and rough opening dimensions; and all exterior elevations:

**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 (with cross check with the energy code submittal).

3 Minimum type of construction shall be determined (Table 503, Florida Building Code, Building).

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 ~~draftstopping~~ draft stopping
- 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

7. Occupancy load/egress requirements shall include:

- 1192           • Occupancy load
- Gross
- 1194           • Net
- Means of egress
- 1196           • Exit access
- Exit
- 1198           • Exit discharge
- Stairs construction/geometry and protection
- 1200           • Doors
- Emergency lighting and exit signs
- 1202           • Specific occupancy requirements
- Construction requirements
- 1204           • Horizontal exits/exit passageways

8. Structural requirements shall include:

- 1206           • Soil conditions/analysis
- Termite protection
- 1208           • Design loads
- Wind requirements
- 1210           • Building envelop
- Impact resistant coverings or systems
- 1212           • Structural calculations (if required)
- Foundation

- 1214                   • Flood requirements in accordance with Section 1612, including lowest floor  
                          elevations, enclosures, flood damage-resistant materials
- 1216                   • Wall systems
- Floor systems
- 1218                   • Roof systems
- Threshold inspection plan
- 1220                   • Stair systems
9. Materials shall be reviewed and shall at a minimum include the following:
- 1222                   • Wood
- Steel
- 1224                   • Aluminum
- Concrete
- 1226                   • Plastic
- Glass
- 1228                   • Masonry
- Gypsum board and plaster
- 1230                   • Insulating (mechanical)
- Roofing
- 1232                   • Insulation
- Building envelope portions of the Energy Code (including calculation and  
1234                   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 develop)
- Light and ventilation (including corresponding portion of the energy code)
- Sanitation

12. Special systems:

- Elevators
- Escalators
- Lifts

13. Swimming Pools:

- Barrier requirements
- Spas
- Wading pools



14. 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
- Electrical portions of the Energy Code (including calculation and mandatory requirements)

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
- 1280 3. Water supply piping
- 4. Sanitary drainage
- 1282 5. Water heaters
- 6. Vents
- 1284 7. Roof drainage
- 8. Back flow prevention
- 1286 9. Irrigation
- 10. Location of water supply line
- 1288 11. Grease traps
- 12. Environmental requirements
- 1290 13. Plumbing rise
- 14. Design flood elevation
- 1292 15. Water/plumbing portions of the Energy Code (including calculation and  
mandatory requirements)

1294 **Mechanical.**

- 1. Mechanical portions of the Energy calculations
- 1296 2. Exhaust systems:
  - Clothes dryer exhaust
  - 1298 • Kitchen equipment exhaust
  - Specialty exhaust systems
- 1300 3. Equipment
- 4. Equipment location

- 1302            5. Make-up air
- 6. Roof-mounted equipment
- 1304            7. Duct systems
- 8. Ventilation
- 1306            9. Combustion air
- 10. Chimneys, fireplaces and vents
- 1308            11. Appliances
- 12. Boilers
- 1310            13. Refrigeration
- 14. Bathroom ventilation
- 1312            15. Laboratory
- 16. Design flood elevation
- 1314            17. Smoke and/or Fire Dampers

**Gas.**

- 1316            1. Gas piping
- 2. Venting
- 1318            3. Combustion air
- 4. Chimneys and vents
- 1320            5. Appliances
- 6. Type of gas
- 1322            7. Fireplaces
- 8. LP tank location
- 1324            9. Riser diagram/shutoffs

10. Design flood elevation

11. Gas portions of the Energy Code (including calculation and mandatory requirements)

**Demolition.**

1. Asbestos removal

**Residential (one- and two-family) Building.**

1. Site requirements:

2. Set back/separation (assumed property lines)

3. Location of septic tanks

24. Fire-resistant construction (if required)

35. Fire

46. Smoke and/or carbon monoxide alarm/detector locations

57. Egress:

- Egress window size and location stairs construction requirements

68. 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

- Foundation

- 1348                   •    Wall systems
- Floor systems
- 1350               •    Roof systems
- Flood hazard areas, flood zones, design flood elevations, lowest floor
- 1352               elevations, enclosures, equipment, and flood damage-resistant materials

79. Accessibility requirements:

- 1354               •    Show/identify
- Accessible bath

1356               810. Impact resistant coverings or systems

                      911. Residential Energy Code submittal (including calculation and mandatory

1358               requirements)

**Manufactured buildings/housing:**

- 1360               1. Site requirements
  - Setback/separation (assumed property lines)
  - 1362               •    Location of septic tanks (if applicable)
- 2. Structural
  - 1364               •    Wind zone
  - Anchoring
  - 1366               •    Blocking
- 3. Plumbing
  - 1368               •    List potable water source and meter size (if applicable)
- 4. Mechanical
  - 1370               •    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
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 buildings/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 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 of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

**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*.

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

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

**107.6.2 Affidavits provided pursuant to Section 553.791, *Florida Statutes*. For a building or structure in a flood hazard area, the building official shall review any affidavit**

certifying compliance with the flood load and flood-resistant construction requirements of the *Florida Building Code*.

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

## **SECTION 108**

### **TEMPORARY STRUCTURES AND USES**

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

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

**108.3 Temporary power.** The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by



the temporary certificate shall comply with the requirements specified for temporary lighting, heat  
or power in NFPA 70.

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

## **SECTION 109**

### **FEES**

**109.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law 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.** The Board of County Commissioners shall from time to time  
establish by resolution such building permit fees, and such other fees as shall be equitable and  
necessary to carry out the intent of this Chapter.

**109.2.1 Types of Fees Enumerated.** Fees may be charged for, but not limited to, the  
following:

1. Permits;
2. Plans examination;
3. Certificates of competency (including fees for applications, examinations, renewal, late  
renewal, and reciprocity);
4. Re-inspections;
5. Administrative fees (including fees for investigative and legal costs incurred in the  
context of certain disciplinary cases heard by the board);
6. Variance requests;
7. Administrative appeals;
8. Violations; and

1462            9. Other fees as established by local resolution or ordinance.

1464            **109.3 Building permit valuation.** The applicant for a permit shall provide an estimated  
permit value at time of application. Permit valuations shall include total value of work, including  
materials and labor, for which the permit is being issued, such as electrical, gas, mechanical,  
1466 plumbing equipment and permanent systems. If, in the opinion of the building official, the  
valuation is underestimated on the application, the permit shall be denied, unless the applicant can  
1468 show detailed estimates to meet the approval of the building official. Final building permit  
valuation shall be set by the building official.

1470            **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  
1472 necessary permits or without prior approval from the building official as permitted in Section  
105.2.2 or 105.12 shall be subject to a fee established by the Seminole County Board of County  
1474 Commissioners that shall be in addition to the required permit fees or as provided by local  
ordinance This provision shall not apply to emergency work when delay would clearly have placed  
1476 life or property in imminent danger. But in all such cases, the required permit(s) must be applied  
for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall  
1478 result in the charge or a double fee. The payment of a double fee shall not preclude or be deemed  
a substitute for prosecution for commencing work without first obtaining a permit. The building  
1480 official may grant extension of time or waive fees when justifiable cause has been demonstrated  
in writing.

1482            **109.5 Related fees.**~~Reserved.~~ 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.** ~~Reserved.~~ The building official is authorized to establish a refund policy.

## **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 Florida licensed professional surveyor and mapper 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.

**110.2 Preliminary inspection.** 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.

**110.3 Required inspections.** The building official upon notification from the permit holder or his or her agent shall make the following inspections, 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.

**Building:**

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

- \* Stem-wall
- \* Monolithic slab-on-grade
- \* Piling/pile caps
- \* Footers/grade beam

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.

1.2 A foundation/form board survey prepared and certified by a Florida licensed professional surveyor and mapper may be required, prior to approval of the slab inspection. The survey shall certify placement of the ~~buildings~~ 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.

1.3 In flood hazard areas, upon placement of the lowest floor, including basement,  
and prior to further vertical construction, the elevation certification shall be  
submitted to the authority having jurisdiction.

2. Framing inspection. To be made after the roof, all framing, fireblocking and  
bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are  
complete and the rough electrical, plumbing, heating wires, pipes and ducts are  
approved and shall at a minimum include the following building components:

- \* Verify threshold slab inspection approval when threshold inspections are  
required.
- \* Window/door framing
- \* Window U-factor/SHGC (as indicated on approved energy calculations)
- \* Vertical cells/columns
- \* Lintel/tie beams
- \* Framing/trusses/bracing/connectors (including truss layout & Engineered  
drawings)
- \* Draft stopping/fire blocking
- \* Curtain wall framing
- \* Energy insulation (Insulation R-factor as indicated on approved energy  
calculations)
- \* Accessibility
- \* Verify rough opening dimensions are within tolerances
- \* Window/door buck attachment

2.1 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. Verify threshold frame inspection approval  
when threshold inspections are required.

2.2 Lath and gypsum board inspection for fire-resistance-rated or shear assemblies.

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.

3. 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
- \* Exterior Siding/Cladding
- \* Sheathing fasteners
- \* Roof/wall dry-in

**NOTE:** Sheathing fasteners installed and found to be missing the structural member (shiners) shall  
be removed and properly reinstalled prior to installation of the dry-in material.

4. Exterior wall coverings. Shall at a minimum include the following building  
components in progress inspections:

- Exterior wall coverings and veneers

- Soffit coverings

5. 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

5.1 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 Existing Building Code may be accepted at the discretion of the building official.

6. Final inspection. To be made after the building is completed and ready for occupancy.

6.1 In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation or the elevation to which a building is dry floodproofed, as applicable, shall be submitted to the authority having jurisdiction.

7. Swimming pool inspection.

First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete shell.

- a. Steel reinforcement inspection
- b. Underground electric inspection
- c. Underground piping inspection including a pressure test

- d. Underground electric inspection under deck area (including the equipotential bonding)
- e. Underground piping inspection under deck area
- f. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
- g. Safety Inspection: Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed
- h. Final pool piping
- i. Final Electrical inspection
- j. Final inspections 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 454.2.17 of ~~this code~~ the *Florida Building Code, Residential*.

8. Demolition Inspections. First inspection 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.

Final inspection to be made after all demolition work is completed.

9. Manufactured building Inspections. The Building Division 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~~ the *Florida Building Code*).

10. Where impact-resistant coverings or impact-resistant systems are installed, the building official shall schedule adequate inspections of 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 manufactures 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, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes. Includes electrical provisions of the energy code and approved energy calculation provisions.
3. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy. Includes electrical provisions of the energy code and approved energy calculation provisions.
4. 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 installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.  
Includes plumbing provisions of the energy code and approved energy calculations provisions.
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.  
Includes plumbing provisions of the energy code and approved energy calculation provisions.

**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 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.  
Includes mechanical provisions of the energy code and approved energy calculations provisions.
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.

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

**Gas:**

1. 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.

Includes gas provisions of the energy code and approved energy calculations provisions.

2. 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.

3. 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 insure 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.

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

**Site debris.** Reserved.

**110.3.1 Footings and foundation inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for

the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

**110.3.2 Concrete slab and under-floor 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.

**110.3.3 Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.4 and Section R322 of the *Florida Building Code, Residential*, shall be submitted to the building official.

**110.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

**110.3.5—~~Lathy~~ Lath, gypsum board and gypsum panel product inspection.** Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

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

**110.3.6 Weather-exposed balcony and walking surface 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 inspected 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 FBC, Energy Conservation and confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-value and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical 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 Building Division.

**110.3.10 Special Inspections.** Reserved.

**110.3.11 Final Inspection.** The final-inspections inspection shall be made after all work required by the building permit is completed.

**110.3.11.1 Flood hazard documentation.** If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Section 1612.5 of the Florida Building Code and Section R322 of the *Florida Building Code, Residential*, shall be submitted to the building official prior to the final inspection.

1732                   **110.3.11.2 Commercial Energy Code documentation.** If required by energy code  
path submittal, confirmation that commissioning result requirements have been received by  
1734 building owner.

**110.3.11.3 Residential Energy Code documentation.** If required by energy code  
1736 path submittal (R405), confirmation that the duct test requirements shall be received by the  
building official.

1738                   **110.3.12 Termites.** Building components and building surroundings required to be  
protected from termite damage in accordance with Section 1503.7, Section 2304.12.9 or Section  
1740 2304.12.4 of the *Florida Building Code*, specifically required to be inspected for termites in  
accordance with Section 2114 of the *Florida Building Code*, or required to have chemical soil  
1742 treatment in accordance with Section 1816 of the *Florida Building Code* shall not be covered or  
concealed until the release from the building official has been received.

1744                   **110.3.13 Impact-resistant coverings or systems.** Where impact-resistant coverings or  
systems are installed to meet requirements of this code, the building official shall schedule  
1746 adequate inspections of impact-resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
- 1748 2. The system is installed in accordance with the manufacturer's installation instructions  
and the product approval.

1750                   **110.4 Inspection agencies.** Reserved.

**110.5 Inspection requests.** It shall be the duty of the holder of the building permit or their  
1752 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  
1754 required by ~~this code~~ the *Florida Building 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 projects in which the 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 ~~re-shoring~~ 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 Division may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by ~~this code~~ the *Florida Building Code*, Section 553.73, *Florida Statutes*, without duplicative inspection by the Building Division. 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 Chapter 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~~ the *Florida Building Code*.

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

**110.9.1 General.** The Legislature finds that maintaining the structural integrity of a building throughout its service life is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such,

1824 the Legislature finds that the imposition of a statewide structural inspection program for aging  
condominium and cooperative buildings in this state is necessary to ensure that such buildings are  
1826 safe for continued use.

**110.9.2** As used in this section, the terms:

1828 (a) “Milestone Inspection” means a structural inspection of a building, including an  
inspection of load-bearing wall and the primary structural members and the primary structural  
1830 systems as those terms are defined in Section 627.706, *Florida Statutes*, by a licensed architect or  
engineer authorized to practice in this state for the purposes of attesting to the life safety and the  
1832 adequacy of the structural components, of the building and, to the extent reasonably possible,  
determining the general structural condition of the building as it affects the safety of such building,  
1834 including a determination of any necessary maintenance, repair, or replacement of any structural  
components of the building. The purpose of such inspection is not to determine if the condition of  
1836 an existing building is in compliance with the *Florida Building Code* of the fire safety code.

(b) “Substantial structural deterioration” means substantial structural distress that  
1838 negatively affects a building’s general structural condition and integrity. The term does not include  
surface imperfections, such as cracks, distortion, sagging, deflections, misalignment, signs of  
1840 leakage, or peeling of finishes, unless the licensed engineer or architect performing the phase one  
or phase two inspection determines that such surface imperfections are a sign of substantial  
1842 structural deterioration.

**110.9.3** A condominium association under Chapter 718, *Florida Statutes*, and a  
1844 cooperative association under Chapter 719, *Florida Statutes*, must have a milestone inspection  
performed for each building that is three stories or more in height by December 31 of the year in  
1846 which the building reaches 30 years of age, based on the date the certificate of occupancy for the

building was issued, and every 10 years thereafter. If the building is located within 3 miles of a  
coastline as defined in Section 376.031, *Florida Statutes*, the condominium association or  
cooperative association must have a milestone inspection performed by December 31 of the year  
in which the building reaches 25 years of age, based on the date the certificate of occupancy was  
issued and every 10 years thereafter. The condominium association or cooperative association  
must arrange for the milestone inspections to be performed and is responsible for ensuring  
compliance with the requirements of this section. The condominium association or cooperative  
association is responsible for all costs associated with the inspection. This subsection does not  
apply to a single-family two-family, or three-family dwelling with three or fewer habitable stories  
above ground.

**110.9.4** If a milestone inspection is required under this section and the building's  
certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone  
inspection must be performed before December 31, 2024. If the date of issuance for the certificate  
of occupancy is not available, the date of issuance of the building's certificate of occupancy shall  
be the date of occupancy evidenced in any record of the local building official.

**110.9.5** Upon determining that a building must have a milestone inspection, the local  
enforcement agency must provide written notice of such required inspection to the condominium  
association or cooperative association by certified mail, return receipt requested.

**110.9.6** Within 180 days after receiving the written notice under Section 110.9.5, the  
condominium association or cooperative association must complete phase one of the milestone  
inspection. For purposes of this section, completion of phase one of the milestone inspection means  
the licensed engineer or architect who performed the phase one inspection submitted the inspection

report by e-mail, United States Postal Service, or commercial delivery service to the local  
enforcement agency.

**110.9.7 A milestone inspection consists of two phases.**

**110.9.7.1** For phase one of the milestone inspection, a licensed architect or engineer  
authorized to practice in this state shall perform a visual examination of habitable and non-  
habitable areas of a building, including the major structural components of a building, and provide  
a quantitative assessment of the general conditions of the building. If the architect or engineer finds  
no signs of substantial structural deterioration to any building components under visual  
examination, phase two of the inspection, as provided in Section 110.9.7.2 of the *Florida Building*  
*Code*, is not required. An architect or engineer who completes a phase one milestone inspection  
shall prepare and submit an inspection report pursuant to Section 110.9.8 of the *Florida Building*  
*Code*.

**110.9.7.2** A phase two of the milestone inspection must be performed if any substantial  
structural deterioration is identified during phase one. A phase two inspection may involve  
destructive or nondestructive testing at the inspector's discretion. The inspection may be as  
extensive or as limited as necessary to fully assess areas of structural distress in order to confirm  
that the building is structurally sound and safe for its intended use and to recommend a program  
for fully assessing and repairing distressed and damaged portions of the building. When  
determining testing locations, the inspector must give preference to locations that are the least  
disruptive and most easily repairable while still being representative of the structure. An inspector  
who completes a phase two milestone inspection shall prepare and submit an inspection report  
pursuant to Section 110.9.8 of the *Florida Building Code*.

**110.9.8** Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

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

(b) Indicate the manner and type of inspection forming the basis for the inspection report.

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

(d) State whether unsafe or dangerous conditions, as those items are defined in the *Florida Building Code*, were observed.

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

(f) Identify and describe any items requiring further inspection.

**110.9.9** The association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery and by electronic transmission to unit owners who previously consented to receive notice by electronic transmissions, must post a copy of the inspector-prepared summary in a conspicuous place on the

condominium or cooperative property, and must publish a full report and inspector-prepared summary on the association’s website, if the association is required to have a website.

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

**110.9.11** The board of county commissioners may adopt an ordinance requiring that a condominium or cooperative association schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

## **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 therefore 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~~ the Florida Building Code or of other ordinances of the jurisdiction.

**Exception:** Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2 of the Florida Building Code.

**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

Building Division, 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.
10. The type of construction as defined in Chapter 6.
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.

**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~~ the Florida Building Code.

**111.5 Certificate of Completion.** 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 a shell building, prior to the issuance of a Certificate of Occupancy.

## **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.

**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.

**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 of the Florida Building Code in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2 of the Florida Building Code. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the



1982 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  
1984 practical thereafter.

## **SECTION 113**

### **BOARD OF APPEALS**

#### **RESERVED**

## **SECTION 114**

### **VIOLATIONS**

1990 **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 or  
1992 equipment regulated by ~~this code~~ the *Florida Building Code*, or cause same to be done, in conflict  
with or in violation of any of the provisions of this code.

1994 **114.2 Notice of violation.** The building official is authorized to serve a notice of violation or  
order on the person responsible for the erection, construction, alteration, extension, repair, moving,  
1996 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  
1998 shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**114.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the  
2000 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  
2002 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.

**114.4 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 as prescribed by law.

## **SECTION 115**

### **STOP WORK ORDER**

**115.1 Authority.** Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of ~~this code~~ the *Florida Building 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, 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.

**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 STRUCTURES AND EQUIPMENT**

**116.1 Conditions.** Structures 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 of inadequate maintenance, shall be deemed  
2028 an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the  
building official deems necessary and as provided for in this section. A vacant structure that is not  
2030 secured against entry shall be deemed unsafe.

**116.2 Record.** The building official shall cause a report to be filed on an unsafe condition.  
2032 The report shall state the occupancy of the structure and the nature of the unsafe condition.

**116.3 Notice.** If any unsafe condition is found ~~regarding an occupied structure~~, the building  
2034 official shall serve on the owner, agent or person in control of the structure, a written notice that  
describes the condition deemed unsafe and specifies the required repairs or improvements to be  
2036 made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a  
stipulated time. Such notice shall require the person thus notified to declare immediately to the  
2038 building official acceptance or rejection of the terms of the order.

**116.4 Method of service.** Such notice shall be deemed properly serve if a copy thereof is (a)  
2040 delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner  
at the last known address with the return receipt requested; or (c) delivered in any other manner as  
2042 prescribed by local law. If the certified or registered letter is returned showing that the letter was  
delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected  
2044 by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the  
person responsible for the structure shall constitute service of notice upon the owner.

**116.5 Restoration.** Where the structure or equipment determined to be unsafe by the building  
2046 official is restored to a safe condition, to the extent that repairs, alterations or additions are made  
2048 or a change of occupancy occurs during the restoration of the structure, such repairs, alterations,

additions and change of occupancy shall comply with the requirements of section 105.2.2 and the  
2050 Florida Building Code, Existing Building.

## **SECTION 117**

### **VARIANCES IN FLOOD HAZARD AREAS**

2052 **117.1 Flood hazard areas.** Pursuant to Section 553.73(5), *Florida Statutes*, the variance  
2054 procedures adopted in the local flood plain management ordinance shall apply to requests  
submitted to the building official and the Seminole County Flood Plain Administrator for variances  
2056 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  
2058 to Section 3109 of the *Florida Building Code, Building*.

**Section 3. Codification.** It is the intention of the Board of County Commissioners that  
2060 the provisions of this Ordinance will become and be made a part of the Seminole County Code,  
and that the word “ordinance” may be changed to “section”, “article”, or other appropriate word  
2062 or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such  
intention, except that Sections 1, 3, 4 and 5 of this Ordinance are not to be codified.

2064 **Section 4. Severability.** If any provision or application of this Ordinance to any person  
or circumstance is held invalid, then it is the intent of the Board of County Commissioners that  
2066 such invalidity will not affect other provisions or applications of this Ordinance that can be given  
effect without the invalid provision or application and, to this end, the provisions of this Ordinance  
2068 are declared severable.

**Section 5. Effective date.** This Ordinance will take effect upon filing a copy of this  
2070 Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

**BE IT ORDAINED** by the Board of County Commissioners of Seminole County, this

2072 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
GRANT MALOY  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida

\_\_\_\_\_  
JAY ZEMBOWER, Chairman

RM/sjss  
3/19/24  
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