

Marguerite Linke

From: Reddick, Ernest L. <Ernest.Reddick@DOS.MyFlorida.com>
Sent: Wednesday, July 22, 2015 1:34 PM
To: Marguerite Linke
Cc: County Ordinances
Attachments: Hernando20150722_Ordinance2015_13_ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 22, 2015

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 3621
Brooksville, Florida 34601

Attention: Marguerite Linke

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2015-13, which was filed in this office on July 22, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2015 - 13

AN ORDINANCE AMENDING HERNANDO COUNTY CODE CHAPTER 8, ARTICLE II, DIVISION 4, FLORIDA BUILDING CODE: PROVIDING FOR ADOPTION OF THE FLORIDA BUILDING CODE 5TH EDITION (2014); PROVIDING FOR SCOPE AND ADMINISTRATION; PROVIDING FOR TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE 5TH EDITION (2014), RESIDENTIAL RELATED TO FLOOD-RESISTANT CONSTRUCTION; PROVIDING FOR TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE 5TH EDITION (2014), BUILDING RELATED TO FLOOD LOADS AND SUBSTANTIAL IMPROVEMENT; PROVIDING FOR TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE 5TH EDITION (2014), EXISTING BUILDING RELATED TO DEFINITIONS AND SUBSTANTIAL IMPROVEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Chapter 553.72, Florida Statutes, provides that the Florida Building Code be adopted, modified, updated, interpreted, and maintained by the Florida Building Commission in accordance with ss. 120.536(1) and 120.54; and

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

WHEREAS, Hernando County actively participates in the enforcement of building construction regulation for the benefit of the public safety of its citizens; and

WHEREAS, Hernando County desires to facilitate the enforcement of the Florida Building Code by enacting administrative amendments which meet the needs of its citizens;

WHEREAS, the Florida Building Code 5th Edition (2014) has an effective date of June 30, 2015, as adopted by the State of Florida, Florida Building Commission;

WHEREAS, Hernando County Ordinance 2012-5 is hereby repealed and administration of the Florida Building Code 5th Edition (2014) is set forth as follows;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA.

SECTION 1 - Adoption of the Florida Building Code 5th Edition (2014), as promulgated by the Florida Building Commission.

1 There is hereby adopted by the County of Hernando, Florida that certain statewide
2 unified code known as the Florida Building Code, as developed and maintained by the Florida
3 Building Commission, being particularly the Florida Building Code 5th Edition (2014). The
4 same is hereby adopted and incorporated herein as fully as if set forth in *haec verba* and from the
5 date upon which this division shall take effect, the provisions thereof except as otherwise noted
6 herein shall be controlling the in the construction, alteration, removal, demolition, moving,
7 improving, repairing of equipment, use and occupancy, location and maintenance of all buildings
8 and structures within the unincorporated areas of the county.

9
10 **SECTION 2 – Scope and Administration.**

11
12 **Chapter 1, Administration, of the Florida Building Code is hereby amended to read as**
13 **follows:**

14
15 **101 GENERAL**

16
17 **101.1 Title.** This ordinance shall be known and be cited as the “Florida Building Code,”
18 hereinafter known as “this code.”

19
20 **101.2 Scope.** The provisions of this code shall serve as Chapter 1, of the Florida Building Code
21 and govern the administration and enforcement of the Florida Building Code, and all specific
22 volumes and standards contained therein, which establishes the technical standards that shall
23 apply to buildings, structures, equipment, appliances, fixtures, fittings or appurtenances used, as
24 well as to the method of construction, installation, alteration, repair, removal, enlargement,
25 replacement, or connection to any system and the equipment usage, occupancy, locating,
26 maintenance and demolition of every building or structure and any appurtenances or systems
27 connected or attached to such buildings or structures in Hernando County.

28
29 **Exception:**

- 30 1. Detached one- and two- family dwellings and multiple family dwellings (townhouses)
31 not more than three stories above grade plane in height with a separate means of egress
32 and their accessory structures shall comply with the Florida Building Code, Residential.
33
34 2. Existing buildings undergoing repair, alterations or additions or change of occupancy
35 shall comply with the provisions of the Florida Building Code, Existing Code.

36
37 **101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically
38 adopted;

39 **FBC – Building - B, C, E, F, H.**

40 **FBC – Residential – A, B, C, E, F, P.**

41 **FBC – Fuel/Gas – A, B, C.**

42 **FBC – Energy in its entirety.**

43 **FBC – Plumbing – E, F, G.**

44 **NEC – NFPA 70 – A, B, C, D.**

45

1 **101.2.2** Florida Building Code, Residential Construction standards or practices which are
2 not covered by the Florida Building Code, Residential volume shall be in accordance
3 with the provisions of the Florida Building Code, Building.
4

5 **101.3 Intent.** This code is hereby declared to be remedial and shall be construed to be the
6 minimum standards necessary to secure the beneficial interests and purposes thereof, which are
7 public safety, health and general welfare through structural strength, stability, sanitation,
8 adequate light and ventilation, means of egress, and safety to life and property from fire and
9 other hazards attributed to the built environment including alteration, repair, removal,
10 demolition, use and occupancy of buildings, structures or premises, and by regulating the
11 installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may
12 be referred to as service systems.
13

14 **101.3.1 Quality control.** Quality control of materials and workmanship is not within the
15 purview of this code except as it relates to the purposes stated herein.
16

17 **101.3.2 Warranty and Liability.** The permitting, plan review or inspection of any
18 building, system or plan by this jurisdiction, under the requirements of this code, shall not
19 be construed in any court as a warranty of the physical condition of such building, system
20 or plan or their adequacy. Neither Hernando County nor any employee thereof shall be
21 liable in tort for damages or hazardous or illegal condition or inadequacy in such
22 building, system or plan, nor for any failure of any component of such, which may occur
23 subsequent to such inspection or permitting.
24

25 **101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.9 and
26 referenced elsewhere in this code shall be considered part of the requirements of this code to the
27 prescribed extent of each such reference.
28

29 **101.4.1 Electrical.** The provisions of Chapter 27 of the Florida Building Code –
30 Building, and the provisions of the Florida Residential Code, shall apply to the
31 installation of electrical systems, including alterations, repairs, replacement, equipment,
32 appliances, fixtures, fittings, and appurtenances thereto.
33

34 **101.4.2 Gas.** The provisions of the Florida Building Code, Fuel Gas, as adopted and the
35 provisions of the Florida Residential Code, shall apply to the installation of consumers'
36 gas piping, gas appliances and related accessories as covered in this code. These
37 requirements apply to gas piping systems extending from the point of delivery to the inlet
38 connections of appliances, and the installation and operation of residential and
39 commercial gas appliances and related accessories.
40

41 **101.4.3 Mechanical.** The provisions of the Florida Building Code, Mechanical, as
42 adopted and the provisions of the Florida Residential Code, shall apply to the installation
43 of mechanical systems, including alterations, repairs, replacement, equipment,
44 appliances, fixtures, fittings and appurtenances, including ventilating, heating, cooling,
45 air conditioning and refrigeration systems, incinerators and other energy-related devices.
46

1 **101.4.4 Plumbing.** The provisions of the Florida Building Code, Plumbing, as adopted
2 and the provisions of the Florida Residential Code, shall apply to every plumbing
3 installation, including alterations, repairs, replacement, equipment, appliances, fixtures,
4 fittings and appurtenances and when connected to a water or sewerage system and all
5 aspects of a medical gas system.
6

7 **101.4.5 Property Maintenance.** *Reserved.*
8

9 **101.4.6 Fire Prevention.** For provisions related to fire prevention, refer to the Florida
10 Fire Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting
11 or relating to structures, processes and premises from the hazard of fire and explosion
12 arising from the storage, handling, or use of structures, materials or devices; from
13 conditions hazardous to life, property, or public welfare in the occupancy of structures or
14 premises; and from the construction, extension, repair, alteration or removal of fire
15 suppression and alarm systems or fire hazards in the structure or on the premises from
16 occupancy or operation.
17

18 **101.4.7 Energy.** For provisions related to energy, refer to the Florida Building Code,
19 Energy Conservation, which shall apply to all matters governing the design and
20 construction of buildings for energy.
21

22 **101.4.8 Accessibility.** For provisions related to accessibility, refer the provisions of the
23 Florida Building Code, Accessibility.
24

25 **101.4.9 Manufactured buildings.** For additional administrative and special code
26 requirements, see section 458, Florida Building Code, Building, and Rule 9B-1 F.A.C.
27

28 **101.4.10 Flood.** For provisions related to flood, refer to the provisions of ASCE 24,
29 Flood Resistant Design and Construction. and Chapter 13 of the Hernando County Code
30 of Ordinances.
31

32 **101.5 Rules of Construction.** The rules set out in this section shall be observed, unless such
33 construction is inconsistent with the intent of this Code. The rules of construction and definitions
34 set out here shall not be applied to any section of this chapter which contains any express
35 provisions excluding such construction, or where the subject or content of such section would be
36 inconsistent with this chapter.
37

38 **101.5.1 Generally.** All provisions, terms, phrases and expressions contained in this
39 Chapter shall be liberally construed in order that the true intent and meaning of the Board
40 of County Commissioners may be fully carried out.
41

42 **101.5.2 Interpretation.** Code interpretations shall be made by the Building Official.
43

44 **101.5.3 Words not defined.** Words not defined in this chapter shall have the meaning
45 stated in the Florida Building Code. Words not defined herein shall have the meaning
46 stated in the Florida Statutes; other nationally recognized codes; other Hernando County

1 Ordinances; or other documents, manuals or standards adopted elsewhere in this Chapter.
2 Words not defined in any of those documents shall have the meaning stated in the
3 Webster's Third New International Dictionary of the English Language, Unabridged, as
4 revised. In case of a conflict between different parts of this chapter, conflicts within the
5 same code, or conflicts between codes, the more stringent requirements shall be
6 applicable.
7

8 **101.5.4 Words defined.** Unless otherwise expressly stated, the following words and
9 terms, for the purposes of this code, have the meaning shown in this chapter. In case of a
10 conflict in definitions or codes, the appropriate definition (or code) to be applied shall be
11 the one applicable to the trade in question. In case of a conflict between different parts of
12 this chapter, conflicts within the same code, or conflicts between codes, the more
13 stringent requirements shall be applicable.
14

15 **Abandon or abandonment.** (1) Termination of a construction project by a contractor
16 without just cause or proper notification to the owner including the reason for termination
17 or (2) failure of a contractor to perform work without just cause for ninety (90) days. (3)
18 Failure to obtain an approved inspection within one hundred eighty (180) days from the
19 previous approved inspection or failure to commence work within one hundred eighty
20 (180) days from permit issuance.
21

22 **Addition.** An extension or increase in floor area, number of stories or height of a
23 building or structure.
24

25 **Alteration.** Any construction or renovation to an existing building other than repair or
26 addition.
27

28 **Approved.** Acceptable to the code official or authority having jurisdiction.
29

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

34 **Assessed value.** The value of real property and improvements thereon as established by
35 the county property appraiser pursuant to chapter 192, Florida Statutes. To the extent not
36 preempted by state law, suspicion of sinkhole activity as defined herein shall not be the
37 basis for a reduction of assessed valuation.

38 **Authorized agent.** A person specifically designated as set forth on an approved
39 "Authorized Agent Affidavit" form. Such person will have authority as set forth by the
40 affidavit.
41

42 **Basement.** For floodplain management purposes, any area of a building having its floor
43 sub-grade (below ground level) on all sides.
44

1 **Basic Wind Speed Lines.** The basic wind speed lines shall be as established by the wind
2 speed contour maps attached to, and made a part of, this chapter.
3

4 **RISK CATEGORY I BUILDINGS:** For areas landward of the 130 MPH Wind Speed
5 Line, a non-site specific design may be done using an ultimate design wind speed of 130
6 MPH for the design of the main wind force resisting systems, cladding and glazing.
7

8 **RISK CATEGORY II BUILDINGS:** For areas landward of the 140 MPH Wind Speed
9 Line, a non-site specific design may be done using an ultimate design wind speed of 140
10 MPH for the design of the main wind force resisting systems, cladding, and glazing.
11

12 **RISK CATEGORY III & IV BUILDINGS:** For areas landward of the 150 MPH Wind
13 Speed Line, a non-site specific design may be done using an ultimate design wind speed
14 of 150 MPH for the design of the main wind force resisting systems, cladding, and
15 glazing.
16

17 **Board.** The appropriate Hernando County Board of Construction Regulation, unless
18 otherwise specifically stated.
19

20 **Building.** Any structure used or intended for supporting or sheltering any use or
21 occupancy.
22

23 **Building component.** An element or assembly of elements integral to or part of a
24 building.
25

26 **Building shell.** The structural components that completely enclose a building, including,
27 but not limited to, the foundation, structural frame, floor slabs, exterior walls, and roof
28 system.
29

30 **Building system.** A functionally related group of elements, components and/or
31 equipment, such as the electrical, plumbing, and mechanical systems of a building.
32

33 **Catastrophic ground cover collapse.** Catastrophic ground cover collapse means
34 geological activity that results in all the following: (1) the abrupt collapse of the ground
35 cover; (2) a depression in the ground cover clearly visible to the naked eye; (3) structural
36 damage to the building, including the foundation; and (4) the structure being condemned
37 and ordered to be vacated by the building official as authorized by law to issue such an
38 order for that structure.
39

40 **Certificate of occupancy (C.O.).** An official document evidencing that a building
41 satisfies the requirements for the occupancy of a building.
42

43 **Change of occupancy.** A change from one Building Code occupancy classification or
44 as defined in the Florida Building Code, Existing Buildings.
45

- 1 **Commercial building.** Any building, structure, improvement, or accessory thereto, other
2 than a one or two-family dwelling.
3
- 4 **Demolition.** The act of razing, dismantling, or removal of a building or structure, or
5 portion thereof.
6
- 7 **Enclosure.** A building or part thereof, in whole or in part self-supporting, and having
8 walls of insect screening with or without removable vinyl or acrylic wind break panels
9 and a roof of insect screening, plastic, aluminum or similar lightweight material.
10
- 11 **Florida Building Code.** Refers to all volumes of the code.
12
- 13 **Florida Building Code – Fuel Gas.** Refers to the Fuel Gas volume of the code.
14
- 15 **Florida Building Code – Mechanical.** Refers to the Mechanical volume of the code.
16
- 17 **Florida Building Code – Plumbing.** Refers to the Plumbing volume of the code.
18
- 19 **Florida Building Code – Residential.** Refers to the Residential volume of the code.
20
- 21 **Florida Existing Building Code-** Refers to the Existing Building volume of the code.
22
- 23 **Florida Building Code – Energy Conservation.** Refers to the Energy Conservation
24 volume of the code.
25
- 26 **Florida Building Code – Accessibility.** Refers to the Accessibility volume of the code.
27
- 28 **Florida Building Code – Test Protocols For High –Velocity Hurricane Zones.** Refers
29 to the High-Velocity Hurricane Zones volume of the code.
30
- 31 **Habitable space.** A space in a structure for living, sleeping, eating or cooking.
32 Bathroom, toilet compartments, closets, halls, screen enclosures, sunroom Categories I, II
33 and III as defined in the AAMA/NPEA/NSA 2100, storage or utility space and similar
34 areas are not considered habitable space.
35
- 36 **Historic Structure.** Any structure that is determined eligible for the exception to the
37 flood hazard area requirements of the Florida Building Code, Existing Building, Chapter
38 11 Historic Buildings.
39
- 40 **Imminent danger.** Structurally unsound conditions of a structure or portion thereof that
41 is likely to cause physical injury to a person entering the structure; or due to structurally
42 unsound conditions, any portion of the structure is likely to fall, be carried by the wind,
43 or otherwise detach or move, and in doing so cause physical injury or damage to a person
44 on the property or to a person or property nearby; or the condition of the property is such
45 that it harbors or is inhabited by pests, vermin, or organisms injurious to human health,
46 the presence of which constitutes an immediate hazard to people in the vicinity.

1
2 **Inspection warrant.** A court order authorizing the official or his designee to perform an
3 inspection of a particular property named in the warrant.
4

5 **Interior finish.** The preparation of interior spaces of a commercial building for the first
6 occupancy thereof.
7

8 **Manufactured home.** A structure, transportable in one or more sections, that is eight (8)
9 feet or more in width and greater than four hundred (400) square feet, and which is built
10 on a permanent, integral chassis and is designed for use with or without a permanent
11 foundation when attached to the required utilities. The term “manufactured home” does
12 not include a “recreational vehicle” or “park trailer”.
13

14 **Month.** The word “month” shall mean a calendar month.
15

16 **Occupiable space.** A room or enclosed space designed for human occupancy in which
17 individuals congregate for amusement, education, or similar purposes or in which
18 occupants are engaged at labor, and which is equipped with means of egress and light and
19 ventilation facilities meeting the requirements of this code.
20

21 **Permit.** An official document authorizing performance of a specific activity regulated by
22 this chapter.
23

24 **Settlement.** Settlement shall include, but not be limited to, any subsidence, settlement, or
25 sinkhole activity that impairs or has the potential to impair any structure, and for which
26 an inspection, investigation and/or remediation is conducted.

27 **Shall, may.** The word “shall” is mandatory; “may” is permissive. The word “shall” takes
28 precedence over “may.”
29

30 **Sinkhole.** Sinkhole means a landform created by subsidence of soil, sediment, or rock as
31 underlying strata are dissolved by groundwater. A sinkhole may form by collapse into
32 subterranean voids created by dissolution of limestone or dolostone or by subsidence as
33 these strata are dissolved.

34 **Sinkhole activity.** Sinkhole activity means settlement or systematic weakening of the
35 earth supporting such property only when such settlement or systematic weakening
36 results from movement or raveling of soils, sediments, or rock materials into subterranean
37 voids created by the effect of water on a limestone or similar rock formation.

38 **Sinkhole loss.** Sinkhole loss means structural damage to the building, including the
39 foundation, caused by sinkhole activity and which is verifiable.

40 **Sinkhole report.** Sinkhole report means a report prepared by a Florida licensed
41 professional engineer or Florida licensed professional geologist and which offers any
42 determination or opinion regarding the existence or non-existence of sinkhole activity or
43 ground settlement upon or under the land covered by the report. Sinkhole report shall
44 include all reports prepared, or caused to be prepared, pursuant to §§ 627.706—627.7074,
45 Florida Statutes.

1 **Start of construction.**

2 **Site:** The physical clearing of the site in preparation for foundation work
3 including, but not limited to, site clearing, excavation, de-watering, pilings and
4 soil testing activities.

5 **Building:** The removal, disassembly, repair, replacement, installation or assembly
6 of the building, structure, building system or building components in whole or
7 parts thereof.

8 **Stop work order.** An order by the Building Official, or his designee, which requires the
9 immediate cessation of all work and work activities described in the order.

10
11 **Structural component.** Any part of a system, building, or structure, load bearing or non-
12 load bearing, which is integral to the structural integrity thereof, including but not limited
13 to walls, partitions, columns, beams, and girders.

14
15 **Structural work or alteration.** The installation or assembling of new structural
16 components into a system, building, or structure. In addition, any change, repair, or
17 replacement of any existing structural component of a system, building, or structure.

18
19 **Suspicion of sinkhole activity.** Suspicion of sinkhole activity means any sinkhole report
20 which opines or suggests the possible or potential presence of sinkhole activity or ground
21 settlement under, or which could affect, land but where no sinkhole or ground settlement
22 remediation has yet occurred.

23
24 **Text.** In cases of any difference of meaning or implication between the text of this
25 Chapter and any figure, the text shall control.

26
27 **Value.** Job cost, including but not limited to, materials and labor.

28
29 **Violation.** The failure of a structure or other development to be fully compliant with this
30 ordinance. For floodplain management purposes, a structure or other development
31 without the elevation certificate, other certifications, or other evidence of compliance
32 required in this ordinance is presumed to be in violation until such time as that
33 documentation is provided showing different.

34
35 **Water surface elevation.** The height, in relation to the National Geodetic Vertical
36 Datum (NGVD) of 1929 or the North Atlantic Vertical Datum, of floods of various
37 magnitudes and frequencies in the floodplains of coastal, inland, or riverine areas.

38
39 **Wind Borne Debris Region.** Wind borne debris region shall be those areas lying west of
40 the Wind Borne Debris Line as defined below and depicted on the map titled "Hernando
41 County Wind Zone A":

Starting point at north end of County:

Location:	Approximate GPS coordinates: (Degrees, Minutes)
BEGIN: Intersection of Lagrua Rd. & Retriever Rd.	<u>82, 34</u> w <u>28, 42</u> n
Then southerly approximate 11 miles to Intersection of Cortez Blvd and the first N/S canal east of Shoal Line Blvd running North and south (approximately 1 mile) between Cortez Blvd and the Weeki Wachee River	<u>82, 37</u> w <u>28, 33</u> n
Then south approximately 5 miles to Intersection of Tarpon Blvd., and Hwy 19	<u>82, 38</u> w <u>28, 28</u> n
Then southerly approximately 2 miles to Intersection of County Line Rd. and Hwy 19 END.	<u>82, 38</u> w <u>28, 26</u> n

Wind Speeds. Refer to FBC-B Chapter 16, Figures 1609A, 1609B, and 1609C for general wind speed maps. Hernando County Wind Speeds are defined as follows and as displayed by the "Hernando County Wind Speed Maps" attached to, and made part of this chapter: (All values listed are V-ultimate.)

1609A (Risk Category II Buildings and Structures)

V-ult. = 140 mph Those areas west of a northwesterly line running between the southwestern corner of S31 T23S R17E to the southwestern corner of S13 T23S R16E continuing to the Gulf of Mexico.

V-ult. = 139 mph those areas east of the line described above as the 140 mph line to the eastern end of the county. Interpolation is allowed.

1609B (Risk Category III & IV Buildings and Structures)

V-ult. = 149 mph throughout the county. Interpolation is allowed.

1609C (Risk Category I Buildings and Structures)

V-ult. = 127 mph throughout the county. Interpolation is not allowed.

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

102 APPLICABILITY

102.1 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.

102.1.1 The Florida Building Code does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner

1 specifications or programmatic requirements which do not pertain to and govern the
2 design, construction, erection, alteration, modification, repair or demolition of public or
3 private buildings, structures or facilities or to programmatic requirements that do not
4 pertain to enforcement of the Florida Building Code. Additionally, a local code
5 enforcement agency may not administer or enforce the Florida Building Code, Building
6 to prevent the siting of any publicly owned facility, including, but not limited to,
7 correctional facilities, juvenile justice facilities, or state universities, community colleges,
8 or public education facilities, as provided by law.
9

10 **102.2 Building.** The provisions of the Florida Building Codes, including adopted Appendices,
11 shall apply to the construction, erection, alteration, modification, repair, equipment, use and
12 occupancy, location, maintenance, removal and demolition of every public and private building,
13 structure or facility or floating residential structure, or any appurtenances connected or attached
14 to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or
15 occupancy group in all buildings and structures shall comply with the provisions provided in the
16 Florida Existing Building Code. The following buildings, structures, and facilities are exempt
17 from the Florida Building Code as provided by law, but not exempt from flood regulations and
18 any future exemptions shall be as determined by the legislature and provided by law:
19

20 (a) Building and structures specifically regulated and preempted by the Federal
21 Government.
22

23 (b) Railroads and ancillary facilities associated with the railroad.
24

25 (c) Non-residential farm buildings on farms.
26

27 (d) Temporary buildings or sheds used exclusively for construction purposes.
28

29 (e) Mobile homes or modular structures used as temporary offices, except that the
30 provisions of part V (ss. 553.501-553.513, FLORIDA STATUTES) relating to
31 accessibility by persons with disabilities and permits shall be required for structural
32 support and tie down, electric supply and all other such utility connections to such mobile
33 or modular structures as required by this jurisdiction.
34

35 (f) Those structures or facilities of electric utilities, as defined in s. 366.02, Florida
36 Statutes, which are directly involved in the generation, transmission, or distribution of
37 electricity.
38

39 (g) Temporary sets, assemblies, or structures used in commercial motion picture or
40 television production, or any sound-recording equipment used in such production, on or
41 off the premises.
42

43 (h) Chickees constructed by the Miccosukee Tribe of Indians or the Seminole Tribe of
44 Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut
45 that has a thatched roof of palm or palmetto or other traditional materials, and that does
46 not incorporate any electrical, plumbing, or other non-wood features.

1
2 (i) Family mausoleums not exceeding 250 square feet in area which are prefabricated and
3 assembled on site or preassembled and delivered on site and have walls, roofs, and a floor
4 constructed of granite, marble, or reinforced concrete.

5
6 (j) Temporary housing provided by the Department of Corrections to any prisoner in the
7 state correctional system.

8
9 (k) Building or structure having less than 1,000 square feet, which is constructed and
10 owned by a natural person for hunting, and which is repaired or reconstructed to the same
11 dimension and condition as existed on January 1, 2011, if the building structure:

12
13 (1) is not rented, leased, or used as a principal residence; and

14
15 (2) is not located within the 100-year floodplain, according to the Federal
16 Emergency Management Agency's current Flood Insurance Rate Map; and

17
18 (3) is not connected to an offsite electric power or water supply.
19

20 **102.2.1** In addition to the requirements of ss. 553.79 and 553.80 Florida Statutes,
21 facilities subject to the provisions of Chapter 395 Florida Statutes and Part II of Chapter
22 400 Florida Statutes shall have facility plans reviewed and construction surveyed by the
23 state agency authorized to do so under the requirements of Chapter 395 Florida Statutes
24 and Part II of Chapter 400 Florida Statutes and the certification requirements of the
25 Federal Government.
26

27 **102.2.2** Residential Buildings or structures moved into or within Hernando County shall
28 not be required to be brought into compliance with the state minimum building code in
29 force at the time the building or structure is moved, provided:
30

31 1. The building or structure is structurally sound and in occupiable condition for
32 its intended use;

33
34 2. The occupancy use classification for the building or structure is not changed as
35 a result of the move;

36
37 3. The building is not substantially remodeled;

38
39 4. Current fire code requirements for ingress and egress are met;

40
41 5. Electrical, gas and plumbing systems meet the codes in force at the time of
42 construction and are operational and safe for reconnection; and

43
44 6. Foundation plans are sealed by a professional engineer or architect licensed to
45 practice in this state, if required by the Florida Building Code, for all residential
46 buildings or structures of the same occupancy class.

1
2 **102.2.3** The building official shall apply the same standard to a moved residential
3 building or structure as that applied to the remodeling of any comparable residential
4 building or structure to determine whether the moved structure is substantially
5 remodeled. The cost of the foundation on which the moved building or structure is placed
6 shall not be included in the cost of remodeling for purposes of determining whether a
7 moved building or structure has been substantially remodeled.
8

9 **102.2.4** This section does not apply to the jurisdiction and authority of the Department of
10 Agriculture and Consumer Services to inspect amusement rides or the Department of
11 Financial Services to inspect state-owned buildings and boilers.
12

13 **102.2.5 Reserved.**
14

15 **102.2.6** This section does not apply to swings and other playground equipment accessory
16 to a one- or two-family dwelling.
17

18 **Exception:** Electrical service to such playground equipment shall be in
19 accordance with Chapter 27 of the Florida Building Code and Chapter 34 of the
20 Florida Residential Code.
21

22 **102.3 Application of references.** References to chapter or section numbers, or to provisions not
23 specifically identified by number, shall be construed to refer to such chapter, section or provision
24 of this code.
25

26 **102.4 Referenced codes and standards.** The codes and standards referenced in the technical
27 codes shall be considered an integral part of the codes without separate adoption. If specific
28 portions of a standard are denoted by code text, only those portions of the standard shall be
29 enforced. Where code provisions conflict with a standard, the code provisions shall be enforced.
30 Permissive and advisory provisions in a standard shall not be construed as mandatory.
31

32 **102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced
33 codes and standards, the provisions of this code shall apply.
34

35 **102.4.2 Provisions in referenced codes and standards.** Where the extent of the
36 reference to a referenced code or standard includes subject matter that is within the scope
37 of this code or the Florida Codes listed in Section 101.4, the provisions of this code or the
38 Florida Codes listed in Section 101.4, as applicable, shall take precedence over the
39 provisions in the referenced code or standard.
40

41 **102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal
42 or void, this shall not have the effect of making void or illegal any of the other parts or
43 provisions.
44

45 **102.6 Existing Structures.** The legal occupancy of any structure existing on the date of adoption
46 of this code shall be permitted to continue without change, except as is specifically covered in

1 this code, or the Florida Fire Prevention Code, or as is deemed necessary by the building official
2 for the general safety and welfare of the occupants and the public.

3
4 **102.7 Relocation of manufactured buildings.**

5
6 1. Relocation of an existing manufactured building does not constitute an alteration.

7
8 2. A relocated building shall comply with wind speed requirements of the new location,
9 using the appropriate wind speed map. If the existing building was manufactured in
10 compliance with the Standard Building Code (prior to March 1, 2002), the wind speed
11 map of the Standard Building Code shall be applicable. If the existing building was
12 manufactured in compliance with the Florida Building Code (after March 1, 2002), the
13 wind speed map of the Florida Building Code shall be Applicable.

14
15 3. A relocated building shall comply with the flood hazard area requirements of the new
16 location, if Applicable.

17
18 **102.8 Existing mechanical equipment.** An agency or local government may not require that
19 existing mechanical equipment located on or above the surface of a roof be installed in
20 compliance with the requirements of the Florida Building Code except when the equipment is
21 being replaced or moved during reroofing and is not in compliance with the provisions of the
22 Florida Building Code relating to roof-mounted mechanical units.

23
24 **102.9 Federal and state authority.** The provisions of this code shall not be held to deprive any
25 Federal or State agency, or any applicable governing authority having jurisdiction, of any power
26 or authority which it had on the effective date of the adoption of this code or of any remedy then
27 existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its
28 legal rights as provided by law. Where code requirements promulgated by separate agencies of
29 government conflict, the more stringent standard shall be enforced unless prohibited by law.

30
31 **103 BUILDING DIVISION**

32
33 **103.1 Creation of enforcement agency.** The Hernando County Building Division is hereby
34 created and the official in charge thereof shall be known as the building official.

35
36 **103.2 Building official.** The building official shall have at least 10 years experience or
37 equivalent as an architect, engineer, inspector, contractor or superintendent of construction, or
38 any combination of these, five years of which shall have been supervisory experience. The
39 building official shall be certified as a building official through a recognized certification
40 program.

41
42 **103.3 Inspector and plans examiner.** A person shall not be appointed or hired as inspector of
43 construction or plans examiner who has not had at least 5 years experience as a contractor,
44 engineer, architect, or as a superintendent, foreman or competent mechanic in charge of
45 construction. The inspector or plans examiner shall be certified through a recognized

1 certification program for the appropriate trade. Failure to maintain such certification may be
2 grounds for dismissal as an inspector or plans examiner.

3
4 **103. 4 Termination of employment.** Employees in the position of building official, inspector,
5 and plans examiner shall not be removed from office except for just cause.

6
7 **104 DUTIES AND POWERS OF THE BUILDING OFFICIAL**

8
9 **104.1 General.** The Building Official is hereby authorized and directed to enforce the provisions
10 of this code. The Building Official is further authorized to render interpretations of this code,
11 which are consistent with its spirit and purpose and to adopt policies and procedures in order to
12 clarify the application of its provisions. Such interpretations, policies and procedures shall be in
13 compliance with the intent and purpose of this code, and shall not have the effect of waiving
14 requirements specifically provided for in this code. The building official is also authorized to
15 prevent occupancy or use of a structure where in violation of this code or any other ordinances of
16 Hernando County.

17
18 **104.2 Applications and permits.** The building official shall receive applications, review
19 construction documents and issue permits for the erection, alteration, demolition and moving of
20 buildings and structures; inspect the premises for which such permits have been issued; and
21 enforce compliance with the provisions of this code.

22
23 **104.3 Notices and orders.** The building official shall issue all necessary notices or orders to
24 ensure compliance with this code.

25
26 **104.3.1 Stop work orders – Reference Section 115.** Upon notice from the Building
27 Official, or his/her designee work on any building, structure, electrical, gas, mechanical
28 or plumbing system that is being done contrary to the provisions of this code or any
29 County ordinance in a dangerous or unsafe manner, shall immediately cease. Such notice
30 shall be in writing and shall be given to the owner of the property, the owner's agent, or
31 to the person doing the work, and shall state the conditions under which work may be
32 resumed. Where an emergency exists, the Building Official shall not be required to give a
33 written notice prior to stopping the work.

34
35 **104.3.2 Revocation of permits.** The Building Official is authorized to suspend or revoke
36 a permit issued under the provisions of this code wherever the permit is issued in error or
37 on the basis of incorrect, inaccurate or incomplete information, or in violation of any
38 ordinance or regulation or any provisions of this code.

39
40 **104.3.3 Misrepresentation of application.** The Building Official may revoke a permit or
41 approval, issued under the provisions of this code, where there has been any false
42 statement or misrepresentation as to the material fact in the application or plans on which
43 the permit or approval was based.

44
45 **104.3.4 Violation of code provisions.** The Building Official may revoke a permit upon
46 determination by the Building Official that the construction, erection, alteration, repair,

1 moving, demolition, installation, or replacement of the building, structure, electrical, gas,
2 mechanical or plumbing systems for which the permit was issued is in violation of, or not
3 in conformity with, the provisions of this code.
4

5 **104.4 Inspections.** The building official shall make all of the required inspections, or the
6 building official shall have the authority to accept reports of inspection by approved agencies or
7 individuals. Reports of such inspections shall be in writing and be certified by a responsible
8 officer of such approved agency or by the responsible individual. The building official is
9 authorized to engage such expert opinion as deemed necessary to report upon unusual technical
10 issues that arise, subject to the approval of the appointing authority.
11

12 **104.5 Identification.** The building official and his/her employees shall carry proper
13 identification when inspecting structures or premises in the performance of duties under this
14 code.
15

16 **104.6 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of
17 this code, or where the building official has reasonable cause to believe that there exists in a
18 structure or upon a premises a condition which is contrary to or in violation of this code which
19 makes the structure or premises unsafe, dangerous or hazardous, the building official is
20 authorized to enter the structure or premises at reasonable times to inspect or to perform the
21 duties imposed by this code, provided that if such structure or premises is occupied, that
22 credentials be presented to the occupant and entry requested. If such structure or premises is
23 unoccupied, the building official shall first make a reasonable effort to locate the owner or other
24 person having charge or control of the structure or premises and request entry. If entry is refused,
25 the building official shall have recourse to the remedies provided by law to secure entry.
26

27 **104.6.1 Inspection warrant.** When the Building Official shall have first obtained a
28 proper inspection warrant or other remedy provided by law to secure entry, no owner or
29 occupant or any other person having charge, care or control of any building structure, or
30 premises shall fail or neglect, after proper request is made as herein provided, to promptly
31 permit entry therein by the Building Official for the purpose of inspection and
32 examination pursuant to this code.
33

34 **104.7 Department records.** The building official shall keep official records of applications
35 received, permits and certificates issued, fees collected, reports of inspections, and notices and
36 orders issued. Such records shall be retained in the official records for the period required for
37 retention of public records per FS 119.
38

39 **104.8 Liability.** The building official, member of the board of appeals or employee charged with
40 the enforcement of this code, while acting for the jurisdiction in good faith and without malice in
41 the discharge of the duties required by this code or other pertinent law or ordinance, shall not
42 thereby be rendered liable personally and is hereby relieved from personal liability for any
43 damage accruing to persons or property as a result of any act or by reason of an act or omission
44 in the discharge of official duties. Any suit instituted against an officer or employee because of
45 an act performed by that officer or employee in the lawful discharge of duties and under the
46 provisions of this code shall be defended by legal representative of the jurisdiction until the final

1 termination of the proceedings. The building official or any subordinate shall not be liable for
2 cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.
3

4 **104.9 Approved Materials and Equipment.** Materials, equipment, and devices approved by the
5 Building Official shall be constructed and installed in accordance with such approval.
6

7 **104.9.1 Used materials and equipment.** The use of used materials which meet the
8 requirements of this code for new materials is permitted. Used equipment and devices
9 shall not be reused unless approved by the building official.
10

11 **104.10 Modifications.** Where there are practical difficulties involved in carrying out the
12 provisions of this code, the building official shall have the authority to grant modifications for
13 individual cases, upon application of the owner or owner's representative, provided the building
14 official shall first find that special individual reason makes the strict letter to this code
15 impractical and the modification is in compliance with the intent and purpose of this code and
16 that such modification does not lesson health, accessibility, life and fire safety, or structural
17 requirements. The details of action granting modifications shall be recorded and entered in the
18 files of the building division.
19

20 **104.10.1** For buildings and structures, the affidavit shall state that the plans conform to
21 the laws as to egress, type of construction and general arrangement and, if accompanied
22 by drawings, show the structural design and that the plans and design conform to the
23 requirements of the technical codes as to strength, stresses, strains, loads and stability.
24 The building official may without any examination or inspection accept such affidavit,
25 provided the architect or engineer who made such affidavit agrees to submit to the
26 building official copies of inspection reports as inspections are performed and upon
27 completion of the structure, electrical, gas, mechanical or plumbing systems a
28 certification that the structure, electrical, gas, mechanical or plumbing system has been
29 erected in accordance with the requirements of the technical codes and other pertinent
30 laws, ordinances, or flood regulations.
31

32 **104.11 Alternative materials, design, and methods of construction.** The provisions of this
33 Code are not intended to prevent the installation of any material or to prohibit any design or
34 method of construction not specifically prescribed by this code, provided that any such
35 alternative has been approved. An alternative material, design or method of construction shall be
36 approved where the building official finds that the proposed design is satisfactory and complies
37 with the intent of the provisions of this Code, and that the material, method or work offered is,
38 for the purpose intended, at least the equivalent of that prescribed in this Code in quality,
39 strength, effectiveness, fire resistance, durability, and safety. When alternate life-safety systems
40 are designed, the SFPE Engineering Guide to Performance – Based Fire Protection Analysis and
41 Design of Buildings, or other methods approved by the Building Official may be used. The
42 Building Official shall require that sufficient evidence or proof be submitted to substantiate any
43 claim made regarding the alternative.
44

1 **104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of
2 materials or assemblies not specifically provided for in this code, shall consist of valid
3 research reports from approved sources
4

5 **104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the
6 provisions of this code, or evidence that a material or method does not conform to the
7 requirements of this code, or in order to substantiate claims for alternative materials or
8 methods, the building official shall have the authority to require tests as evidence of
9 compliance to be made at no expense to the jurisdiction. Test methods shall be as
10 specified in this code or by other recognized test standards. In absence of recognized and
11 accepted test methods, the building official shall approve the testing procedure. Tests
12 shall be performed by an approved agency. Reports of such tests shall be retained by the
13 building official for the period required for retention of public records.
14

15 **104.11.3 Accessibility.** Alternate designs and technologies for providing access to and
16 usability of a facility for persons with disabilities shall be in accordance with provisions
17 of the Florida Building Code, Accessibility.
18

19 **104.12 Requirements not covered by code.** Any requirements necessary for the strength,
20 stability or proper operation of an existing or proposed building, structure, electrical, gas,
21 mechanical or plumbing system, or for the public safety, health and general welfare, not
22 specifically covered by this or the other technical codes, shall be determined by the building
23 official.
24

25 **105 PERMITS**

26
27 **105.1 When required.** Any owner, authorized agent, or contractor who desires to construct,
28 enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building
29 or structure, or any outside area being used as part of the building's designated occupancy (single
30 or mixed) or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-
31 resistant coverings, electrical, gas, mechanical, or plumbing system, the installation of which is
32 regulated by the technical codes, or to cause any such work to be done, shall first make
33 application to the building official and obtain the required permit for the work.
34

35 **105.1.1 Annual Facility Permit.** In lieu of an individual permit for each alteration to an
36 existing electrical gas, mechanical, plumbing or interior non-structural office system(s),
37 the building official is authorized to issue an annual permit for any occupancy to facilitate
38 routine or emergency service, repair, and refurbishing, minor renovations of service
39 systems or manufacturing equipment installations/relocations. The building official shall
40 be notified of major changes and shall retain the right to make inspections at the facility
41 site as deemed necessary. An annual facility service permit shall be assessed an annual
42 fee and shall be valid for one year from date of issuance. A separate permit shall be
43 obtained for each facility and for each construction trade, as applicable. The permit
44 application shall contain a general description of the parameters of work intended to be
45 performed during the year.
46

1 **105.1.2 Annual Permit Records.** The person to whom an annual permit is issued shall
2 keep a detailed record of alterations made under such annual permit. The building official
3 shall have reasonable access to such records upon request. The permit holder shall
4 list/identify all work performed on a form approved by the building official. At the end of
5 the permit validation period, a copy of the log shall be filed with the building official.
6 The building official is authorized to revoke or withhold the issuance of the future
7 permits if a pattern of code violations is found to exist.
8

9 **105.1.3 Food Permit.** In accordance with Section 500.12, Florida Statutes, a food permit
10 from the Department of Agriculture and Consumer Services is required of any person
11 who operates a food establishment or retail store.
12

13 **105.1.4 Public swimming pools.** The local enforcing agency may not issue a building
14 permit to construct, develop, or modify a public swimming pool without proof of
15 application, whether complete or incomplete, for an operating permit pursuant to Section
16 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued
17 until such operating permit is issued. The local enforcing agency shall conduct their
18 review of the building permit application upon filing and in accordance with Chapter 553,
19 Florida Statutes. The local enforcing agency may confer with the Department of Health,
20 if necessary, but may not delay the building permit application review while awaiting
21 comment from the Department of Health.
22

23 **105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not
24 be deemed to grant authorization for any work to be done in any manner in violation of the
25 provisions of this code. Permits shall not be required for the following:
26

27 **Building:**

- 28
- 29 1. One-story detached accessory structures used as tool and storage sheds,
30 playhouses and similar uses, to a Group R-3 occupancy provided the floor
31 area does not exceed 120 square feet.
 - 32
 - 33 2. Oil derricks.
 - 34
 - 35 3. Water tanks supported directly on grade if the capacity does not exceed 5,000
36 gallons (18 925 L) and the ratio of height to diameter or width does not
37 exceed 2:1.
 - 38
 - 39 4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent
40 grade, and not over any basement or story below and are not part of an
41 accessible route.
 - 42
 - 43 5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish
44 work.

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6. Temporary motion picture, television and theater stage sets and scenery.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
9. Swings and other playground equipment accessory to detached one- and two-family dwellings.
10. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Audio wiring not penetrating a fire rated assembly.

Gas:

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

Mechanical:

- 1
- 2 1. Portable heating appliance
- 3
- 4 2. Portable ventilation equipment
- 5
- 6 3. Portable cooling unit
- 7
- 8 4. Steam, hot or chilled water piping within any heating or cooling equipment
- 9 regulated by this code.
- 10
- 11 5. Replacement of any part that does not alter its approval or make it unsafe;
- 12
- 13 6. Portable evaporative cooler
- 14
- 15 7. Self-contained refrigeration system containing 10 lb. (4.54 5 kg) or less of
- 16 refrigerant and actuated by motors of 1 horsepower (746 W) or less
- 17
- 18 8. The installation, replacement, removal, or metering of any load
- 19 management control device.
- 20

21 **Plumbing:**

- 22
- 23 1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided,
- 24 however, that if any concealed trap, drain pipe, water, soil waste or vent
- 25 pipe becomes defective and it becomes necessary to remove and replace the
- 26 same with new material, such work shall be considered as new work and a
- 27 permit shall be obtained and inspection made as provided in this code.
- 28
- 29 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures
- 30 and the removal and reinstallation of water closets, provided such repairs do
- 31 not involve or require the replacement or rearrangement of valves, pipes or
- 32 fixtures.
- 33
- 34 3. The cleaning of a septic tank.
- 35
- 36 4. All work described in Parts 1 & 2 above may only be performed by a
- 37 licensed plumbing contractor or the property owner in accordance with s.
- 38 489.103(7) Florida Statutes, regardless of whether a permit is required for
- 39 such work.
- 40

41 **105.2.1 Emergency repairs.** Where equipment replacements and repairs must be
42 performed in an emergency situation, the permit application shall be submitted within the
43 next working business day to the building official.

44
45 **105.2.2 Minor repairs.** Ordinary minor repairs or installation of replacement parts may
46 be made with the approval of the building official without a permit, provided the repairs

1 do not include the cutting away of any wall, partition or portion thereof, the removal or
2 cutting of any structural beam or loadbearing support, or the removal or change of any
3 required means of egress, or rearrangement of parts of a structure affecting the egress
4 requirements; additionally, ordinary minor repairs shall not include addition to, alteration
5 of, replacement or relocations of any standpipe, water supply, sewer, drainage, drain
6 leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical
7 equipment, or other work affecting public health or general safety, and such repairs shall
8 not violate any of the provisions of the technical codes.
9

10 **105.2.3 Emergency repairs following a disaster.** Where equipment replacements and
11 repairs must be performed in an emergency situation following a disaster whereby an
12 emergency declaration has been issued and the building official has authorized
13 emergency permitting, the permit application may be placed in abeyance for a period up
14 to 30 calendar days or as otherwise authorized by the Board of County Commissioners or
15 County Administrator following confirmation of a disaster inspection performed by a
16 disaster assessment team or building inspector (or other designee of the building official).
17

18 **105.2.4 Public service agencies.** A permit shall not be required for the installation,
19 alteration or repair of generation, transmission, distribution or metering or other related
20 equipment that is under the ownership and control of public service agencies by
21 established right.
22

23 **105.3 Information required.** Each application for a permit, with the required fee, shall be filed
24 with the building official on a form furnished for that purpose and shall contain a general
25 description of the proposed work and its location. The application shall be signed by the owner, a
26 contractor certified by the State or County to practice in the area of work proposed, or his
27 authorized agent. The building permit application shall indicate the proposed occupancy of all
28 parts of the building and of that portion of the site or lot, if any, not covered by the building or
29 structure and shall contain such other information as may be required by the building official.
30 Permit application forms shall be in the format prescribed by the building division, and must
31 comply with the requirements of s. 713.135(5) & (6) Florida Statutes. Each application shall be
32 inscribed with the date of application and the code in effect as of that date. For a building permit
33 for which an application is submitted prior to the effective date of this code, the state minimum
34 building code in effect in Hernando County on the date of the application governs the permitted
35 work for the life of the permit and any extension granted to the permit
36

37 **105.3.1 Action on Applications.** The building official shall act upon an application for a
38 permit without unreasonable or unnecessary delay. If the application or the construction
39 documents do not conform to the requirements of pertinent laws, the building official
40 shall reject such application in writing, stating the reasons therefore. If the building
41 official is satisfied that the work described in an application for a permit and the contract
42 documents filed conform to the requirements of the technical codes and other pertinent
43 laws and ordinances, he shall issue a permit to the applicant as soon as practicable. When
44 authorized through contractual agreement with a school board, in acting on applications
45 for permits, the building official shall give first priority to any applications for the
46 construction of, or addition or renovation to, any school or educational facility.

1
2 **105.3.1.1** If a state university, state community college, or public school district
3 elects to use a local government's code enforcement offices, fees charged by
4 counties and municipalities for enforcement of the Florida Building Code on
5 buildings, structures, and facilities of state universities, state colleges, and public
6 school districts shall not be more than the actual labor and administrative costs
7 incurred for plans review and inspections to ensure compliance with the code.
8

9 **105.3.1.2** No permit may be issued for any building construction, erection,
10 alteration, modification, repair, or addition unless the applicant for such permit
11 provides to the enforcing agency which issues the permit any of the following
12 documents which apply to the construction for which the permit is to be issued
13 and which shall be prepared by or under the direction of an engineer registered
14 under Chapter 471 Florida Statutes:
15

- 16 1. Plumbing documents for any new building or addition which requires
17 a plumbing system with more than 250 fixture units or which costs
18 more than \$125,000.
19
- 20 2. Fire sprinkler documents for any new building or addition that
21 includes a fire sprinkler system that contains 50 or more sprinkler
22 heads. Personnel as authorized by chapter 633 Florida Statutes, may
23 design a fire sprinkler system of 49 or fewer heads and may design the
24 alteration of an existing fire sprinkler system if the alteration consists
25 of the relocation, addition or deletion of not more than 49 heads,
26 notwithstanding the size of the existing fire sprinkler system.
27
- 28 3. Heating, ventilation and air-conditioning documents for any new
29 building or addition that requires more than a 15-ton-per-system
30 capacity which is designed to accommodate 100 or more persons or
31 for which the system costs more than \$125,000. This paragraph does
32 not include any document for the replacement or repair of an existing
33 system in which the work does not require altering a structural part of
34 the building or for work on a residential one-family, two-family, three-
35 family or four-family structure. An air-conditioning system may be
36 designed by an installing air conditioning contractor certified under
37 Chapter 489, Florida Statutes to serve any building or addition which
38 is designed to accommodate fewer than 100 persons and requires an
39 air-conditioning system with value of \$125,000 or less; and when a 15-
40 ton-per-system or less is designed for a singular space of a building
41 and each 15-ton system or less has an independent duct system.
42 Systems not complying with the above require design documents that
43 are to be sealed by a professional engineer.
44

1 **Example 1:** When a space has two 10-ton systems with each having an
2 independent duct system, the contractor may design these two systems since each
3 system is less than 15 tons.
4

5 **Example 2:** Consider a small single story office building which consists of 6
6 individual offices where each office has a single three-ton package air
7 conditioning heat pump. The six heat pumps are connected to a single water-
8 cooling tower. The cost of the entire heating, ventilation and air conditioning
9 work is \$47,000 and the office building accommodates fewer than 100 persons.
10 Because the six mechanical units are connected to a common water tower, this is
11 considered to be an 18- ton system. It therefore could not be designed by a
12 mechanical or air-conditioning contractor.
13

14 **Note:** It was further clarified by the Florida Building Commission that the
15 limiting criteria of 100 persons and \$125,000 apply to the building occupancy
16 load and the cost of the total air-conditioning system of the building.
17

- 18 4. Any specialized mechanical, electrical, or plumbing document for any
19 new building or addition which includes a medical gas, oxygen, steam,
20 vacuum, toxic air filtration, halon, or fire detection and alarm system
21 which costs more than \$5,000.
22
- 23 5. Electrical documents. Any electrical system that requires an aggregate
24 service capacity of 600 amperes (240 volts) or less on a residential
25 electrical system or 800 amperes (240 volts) or less on a commercial
26 or industrial electrical system. See Florida Statutes 471.003(2) (h).
27

28 NOTE: It was further clarified by the Florida Building Commission that
29 the limiting factor of 240 volts or over is required to be designed by an
30 engineer.
31

32 Documents requiring an engineer seal by this part shall not be valid unless
33 a professional engineer who possesses a valid certificate of registration has
34 signed, dated, and stamped such document as provided in s. 471.025,
35 Florida Statutes.
36

- 37 6. All public swimming pools and public bathing places defined by and
38 regulated under Chapter 514, Florida Statutes.
39

40 **105.3.2 Time limitation of application.** An application for a permit for any proposed
41 work shall be deemed to have been abandoned becoming null and void 180 days after the
42 date of filing, unless such application has been pursued in good faith or a permit has been
43 issued; except that the building official is authorized to grant one or more extensions of
44 time for additional periods not exceeding 90 days each. The extension shall be requested
45 in writing and justifiable cause demonstrated.
46

1 **105.3.3** An enforcing authority may not issue a building permit for any building
2 construction, erection, alteration, modification, repair or addition unless the permit either
3 includes on its face or there is attached to the permit the following statement: “**NOTICE:**
4 In addition to the requirements of this permit, there may be additional restrictions
5 applicable to this property that may be found in the public records of this county, and
6 there may be additional permits required from other governmental entities such as water
7 management districts, state agencies or federal agencies.”
8

9 **105.3.4** A building permit for a single-family residential dwelling must be issued within
10 30 working days of application thereof unless unusual circumstances require a longer
11 time for processing the application or unless the permit application fails to satisfy the
12 Florida Building Code or the enforcing agency’s laws or ordinances.
13

14 **105.3.5 Identification of minimum premium policy.** Except as otherwise provided in
15 Chapter 440, Workers Compensation, every employer shall, as a condition to receiving a
16 building permit, show proof that it has secured compensation for its employees as
17 provided in SECTION 440.10 and 440.38, Florida Statutes.
18

19 **105.3.6 Asbestos removal.** Moving, removal or disposal of asbestos-containing materials
20 on a residential building where the owner occupies the building, the building is not for
21 sale or lease, and the work is performed according to the owner-builder limitations
22 provided in this paragraph. To qualify for exemption under this paragraph, an owner must
23 personally appear and sign the building permit application. The permitting agency shall
24 provide the person with a disclosure statement in substantially the following form:
25

26 **Disclosure Statement:**

27 State law requires asbestos abatement to be done by licensed contractors. You
28 have applied for a permit under an exemption to that law. The exemption allows
29 you, as the owner of your property, to act as your own asbestos abatement
30 contractor even though you do not have a license. You must supervise the
31 construction yourself. You may move, remove or dispose of asbestos-containing
32 materials on a residential building where you occupy the building and the building
33 is not for sale or lease, or the building is a farm outbuilding on your property. If
34 you sell or lease such building within 1 year after the asbestos abatement is
35 complete, the law will presume that you intended to sell or lease
36 the property at the time the work was done, which is a violation of this
37 exemption. You may not hire an unlicensed person as your contractor. Your work
38 must be done according to all local, state and federal laws and regulations that
39 apply to asbestos abatement projects. It is your responsibility to make sure that
40 people employed by you have licenses required by state law and by county or
41 municipal licensing ordinances.
42

43 **105.3.7 Public right of way.** A permit shall not be given by the Building Official for the
44 construction of any building, or for the alteration of any building where said building is to
45 be changed and such change will affect the exterior walls, bays, balconies, or other
46 appendages or projections fronting on a right of-way, easement, conservation area or

1 zoning minimum lot line setback, unless the applicant has obtained authorization for such
2 encroachment from the appropriate regulatory body.
3

4 **105.4 Conditions of permit.** The issuance or granting of a permit shall not be construed to be a
5 permit for, or an approval of, any violation of any of the provisions of this code or any other
6 ordinance of this jurisdiction. Permits presuming to give authority to violate or cancel the
7 provisions of this code or other ordinances of this jurisdiction shall not be valid. The issuance of
8 a permit based on construction documents and other data shall not prevent the building official
9 from requiring the corrections of errors in the construction documents and other data. The
10 building official is also authorized to prevent occupancy or use of a structure where in violation
11 of this code or any other ordinances of Hernando County.
12

13 **105.4.1 Permit intent.** A permit issued shall be construed to be a license to proceed with
14 the work detailed in the approved plans and specifications and not as authority to violate,
15 cancel, alter or set aside any of the provisions of the technical codes or any other code or
16 ordinance, nor shall issuance of a permit prevent the building official from thereafter
17 requiring a correction of errors in plans, construction, or violations of this code. Every
18 permit issued shall become invalid unless the work authorized by such permit is
19 commenced within 180 days after its issuance, or if the work authorized by such permit is
20 suspended or abandoned for a period of 180 days after the time the work is commenced.
21 One or more extensions of time for a period of not more than 90 days each may be
22 allowed by the building official for the application provided the extension is requested in
23 writing and justifiable cause is demonstrated.
24

25 **105.4.1.1** If work has commenced and the permit is revoked, becomes null and
26 void, or expires because of lack of progress or abandonment, a new permit
27 covering the proposed construction shall be obtained before proceeding with the
28 work. Permits may be reinstated or renewed at the discretion of the building
29 official or his/her designee for just cause.
30

31 **105.4.1.2** If a new permit is not obtained within 180 days from the date the initial
32 permit became null and void, the building official is authorized to require that any
33 work that has been commenced or completed be removed from the building site.
34 Alternately, a new permit may be issued on application, providing the work in
35 place and required to complete the structure meets all applicable regulations in
36 effect at the time the initial permit became null and void and any regulations
37 which may have become effective between the date of expiration and the date of
38 issuance of the new permit.
39

40 **105.4.1.3** Work shall be considered to be in active progress when the permit has
41 received an approved inspection within 180 days. This provision shall not be
42 applicable in case of civil commotion or strike or when the building work is
43 halted due directly to judicial injunction, order or similar process.
44

45 **105.4.1.4** A permit holder (owner/contractor) is responsible for requesting a final
46 inspection within (10) ten days of completion of permitted work; and if

1 applicable, a reinspection within (7) seven days of issuance of a red tag or
2 correction notice.

3
4 **105.4.1.5** A fee for a renewal reissuance and an extension of a permit shall be
5 assessed by Administrative Authority in accordance with the adopted fee
6 schedule.

7
8 **105.5 Expiration.** Every permit issued shall become null and void unless the work on the site
9 authorized by such permit is commenced within 180 days after its issuance, or if the work
10 authorized on the site by such permit is suspended or abandoned for a period of 180 days after
11 the time the work is commenced. All permits shall expire 2 years from the date of issuance. The
12 building official is authorized to reactivate an expired permit with just caused. The building
13 official is authorized to grant, in writing, one or more extensions of time, for periods not more
14 than 90 days each. The extension shall be requested in writing and justifiable cause
15 demonstrated.

16
17 **Exception:**

18 Demolition permits shall expire in 60 days from date of issuance, unless an extension is
19 granted.

20
21 **105.6 Suspension or revocation.** The building official is authorized to suspend or revoke a
22 permit issued under the provisions of this code wherever the permit is issued in error or on the
23 basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or
24 regulation or any of the provisions of this code.

25
26 **105.7 Placement of Permit.** Work requiring a permit shall not commence until the permit holder
27 or his agent posts the permit card in a conspicuous place. The permit shall be protected from the
28 weather and located in such position as to permit the building official or representative to
29 conveniently make the required entries thereon. The permit card shall be maintained in such
30 position by the permit holder until the Certificate of Occupancy or Completion is issued.

31
32 **105.8 Notice of Commencement.** As per s. 713.135 Florida Statutes, when any person applies
33 for a building permit, the authority issuing such permit shall print on the face of each permit card
34 in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR
35 FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR
36 PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO
37 OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE
38 RECORDING YOUR NOTICE OF COMMENCEMENT."

39
40 If the direct contract is greater than \$2,500.00, or a direct contract cost of \$7,500 or greater to
41 repair or replace an existing heating or air-conditioning system, the applicant shall file with the
42 issuing authority prior to the first inspection either a certified copy of the recorded notice of
43 commencement or a notarized statement that the notice of commencement has been filed for
44 recording, along with a copy thereof. In the absence of the filing of a certified copy of the
45 recorded notice of commencement, the issuing authority shall not perform or approve subsequent
46 inspections until the applicant files by mail, facsimile, hand delivery, or any other means such as

1 certified copy with the issuing authority. The certified copy of the notice of commencement must
2 contain the name and address of the owner, the name and address of the contractor, and the
3 location or address of the property being improved. The issuing authority shall verify that the
4 name and address of the owner, the name of the contractor, and the location or address of the
5 property being improved which is contained in the certified copy of the notice of commencement
6 is consistent with the information in the building permit application.
7

8 **105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition or
9 renovation of an existing structure to contain an asbestos notification statement which indicates
10 the owner's or operator's responsibility to comply with the provisions of s. 469.003 Florida
11 Statutes and to notify the Department of Environmental Protection of his or her intention to
12 remove asbestos, when applicable, in accordance with state and federal law.
13

14 **105.10 Certificate of Protective Treatment for prevention of termites.** A weather resistant
15 jobsite posting board shall be provided to receive duplicate Treatment Certificates as each
16 required protective treatment is completed, providing a copy for the person the permit is issued
17 to and another copy for the building permit files. The Treatment Certificate shall provide the
18 product used identity of the applicator, time and date of the treatment, site location, area treated,
19 and chemical used percent concentration and number of gallons used, to establish a verifiable
20 record of protective treatment. If the soil chemical barrier method for termite prevention is used,
21 final exterior treatment shall be completed prior to final building approval.
22

23 **105.11 Notice of termite protection.** A permanent sign, which identifies the termite treatment
24 provider and need for re-inspection and treatment contract renewal, shall be provided. The sign
25 shall be posted near the water heater or electric panel.
26

27 **105.12 Work Started before Permit Issuance.** Upon approval of the building official, the scope
28 of work delineated in the building permit application and plans may be started prior to the final
29 review and issuance of the permit provided any work completed is entirely at risk of the permit
30 applicant and the work does not proceed past the first required inspection.
31

32 **105.13 Phased permit approval.** When application for permit to erect or enlarge a building or
33 for interior work under an existing roof has been filed, and pending issuance of such permit, the
34 building official may, at his discretion, issue a permit for the foundation only or an early start.
35 Electrical, gas, mechanical and plumbing permits entailing work under or through the foundation
36 or associated with the interior work may be issued based on the existence of a special permit.
37 The holder of such a permit is proceeding at his own risk and without assurance that a permit for
38 the remainder of the work will be granted nor that corrections will not be required in order to
39 meet provisions of the technical codes.
40

41 **105.14 Permit issued on basis of an affidavit.** The building official may accept a sworn
42 affidavit from a registered architect or engineer stating that the plans submitted conform to the
43 technical codes and flood regulations following verification that said approval is not contrary to
44 the County's participation with the National Flood Insurance Program. For buildings and
45 structures, the affidavit shall state that the plans conform to the laws as to egress, type of
46 construction and general arrangement and, if accompanied by drawings, show the structural

1 design and that the plans and design conform to the requirements of the technical codes as to
2 strength, stresses, strains, loads and stability. The building official may without any examination
3 or inspection accept such affidavit, provided the architect or engineer who made such affidavit
4 agrees to submit to the building official copies of inspection reports as inspections are performed
5 and upon completion of the structure, electrical, gas, mechanical or plumbing systems a
6 certification that the structure, electrical, gas, mechanical or plumbing system has been erected in
7 accordance with the requirements of the technical codes and other pertinent laws, ordinances, or
8 flood regulations. Where the building official relies upon such affidavit, the architect or engineer
9 shall assume full responsibility for the compliance with all provisions of the technical codes and
10 other pertinent laws or ordinances and provide the building official with a signed and sealed
11 statement to this effect prior to the issuance of a certificate of occupancy or letter of completion.
12 The building official shall ensure that any person conducting plans review or inspections is
13 qualified as an inspector or plans examiner licensed under Chapter 468 Part XII, Florida Statutes.
14

15 **Exception:**

16 Permits issued on basis of an affidavit shall not extend to the flood load and flood
17 resistance requirements of the Florida Building Code.
18

19 **105.14.1 Work authorized.** A building, electrical, gas, mechanical or plumbing permit
20 shall carry with it the right to construct or install the work, provided the same is shown on
21 the drawings and set forth in the specifications filed with the application for the permit.
22 Where these are not shown on the drawings and covered by the specifications submitted
23 with the application, separate permits shall be required.
24

25 **105.14.2 Exclusivity.** Building permits do not allow the permittee to do the work for
26 which another permit is required.
27

28 **105.15 Opening protection.** When any activity requiring a building permit that is applied for on
29 or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site-built single-
30 family detached residential structure that is located in the wind-borne debris region as defined in
31 this code and that has an insured value of \$750,000 or more, or, if the site-built single-family
32 detached residential structure is uninsured or for which documentation of insured value is not
33 presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000
34 or more; opening protections as required within this code or *Florida Building Code, Residential*
35 for new construction shall be provided.
36

37 **Exception:** Single-family residential structures permitted subject to the *Florida Building*
38 *Code* are not required to comply with this section.
39

40 **105.16 Inspection of existing residential buildings not impacted by construction.**
41

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

1 repair, or demolition of the building, structure, or real property for which the permit is
2 sought.

3
4 (b) This section does not apply to a building permit sought for:

- 5
6 1. A substantial improvement as defined in Section 161.54, Florida Statutes or
7 as defined in the Florida Building Code.
8
9 2. A change of occupancy as defined in the Florida Building Code.
10
11 3. A conversion from residential to nonresidential or mixed use pursuant to
12 Section 553.507(2) (a), Florida Statutes or as defined in the Florida Building
13 Code.
14
15 4. A historic buildings as defined in the Florida Building Code.
16

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

- 19
20 1. Citing any violation inadvertently observed in plain view during the ordinary
21 course of an inspection conducted in accordance with the prohibition in
22 paragraph (a).
23
24 2. Inspecting a physically nonadjacent portion of a building, structure, or real
25 property that is directly impacted by the construction, erection, alteration,
26 modification, repair, or demolition of the building, structure, or real property
27 for which the permit is sought in accordance with the prohibition in paragraph
28 (a).
29
30 3. Inspecting any portion of a building, structure, or real property for which the
31 owner or other person having control of the building, structure, or real
32 property has voluntary consent to the inspection of that portion of the
33 building, structure, or real property in accordance with the prohibition in
34 paragraph (a).
35
36 4. Inspecting any portion of a building, structure, or real property pursuant to an
37 inspection warrant issued in accordance with Section 933.20 through 933.30,
38 Florida Statutes.
39

40 **105.17 Streamline low-voltage alarm system installation permitting.** *Reserved.*

41
42 **105.18 Refusal to issue permits.** If the application for a permit and the accompanying contract
43 documents describing the work do not conform to the requirements of the technical codes or
44 other pertinent laws or ordinances, the building official may refuse to issue a permit. Such
45 refusal shall, when requested, be in writing and shall contain the reason for refusal.
46

1 **105.18.1** A permit may be refused to be issued to any contractor or homeowner who:

- 2
- 3 1. Has allowed a previous permit to expire without obtaining a final inspection;
- 4
- 5 2. Has a previous permit greater than 30 days old with outstanding code
- 6 violations or outstanding fees;
- 7
- 8 3. Has outstanding or pending disciplinary action.
- 9

10

11 **106 FLOOR AND ROOF DESIGN LOADS**

12

13 **106.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a

14 commercial or industrial building is or has been designed to exceed 50 psf, such design live

15 loads shall be conspicuously posted by the owner in that part of each story in which they apply,

16 using durable signs. It shall be unlawful to remove or deface such notices.

17

18 **106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section 111

19 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

20

21 **106.3 Restrictions on loading.** It shall be unlawful to place, cause, or permit to be placed, on

22 any floor or roof of a building, structure or portion thereof, a load greater than is permitted by

23 this code.

24

25 **107 DRAWINGS AND SPECIFICATIONS**

26

27 **107.1 Submittal documents.** Submittal documents consisting of construction documents, a

28 statement of special inspections and other data shall be submitted in two or more sets or other

29 approved necessary with each application for a permit. The construction documents shall be

30 prepared by a design professional where required by Chapter 471, Florida Statutes and 61G15

31 Florida Administrative Code or Chapter 481, Florida Statutes and 61G1 Florida Administrative

32 Code. Where special conditions exist, the building official is authorized to require additional

33 construction documents to be prepared by a registered design professional.

34

35 **Exception:** The building official is authorized to waive the submission of construction

36 documents and other data not required to be prepared by a registered design professional

37 if it is found that the nature of the work applied for is such that review of construction

38 documents is not necessary to obtain compliance with this code. If the design

39 professional is an architect or engineer legally registered under the laws of this state

40 regulating the practice of architecture as provided for in Chapter 481, *Florida Statutes*,

41 Part I, or engineering as provided for in Chapter 471, *Florida Statutes*, then he or she

42 shall affix his or her official seal to said drawings, specifications and accompanying data,

43 as required by *Florida Statute*. If the design professional is a landscape architect

44 registered under the laws of this state regulating the practice of landscape architecture as

45 provided for in Chapter 481, *Florida Statutes*, Part II, then he or she shall affix his or her

46 seal to said drawings, specifications and accompanying data as defined in Section

1 1.303(6)(a)(b)(c)(d), *FS*. Such information shall be specific, and the technical codes shall
2 not be cited as a whole or in part, nor shall the term “to code” or “legal” or its equivalent
3 be used as a substitute for specific information.
4

5 **Exception:** Master plans on file or Electronic submittal.
6

7 **107.2 Construction documents.** Construction documents shall be in accordance with Sections
8 107.2.1 through 107.2.5
9

10 **107.2.1 Information on construction documents.** Construction documents shall be
11 dimensioned and drawn to a legible scale upon suitable material. Electronic media
12 documents are permitted to be submitted when approved by the building official.
13 Construction documents shall be of sufficient clarity to indicate the location, nature and
14 extent of the work proposed and show in detail that it will conform to the provisions of
15 this code and relevant laws, ordinances, rules and regulations, as determined by the
16 building official. Such drawings and specifications shall contain information, in the form
17 of notes or otherwise, as to quality of materials, where quality is essential to conformity
18 with the technical codes. Such information shall be specific, and the technical codes shall
19 not be cited as a whole or in part, nor shall the term “legal” or its equivalent be used as a
20 substitute for specific information. All information, drawings, specifications and
21 accompanying data shall bear the name and signature of the person responsible for the
22 design.
23

24 **107.2.1.1 Roof assemblies.** For roof assemblies required by the code, the
25 construction documents shall illustrate, describe, and delineate the type of roofing
26 system, materials, fastening requirements, flashing requirements and wind
27 resistance rating that are required to be installed. Product evaluation and
28 installation shall indicate compliance with the wind criteria required for the
29 specific site or a statement by an architect or engineer for the specific site must be
30 submitted with the construction documents.
31

32 **107.2.1.2 Additional data.** The building official may require details,
33 computations, stress diagrams, and other data necessary to describe the
34 construction or installation and the basis of calculations. All drawings,
35 specifications and accompanying data required by the building official to be
36 prepared by an architect or engineer shall be affixed with their official seal and
37 signed.
38

39 **107.2.1.3 Structural and fire resistance integrity.** Plans for all buildings shall
40 indicate how required structural and fire resistance integrity will be maintained
41 where a penetration of a required fire resistant wall, floor or partition will be
42 made for electrical, gas, mechanical, plumbing and communication conduits,
43 pipes and systems. Such plans shall also indicate in sufficient detail how the fire
44 integrity will be maintained where required fire resistant floors intersect the
45 exterior walls and where joints occur in required fire resistant construction
46 assemblies

1
2 **107.2.1.4 Hazardous occupancies.** The building official may require the
3 following:

4
5 1. General site plan. A general site plan drawn at a legible scale which
6 shall include, but not be limited to, the location of all buildings, exterior
7 storage facilities, permanent access ways, evacuation routes, parking lots,
8 internal roads, chemical loading areas, equipment cleaning areas, storm
9 and sanitary sewer accesses, emergency equipment and adjacent property
10 uses. The exterior storage areas shall be identified with the hazard classes
11 and the maximum quantities per hazard class of hazardous materials
12 stored.

13
14 2. Building floor plan. A building floor plan drawn to a legible scale
15 which shall include, but not be limited to, all hazardous materials storage
16 facilities within the building and shall indicate rooms, doorways,
17 corridors, exits, fire rated assemblies with their hourly rating, location of
18 liquid tight rooms, and evacuation routes. Each hazardous material storage
19 facility shall be identified on the plan with the hazard classes and quantity
20 range per hazard class of the hazardous materials stored.

21
22 **107.2.2 Fire protection system shop drawings.** Shop drawings for the fire protection
23 system(s) shall be submitted to indicate conformance to this code and the construction
24 documents and shall be approved prior to the start of system installation. Shop drawings
25 shall contain all information as required by the referenced installation standards in
26 Chapter 9.

27
28 **107.2.3 Means of egress.** The construction documents shall show in sufficient detail the
29 location, construction, size and character of all portions of the means of egress including
30 path of the exit discharge to the public way in compliance with the provisions of this
31 code. In other than occupancies in Group R-2, R-3 and I-1, the construction documents
32 shall designate the number of occupants to be accommodated on every floor, and in all
33 rooms and spaces.

34
35 **107.2.4 Exterior wall envelope.** Construction documents for all buildings shall describe
36 the exterior wall envelope in sufficient detail to determine compliance with this code. The
37 construction documents shall provide details of the exterior wall envelope as required,
38 including flashing, intersections with dissimilar materials, corners, end details, control
39 joints, intersections at roof, eaves or parapets, means of drainage, water-resistive
40 membrane and details around openings.

41
42 The construction documents shall include manufacturer's installation instructions that
43 provide supporting documentation that the proposed penetration and opening details
44 described in the construction documents maintain the weather resistance of the exterior
45 wall envelope. The supporting documentation shall fully describe the exterior wall
46 system which was tested, where applicable, as well as the test procedure used.

1
2 **107.2.5 Site plan.** The construction documents submitted with the application for permit
3 shall be accompanied by a site plan showing to scale the size and location of new
4 construction and existing structures on the site, distances from lot lines, the established
5 street grades and the proposed finished grades and, as applicable, flood hazard areas,
6 floodways, and design flood elevations; and it shall be drawn in accordance with an
7 accurate boundary line survey. In the case of demolition, the site plan shall show
8 construction to be demolished and the location and size of existing structures and
9 construction that are to remain on the site or plot. The building official is authorized to
10 waive or modify the requirement for a site plan when the application for permit is for
11 alteration or repair or when otherwise warranted.

12 **107.2.5.1 Design flood elevations.** Where design flood elevations are not
13 specified, they shall be established in accordance with Section 1612.3.1.

14
15 **107.3 Examination of documents.**

16
17 The building official shall, as deemed necessary, examine or cause to be examined each
18 application for a permit and the accompanying documents, consisting of drawings,
19 specifications, computations and additional data, and shall ascertain by such examinations
20 whether the construction indicated and described is in accordance with the requirements of the
21 technical codes and all other pertinent laws or ordinances.

22
23 **Exceptions:**

24
25 1. Building plans approved pursuant to s. 553.77(5) Florida Statutes and state-approved
26 manufactured buildings are exempt from local codes enforcing agency plan reviews
27 except for provisions of the code relating to erection, assembly or construction at the site.
28 Erection, assembly and construction at the site are subject to local permitting and
29 inspections. Photocopies of plans approved according to F.A.C. 9B-1.009, F.A.C. shall be
30 sufficient for local permit application documents of record for the modular building
31 portion of the permitted project.

32
33 2. Industrial construction on sites where design, construction and fire safety are
34 supervised by appropriate design and inspection professionals and which contain
35 adequate in-house fire departments and rescue squads is exempt, subject to local
36 government option, from review of plans and inspections, providing owners certify that
37 applicable codes and standards have been met and supply appropriate approved drawings
38 to local building and fire-safety inspectors.

39
40 **107.3.1 Approval of construction documents.** When the building official issues a
41 permit, the building official shall endorse, in writing or by stamp, both sets of reviewed
42 plans "Reviewed for Code Compliance." One set of reviewed drawings shall be retained
43 by the building official and the other set shall be returned to the applicant. The permit
44 drawings shall be kept at the site of work and shall be open to inspection by the building
45 official or his authorized representative.

1
2 **107.3.2 Previous approvals.** This code shall not require changes in the construction
3 documents, construction or designated occupancy of a structure for which a lawful permit
4 has been heretofore issued or otherwise lawfully authorized, and the construction of
5 which has been pursued in good faith within 180 days after the effective date of this code
6 and has not been abandoned.
7

8 **107.3.3 Phased approval.** The building official is authorized to issue a permit for the
9 construction of foundations or any other part of a building or structure before the
10 construction documents for the whole building or structure have been submitted,
11 provided that adequate information and detailed statements have been filed complying
12 with pertinent requirements of this code. The holder of such permit for the foundation or
13 other parts of a building or structure shall proceed at the holder's own risk with the
14 building operation and without assurance that a permit for the entire structure will be
15 granted.
16

17 **107.3.4 Design professional in responsible charge.**
18

19 **107.3.4.1 General.** When it is required that documents be prepared by a
20 registered design professional, the building official shall be authorized to require
21 the owner to engage and designate on the building permit application a registered
22 design professional who shall act as the registered design professional in
23 responsible charge. If the circumstances require, the owner shall designate a
24 substitute registered design professional in responsible charge who shall perform
25 the duties required of the original registered design professional in responsible
26 charge. The building official shall be notified in writing by the owner if the
27 registered design professional in responsible charge is changed or is unable to
28 continue to perform the duties. The registered design professional in responsible
29 charge shall be responsible for reviewing and coordinating submittal documents
30 prepared by others, including phased and deferred submittal items, for
31 compatibility with the design of the building.
32

33 **107.3.4.2 Responsibilities.** If the design professional is an architect or engineer
34 legally registered under the laws of this state regulating the practice of
35 architecture or engineering, then he/she shall affix his official seal to said
36 drawings, specifications and accompanying data, as required by Florida Statute.
37 The design professional shall be an architect or engineer legally registered under
38 the laws of this State for the following:
39

- 40 1. All new construction not exempted by other provisions of this code.
41
42 2. All renovation of Group A, E, and I occupancies.
43
44 3. Complex construction and or remodeling as per the building official.
45

1 4. All renovations of any occupancy where the work is structural in nature as
2 defined in the Florida Building Code. For all claims of exemption from these
3 requirements, the submittal shall bear the certification of the applicant that a
4 specific legal exception permits its preparation by a person not so registered.
5

6 Work shall be installed in accordance with the approved construction documents,
7 and any changes made during construction that are not in compliance with the
8 approved construction plans shall be resubmitted for approval as an amended set
9 of construction plans.
10

11 **107.3.4.3 Deferred submittals.** For the purposes of this section, deferred
12 submittals are defined as those portions of the design that are not submitted at the
13 time of the application and that are to be submitted to the building official within
14 a specified period. Deferral of any submittal items shall have the prior approval of
15 the building official. The registered design professional in responsible charge
16 shall list the deferred submittals on the construction documents for review by the
17 building official. Documents for deferred submittal items shall be submitted to the
18 registered design professional in responsible charge that shall review them and
19 forward them to the building official with a notation indicating that the deferred
20 submittal documents have been reviewed and found to be in accordance with the
21 design. The deferred submittal items shall not be installed until the deferred
22 submittal documents have been approved by the building official.
23

24 **107.3.4.4 Certification by contractors authorized under the provisions of**
25 **s.489.115(4)(b) Florida Statutes shall be considered to be equivalent to sealed**
26 **plans and specifications by a person licensed under Chapter 471 Florida Statutes**
27 **or Chapter 481 Florida Statutes by local enforcement agencies for plans review**
28 **for permitting purposes relating to compliance with the wind resistance provisions**
29 **of the code or alternate methodologies approved by the Florida Building**
30 **Commission for one- and two-family dwellings. Local enforcement agencies may**
31 **rely upon such certification by contractors that the plans and specifications**
32 **submitted conform to the requirements of the code for wind resistance. Upon**
33 **good cause shown, local government code enforcement agencies may accept or**
34 **reject plans sealed by persons licensed under Chapters 471, 481 or 489, Florida**
35 **Statutes.**
36

37 **107.3.5 Minimum plan review criteria for buildings.** The examination of the
38 documents by the building official shall include the following minimum criteria and
39 documents, and other criteria as required by the building official: a floor plan; site plan;
40 foundation plan; floor/roof framing plan or truss layout; all fenestration penetrations;
41 flashing; and rough opening dimensions; and all exterior elevations:
42

43 **Commercial Buildings:**

44
45 **Building:**

46 1. Site Requirements

- 1 • parking
- 2 • fire access
- 3 • vehicle loading
- 4 • driving/turning radius
- 5 • fire hydrant/water supply/Post Indicator Valve (PIV)
- 6 • set back/separation (assumed property lines)
- 7 • location of specific tanks, water lines and sewer lines
- 8 • flood hazard areas, flood zones, and design flood elevations.
- 9
- 10 2. Occupancy group and special occupancy requirements shall be determined.
- 11
- 12 3. Minimum type of construction shall be determined (Table 503).
- 13
- 14 4. Fire resistant construction requirements shall include the following
- 15 components:
- 16 • fire resistant separations
- 17 • fire resistant protection for type of construction
- 18 • protection of openings and penetrations of rated walls
- 19 • fire blocking and draftstopping
- 20 • calculated fire resistance
- 21
- 22 5. Fire suppression systems shall include:
- 23 • early warning smoke evacuation systems
- 24 • schematic fire sprinklers
- 25 • standpipes
- 26 • pre-engineered systems
- 27 • riser diagram
- 28
- 29 6. Life Safety systems shall be determined and shall include the following
- 30 requirements:
- 31 • occupant load and egress capacities
- 32 • exit access
- 33 • exit
- 34 • exit discharge
- 35 • exit access travel distance
- 36 • common path of travel
- 37 • stairs construction/geometry and protection
- 38 • doors
- 39 • emergency lighting and exit signs
- 40 • specific occupancy requirements
- 41 • construction requirements
- 42 • horizontal exits/exit passageways
- 43 • early warning
- 44 • smoke control

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- stair pressurization
- systems schematic

7. Occupancy Load/Egress Requirements shall include:

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

8. Structural requirements shall include:

- soil conditions/analysis
- termite protection
- design loads
- wind requirements
- building envelope
- impact resistant coverings or system
- structural calculations (if required)
- foundation
- flood requirements in accordance with Section 1612, including lowest floor elevation, enclosures, flood damage-resistant materials
- wall systems
- floor systems
- roof systems
- threshold inspection plan
- stair systems

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

- wood
- steel
- aluminum
- concrete
- plastic
- glass
- masonry
- gypsum board and plaster

- insulating (mechanical)
- roofing
- insulation

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

7. Load calculations

1 8. Design flood elevation
2

3 **Plumbing**

- 4 1. Minimum plumbing facilities
5 2. Fixture requirements
6 3. Water supply piping
7 4. Sanitary drainage
8 5. Water heaters
9 6. Vents
10 7. Roof drainage
11 8. Backflow prevention
12 9. Irrigation
13 10. Location of water supply line
14 11. Grease traps
15 12. Environmental requirements
16 13. Plumbing riser
17 14. Design flood elevation.
18

19 **Mechanical**

- 20 1. Energy calculations
21 2. Exhaust systems
22 • clothes dryer exhaust
23 • kitchen equipment exhaust
24 • specialty exhaust systems
25 3. Equipment
26 4. Equipment location
27 5. Make-up air
28 6. Roof-mounted equipment
29 7. Duct systems
30 8. Ventilation
31 9. Combustion air
32 10. Chimneys, fireplaces and vents
33 11. Appliances
34 12. Boilers
35 13. Refrigeration
36 14. Bathroom ventilation
37 15. Laboratory
38 16. Design flood elevation
39

40 **Gas**

- 41 1. Gas piping
42 2. Venting
43 3. Combustion air
44 4. Chimneys and vents
45 5. Appliances
46 6. Type of gas

- 1 7. Fireplaces
- 2 8. LP tank location
- 3 9. Riser diagram/shut-offs
- 4 10. Design flood elevation
- 5

6 **Demolition**

- 7 1. Asbestos removal
- 8

9 **Residential (One- and Two-Family):**

10 **Building**

- 11 1. Site requirements
- 12
 - 13 • setback/separation (assumed property lines)
 - 14 • location of septic tanks
 - 15 • lot grading
 - 16
 - 17
- 18 2. Fire
- 19
 - 20 • fire resistant construction (if required)
 - 21 • smoke detector locations
 - 22
- 23 3. Egress
- 24
 - 25 • egress window size and location
 - 26 • stairs construction requirements
 - 27
- 28 4. Structural requirements shall include:
- 29
 - 30 • wall section from foundation through roof, including assembly and
 - 31 materials, connector tables, wind requirements, structural calculations (if
 - 32 required)
 - 33 • termite protection
 - 34 • design loads
 - 35 • building envelope
 - 36 • foundation
 - 37 • wall systems
 - 38 • floor systems
 - 39 • roof systems
 - 40
- 41 5. Flood requirements in accordance with Section 1612, including lowest floor
- 42 elevations, enclosures, flood damage-resistant materials
- 43
- 44 6. Electrical
- 45
 - Riser diagram, service size, service feeders, grounding details
 - Arc-Fault protection of habitable space
7. Accessibility requirements:

- show/identify accessible bath

8. Impact resistant coverings or systems.

Manufactured / Mobile Homes

1. Site requirements

- setback/separation (assumed property lines)
- location of septic tanks
- lot grading

2. Structural

- wind zone
- anchoring
- blocking

3. Plumbing

- List potable water source and meter size (if applicable)

4. Mechanical

- Exhaust systems
- clothes dryer exhaust
- kitchen equipment exhaust

5. Electrical

- exterior disconnect location

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

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. 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
6. Manufactured building plans except for foundations, accessibility criteria, and modifications of the building site.

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

1 **107.5 Retention of construction documents.** One set of reviewed and/or as-built construction
2 documents shall be retained by the building official for a period of not less than 180 days from
3 date of completion of the permitted work, or as required by Florida Statutes.
4

5 **107.6 Affidavits.** The building official may accept a sworn affidavit from a registered architect
6 or engineer stating that the plans submitted conform to the technical codes. For buildings and
7 structures, the affidavit shall state that the plans conform to the laws as to egress, type of
8 construction and general arrangement and, if accompanied by drawings, show the structural
9 design and that the plans and design conform to the requirements of the technical codes as to
10 strength, stresses, strains, loads and stability. The building official may, without any examination
11 or inspection, accept such affidavit, provided the architect or engineer who made such affidavit
12 agrees to submit to the building official copies of inspection reports as inspections are performed
13 and upon completion of the structure, electrical, gas, mechanical or plumbing system has been
14 erected in accordance with the requirements of the technical codes. Where the building official
15 relies upon such affidavit, the architect or engineer shall assume full responsibility for
16 compliance with all provisions of the technical codes and other pertinent laws or ordinances. The
17 building official shall ensure that any person conducting plans review is qualified as a plans
18 examiner under Part XII of Chapter 468, Florida Statutes.
19

20 **107.6.1 Building permits issued on the basis of an affidavit.** Pursuant to the
21 requirements of federal regulation for participation in the National Flood Insurance
22 Program (44 C.F.R. Sections 59 and 60), the authority granted to the building official to
23 issue permits, to rely on inspections, and to accept plans and construction documents on
24 the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6,
25 shall not extend to the flood load and flood resistance construction requirements of the
26 *Florida Building Code*.
27

28 **108 TEMPORARY STRUCTURES AND USES**

29

30 **108.1 General.** The building official is authorized to issue a permit for temporary structures and
31 temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for
32 more than 180 days. The building official is authorized to grant extensions for demonstrated
33 purposes.
34

35 **108.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire
36 safety, means of egress, accessibility, light, ventilation, and sanitary requirements of this code as
37 necessary to ensure the public health, safety and general welfare.
38

39 **108.3 Temporary Power.** The building official is authorized to give permission to temporarily
40 supply and use power in part of an electric installation before such installation has been fully
41 completed and the final Certificate of Completion has been issued. The part covered by the
42 temporary certificate shall comply with the requirements specified for temporary lighting, heat,
43 or power in NFPA 70.
44

45 **108.4 Termination of approval.** The building official is authorized to terminate such permit for
46 a temporary structure or use, and to order the temporary structure or use to be discontinued.

1 **109 FEES**
2

3 **109.1 Prescribed fees.** A permit shall not be issued until fees authorized under s. 553.80 Florida
4 Statutes have been paid. Nor shall an amendment to a permit be released until the additional fee,
5 if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing,
6 and mechanical or gas systems, has been paid.
7

8 **109.2 Schedule of Permit Fees.** On all buildings, structures, electrical, plumbing, mechanical
9 and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required
10 at the time of obtaining the permit or submitting the filing an application, as appropriate and in
11 accordance with the schedule as established. Building permit fees are established by resolution
12 of The Board of County Commissioners.
13

14 **109.2.1 Types of fees enumerated.** Fees may be charged for, but not limited to, the
15 following:

- 16 • Permits;
- 17 • Plan examination;
- 18 • Certificates of competency (including fees for applications, examinations, renewal,
19 late renewal, and reciprocity);
- 20 • Re-inspections;
- 21 • Administrative fees (including fees for investigative and legal costs incurred in the
22 context of certain disciplinary cases heard by the Board);
- 23 • Administrative appeals;
- 24 • Violations; and
- 25 • Other fees as established by local ordinance.
26

27 **109.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit
28 value at time of application. If, in the opinion of the building official, the valuation of building,
29 alteration, structure, electrical, gas, mechanical or plumbing systems appear to be underestimated
30 on the application, the permit shall be denied, unless the applicant can show detailed estimates to
31 meet the approval of the building official. Permit valuations shall include total cost, such as
32 electrical, gas, mechanical, plumbing equipment and other systems, including materials and
33 labor. The permit valuation may be calculated using the latest Building Valuation Data published
34 by the International Code Council or other applicable model code organization, at the option of
35 the building official.
36

37 **109.4 Work commencing before permit issuance.** Any person who commences any work on a
38 building, structure, electrical, gas, mechanical or plumbing system before obtaining the building
39 official or his/her designee approval or the necessary permits shall be subject to a penalty of 200
40 percent of the usual permit fee in addition to the required permit fee. The payment of such fees
41 shall not relieve any persons from fully complying with the requirements of this code in the
42 execution of the work nor from any other penalties prescribed by this code. This provision shall
43 not apply to emergency work when delay would clearly have placed life or property in imminent
44 danger. But in all such cases, the building official must be notified of the work as soon as
45 possible and the required permit(s) must be applied for within three (3) business days.

1
2 Exceptions:

3 1. Where extenuating circumstances are justified, the building official may allow an
4 extension of the permit application deadline.

5
6 2. For just causes and in cases involving extreme circumstances and unusual hardship, the
7 building official may waive the 200 percent penalty fee.
8

9 **109.5 Related fees.** The payment of the fee for the construction, alteration, removal or
10 demolition for work done in connection to or concurrently with the work authorized by a
11 building permit shall not relieve the applicant or holder of the permit from the payment of other
12 fees that are prescribed by law.
13

14 **109.6 Refunds.** The building official is authorized to establish a refund policy.
15

16 **110 INSPECTIONS**

17
18 **110.1 General.** Construction or work for which a permit is required shall be subject to inspection
19 by the building official and such construction or work shall remain accessible and exposed for
20 inspection purposes until approved. Approval as a result of an inspection shall not be construed
21 to be an approval of a violation of the provisions of this code or of other ordinances of the
22 jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this
23 code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit
24 applicant to cause the work to remain accessible and exposed for inspection purposes. The
25 building official shall be permitted to require a boundary line survey prepared by a qualified
26 surveyor whenever the boundary lines cannot be readily determined in the field. Neither the
27 building official nor the jurisdiction shall be liable for expense entailed in the removal or
28 replacement of any material required to allow inspection.
29

30 **110.1.1 Manufacturers and fabricators.** When deemed necessary by the building
31 official, he shall make, or cause to be made, an inspection of materials or assemblies at
32 the point of manufacture or fabrication. A record shall be made of every such
33 examination and inspection and of all violations of the technical codes.
34

35 **110.1.2 Inspection service.** The building official may make, or cause to be made, the
36 inspections required in Section 110. He or she may accept reports of department
37 inspectors, independent inspectors or of recognized inspection services, provided that
38 after investigation he/she is satisfied as to their licensure, qualifications and reliability. A
39 certificate required by any provision of this code shall not be based on such reports unless
40 the same are recorded by the building code inspector or the architect or engineer
41 performing building code inspections in a manner specified by the building official. The
42 building official shall ensure that all persons making such inspections shall be certified in
43 accordance to Chapter 468 Florida Statutes.
44

45 **110.2 Preliminary Inspection.** Before issuing a permit, the building official may examine or
46 cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which

1 an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or
2 change the occupancy. The official shall inspect all buildings, structures, electrical, gas,
3 mechanical and plumbing systems, from time to time, during and upon completion of the work
4 for which a permit was issued. The official shall make a record of every such examination and
5 inspection and of all violations of the technical codes.
6

7 **110.3 Required inspections.** The building official upon notification from the permit holder or
8 his agent shall make the following minimum inspections, and shall either release that portion of
9 the construction or shall notify the permit holder or his agent of any violations that must be
10 corrected in order to comply with the technical codes. The building official shall determine the
11 timing and sequencing of when inspections occur and what elements are inspected at each
12 inspection.
13

14 **Building**

15
16 **1. Foundation inspection.** To be made after trenches are excavated, reinforcing steel in
17 place and forms erected and shall at a minimum include the following building
18 components:

- 19 • stem-wall
 - 20 • monolithic slab-on-grade
 - 21 • piling/pile caps
 - 22 • footers/grade beams
- 23

24 **1.1 Slab Inspection.** To be made after the reinforcement is in place and all
25 conduit, piping, ducts and vents, electrical, plumbing and mechanical work to be
26 concealed by concrete is complete. Inspection shall be passed prior to placement
27 of concrete.
28

29 A foundation/form board survey prepared and certified by a registered surveyor
30 may be required, prior to approval of the slab inspection. The survey shall certify
31 placement of the building on the site, illustrate all surrounding setback dimensions
32 and shall be available at the job site for review by the building inspector. In lieu
33 of providing a survey, the contractor may elect to uncover all property line
34 markers and string-up all property lines in preparation for inspection.
35

36 **1.2. Flood hazard areas.** Upon placement of the lowest floor, including
37 basement, and prior to further vertical construction, the elevation certification
38 required in Section 1612.5 shall be submitted to the building official.
39

40 Note: No further work to continue until elevation certificate is received and
41 approved.
42

43 **2. Framing inspection.** To be made after the roof, all framing, fireblocking and bracing
44 is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and
45 shall at a minimum include the following building components:

- 46 • window/door framing and installation

- 1 • vertical cells/columns
- 2 • lintel/tie beams
- 3 • framing/trusses/bracing/connectors
- 4 (including truss layout & engineered drawings)
- 5 • draft stopping/fire-blocking
- 6 • curtain wall framing
- 7 • energy insulation
- 8 • accessibility
- 9 • verify rough openings are within tolerances
- 10 • ceiling/wall diaphragms

11
12 **2.1. Insulation Inspection:** To be made after the framing inspection is approved
13 and the insulation is in place.

14
15 **3. Sheathing inspection.** To be made either as part of a dry-in inspection or done
16 separately at the request of the contractor after all roof and wall sheathing and fasteners
17 are complete and shall at a minimum include the following building components:

- 18 • roof sheathing
- 19 • wall sheathing
- 20 • sheathing fasteners
- 21 • roof/wall/dry-in
- 22 • sheathing/cladding inspection
- 23 • window/door buck attachment

24
25 **NOTE:** Sheathing fasteners installed and found to be missing the structural member
26 **(shiners)** shall be removed and properly reinstalled prior to installation of dry-in material.
27

28 **3.1 Dry-In Inspection.** For projects utilizing an exterior finish of Portland Cement
29 Plaster (stucco) over framed construction or siding, a dry-in inspection shall be
30 performed after the sheathing inspection and prior to plastering for stucco or prior to
31 installation of siding. This inspection shall include:

- 32 • vapor barrier installation (overlap)
- 33 • flashing installation (including Z-channel)
- 34 • metal lath installation
- 35 • control joint installation

36
37 **4. Roofing inspection.** In-progress inspection of roofing installation may be conducted
38 and include, but not limited to:

- 39 • dry-in
- 40 • insulation
- 41 • roof coverings
- 42 • flashing

43
44 **5. Final inspection.** To be made after the building is completed and ready for occupancy
45 and prior to the issuance of a Certificate of Occupancy.

1
2 **5.1** In flood hazard areas, as part of the final inspection, a final certification of the
3 lowest floor elevation shall be submitted to the authority having jurisdiction.
4

5 **6. Swimming pool inspection:**

- 6 • First inspection to be made after excavation and installation of reinforcing steel,
7 bonding and main drain and prior to placing of concrete shell.
8 • Deck bond & underground electric inspection.
9 • Underground piping inspection including a pressure test
10 • Deck inspection to be made prior to installation of the deck material (with forms,
11 deck drains, and any reinforcement in place
12 • Safety Inspection and Final Electric inspection made prior to filling the pool with
13 the bonding connections made, the proper drain covers installed and the final
14 barriers installed. Final inspection to be made when the swimming pool is
15 complete and all required enclosure requirements are in place.
16 • Final pool piping.
17 • Final inspection to be made when the swimming pool is complete and all required
18 enclosures are in place
19

20 In order to pass final inspection and receive a certificate of completion, a residential
21 swimming pool must meet the requirements relating to pool safety features as
22 described in Section 454.2.17, of this code and Section 4501.17 of the Residential
23 Code.
24

25 **7. Demolition inspections:**

- 26 • First inspection to be made after all utility connections have been disconnected
27 and secured in such manner that no unsafe or unsanitary conditions shall exist
28 during or after demolition operations.
29 • Final inspection to be made after all demolition work is completed.
30

31 **8. Manufactured Building inspections.** To be made as to construction of foundations;
32 connecting buildings to foundations; installation of parts identified on plans as site
33 installed items; joining the modules; including utility crossovers; utility connections from
34 the building to utility lines on site; and any other work done on site that requires
35 compliance with the Florida Building Code, manufacturer's installation instructions and
36 the product approval. Additional inspections may be required for public educational
37 facilities. (See section 453.27.20)
38

39 **8.1** In flood hazard areas, as part of the final inspection, a final certification of the
40 lowest floor elevation shall be submitted to the authority having jurisdiction.
41

42 **9.** Where impact-resistant coverings are installed to meet requirements of this code, the
43 building official shall schedule adequate inspections of impact-resistant coverings to
44 determine the following:

- 45 • The system indicated on the plan was installed.

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

Electrical

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

2. Rough-In inspection. To be made after the roof, framing, fire-blocking and bracing is in place and all wiring and other components to be concealed are in place and prior to the installation of wall or ceiling membranes.

3. Pre Power 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.

4. Final Electrical Inspection. To be made after structure is energized.

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 once building is energized, all required plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section P312 of the Florida Building Code, Plumbing for required test.

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 once the building is energized, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

1 **Gas**

2
3 **1. Rough piping inspection.** To be made after all new piping authorized by the permit
4 has been installed, and before any such piping has been covered or concealed or any
5 fixtures or gas appliances have been connected.
6

7 **2. Final piping inspection.** To be made after all piping authorized by the permit has been
8 installed and after all portions which are to be concealed by plastering or otherwise have
9 been so concealed, and before any fixtures or gas appliances have been connected. This
10 inspection shall include a pressure test.
11

12 **3. Final inspection.** To be made on all new gas work authorized by the permit and such
13 portions of existing systems as may be affected by new work or any changes, to insure
14 compliance with all the requirements of this code and to assure that the installation and
15 construction of the gas system is in accordance with reviewed plans.
16

17 **110.3.1 Footings and foundation inspection.** Footing and foundation inspections shall
18 be made after excavations for footings are complete and any required reinforcing steel is
19 in place. For concrete foundations, any required forms shall be in place prior to
20 inspection.
21

22 **110.3.2 Concrete slab and under-floor inspection.** Concrete slab and under-floor
23 inspections shall be made after in-slab or under-floor reinforcing steel and building
24 service equipment, conduit, piping accessories and other ancillary equipment items are in
25 place, but before any concrete is placed or floor sheathing installed, including the
26 subfloor.
27

28 **110.3.3 Reinforcing steel and structural frames.** Reinforcing steel or structural
29 framework of any part of any building or structure shall not be covered or concealed
30 without first obtaining a release from the building official.
31

32 **110.3.4 Termites.** Building components and building surroundings required to be
33 protected from termite damage in accordance with Section 1503.7, Section 2304.11.6 or
34 Section 2304.13, specifically required to be inspected for termites in accordance with
35 2114, or required to have chemical soil treatment in accordance with 1816 shall not be
36 covered or concealed until the release from the building official has been received.
37

38 **110.3.5 Lath and gypsum board inspection.** Lath and gypsum board inspections shall
39 be made after lathing and gypsum board, interior and exterior, is in place, but before any
40 plastering is applied or gypsum board joints and fasteners are taped and finished.
41

42 **Exception:** Gypsum board that is not part of a fire-resistance-rated assembly or a
43 shear assembly.

44 **110.3.6 Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in
45 fire-resistant-rated assemblies, smoke barriers and smoke partitions shall not be
46 concealed from view until inspected and approved.

1
2 **110.3.7 Energy efficiency inspections.** Inspections shall be made to determine
3 compliance with Chapter 13 and shall include, but not be limited to, inspections for:
4 envelope insulation *R*- and *U*-values, fenestration *U*-value, duct system *R*-value, and
5 HVAC and water-heating equipment efficiency.
6

7 **110.3.8 Reinspection.** Failure to be found in compliance during any requested inspection
8 may result in a reinspection and associated fee and/or a penalty fee for each violation of
9 the technical codes observed. A re-inspection fee shall be charged for each additional
10 visit unless otherwise approved by the building official.
11

12 **110.3.9 Site Debris**

13 1. The contractor and/or owner of any active or inactive construction project shall
14 be responsible for the clean-up and removal of all construction debris or any other
15 miscellaneous discarded articles prior to receiving final inspection approval.
16 Construction job sites must be kept clean, such that excessive accumulation of
17 construction debris must not remain on the property for a period of time
18 exceeding 14 days.
19

20 2. All debris shall be kept in such a manner as to prevent it from being spread by
21 any means.
22

23 **110.3.10 Impact-resistant coverings or systems.** Where impact-resistant coverings or
24 systems are installed to meet requirements of this code, the building official shall
25 schedule adequate inspections of impact-resistant coverings or systems to determine the
26 following:
27

28 1. The system indicated on the plans was installed.
29

30 2. The system is installed in accordance with the manufacturer's installation instructions
31 and the product approval.
32

33 **110.3.11 Final Inspection.** The final inspection shall be made after all work required by
34 the building permit is completed. A permit holder (owner/contractor) is responsible for
35 requesting a final inspection within ten (10) days of the completion of permitted work;
36 and if applicable, a re-inspection within seven (7) days of issuance of a red-tag or
37 correction notice.
38

39 **110.3.12 Other inspections.** In addition to the inspections specified in Sections 110.3
40 through 110.3.11, the building official or his/her designee is authorized to make or
41 require other inspections of any construction work to ascertain compliance with the
42 provisions of this code and other laws that are enforced by the department of building
43 safety.
44
45

1 **110.4 Inspection Agencies.** The building official is authorized to accept reports of approved
2 inspection agencies, provided such agencies satisfy the requirements as to qualifications and
3 reliability.
4

5 **110.5 Inspection Requests.** It shall be the duty of the holder of the permit or their duly
6 authorized agent to notify the building official when work is ready for inspection. It shall be the
7 duty of the permit holder to provide access to and means for inspections of such work required
8 by this code.
9

10 **110.6 Approval Required.** Work shall not be done on any part of a building, structure,
11 electrical, gas, mechanical or plumbing system beyond the point indicated in each successive
12 inspection without first obtaining an approval from the building official. Any portions that do not
13 comply shall be corrected and such portion will not be covered or concealed until authorized by
14 the building official.
15

16 **110.7 Shoring.** For threshold buildings, shoring and associated formwork or falsework shall be
17 designed and inspected by a Florida licensed professional engineer, prior to any required
18 mandatory inspections by the threshold building inspector.
19

20 **110.8 Threshold building.**
21

22 **110.8.1** The enforcing agency shall require a special inspector to perform structural
23 inspections on a threshold building pursuant to a structural inspection plan prepared by
24 the engineer or architect of record. The structural inspection plan must be submitted to
25 the enforcing agency prior to the issuance of a building permit for the construction of a
26 threshold building. The purpose of the structural inspection plans is to provide specific
27 inspection procedures and schedules so that the building can be adequately inspected for
28 compliance with the permitted documents. The special inspector may not serve as a
29 surrogate in carrying out the responsibilities of the building official, the architect, or the
30 engineer of record. The contractor's contractual or statutory obligations are not relieved
31 by any action of the special inspector.

32 **110.8.2** The special inspector shall determine that a professional engineer who specializes
33 in shoring design has inspected the shoring and reshoring for conformance with the
34 shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner
35 of a building, which does not meet the minimum size, height, occupancy, occupancy
36 classification, or number-of-stories criteria which would result in classification as a
37 threshold building under s. 553.71(7), may designate such building as a threshold
38 building, subject to more than the minimum number of inspections required by the
39 *Florida Building Code*.

40 **110.8.3** The fee owner of a threshold building shall select and pay all costs of employing
41 a special inspector, but the special inspector shall be responsible to the enforcement
42 agency. The inspector shall be a person certified, licensed or registered under Chapter
43 471, *Florida Statutes*, as an engineer or under Chapter 481, *Florida Statutes*, as an
44 architect.

1
2 **110.8.4** Each enforcement agency shall require that, on every threshold building:
3

4 **110.8.4.1** The special inspector, upon completion of the building and prior to the
5 issuance of a certificate of occupancy, file a signed and sealed statement with the
6 enforcement agency in substantially the following form: "To the best of my
7 knowledge and belief, the above described construction of all structural load-
8 bearing components complies with the permitted documents, and the shoring and
9 reshoring conforms to the shoring and reshoring plans submitted to the
10 enforcement agency."
11

12 **110.8.4.2** Any proposal to install an alternate structural product or system to
13 which building codes apply be submitted to the enforcement agency for review
14 for compliance with the codes and made part of the enforcement agency's
15 recorded set of permit documents.
16

17 **110.8.4.3** All shoring and reshoring procedures, plans and details be submitted to
18 the enforcement agency for recordkeeping. Each shoring and reshoring
19 installation shall be supervised, inspected and certified to be in compliance with
20 the shoring documents by the contractor.
21

22 **110.8.4.4** All plans for the building which are required to be signed and sealed by
23 the architect or engineer of record contain a statement that, to the best of the
24 architect's or engineer's knowledge, the plans and specifications comply with the
25 applicable minimum building codes and the applicable fire-safety standards as
26 determined by the local authority in accordance with this section and Chapter 633,
27 *Florida Statutes*.
28

29 **110.8.5** No enforcing agency may issue a building permit for construction of any
30 threshold building except to a licensed general contractor, as defined in Section
31 489.105(3) (a), *Florida Statutes*, or to a licensed building contractor, as defined in
32 Section 489.105(3)(b), *Florida Statutes*, within the scope of her or his license. The named
33 contractor to whom the building permit is issued shall have the responsibility for
34 supervision, direction, management and control of the construction activities on the
35 project for which the building permit was issued.
36

37 **110.8.6** The building division may allow a special inspector to conduct the minimum
38 structural inspection of threshold buildings required by this code, Section 553.73, *Florida*
39 *Statutes*, without duplicative inspection by the building division. The building official is
40 responsible for ensuring that any person conducting inspections is qualified as a building
41 inspector under Part XII of Chapter 468, *Florida Statutes*, or certified as a special
42 inspector under Chapter 471 or 481, *Florida Statutes*. Inspections of threshold buildings
43 required by Section 553.79(5), *Florida Statutes*, are in addition to the minimum
44 inspections required by this code.
45
46

1 **111 CERTIFICATES OF OCCUPANCY AND COMPLETION**
2

3 **111.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in
4 the existing occupancy use, group, classification, or operator of a building or structure or portion
5 thereof shall be made until the building official has issued a certificate of occupancy therefore as
6 provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a
7 violation of the provisions of this code or of other ordinances.
8

9 **Exception:** Certificates of occupancy are not required for work exempt from permits
10 under Section 105.2
11

12 **111.2 Certificate Issued.** After the building official inspects the building or structure and finds
13 no violations of the provision of this code or other laws that are enforced by the department, the
14 building official shall issue a certificate of occupancy that substantially contains the following:
15

- 16 1. The building permit number or certificate of occupancy number.
- 17
- 18 2. The address of the structure.
- 19
- 20 3. The name and address of the owner, and/or operator/tenant if applicable.
- 21
- 22 4. A description of that portion of the structure for which the certificate is issued.
- 23
- 24 5. A statement that the described portion of the structure has been inspected for
25 compliance with the requirements of this code for the occupancy and division of
26 occupancy and the use for which the proposed occupancy is classified.
27
- 28 6. For buildings and structures in flood hazard areas, a statement that documentation of
29 the as-built lowest floor elevation has been provided and is retained in the records of the
30 authority having jurisdiction.
31
- 32 7. The name of the building official.
- 33
- 34 8. The edition of the code under which the permit was issued.
- 35
- 36 9. The use and occupancy, in accordance with the provisions of Chapter 3.
- 37
- 38 10. The type of construction as defined in Chapter 6.
- 39
- 40 11. The design occupant load.
- 41
- 42 12. If an automatic sprinkler system is provided, whether the sprinkler system is required.
- 43
- 44 13. Any special stipulations and conditions of the building permit or certificate of
45 occupancy.
46

1 **111.3 Temporary/Partial occupancy.** A temporary/ partial Certificate of Occupancy may be
2 issued for a portion or portions of a building that may safely be occupied prior to final
3 completion of the building. The building official shall set a time period with an established fee
4 during which the temporary certificate of occupancy is valid.
5

6 **111.4 Revocation.** The building official is authorized to, in writing, suspend or revoke a
7 certificate of occupancy or completion issued under the provisions of this code wherever the
8 certificate is issued in error, or on the basis of incorrect information supplied, or where it is
9 determined that the building or structure or portion thereof is in violation of any ordinance,
10 regulation, or any of the provisions of this code.
11

12 **111.5 Certificate of Completion.** Upon satisfactory completion of a building, structure,
13 electrical, gas, mechanical or plumbing system, a certificate of completion may be issued. A
14 certificate of completion is proof that a structure or system is complete and for certain types of
15 permits is released for use and may be connected to a utility system. This certificate does not
16 grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a
17 Certificate of Occupancy.
18

19 **Certificates of Completion may be issued for the following types of projects:**
20

21 **1. New Commercial Building Shell:** A certificate of completion shall be issued after all
22 final inspections have been approved and the fees paid. The issuance of a certificate of
23 completion allows permits to be obtained for the completion of the interior tenant spaces.
24 Occupancy of any part of the building is not permitted until a certificate of occupancy is
25 issued in accordance with section 111.2 for the finished spaces. Permanent power for the
26 building shall not be released to the utility company until the first tenant space has been
27 issued a certificate of occupancy.
28

29 **2. New Residential Building Shell:** A certificate of completion shall be issued after all
30 rough-in inspections have been approved and the fees paid. The issuance of a certificate
31 of completion allows permits to be obtained for the completion of the residential
32 dwelling. Occupancy of any part of the building is not permitted until a certificate of
33 occupancy is issued in accordance with section 111.2.
34

35 **3. Existing Buildings:** Any construction project involving the repair, remodeling,
36 renovation, or alteration of an existing residential or commercial building or structure,
37 which is not part of a change of occupancy, as defined in this chapter, may be issued a
38 certificate of completion. Upon specific request, the certificate of completion shall be
39 issued when all permits associated with the construction project have been granted final
40 approval and all fees have been paid.
41

42 **112 SERVICE UTILITIES**
43

44 **112.1 Connection of service utilities.** No person shall make connections from a utility source of
45 energy, fuel or power to any building or system which is regulated by the technical codes for
46 which a permit is required, or to devices and appliances to be used in connection with any

1 carnival or show, or in any place, tent or building to be used as a temporary place of assembly,
2 until released by the building official and a Certificate of Occupancy or Completion is issued.
3

4 **112.2 Temporary connection.** The building official may authorize the temporary connection of
5 the building or system to the utility source of energy, fuel or power for the purpose of testing
6 building service systems or for use under a temporary Certificate of Occupancy.
7

8 **112.3 Authority to disconnect service utilities.** The building official shall have the authority to
9 authorize disconnection of utility service to the building, structure, or system regulated by this
10 code and the referenced codes and standards set forth in Section 101.4 in case of emergency
11 where necessary to eliminate an immediate hazard to life or property or when such utility
12 connection has been made without approval required by Section 112.1 or 112.2. The building
13 official shall notify the serving utility, and whenever possible the owner and occupant of the
14 building, structure or service system of the decision to disconnect prior to taking such action. If
15 not notified prior to disconnecting, the owner or occupant of the building, structure or service
16 system shall be notified in writing, as soon as practical thereafter.
17

18 **113 BOARD OF APPEALS**

19

20 **113.1 Appointment.** There may be established a board to be called the Board of Construction
21 and Regulation in accordance with Hernando County Code of Ordinances, Chapter 8, Article II,
22 Division 2, Section 8-55. The board shall be appointed by the applicable governing body.

23 **113.2 Powers.** The Board shall have the power as authorized by and as, further defined in 113.4,
24 and per Hernando County Ordinance Chapter 8, Article 2, and Division 2, Sections 8-55 to hear
25 appeals of decisions and interpretations of the building official and consider variances of the
26 technical codes.

27 **113.3 Appeals**

28 **113.3.1 Decision of the building official.** The owner of a building, structure or service
29 system, or his duly authorized agent, may appeal a decision of the building official to
30 the Board whenever any one of the following conditions are claimed to exist:

- 31 1. The building official rejected or refused to approve the mode or manner of
32 construction proposed to be followed or materials to be used in the installation
33 or alteration of a building, structure or service system.
- 34 2. The provisions of this code do not apply to this specific case.
- 35 3. That an equally good or more desirable form of installation can be employed
36 in any specific case.
- 37 4. The true intent and meaning of this code or any of the regulations there under
38 have been misconstrued or incorrectly interpreted.
- 39
- 40
- 41
- 42

1 **113.3.2 Variances.** The Board, when so appealed to and after a hearing, may vary the
2 application of any provision of this code to any particular case when, in its opinion, the
3 enforcement thereof would do manifest injustice and would be contrary to the spirit
4 and purpose of this or the technical codes or public interest, and also finds all of the
5 following:

- 6 1. That special conditions and circumstances exist which are peculiar to the
7 building, structure or service system involved and which are not applicable
8 to others.
- 9 2. That the special conditions and circumstances do not result from the action
10 or inaction of the applicant.
- 11 3. That granting the variance requested will not confer on the applicant any
12 special privilege that is denied by this code to other buildings, structures or
13 service system.
- 14 4. That the variance granted is the minimum variance that will make possible
15 the reasonable use of the building, structure or service system.
- 16 5. That the granting of the variance will be in harmony with the general intent
17 and purpose of this code and will not be detrimental to the public health,
18 safety and general welfare.

19
20 **113.3.2.1 Conditions of the variance.** In granting the variance, the board may
21 prescribe a reasonable time limit within which the action for which the variance is
22 required shall be commenced or completed or both. In addition, the board may
23 prescribe appropriate conditions and safeguards in conformity with this code.
24 Violation of the conditions of a variance shall be deemed a violation of this code.

25 **113.3.3 Notice of appeal.** Notice of appeal shall be in writing and filed within 30
26 calendar days after the decision is rendered by the building official. Appeals shall be in
27 a form acceptable to the building official. Appeals relating to provisions of the "Florida
28 Building Code", other than local amendments, may be appealed to the Florida Building
29 Commission, pursuant to section 120.569 Florida Statutes, regarding the local
30 government's action. Notice of Administrative Rights may be obtained from the local
31 building department.

32 **113.3.4 Unsafe or dangerous buildings or service systems.** In the case of a building,
33 structure or service system which, in the opinion of the building official, is unsafe,
34 unsanitary or dangerous, the building official may, in his order, limit the time for such
35 appeals to a shorter period.

36 **113.4 Procedures of the Board**

37 **113.4.1 Rules and regulations.** The board shall establish rules and regulations for its
38 own procedure not inconsistent with the provisions of this code. The board shall meet
39 on call of the chairman. The board shall meet within 30 calendar days after notice of
40 appeal has been received.

41 **113.4.2 Decisions.** The Board shall, in every case, reach a decision without
42 unreasonable or unnecessary delay. Each decision of the board shall also include the

1 reasons for the decision. If a decision of the board reverses or modifies a refusal, order,
2 or disallowance of the building official or varies the application of any provision of
3 this code, the building official shall immediately take action in accordance with such
4 decision. Every decision shall be promptly filed in writing in the office of the building
5 official and shall be open to public inspection. A certified copy of the decision shall be
6 sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in
7 the office of the building official for two weeks after filing. Every decision of the
8 board shall be final, subject however to such remedy as any aggrieved party might
9 have at law or in equity.

10 **114 VIOLATIONS**

11
12 **114.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct,
13 alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment
14 regulated by this code, or cause same to be done, in conflict with or in violation of any of the
15 provisions of this code.

16 **114.2 Notice of violation.** The building official is authorized to serve a notice of violation or
17 order on the person responsible for the erection, construction, alteration, extension, repair,
18 moving, removal, demolition or occupancy of a building or structure in violation of the
19 provisions of this code, or in violation of a permit or certificate issued under the provisions of
20 this code. Such order shall direct the discontinuance of the illegal action or condition and the
21 abatement of the violation.

22 **114.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the
23 building official is authorized to request the legal counsel of the jurisdiction to institute the
24 appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to
25 require the removal or termination of the unlawful occupancy of the building or structure in
26 violation of the provisions of this code or of the order or direction made pursuant thereto.

27 **114.4 Violation penalties.** Any person who violates a provision of this code or fails to comply
28 with any of the requirements thereof or who erects, constructs, alters or repairs a building or
29 structure in violation of the approved construction documents or directive of the building official,
30 or of a permit or certificate issued under the provisions of this code, shall be subject to penalties
31 as prescribed by law.

32 **115 STOP WORK ORDER**

33
34 **115.1 Authority.** Whenever the building official or his/her designee finds any work regulated by
35 this code being performed in a manner either contrary to the provisions of this code, or
36 dangerous or unsafe, the building official or his/her designee is authorized to issue a Stop Work
37 Order.

38
39 **115.2 Issuance.** The Stop Work Order shall be in writing and shall be given to the owner of the
40 property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a
41 Stop Work Order, the cited work shall immediately cease. The Stop Work Order shall state the
42 reason for the order, and the conditions under which the cited work will be permitted to resume.
43

1 **115.3 Unlawful continuance.** Any person who shall continue any work after having been served
2 with a Stop Work Order, except such work as that person is directed to perform to remove a
3 violation or unsafe condition, shall be subject to penalties as prescribed by law.
4

5 **116 UNSAFE STRUCTURES AND EQUIPMENT**

6

7 **116.1 Unsafe buildings or systems.** Refer to Hernando County Code of Ordinances, Chapter 8,
8 Article II, Division 6 for provisions for unsafe structures and equipment.

9 **SECTION 3 - Technical amendment to the Florida Building Code 5th Edition (2014),** 10 **Residential related to flood-resistant construction.**

11 **R322 FLOOD RESISTANT CONSTRUCTION**

12 **R322.2.1 Elevation requirements.**

- 13 1. Buildings and structures in flood hazard areas not designated as Coastal A Zones
14 shall have the lowest floors elevated to or above the base flood elevation plus 1 foot
15 or the design flood elevation, whichever is higher.
16
- 17 2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall
18 have the lowest floors elevated to or above the base flood elevation plus 1 foot (305
19 mm), or to the design flood elevation, whichever is higher.
20
- 21 3. In areas of shallow flooding (AO Zones), buildings and structures shall have the
22 lowest floor (including basement) elevated at least as high above the highest
23 adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at
24 least 3 feet if a depth number is not specified.
25
- 26 4. Basement floors that are below grade on all sides shall be elevated to or above the
27 base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
28 Exception: Enclosed areas below the design flood elevation, including basements
29 whose floors are not below grade on all sides, shall meet the requirements of Section
30 R322.2.2.
31

32 **R322.2.2 Enclosed areas below design flood elevation.** Enclosed areas, including crawl spaces,
33 that are below the design flood elevation shall:

- 34 1. Be used solely for parking of vehicles, building access or storage. The interior
35 portion of such enclosed area shall not be partitioned or finished into separate rooms
36 except for stairwells, ramps, and elevators. The limitation on partitions does not
37 apply to crawlspace foundations.
38

39 **R322.3.2 Elevation requirements.**

1 1. All buildings and structures erected within coastal high-hazard areas shall be
2 elevated so that the lowest portion of all structural members supporting the lowest
3 floor, with the exception of mat or raft foundations, piling, pile caps, columns, grade
4 beams and bracing, is:

5
6 1.1 Located at or above the base flood elevation plus 1 foot or the design flood
7 elevation, whichever is higher, if the lowest horizontal structural member is
8 oriented parallel to the direction of wave approach, where parallel shall mean
9 less than or equal to 20 degrees (0.35 rad) from the direction of approach, or
10

11 1.2 Located at the base flood elevation plus 2 feet, or the design flood elevation,
12 whichever is higher, if the lowest horizontal structural member is oriented
13 perpendicular to the direction of wave approach, where perpendicular shall
14 mean greater than 20 degrees (0.35 rad) from the direction of approach.
15

16 2. Basement floors that are below grade on all sides are prohibited.
17

18 3. The use of fill for structural support is prohibited.
19

20 4. Minor grading, and the placement of minor quantities of fill, shall be permitted for
21 landscaping and for drainage purposes under and around buildings and for support
22 of parking slabs, pool decks, patios and walkways.
23

24 **Exception:** External walls enclosing areas below the design flood elevation shall meet the
25 requirements of Sections R322.3.4 and R322.3.5.

26 **R322.3.4 Walls below design flood elevation.** Walls are permitted below the elevated floor,
27 provided that such walls are not part of the structural support of the building or structure and:

28 1. Electrical, mechanical, and plumbing system components are not to be mounted on
29 or penetrate through walls that are designed to break away under flood loads; and
30

31 2. Are constructed with insect screening or open lattice; or
32

33 3. Are designed to break away or collapse without causing collapse, displacement or
34 other structural damage to the elevated portion of the building or supporting
35 foundation system. Such walls, framing and connections shall have a design safe
36 loading resistance of not less than 10 (470 Pa) and no more than 20 pounds per
37 square foot (958 Pa); or
38

39 4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa),
40 the construction documents shall include documentation prepared and sealed by a
41 registered design professional that:
42

1 4.1 The walls below the design flood elevation have been designed to collapse
2 from a water load less than that which would occur during the design flood.
3

4 4.2 The elevated portion of the building and supporting foundation system have
5 been designed to withstand the effects of wind and flood loads acting
6 simultaneously on all building components (structural and nonstructural).
7 Water loading values used shall be those associated with the design flood.
8 Wind loading values used shall be those required by this code.
9

10 **R322.3.5 Enclosed areas below the design flood elevation.** Enclosed areas below the design
11 flood elevation shall be used solely for parking of vehicles, building access or storage. The
12 interior portion of such enclosed area shall not be partitioned or finished into separate rooms
13 except for stairwells, ramps, and elevators.

14 **SECTION 4 - Technical amendment to the Florida Building Code 5th Edition (2014),**
15 **Building, related to flood loads and substantial improvement.**

16 **1612 FLOOD LOADS**

17 **SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction, rehabilitation,
18 addition or improvement of a building or structure taking place during a 5-year period prior to
19 the date of permit application, the cumulative cost of which equals or exceeds 50 percent of the
20 market value of the structure before the improvement or repair is started. If the structure has
21 sustained substantial damage, any repairs are considered substantial improvement regardless of
22 the actual repair work performed. The term does not, however, include either:

- 23 1. Any project for improvement of a building required to correct existing health,
24 sanitary or safety code violations identified by the building official and that are the
25 minimum necessary to assure safe living conditions.
26
27 2. Any alteration of a historic structure provided that the alteration will not preclude
28 the structure's continued designation as a historic structure.

29 **SECTION 5 - Technical amendment to the Florida Building Code 5th Edition (2014),**
30 **Existing Building, related to definitions and substantial improvement.**

31 **202 GENERAL DEFINITIONS**

32 **SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction, rehabilitation,
33 addition or improvement of a building or structure taking place during a 5-year period prior to
34 the date of permit application, the cumulative cost of which equals or exceeds 50 percent of the
35 market value of the structure before the improvement or repair is started. If the structure has
36 sustained substantial damage, any repairs are considered substantial improvement regardless of
37 the actual repair work performed. The term does not, however, include either:

- 1 1. Any project for improvement of a building required to correct existing health,
2 sanitary or safety code violations identified by the building official and that are the
3 minimum necessary to assure safe living conditions.
- 4
- 5 2. Any alteration of a historic structure provided that the alteration will not preclude
6 the structure's continued designation as a historic structure.
- 7

8 **SECTION 6 - Severability.** It is declared to be the intent of the Board of County
9 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
10 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not
11 affect the validity of the remaining portions of this ordinance.

12

13 **SECTION 7 - Repealer Clause.** Upon the effective date of this ordinance, those
14 previously enacted ordinances and amendments thereto which regulate the construction
15 activities addressed by this ordinance, namely Hernando County Ordinance No. 2012-5, are
16 hereby repealed in its entirety.

17

18 Notwithstanding anything to the contrary herein, the adoption of this ordinance shall
19 not be construed or held to repeal the above-referenced ordinances or the code provisions in
20 effect prior to the adoption of this ordinance as to any violation occurring, pending, or
21 committed in violation of any of the stated ordinances or the prior code provisions. Such
22 pending, occurring, or committed violations will be prosecuted under the applicable ordinance
23 or the prior code provisions under the procedures and penalties of the applicable ordinance or
24 prior code provisions. No violation of the provisions of the applicable ordinance or the prior
25 code provisions shall be prosecuted two (2) years from the effective date of this ordinance.

26

27 **SECTION 8 - Violations and Penalties.** Any person, firm, corporation or agent who
28 shall violate a provisions of this code, or fail to comply therewith, or with any of the
29 requirements thereof, or who shall erect, construct, alter, install, demolish or move any
30 structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered,
31 repaired, moved or demolished a building, structure, electrical, gas , mechanical, or plumbing
32 system, in violation of a detailed statement or drawing submitted and permitted there under,
33 shall be guilty of a misdemeanor of the second degree. Each such person shall be considered
34 guilty of a separate offense for each and every day or portion thereof during which any
35 violation of any of the provisions of this code is committed or continued. Upon conviction of
36 any such violation such person shall be punished within the limits as provided by the law and
37 local ordinance.

38

39 **SECTION 9 - Inclusion in the Code.** It is the intention of the Board of County
40 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of
41 this Ordinance shall become and be made a part of the Code of Ordinances of Hernando
42 County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered
43 to accomplish such intention, and that the word "ordinance" may be changed to "section,"
44 "article," or other appropriate designation.

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SECTION 10 - Effective Date. This ordinance shall become effective on July 14, 2015.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, in Regular Session this 14th day of July, 2015.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: 
DONALD G. HURREE JR., CLERK

By: 
NICHOLAS W. NICHOLSON, CHAIRMAN



**Approved as to Form and
Legal Sufficiency**

BY: 