

CHAPTER 1

ADMINISTRATION

SECTION 101 GENERAL

101.1 Scope. For the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use, occupancy, location and maintenance of buildings and structures. The provisions of this ordinance shall govern the administration and enforcement of the *Florida Building Code*.

101.2 Title. The provisions of the following chapters shall constitute and be known, and be cited as the *Florida Building Code* also known as “the code.”

101.3 Code Remedial

101.3.1 General. This code is hereby declared to be remedial and shall be construed to be the minimum standards necessary to secure the beneficial interests and purposes thereof, which are public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems.

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

101.3.3 Permitting and inspection. The inspection or permitting of any building, system or plan by the 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 their adequacy.

101.4 Applicability

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

101.4.2 Building. The provisions of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 of the *Florida Building Code*

Exemptions: The following buildings, structures, and facilities are exempt from the *Florida Building Code* as provided by law, and any future exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the Federal Government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile homes used as temporary offices, except that the provisions of part V (ss. 553.501-553.513, FS) relating to accessibility by persons with disabilities shall apply to such mobile homes.
- (f) Those structures or facilities of electric utilities, as defined in s. 366.02, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida of the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.

101.4.2.1 The *Florida Building Code* does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to

programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

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

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

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

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

101.4.2.3.2 Unsafe Buildings shall be abated using the Standard Unsafe Building Abatement Code, 1985 edition, promulgated by the Southern Building Code Congress International, Inc.,

subject to all amendments, modifications or deletions hereinafter contained.

101.4.2.4 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 Insurance to inspect state-owned buildings and boilers.

101.4.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities. At its own option, each enforcement district or local enforcement agency may promulgate rules granting to the owner of a single-family residence one or more exemptions to the Florida Building Code relating to:

1. Addition, alteration or repair performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet or the square footage of the primary structure, whichever is less.
2. Addition, alteration or repairs by a non-owner within a specific cost limitation set by rule, provided the total cost shall not exceed \$5,000 within any 12-month period.
3. Building and inspection fees.

Each code exemption, as defined in this section, shall be certified to the local board 10 days prior to implementation and shall be effective only in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

101.4.3 Electrical. The provisions of Chapter 27 of the *Florida Building Code, Building* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

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

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

101.4.6 Plumbing. The provisions of the *Florida Building Code, Plumbing* shall apply to every plumbing installation,

including alterations, repairs, replacement, equipment appliances, fixtures, fittings and appurtenances and wh connected to a water or sewerage system and all aspects of a medical gas system.

101.4.7 Federal and state authority. The provisions this code shall not be held to deprive any Federal or State agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of this code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights provided by law.

101.4.8 Appendices. To be enforced, the appendix included in the technical codes must be adopted by a local governmental jurisdiction for use in that jurisdiction. **Pinellas County hereby adopts the following:**

1. Appendices A & D Florida Building
2. Appendices B, C & E Florida Plumbing Code
3. Appendices A & B Florida Gas Code

101.4.9 Referenced standards. Standards referenced in the technical codes shall be considered an integral part of the codes without separate adoption. If specific portions of a standard are denoted by code text, only those portions of the standard shall be enforced. Where code provisions conflict with a standard, the code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

101.4.10 Units of measure. The inch-pound system of measurement is applicable to the provisions of this code. Metric units indicated in parenthesis following inch-pound units are approximate equivalents and are provided for informational purposes only.

101.4.11 Accessibility. For provisions related to accessibility, refer to Chapter 11 of the *Florida Building Code, Building*.

101.4.12 Energy. For provisions related to energy, refer to Chapter 13 of the *Florida Building Code, Building*.

101.4.13 Rules of Construction The rules set out in this section shall be observed, unless such construction is inconsistent with the manifest intent of this chapter. The rules of construction and definitions set out here shall not be applied to any section of this chapter which contains any express provisions excluding such construction, or where the subject matter or content of such section would be inconsistent with this section

101.4.13.1 Generally. All provisions, terms, phrases and expressions contained in this division shall be liberally construed in order that the true intent and meaning of the administration of the jurisdiction may be fully carried out. Terms used in this division, unless otherwise specifically provided, shall have the

meanings prescribed by the statutes of this state for the same terms.

101.4.13.2 Text. In case of any difference of meaning or **interpretation** between the text and any figure, the text shall control.

101.4.13.3 Delegation of authority. Whenever a provision appears requiring the building official or some other officer or employee to do some act or perform some duty, it is to be construed to authorize the building official or other officer to designate, delegate and authorize professional level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

101.4.13.4 Month. The word "month" shall mean a calendar month

101.4.13.5 Shall, may. The word "shall" is mandatory; "may" is permissive. The word "shall" takes precedence over "may."

101.4.13.6 Written or in writing. The term "written" or "in writing" shall be construed to include any representation of words, letters or figures whether by printing or otherwise.

101.4.13.7 Year. The word "year" shall mean a calendar year, unless a fiscal year is indicated

101.4.13.8 Interpretation. Interpretations of this chapter shall be made by the building official.

101.4.14 Words not defined.

101.4.14.1 Words not defined herein shall have the meaning stated in the Florida Statutes or other nationally recognized codes, or other documents, manuals or standards adopted elsewhere in this chapter. Words not defined in those documents shall have the meaning stated in the Webster's Ninth New Collegiate Dictionary, as revised.

101.4.14.2 In case of a conflict in definitions or codes, the appropriate definition (or code) to be applied shall be the one applicable to the trade in question. In case of a conflict between different parts of this chapter; conflicts within the same code; or conflicts between codes; the more stringent requirements shall be applicable.

101.4.15 Words Defined

Abandon or abandonment. (1) Termination of work on a construction project by a contractor without just cause or proper notification to the owner including the reason for termination. (2) Failure of a contractor to perform work without just cause for ninety (90) days. (3) Failure to obtain

an approved inspection within one hundred eighty (180) days from the previous approved inspection.

Appraised value. For the purpose of this section, appraised value is defined as either (1) one hundred and twenty (120) percent of the assessed value of the structure as indicated by the County Property Appraiser's Office or (2) the value as indicated in a certified appraisal from a certified appraiser.

Assessed value. The value of real property and improvements thereon as established by the Pinellas County Property Appraiser.

Authorized agent. A person specifically authorized by the holder of a certificate of competency to obtain permits in his stead.

Base flood elevation. Means the elevation measured in feet above mean sea level, as shown on the flood insurance rate map (FIRM).

Basic Wind Speed Line. The basic wind speed line for the jurisdiction shall be as established by the wind speed contour map attached to, and made part of, this chapter. ~~if applicable.~~

Board. The appropriate City or County Board of Adjustment and Appeals, unless otherwise specifically stated.

Breakaway walls. Means any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic, or any other suitable building materials which are not part of the structural support of the building and which are so designed as to break away under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by floodwaters.

BCAIB: Building Code Administrators and Inspectors Board per Florida Statue 468 Part 12

Building component. An element or assembly of elements integral to or part of a building.

Building shell. The structural components that completely enclose a building, including, but not limited to, the foundation, structural frame, floor slabs, exterior walls and roof system.

Building system. A functionally related group of elements, components and/or equipment, such as the electrical, plumbing and mechanical systems of a building.

Certification. The act or process of obtaining a certificate of competency from the state or municipality through the review of the applicant's experience and financial responsibility as well as successful passage of an examination.

Certificate of competency (certificate). An official document evidencing that a person is qualified to engage in the business of contracting, subcontracting or the work of a specific trade.

Certificate of experience. An official document evidencing that an applicant has satisfied the work experience requirements for a certificate of competency.

Certificate of occupancy (C.O.). An official document evidencing that a building satisfies the requirements of the jurisdiction for the occupancy of a building.

Certified contractor. Any contractor who possesses a certificate of competency issued by the Department of Professional Regulation of the State of Florida.

Change of occupancy. A change from one Building Code occupancy classification or sub-classification to another.

Commercial building. Any building, structure, improvement or accessory thereto, other than a one- or two-family dwelling.

Cumulative construction cost. The sum total of costs associated with any construction work done to a building or structure either at one (1) time or at different times within a specified period of time.

Demolition. The act of razing, dismantling or removal of a building or structure, or portion thereof, to the ground level.

Flood insurance rate map (FIRM). Means an official map of a community on which the administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Floodproofing. Means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FCILB. The Florida Construction Industry Licensing Board **per Florida Statue 489 Parts 1 and 2**

Imminent Danger. Structurally unsound conditions of a structure or portion thereof that is likely to cause physical injury to a person entering the structure: Or Due to structurally unsound conditions, any portion of the structure is likely to fall, be carried by the wind, or otherwise detach or move, and in doing so cause physical injury or damage to a person on the property or to a person or property nearby: Or The condition of the property is such that it harbors or is inhabited by pests, vermin, or organisms injurious to human

health, the presence of which constitutes an immediate hazard to people in the vicinity.

Inspection warrant. A court order authorizing the official or his designee to perform an inspection of a particular property named in the warrant.

Interior finish. The preparation of interior spaces of a commercial building for the first occupancy thereof.

Licensed contractor. A contractor certified by the State of Florida or the local jurisdiction who has satisfied the all state or local requirements to be actively engaged in contracting.

Lowest floor. Means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for the parking of vehicles.

Market value. Shall be synonymous with appraisal value.

Owner's agent. When appropriate, a person, firm or entity authorized in writing by the owner to act for or in place of the owner.

Permit. An official document authorizing performance of a specific activity regulated by this chapter.

Permit card or placard. A document issued by the jurisdiction evidencing the issuance of a permit and recording of inspections.

Registered contractor. A contractor who has registered with the Department of Professional Regulation of the State of Florida pursuant to fulfilling the competency requirements of the local jurisdiction.

Registration. The act or process of registering a locally obtained certificate of competency with the state, or the act or process of registering a state issued certificate of competency with the municipality.

Remodeling. Work which changes the original size, configuration or material of the components of a building.

Residential building. Any one- or two-family building or accessory.

Roofing. The installation of roof coverings.

Spa. Any constructed or prefabricated pool containing a water pump.

Specialty contractor. A contractor whose services do not fall within the categories specified in Section 489.105(3), Florida Statutes, as amended.

Start of construction. The removal, disassembly, repair, replacement, installation or assembly of the building, structure, building system or building components in whole or parts thereof.

Stop work order. An order by the building official, or his designee, which requires the immediate cessation of all work and work activities described in the order.

Structural component. Any part of a system, building or structure, load bearing or non-load bearing, which is integral to the structural integrity thereof, including but not limited to walls, partitions, columns, beams and girders.

Structural work or alteration. The installation or assembling of new structural components into a system, building or structure. Also, any change, repair or replacement of any existing structural component of a system, building or structure.

Substantial completion. Where the construction work has been sufficiently completed in accordance with the applicable city, state and federal codes, so that the owner can occupy or utilize the project for the use for which it is intended.

Substantial damage. Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement. Means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Threshold building means any building which is greater than three stories or 50 feet in height, or which has an assembly occupancy classification as defined in the Florida

Building Code which exceeds 5,000 square feet in area and an occupant content of greater than 500 persons.

Value. Job cost.

SECTION 102 BUILDING DEPARTMENT

102.1 Establishment. There is hereby established a department to be called the **Pinellas County Building Department** and the **County Administrator** shall designate a person in charge. **That person** shall be known as the Building Official.

102.2 Employee qualifications

102.2.1 Building Official Qualifications. The Building Official shall be licensed as a Building Code Administrator by the State of Florida. The Building Official shall be appointed or hired by the applicable governing authority and shall not be removed from office except for cause after full opportunity has been given to be heard on specific charges before such applicable governing authority, **except that failure to maintain State certification as a Code Administrator shall be grounds for dismissal without a hearing.**

102.2.2 Assistant Building Official Qualifications. The Assistant Building Official shall be licensed as a Building Code Administrator by the State of Florida. The Assistant Building Official shall act as the Building Official in the absence of the Building Official. The Assistant Building Official shall be appointed or hired by the applicable governing authority and shall not be removed from office except for cause after full opportunity has been given to be heard on specific charges before such applicable governing authority, **except that failure to maintain State certification as a Code Administrator shall be grounds for dismissal without a hearing.**

102.2.3 Chief Inspector Qualifications. The Building Official, with the approval of the applicable governing authority, may designate chief inspectors to administer the provisions of the Building, Electrical, Gas, Mechanical and Plumbing Codes. Each Chief Inspector shall have at least ten (10) years experience or equivalent, as an architect, engineer, inspector, contractor, or superintendent of construction, or any combination thereof. Each chief inspector shall be certified as an inspector and plans examiner in the respective field and shall be in compliance with State certification requirements, when the inspection category is regulated by the State. Failure to maintain such required State certification shall be grounds for dismissal.

102.2.4 Plans Examiner The Building Official, with the approval of the applicable governing authority, may appoint or hire such number of plans examiners as shall be authorized from time to time. All plans examiners shall be State certified in their field of responsibility by the State. Failure to

maintain such certified in their field of responsibility when the inspection category is regulated by the State. Failure to maintain such certification shall be grounds for dismissal as an inspector.

102.2.5 Inspector Qualifications. The Building Official, with the approval of the applicable governing authority, may appoint or hire such number of inspectors as shall be authorized from time to time. All inspectors shall be State certified in their field of responsibility when the inspection category is regulated by the State. Failure to maintain such certification shall be grounds for dismissal as an inspector.

102.2.6 Other Employee Qualifications. Any employee functioning in other capacities requiring State certification must obtain and retain such certification. Failure to obtain or maintain such certification shall be grounds for dismissal. A person shall not be appointed or hired as inspector or plans examiner unless that person meets the qualifications for licensure as an inspector or plans examiner, in the appropriate trade as established by the State of Florida.

102.3 Restrictions on employees. An employee of the department except one whose only connection is as a member of the 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 a building, structure, service, system or in the making of plans or of specifications thereof, unless he is the owner of such. Employees shall not engage in any other work which is inconsistent with their duties or conflict with the interest of the department.

102.4 Records. The Building Official shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection.

SECTION 103 POWERS AND DUTIES OF THE BUILDING OFFICIAL

103.1 General. The building official or his or her designee is hereby authorized and directed to enforce the provisions of this code. The Building Official is further authorized to render interpretations of this code, **which are consistent with its spirit and purpose** 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, and shall not have the effect of waiving requirements specifically provided for in this code.

103.2 Right of entry

103.2.1 Inspections. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes

such building, structure, premises, electrical, gas, mechanical or plumbing systems unsafe, dangerous or hazardous, the building official may enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this code. If such building or premises are occupied, the Building Official shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry, except when a building permit has been issued for such, in which case the permit shall imply a right of entry has been granted. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

103.2.2 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 charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

103.3 Stop work orders. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this code or any county ordinance in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

103.4 Revocation of permits. 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 or incomplete information, or in violation of any ordinance or regulation or any provisions of this code.

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

103.4.2 Violation of code provisions. The building official may revoke a permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas,

mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

103.5 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Standard Unsafe Building Abatement Code or other local ordinance.

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

103.7 Alternate materials and methods.

103.7.1 The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by them, provided any such alternate has been reviewed by the building official. The building official shall approve any such alternate, provided the building official finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability and safety. When alternate life safety systems are designed, the "SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings," or other methods approved by the building official may be used. The building official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

103.7.2 Accessibility. Alternate designs and technologies for providing access to and usability of a facility for persons with disabilities shall be in accordance with Section 11-2.2 of Chapter 11 of this code.

SECTION 104 PERMITS

104.1 Permit Application

104.1.1 When required. Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building or structure, or any outside area being

used as part of the building's designated occupancy (single or mixed) or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit for the work.

Exceptions:

1. Permits shall not be required for the following.
 - 1.1. any portable heating appliance;
 - 1.2. any portable ventilation equipment;
 - 1.3. any portable cooling unit;
 - 1.4. any steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
 - 1.5. replacement of any part which does not alter its approval or make it unsafe;
 - 1.6. any portable evaporative cooler;
 - 1.7. any self-contained refrigeration system containing 10 lb (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less; and
 - 1.8. The installation, replacement, removal, or metering of any load management control device.
 - 1.9. Fences
 - 1.10. Utility sheds less than 100 square feet.
 - 1.11. Roof work of less than \$500.
 - 1.12. Paving.
 - 1.13. Work of a strictly cosmetic nature

104.1.2 Temporary structures. A special building permit for a limited time shall be obtained before the erection or placement of temporary structures such as construction sheds, seats, tents and fences used in construction work or for temporary purposes. Such structures shall be completely removed upon the expiration of the time limit stated in the permit.

104.1.3 Work authorized. A building, electrical, gas, mechanical or plumbing permit shall carry with it the right to construct or install the work, provided the same is shown on the drawings and set forth in the specifications filed with the application for the permit. Where these are not shown on the drawings and covered by the specifications submitted with the application, separate permits shall be required.

104.1.4 Minor repairs. Ordinary minor repairs may be made with the approval of the building official without a permit, provided that such repairs shall not violate any of the provisions of the technical codes. **The following conditions involving repairs and maintenance shall be considered as meeting the ordinary repair definition:**

1. Application of stucco or siding involving 500 square feet or less.
2. Installation of soffit or fascia involving 100 square

feet or less.

104.1.5 Information required. Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner, **a contractor certified by the state or county to practice in the scope of work proposed**, or his authorized agent. The building permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information as may be required by the building official. Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of s. 713.135, Florida Statutes. Each application shall be inscribed with the date of application. For a building permit for which an application is submitted prior to the effective date of the Florida Building Code, the state minimum building code in effect in the permitting jurisdiction of the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

104.1.6 Time Limitations. Except as otherwise provided in this chapter, an application for a permit for any proposed work shall be deemed to have been abandoned, and shall expire and become null and void 6 months after the date of filing for the permit, or plan approval, whichever is later unless before then a permit has been issued. One or more extensions of time for periods of not more than 90 days each may be allowed by the building official for the application, provided the extension is requested in writing and justifiable cause is demonstrated.

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

104.1.7.1 Annual Permit Records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have reasonable access to such records upon request. The permit holder shall

list/identify all work performed on a form approved by the building official. At the end of the permit validation period, a copy of the log shall be filed with the building official, **and certified by a Florida Registered design professional as to meeting all pertinent codes.** The building official is authorized to revoke or withhold the issuance of the future permits if a pattern of code violations is found to exist.

104.1.8 Food Permit. As per s. 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

104.1.9 Notice of Commencement. As per s. 713.135 Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 18-point, capitalized, boldfaced type: “WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.”

104.1.9.1 If the direct contract is greater than \$2,500 for a construction project, or \$5,000 for the repair or replacement of an existing heating or air-conditioning system, the applicant at the time of permitting shall file with the issuing authority either a certified copy of the recorded notice of commencement or a notarized statement that the notice of commencement has been filed for recording, along with a copy thereof. The certified copy of the notice of commencement must contain the name and address of the owner, the name and address of the contractor, and the location or address of the property being improved. The issuing authority shall verify that the name and address of the owner, the name of the contractor, and the location or address of the property being improved which is contained in the certified copy of the notice of commencement is consistent with the information in the building permit application. The issuing authority shall provide the recording information on the certified copy of the recorded notice of commencement to any person upon request. If a local government requires a separate permit or inspection for installation of temporary electrical service or other temporary utility service, land clearing, or other preliminary site work, such permits may be issued and such inspections may be conducted without providing the issuing authority with a certified copy of a recorded notice of commencement or a notarized statement regarding a recorded notice of commencement

104.1.10 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner’s or operator’s

responsibility to comply with the provisions of s. 469.003, Florida 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.

104.2 Drawings and specifications

104.2.1 Requirements. As required by 104.3.1.1 of the code, two or more copies of specifications, and of drawings drawn to a **standard** scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications 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.

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

104.2.1.2 Additional data. The building official shall be allowed to require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations.

104.2.2 Design professional. If the design professional is an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering, then he/she shall affix his official seal to said drawings, specifications and accompanying data, as required by Florida Statute. **The design professional shall be an architect or engineer legally registered under the laws of this state for the following:**

- 1. All new construction not exempted by other provisions of the code.**
- 2. All renovations of Group A, E, and I occupancies**
- 3. Building or structures 5,000 square feet or greater.**

104.2.2.1 Certification by contractors authorized under the provisions of s. 489.115(4)(b), Florida Statutes shall be considered to 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.

104.2.3 Structural and fire resistance integrity. Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems. Such plans shall also indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls and where joints occur in required fire resistant construction assemblies.

104.2.4 Site drawings. Drawings shall show the location of the proposed building or structure and of every existing building or structure on the site or lot. The building official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field.

104.2.5 Certificate of Protective Treatment for prevention of termites. A weather resistant jobsite posting board shall be provided to receive duplicate Treatment Certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The Treatment Certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

104.2.7 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 shall be posted near the water heater or electric panel.

104.3 Examination of documents.

104.3.1 Plan Review. The building official shall examine or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, computations and additional data, and shall ascertain by such examinations whether the construction indicated and described is in accordance with the

requirements of the technical codes and all other pertinent laws or ordinances.

Exceptions:

1. Building plans approved pursuant to s. 553.77(6), Florida Statutes and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections.
2. Industrial construction on sites where design, construction and fire safety are supervised by appropriate design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to local government option, from review of plans and inspections, providing owners certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

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

Commercial Buildings: Building

1. Site Requirements
parking
lighting
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
2. Occupancy group and special occupancy requirements shall be determined.
3. Minimum type of construction shall be determined (Table 500)
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
calculated fire resistance
5. Fire suppression systems shall include **if**

required:

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 **if required:**

occupant load and egress capacities
smoke control
stair pressurization
systems schematic

7. Occupancy Load/Egress Requirements shall include **if required:**

Occupancy load
gross
net
means of egress
exit access
exit
exit discharge
stairs construction/geometry and protection doors
emergency lighting and exit signs
specific occupancy requirements
construction requirements
horizontal exits/exit passageways

8. Structural requirements shall include **if required:**

soil conditions/analysis
termite protection
design loads
wind requirements
building envelope
structural calculations (if required)
foundation
wall systems
floor systems
roof systems
threshold inspection plan
stair systems

9. Appropriateness of materials shall be reviewed and shall at a minimum include the following:

wood
steel
aluminum
concrete
plastic
glass
masonry
gypsum board and plaster
insulating (mechanical)
roofing
insulation

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
sanitation
12. Special systems
elevators
escalators
lifts
13. Swimming Pools
barrier requirements
spas
wading pools

Electrical

1. Electrical
wiring
services
feeders and branch circuits
overcurrent protection
grounding
wiring methods and materials
GFCIs
2. Equipment
3. Special Occupancies
4. Emergency Systems
5. Communication Systems
6. Low-voltage fire alarm
7. Load calculations

Plumbing

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

Mechanical

1. Energy calculations
2. Exhaust systems
clothes dryer exhaust

- kitchen equipment exhaust
- specialty exhaust systems
- 3. Equipment
- 4. Equipment location
- 5. Make-up air
- 6. Roof-mounted equipment
- 7. Duct systems
- 8. Ventilation
- 9. Combustion air
- 10. Appliances
- 11. Boilers
- 12. Refrigeration
- 13. Bathroom ventilation
- 14. Laboratory

Gas

- 1. Gas piping
- 2. Venting
- 3. Combustion air
- 4. Chimneys and vents
- 5. Appliances
- 6. Type of gas
- 7. Fireplaces
- 8. LP tank location
- 9. Riser diagram/shut-offs

Demolition

- 1. Asbestos removal

Residential (One- and Two-Family):

Building

- 1. Site requirements
 - setback/separation (assumed property lines)
 - location of septic tanks
- 2. fire resistant construction (if required)
- 4. smoke detector locations
- 4. Egress
 - egress window size and location
 - stairs construction requirements
- 5. Structural requirements shall include:
 - wall section from foundation through roof, including assembly and materials
 - connector tables
 - wind requirements
 - structural calculations (if required)
- 6. Accessibility requirements:
 - show/identify accessible bath

Manufactured / Mobile Homes

- 1. Site requirements
 - setback/separation (assumed property lines)
 - location of septic tanks (if applicable)
- 2. Structural
 - wind zone

- anchoring
- blocking
- reinforced concrete piers in flood zones
- 4. Mechanical
 - Exhaust systems
 - clothes dryer exhaust
 - kitchen equipment exhaust
- 5. Electrical
 - exterior disconnect location
- 6. Plumbing
 - Utility connections

104.3.1.2 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. Re-roofs
- 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

104.3.2 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 and other pertinent laws or ordinances. **Where the the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances and provide the building official with a signed and sealed statement to this affect prior to issuance of a certificate of occupancy or certificate of completion. The building official shall ensure that any person, not certified under Florida Statutes 471 or 481, conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person, not certified under Florida Statutes 471 or 482, conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes.**

104.4 Issuing Permits

104.4.1 Action on Permits

104.4.1.1 The building official shall act upon an application for a permit without unreasonable or unnecessary delay. If the building official is satisfied that the work described in an application for a permit and the contract documents filed therewith conform to the requirements of the technical codes and other pertinent laws and ordinances, he shall issue a permit to the applicant. 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.

104.4.1.2 If a state university, state community 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.

104.4.1.3 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. Electrical documents for any new building or addition which requires an aggregate service capacity of 600 amperes (240 volts) or more on a residential electrical system or 800 amperes (240 volts) on a commercial or industrial electrical system and which costs more than \$50,000.
2. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$50,000.
3. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. A Contractor I, Contractor II, or Contractor IV, certified under s. 633.521, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.
4. 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 \$50,000. 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-family, two-family, three-family 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 \$50,000 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 required 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 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 and the office building accommodates fewer than 100 persons.

Note: It was further clarified by the commission that the limiting criteria of 100 persons and \$50,000 apply to the building occupancy load and the cost of the total air-conditioning system of the building.

5. 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.

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 s. 471.025, Florida Statutes.

104.4.1.4 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.”

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

104.4.2 Refusal to issue permit. If the application for a permit and the accompanying contract documents describing the work do not conform to the requirements of the technical codes or other pertinent laws or ordinances, the building official shall not issue a permit, but shall return the contract documents to the applicant with his refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reason for refusal.

104.4.3 Identification of minimum premium policy. Except as otherwise provided in Chapter 440, 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 ss. 440.10 and 440.38, Florida Statutes.

104.4.4 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.

104.4.5 Special foundation permit. When application for permit to erect or enlarge a building has been filed and pending issuance of such permit, the building official may, at his discretion, issue a special permit for the foundation only. The holder of such a special permit is proceeding at their own risk and without assurance that a permit for the remainder of the work will be granted nor that corrections will not be required in order to meet provisions of the technical codes.

104.4.6 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 made application for right of way permits from the authority having jurisdiction over the street, alley or public lane.

104.5 Conditions of the permit

104.5.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work **detailed in the approved plans and specifications** 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 6 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. Failure to obtain an approved inspection within 180 days of the previous approved inspection shall constitute suspension or abandonment. One or more extensions of time, for periods

not more than 180 days each, may be allowed by the building official for the permit, provided the extension is requested in writing and justifiable cause is demonstrated prior to the expiration date. The building official shall record the extension of time granted.

104.5.1.1 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.

104.5.1.2 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 been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

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

104.5.1.4 The fee for renewal, re-issuance and extension of a permit shall be set forth by the administrative authority.

104.5.1.5 Permits issued for the demolition of a structure shall expire sixty (60) days from the date of issuance. For a justifiable cause, one (1) extension of time for a period not exceeding thirty (30) days may be allowed. Such request shall be in writing to the building official.

104.5.2 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 which, in the opinion of the building official, are hazardous or complex, the building official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the building official written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall

employ in his stead a competent person or agency whose qualifications are reviewed by the building official. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under part XII of chapter 468, Florida Statutes and that any person conducting inspections is qualified as a building inspector under Part III of chapter 468, Florida Statutes.

104.5.3 Plans. When the building official issues a permit, the building official shall endorse, in writing or by stamp both sets of reviewed plans "Reviewed for Code Compliance." One set of reviewed drawings shall be retained by the building official and the other set shall be returned to the applicant. The permit drawings shall be kept at the site of work and shall be open to inspection by the building official or his authorized representative.

104.5.4 Work starting before permit issuance.

Upon approval of the building official, the scope of work delineated in the building permit application and plans may be started prior to the final approval and issuance of the permit provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

104.6 Fees

104.6.1 Prescribed fees. A permit shall not be issued until fees authorized under s. 553.80, Florida Statutes and established by the Board of County Commissioners have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical or gas systems, has been paid.

104.6.2 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee 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 life or property in imminent danger. But in all such cases the required permit(s) must be obtained within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of 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 official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

104.6.3 Accounting. The building official shall keep a permanent and accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, along with the date and amount thereof.

104.6.4 Schedule of Permit Fees. On all buildings, structures, electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application, in accordance with the schedule as established by the applicable governing authority.

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

- Permits;
- Plans examination;
- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
- Variance requests;
- Administrative appeals;
- Violations; and
- Other fees as established by local ordinance.

104.6.6 Building permit valuations. If, in the opinion of the building official, the valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor. The permit valuation may be calculated using the latest Building Valuation Data published by the Southern Building Code Congress International or other applicable model code organization, at the option of the building official.

SECTION 105 INSPECTIONS

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

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

Black Existing Florida Building Code
Red Pinellas County Specific
Blue Existing Pinellas County Code

of the technical codes.

105.3 Inspection service. The Building Official may make, or cause to be made, the inspections required by Section 105. He or she may accept reports of independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the building official. The building official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468, Florida Statutes.

105.4 Inspections prior to issuance of Certificate of Occupancy or Completion. The building official shall inspect or cause to be inspected, at various intervals, all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the Certificate of Occupancy or Certificate of Completion. In performing inspections, the building official shall give first priority to inspections of the construction, addition, or renovation to, any facilities owned or controlled by a state university, state community college or public school district.

105.5 Posting of permit. Work requiring a permit shall not commence until the permit holder or his agent posts the permit card in a conspicuous place on the premises. The permit shall be protected from the weather and located in such position as to permit the building official or representative to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit holder until the Certificate of Occupancy or Completion is issued by the building official.

105.6 Required inspections. The building official upon notification from the permit holder or his agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his 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, forms erected, reinforcing steel installed and shall at a minimum include the following building components:

- footers/grade beams
- piling/pile caps
- monolithic slab-on-grade
- stem-wall

1.1. Slab Inspection: To be made after the reinforcement is in place, all concealed conduit, piping, ducts and vents are installed and the electrical, plumbing and mechanical work is complete. Slab shall not be poured until all required inspections have been made and passed.

A foundation **and elevation** survey prepared and certified by a registered surveyor shall be required for all new construction prior to approval of the framing inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions, **elevation** and shall be available at the job site for collection by the building inspector.

2. Framing inspection: To be made after the roof, all framing, fire-blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete **and approved by the applicable inspection divisions**. This shall at a minimum include the following building components:

- window/door framing and installation
- vertical cells/columns
- lintel/tie beams
- framing/trusses/bracing/connectors
- draft stopping/fire-blocking
- curtain wall framing
- energy insulation
- accessibility

2.1. Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place.

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
- 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. Roofing inspection: To be made as two inspections on tile, slate or similar roof coverings or as one inspection on all other roof coverings, and shall at a minimum include the following building components:

- dry-in
- insulation
- roof coverings
- flashing

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

6. Swimming pool inspection:

- First inspection to be made after excavation and installation of reinforcing steel, main drains and prior to placing of concrete.
- **Completed piping with 20 lbs water test.**
- Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place and have been approved.
- 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 424.2.17 of this code.

7. 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.

Electrical

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

2. Rough-In inspection: To be made after the roof, framing, fire-blocking and bracing is in place and prior to the installation of insulation, wall or ceiling membranes.

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.

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, fire-blocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes.

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

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 is in place and all ducting and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection: To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. 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. This inspection shall include a pressure test.
2. 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.

105.6.1 Re-inspection Failure to be found in compliance during any requested inspection may result in a re-inspection and associated fee and/or a penalty fee for each violation of the technical codes.

105.7 Written release. Work shall not be done on any part of a building, structure, electrical, gas, mechanical or plumbing system beyond the point indicated in each successive inspection without first obtaining a written release from the building official. Such written release shall be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the foregoing three inspections.

105.8 Reinforcing steel and structural frames. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining a release from the building official.

105.9 Plaster fire protection. In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the building official after all lathing and backing is in place. Plaster shall not be covered or concealed from view without first obtaining a release from the building official.

105.10 Fire resistant joints and penetrations. The protection of joints and penetrations in required fire resistant construction assemblies shall not be covered or concealed from view without first obtaining a release from the building official.

105.11 Termites. Building components and building surroundings required to be protected from termite damage in accordance with s. 1503.4.4, 1804.6.2.7, 1916.7.5, 2303, 2304, or 2603.3, of this code specifically required to be inspected for termites in accordance with s. 2116, or required to have chemical soil treatment in accordance with s. 1816 shall not be covered or concealed until the release from the building official has been received.

105.12 Shoring. For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida Licensed Professional Engineer, employed by the permit holder or subcontractor, prior to any required mandatory inspections by the Threshold Building inspector.

105.13 Threshold Building

105.13.1 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 plan is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents.

105.13.2 The special inspector shall inspect the shoring and re-shoring for conformance to the shoring and re-shoring 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 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, Building*.

105.13.3 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.

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

105.13.4.1 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 loadbearing components complies with the permitted

documents, and the shoring and re-shoring conforms to the shoring and re-shoring plans submitted to the enforcement agency.”

105.13.4.2 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.

105.13.4.3 All shoring and re-shoring procedures, plans and details be submitted to the enforcement agency for record keeping. Each shoring and re-shoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

105.13.4.4 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.

105.13.5 No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in s. 489.105(3)(a), Florida Statutes, or to a licensed building contractor, as defined in s. 489.105(3)(b), Florida Statutes, within the scope of his or her license.

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

SECTION 106 CERTIFICATES

106.1 Certificate of Occupancy

106.1.1 Building Occupancy. A new building shall not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the building official has issued a Certificate of Occupancy. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing and fire protection systems have been inspected for compliance with the technical

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Red Pinellas County Specific
Blue Existing Pinellas County Code

codes and other applicable laws and ordinances and released by the building official.

106.1.2 Issuing Certificate of Occupancy. Upon completion of construction of a building or structure and installation of electrical, gas, mechanical and plumbing systems in accordance with the technical codes, reviewed plans and specifications, and after the final inspection, and after verification that all septic system permits have received an approved final inspection where applicable, **and payment of any outstanding fees due the County,** the building official shall issue a Certificate of Occupancy stating the nature of the occupancy permitted, the number of persons for each floor when limited by law, and the allowable load per square foot for each floor in accordance with the provisions of this code.

106.1.3 Temporary/Partial occupancy. A temporary/partial Certificate of Occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building.

106.2 Certificate of Completion. **Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a certificate of completion may be issued.** 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 or connect a building, such as a shell building, prior to the issuance of a Certificate of Occupancy.

106.2.1 New Commercial Building Shell: A certificate of completion shall be issued after all final inspections have been approved and the fees paid. The issuance of a certificate of completion allows permits to be obtained for the completion of the interior tenant spaces. Occupancy of any part of the building is not permitted until a certificate of occupancy is issued in accordance with section 106.1 for the finished spaces. Permanent power for the building house service may be released to the utility company prior to the first tenant space having been issued a certificate of occupancy,

106.2.2 Existing Buildings: Any construction project involving the repair, remodeling, renovation, or alteration of an existing residential or commercial building or structure, which is not part of a change of occupancy, as defined in this chapter, may be issued a certificate of completion. Upon specific request, the certificate of completion shall be issued when all permits associated with the construction project have been granted final approval and all fees have been paid.

106.3 Service utilities

106.3.1 Connection of service utilities. No person shall make connections from a utility source of energy, fuel or power to any building or system which is regulated by the technical codes for which a permit is required, until released by the building official and a Certificate of Occupancy or Completion is issued.

106.3.2 Temporary connection. The building official may authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a temporary Certificate of Occupancy.

106.3.3 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 the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

106.4 Posting floor loads

106.4.1 Occupancy. An existing or new building shall not be occupied for any purpose which will cause the floors thereof to be loaded beyond their safe capacity.

106.4.2 Storage and Factory-Industrial Occupancies. It shall be the responsibility of the owner, agent, proprietor or occupant of Group S and Group F occupancies, or any occupancy where excessive floor loading is likely to occur, to employ a competent architect or engineer in computing the safe load capacity. All such computations shall be accompanied by an affidavit from the architect or engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and affidavit shall be filed as a permanent record of the building department.

106.4.3 Signs required. In every building or part of a building used for storage, industrial or hazardous purposes, the safe floor loads, as reviewed by the building official on the plan, shall be marked on plates of approved design which shall be supplied and securely affixed by the owner of the building in a conspicuous place in each story to which they relate. Such plates shall not be removed or defaced, and if lost, removed or defaced, shall be replaced by the owner of the building.

106.4.4 Building Addressing: All residential and non-residential buildings shall be addressed in accordance with Pinellas County Code Section 170

106.4.4.1 Numbers must be easily legible from the street with figures not less than three (3) inches high for residential and not less than five (5) inches high for commercial businesses.

106.4.4.2 Assigned number shall be displayed on the front entrance of each principal building and, in the case of a principal building which is occupied by more than one business or family dwelling unit, the number shall be placed on each separate front entrance.

106.4.4.3 In addition, all owners of nonresidential structures with rear doors or exits shall conspicuously display on the rear of said structure the proper address number of that property.

SECTION 107 TESTS

107.1 For products not covered under the statewide product evaluation and approval system, the building official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner, or his agent, by an approved testing laboratory or other approved agency.

SECTION 108 SEVERABILITY

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

SECTION 109 VIOLATIONS AND PENALTIES

109.1 Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a misdemeanor of the second degree and a violation of the Pinellas County Code. Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued. Upon conviction of any such violation such person shall be punished within the limits as provided by **State laws** and local ordinance.

SECTION 110 CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

110.1 Appointment, Membership and Terms. Independent boards of adjustment, appeals, and examiners shall be created to address building, plumbing, mechanical, electrical, and gas related matters. Each board shall consist of seven regular members, one each nominated by each member of the board of county commissioners on an annual basis and appointed by the Board of County Commissioners.

Such board should be composed of individuals with knowledge and experience with the regulations and technical codes governing their particular trade, such as design professionals, contractors, or building industry representatives. A board member shall not act in a case in which he has a personal or financial interest. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members absent from more than three consecutive required meetings without just cause shall be removed from office. Board members unable to continue membership because of change in status or personal reasons shall notify the chairman of their respective board in writing. Board members may be removed for cause, at the discretion of the appointing body, at any time.

110.2 Creation of Boards; Meetings; Quorum and Voting

110.2.1 Creation of Boards. There is hereby created the following boards of adjustment, appeals and examiners:

1. building board of adjustment, appeals and examiners
2. electrical board of adjustment, appeals and examiners
3. gas board of adjustment, appeals and examiners
4. plumbing and mechanical board of adjustment, appeals and examiners
5. swimming pool board of adjustment, appeals and examiners

110.2.2 Compensation. Each member of each board may receive as compensation such sum as may be set by the board of county commissioners. Each such board member may be reimbursed for its reasonable expenses.

110.2.3 Quorum and Voting. The presence of at least four regular members of a board shall constitute a quorum. A majority vote of those present is required for board action.

110.2.4 Chairman, Vice-chairman and Secretary of Board. Each board shall select a chairman and vice-chairman. The Building Official shall act as secretary of the board and shall cause a detailed record to be made of all its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

110.3 Powers The boards of adjustment, appeals, and examiners shall have the power to hear the appeal of any person who may be aggrieved by any ruling or order of the Building Official.

110.4 Administrative Appeals

110.4.1 Decision of the Building Official. Any person or entity aggrieved by a decision of the Building Official may make appeal to the appropriate board of adjustment, appeals,

and examiners whenever any one of the following conditions are claimed to exist:

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

110.4.2 Variances. The appropriate board of adjustments, appeals, and examiners, when so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. The special conditions and circumstances exist which are peculiar to the building, structure, service system, or individual involved and which are not applicable to others.
2. That the special conditions and circumstances do not result from the action or inaction of the applicant.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures, service systems, or individuals.
4. That the variance granted is the minimum variance that will resolve the issue.
5. That the granting of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety, and general welfare.

110.4.2.1 Conditions of the Variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.

110.4.3 Notice of Appeal. Petition for appeal of a Building Official decision shall be in writing and filed within 30 calendar days after a written decision is rendered by the Building Official. Appeals shall be in a form acceptable to the Building Official. The petitioner

shall be provided notice of the time, date, and location for the appeal hearing. An appeals filing fee, as established by the Board of County Commissioners, may be charged for such appeal hearings and will be refunded if the Building Official's decision is not upheld.

110.4.4 Unsafe or Dangerous Buildings or Service Systems. In the case of a building, structure, or service system which, in the opinion of the Building Official, is unsafe, unsanitary, or dangerous, the Building Official may, in his order, limit the time for such appeals to a shorter period.

110.5 Procedures of the Board

110.5.1 Rules and Regulations. A board of adjustment, appeals and examiners may establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet within 45 calendar days after a written petition for appeal of a Building Official decision has been received.

110.5.2 Decisions. A board of adjustment, appeals and examiners shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall be in writing and include the vote and reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the Building Official or varies the application of any provision of this code, the Building Official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the Building Official and shall be open to public inspection. A copy of the decision shall be sent by mail or otherwise to the appellant. Decisions of a board of adjustment, appeals and examiners shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

SECTION 111 FLOOD DAMAGE PREVENTION

111.1 General Provisions

111.1.1 Short Title

The Section shall be known and may be cited as the Pinellas County Flood Damage Prevention.

111.2 Statement of Purpose.

It is the purpose of this section to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in a specific areas by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion or in flood heights or velocities.
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.
4. Control filling, grading, dredging and other development which may increase erosion or flood damage.
5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
6. Direct population concentrations out of the coastal high hazard areas.

111.3 Objectives:

The objectives of this ordinance are:

1. To protect human life, health and welfare;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
5. To minimize prolonged business interruptions;
6. To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
7. To ensure that potential home buyers are notified that property is in a flood area.

111.4 PROVISIONS FOR FLOOD HAZARD REDUCTION, GENERAL STANDARDS.

111.4.1 In all areas of special flood hazards, the following provisions are required:

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
2. All new construction and substantial improvement shall be constructed with materials and utility equipment resistant to flood damage ;
3. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
4. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
5. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of

floodwaters into the systems and discharges from the systems into floodwaters;

6. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding;

7. Any alteration, repair, reconstruction or improvements to a structure which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance; and

8. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent floodwater from entering or accumulating within the components during conditions of flooding.

9. Pinellas County shall not approve any request to increase residential density above five (5.0) units per gross acre on areas within 100 year floodplains, Coastal High Hazard Areas, or Hurricane Evacuation Zones, Evacuation Level "A", as established by the Pinellas County Emergency Services Agency.

10. Mobile homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

111.5 SPECIFIC STANDARDS.

111.5.1 In all areas of special flood hazards where base flood elevation data has been provided the following provisions are required:

1. Residential construction: New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. In a V zone the bottom of the lowest horizontal structural member shall meet or exceed the base flood elevation.

2. Nonresidential construction: New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. In a V zone the bottom of the lowest horizontal structural member shall meet or exceed the base flood elevation. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Building Official.

3. Mobile Homes and Recreational Vehicles:

(a) No mobile homes placed, or substantially improved, on individual lots or parcels, in expansions to existing mobile home parks or subdivisions, or in substantially improved mobile home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring. No mobile home shall be placed in a floodway or coastal high hazard area, or hurricane evacuation zone, evacuation level "A," except in an existing mobile home park or existing mobile home subdivision.

(b) All mobile homes placed or substantially improved in an existing mobile home park or subdivision must be elevated so that:

(i) The lowest floor of the mobile home is elevated no lower than the base flood elevation, or:

(ii) The mobile home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.

(iii) The mobile home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.

(a) Over-to-top ties be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations, and mobile homes less than fifty (50) feet long requiring one (1) additional tie per side;

(b) Frame ties be provided to each corner of the home with five (5) additional ties per side at intermediate points and mobile homes less than fifty (50) feet long requiring four (4) additional ties per side;

(c) All components of the anchoring system be capable of carrying a force of forty-eight hundred (4,800) pounds; and

(d) Any additions to the mobile home be similarly anchored.

(iv) In an existing mobile home park or subdivision on which a mobile home has

incurred "substantial damage" as the result of a flood, any mobile home placed or substantially improved must meet the standard of Section 111.5.1 (3)(b)(i) and (iii) above.

111.6 Coastal High-Hazard Area (V Zones):

Located within the areas of special flood hazard areas designated as coastal high-hazard areas. All structures erected in coastal high hazard areas shall be supported on pilings and/or columns and adequately anchored to such supports to resist collapse and lateral movement from wind and velocity water pressures. Spread footings and fill shall not be used for structural support purposes. Foundations must be designed to transfer safely to the underlying soil all loads due to wind, water, dead load, live load, and other loads, including uplift due to wind and water. These areas have special flood hazards associated with high-velocity waters from tidal surge and hurricane wave wash; therefore, the following provisions shall apply:

(a) All buildings or structures shall be located landwards of the reach of the mean high tide.

(b) All buildings or structures shall be elevated so that the bottom of the lowest supporting member is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Section 111.6 (5)(h).

(i) On "V" zones a survey must verify the "elevation of the bottom of the lowest horizontal structural member."

(c) All buildings or structures shall be securely anchored on/to pilings.

(d) Pilings or columns used as structural support shall be designed and anchored so as to withstand all applied loads of the base flood flow. Determining an appropriate embedment depth requires consideration of several factors; pile depth necessary to resist vertical, uplift, and horizontal loads; anticipated scour depth or elevation at the side; existing ground elevation; base flood elevation, etc.

(i) Pile Spacing: The design ratio of pile spacing to pile diameter shall not be less than (8)*:1 for individual piles; however this would not apply to pile clusters located below the design grade. The maximum center-to-center spacing of wood piles shall not be more than (12) feet on center under load bearing sills, beams, or girders.

(ii) Pile Embedment: Pilings shall have adequate soil penetration (bearing capacity) to resist the combined wave and wind loads (lateral and uplift) acting simultaneously with typical structure (live and dead) loads, and shall include consideration of decreased resistance capacity caused by erosion of soil strata surrounding the piles. The minimum penetration for foundation piles is to an elevation of (8) feet below mean sea level (msl) datum if the BFE is (10) feet msl or less, or to at least (10) feet below msl if the BFE is greater than (10) feet msl. Additional guidance on pile embedment, including load/embedment tables for different soil and pile types, is provided in the Coastal Construction Manual.

(iii) Column Action: Pile foundation analysis shall also include consideration of piles in column action from the bottom of the structure to the stable soil elevation of the site. Pilings may be horizontally or diagonally braced to withstand wind and water forces.

(iv) Pile Standards: The minimum acceptable sizes for timber piles are a tip diameter of (8) inches for round timber piles and (8) by (8) inches for timber piles. All wood piles must be treated in accordance with requirements of AWPA-C3 to minimize decay and damage from fungus.

Reinforced concrete piles shall be cast of concrete having a 28 day ultimate compressive strength of not less than 5,000 pounds per square inch, and shall be reinforced with a minimum of four longitudinal steel bars having a combined area of not less than 1 percent nor more than 4 percent of the gross concrete area. Reinforcement for precast piles shall have a concrete cover of not less than 1-1/4 inches for No. 5 bars and smaller and not less than 1-1/2 inches for No. 6 through No. 11 bars. Reinforcement for piles cast in the field shall have a concrete cover of not less than 2 inches.

*These values may be modified by a design professional registered with the State of Florida.

(e) Compliance with provisions contained in section 111.6(5)(b), (c) and (d) shall be certified

to by a registered professional engineer or architect.

(f) There shall be no fill used as structural support.

(g) There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage.

(h) Breakaway walls shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:

(i) Allow floodwaters to rise and low freely under the structure.(opening = 1 sq. in. per every 1 sq. ft. of floor area

(ii) Not permit the infill walls themselves to become waterborne debris.

(iii) Not cause the accumulation of waterborne debris.

(iv) Design safe loading resistance of each wall shall be not less than ten (10) nor more than twenty (20) pounds per square foot; or if more than twenty (20) pounds per square foot, a registered engineer or architect shall certify that the designed wall collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and section supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have one per cent chance of being equaled or exceeded in any given year.

(v) Window openings shall be limited to the minimum required for light and ventilation (maximum of 1/20 of the floor area served.)

(vi) Walls shall be of Flood Resistant Materials.

(i) If breakaway walls are utilized, such enclosed space shall not be usable for human habitation but shall be designed to be usable only for parking of vehicles, building access or limited storage of maintenance equipment used in connection with the premises.

(j) Prior to construction, plans for any structure that will have breakaway walls must be submitted to the building department for approval.

(k) Prohibit the placement of mobile homes, except in an existing mobile home park or existing mobile home subdivision.

(l) Any alteration, repair, reconstruction or improvements to a structure started after the enactment of this ordinance shall not enclose the space below the lowest horizontal structural member unless breakaway walls are used as provided in sec. 111.6 (h) & (i) This area may not be used a habitable space.