

Marguerite Linke

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Monday, December 18, 2017 3:55 PM
To: Marguerite Linke
Cc: County Ordinances
Subject: Hernando20171218_Ordinance2017_41_Ack.pdf
Attachments: Hernando20171218_Ordinance2017_41_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 18, 2017

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

Attention: Marguerite Linke, Administrative Services

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. 2017-41, which was filed in this office on December 18, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

1
2 **ORDINANCE NO. 2017 - 41**
3

4 **AN ORDINANCE AMENDING HERNANDO COUNTY CODE CHAPTER 8, ARTICLE**
5 **II, DIVISION 4, FLORIDA BUILDING CODE: PROVIDING FOR ADOPTION OF THE**
6 **FLORIDA BUILDING CODE 6th EDITION (2017); PROVIDING FOR SCOPE AND**
7 **ADMINISTRATION; PROVIDING FOR TECHNICAL AMENDMENT TO THE**
8 **FLORIDA BUILDING CODE 6th EDITION (2017), RESIDENTIAL RELATED TO**
9 **FLOOD-RESISTANT CONSTRUCTION; PROVIDING FOR TECHNICAL**
10 **AMENDMENT TO THE FLORIDA BUILDING CODE 6th EDITION (2017),**
11 **BUILDING RELATED TO FLOOD LOADS AND SUBSTANTIAL IMPROVEMENT;**
12 **PROVIDING FOR TECHNICAL AMENDMENT TO THE FLORIDA BUILDING**
13 **CODE 6th EDITION (2017), EXISTING BUILDING RELATED TO DEFINITIONS AND**
14 **SUBSTANTIAL IMPROVEMENT; PROVIDING FOR SEVERABILITY; PROVIDING**
15 **FOR A REPEALER CLAUSE; PROVIDING FOR VIOLATIONS AND PENALTIES;**
16 **PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE**
17 **DATE.**

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

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

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

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

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

30 **WHEREAS**, the Florida Building Code 6th Edition (2017) has an effective date of
31 December 31, 2017, as adopted by the State of Florida, Florida Building Commission;

32 **WHEREAS**, Hernando County Ordinance 2015-13 is hereby repealed and administration
33 of the Florida Building Code 6th Edition (2017) is set forth as follows;

34
35 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
36 **COMMISSIONERS OF HERNANDO COUNTY, FLORIDA.**

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SECTION 8-97.

Section 1. Adoption of the Florida Building Code 6th Edition (2017), as promulgated by the Florida Building Commission.

There is hereby adopted by the County of Hernando, Florida, that certain statewide unified code known as the Florida Building Code, as developed and maintained by the Florida Building Commission, being particularly the Florida Building Code Sixth Edition (2017). The same is hereby adopted and incorporated herein as fully as if set forth in haec verba, and from the date upon which this division shall take effect, the provisions thereof, except as otherwise noted herein, shall be controlling in the construction, alteration, removal, demolition, moving, improving, repairing of equipment, use and occupancy, location and maintenance of all buildings and structures within the unincorporated areas of the county.

SECTION 8-98.

**CHAPTER 1
SCOPE AND ADMINISTRATION**

PART 1 – SCOPE AND APPLICATION

SECTION 101 GENERAL

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

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

Exception:

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

1 **101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted, *the*
2 *following appendices are here by adopted.*

- 3
- 4 **FBC** – Building - B, C, E, F, H.
- 5 **FBC** – Residential – A, B, C, E, F, P.
- 6 **FBC** – Fuel/Gas – A, B, C.
- 7 **FBC** – Energy in its entirety.
- 8 **FBC** – Plumbing – E, F, G.
- 9 **NEC** – NFPA 70 – A, B, C, D.

10

11 **101.2.2** Florida Building Code, Residential Construction standards or practices which are not
12 covered by the Florida Building Code, Residential volume shall be in accordance with the
13 provisions of the Florida Building Code, Building.

14

15 **101.3 Intent.** This code is hereby declared to be remedial and shall be construed to be the
16 minimum standards necessary to secure the beneficial interests and purposes thereof, which are
17 public safety, health and general welfare through structural strength, stability, sanitation,
18 adequate light and ventilation, means of egress, and safety to life and property from fire and
19 other hazards attributed to the built environment including alteration, repair, removal,
20 demolition, use and occupancy of buildings, structures or premises, and by regulating the
21 installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may
22 be referred to as service systems.

23

24 **101.3.1 Quality control.** Quality control of materials and workmanship is not within the purview
25 of this code except as it relates to the purposes stated herein.

26

27 **101.3.2 Warranty and Liability.** The permitting, plan review or inspection of any building,
28 system or plan by this jurisdiction, under the requirements of this code, shall not be construed in
29 any court as a warranty of the physical condition of such building, system or plan or their
30 adequacy. Neither Hernando County nor any employee thereof shall not be liable in tort for
31 damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for
32 any failure of any component of such, which may occur subsequent to such inspection or
33 permitting.

34

35 **101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.10 and
36 referenced elsewhere in this code shall be considered part of the requirements of this code to the
37 prescribed extent of each such reference.

38

39 **101.4.1 Electrical.** The provisions of Chapter 27 of the Florida Building Code – Building, and
40 the provisions of the Florida Residential Code, shall apply to the installation of electrical
41 systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and
42 appurtenances thereto.

43

44 **101.4.2 Gas.** The provisions of the Florida Building Code, Fuel Gas, as adopted and the
45 provisions of the Florida Residential Code, shall apply to the installation of consumers' gas

1 piping, gas appliances and related accessories as covered in this code. These requirements apply
2 to gas piping systems extending from the point of delivery to the inlet connections of appliances,
3 and the installation and operation of residential and commercial gas appliances and related
4 accessories.

5
6 **101.4.3 Mechanical.** The provisions of the Florida Building Code, Mechanical, as adopted and
7 the provisions of the Florida Residential Code, shall apply to the installation of mechanical
8 systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and
9 appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems,
10 incinerators and other energy-related devices.

11
12 **101.4.4 Plumbing.** The provisions of the Florida Building Code, Plumbing, as adopted and the
13 provisions of the Florida Residential Code, shall apply to every plumbing installation, including
14 alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances and
15 when connected to a water or sewerage system and all aspects of a medical gas system.

16
17 **101.4.5 Property Maintenance.** Reserved.

18
19 **101.4.6 Fire Prevention.** For provisions related to fire prevention, refer to the Florida Fire
20 Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to
21 structures, processes and premises from the hazard of fire and explosion arising from the storage,
22 handling, or use of structures, materials or devices; from conditions hazardous to life, property,
23 or public welfare in the occupancy of structures or premises; and from the construction,
24 extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in
25 the structure or on the premises from occupancy or operation.

26
27 **101.4.7 Energy.** For provisions related to energy, refer to the Florida Building Code, Energy
28 Conservation, which shall apply to all matters governing the design and construction of buildings
29 for energy.

30
31 **101.4.8 Accessibility.** For provisions related to accessibility, refer the provisions of the Florida
32 Building Code, Accessibility.

33
34 **101.4.9 Existing buildings.** The provisions related to the *repair, alteration*, change of
35 occupancy, *addition* to and relocation of existing buildings, shall comply with the Florida
36 Building Code, Existing Building Code.

37
38 **101.4.10 Manufactured buildings.** For additional administrative and special code requirements,
39 see section 458, Florida Building Code, Building, and Rule 9B-1 F.A.C.

40
41 **101.4.11 Flood.** The provisions of ASCE 24, Flood Resistant Design and Construction and
42 Chapter 13, of the Code of Ordinances of Hernando County.

43
44 **101.5 Rules of Construction.** The rules set out in this section shall be observed, unless such
45 construction is inconsistent with the intent of this Code. The rules of construction and definitions
46 set out here shall not be applied to any section of this chapter which contains any express

1 provisions excluding such construction, or where the subject or content of such section would be
2 inconsistent with this chapter.

3
4 **101.5.1 Generally.** All provisions, terms, phrases and expressions contained in this Chapter shall
5 be liberally construed in order that the true intent and meaning of the Board of County
6 Commissioners, may be fully carried out.

7
8 **101.5.2 Interpretation code.** Interpretations shall be made by the Building Official.

9
10 **101.5.3 Words not defined.** Words not defined in this chapter shall have the meaning stated in
11 the Florida Building Code. Words not defined herein shall have the meaning stated in the Florida
12 Statutes; other nationally recognized codes; other Hernando County Ordinances; or other
13 documents, manuals or standards adopted elsewhere in this Chapter. Words not defined in any of
14 those documents shall have the meaning stated in the Webster's Third New International
15 Dictionary of the English Language, Unabridged, as revised. In case of a conflict between
16 different parts of this chapter, conflicts within the
17 same code, or conflicts between codes, the more stringent requirements shall be applicable.

18
19 **101.5.4 Words defined.** Unless otherwise expressly stated, the following words and terms, for
20 the purposes of this code, have the meaning shown in this chapter. In case of a conflict in
21 definitions or codes, the appropriate definition (or code) to be applied shall be the one applicable
22 to the trade in question. In case of a conflict between different parts of this chapter, conflicts
23 within the same code, or conflicts between codes, the more stringent requirements shall be
24 applicable.

25
26 **Abandon or abandonment.** (1) Termination of a construction project by a contractor without
27 just cause or proper notification to the owner including the reason for termination or (2) failure
28 of a contractor to perform work without just cause for ninety (90) days. (3) Failure to obtain an
29 approved inspection within one hundred eighty (180) days from the previous approved
30 inspection or failure to commence work within one hundred eighty (180) days from permit
31 issuance.

32
33 **Addition.** An extension or increase in floor area, number of stories or height of a building or
34 structure.

35
36 **Alteration.** Any construction or renovation to an existing building other than repair or addition.

37
38 **Approved.** Acceptable to the code official or authority having jurisdiction.

39
40 **Appraised value.** For the purpose of this section, appraised value is defined as either (1) one
41 hundred twenty (120) percent of the assessed value of the structure as indicated by the County
42 Property Appraiser's Office or (2) the value as indicated in a certified appraisal from a Florida
43 certified or licensed appraiser.

44 **Assessed value.** The value of real property and improvements thereon as established by the
45 county property appraiser pursuant to chapter 192, Florida Statutes. To the extent not preempted

1 by state law, suspicion of sinkhole activity as defined herein shall not be the basis for a reduction
2 of assessed valuation.

3
4 **Authorized agent.** A person specifically authorized by the holder of a certificate of competency
5 to obtain permits in his stead.

6
7 **Basement.** For floodplain management purposes, any area of a building having its floor sub-
8 grade (below ground level) on all sides.

9
10 **Basic Wind Speed Lines.** The basic wind speed lines shall be as established by the wind speed
11 contour maps attached to, and made a part of, this chapter.

12
13 **RISK CATEGORY I BUILDINGS:** For areas, landward of the 130 MPH Wind Speed Line, a
14 non-site specific design may be done using an ultimate design wind speed of 130 MPH for the
15 design of the main wind force resisting systems, cladding and glazing.

16
17 **RISK CATEGORY II BUILDINGS:** For areas, landward of the 140 MPH Wind Speed Line, a
18 non-site specific design may be done using an ultimate design wind speed of 140 MPH for the
19 design of the main wind force resisting systems, cladding, and glazing.

20
21 **RISK CATEGORY III & IV BUILDINGS:** For areas, landward of the 150 MPH Wind Speed
22 Line, a non-site specific design may be done using an ultimate design wind speed of 150 MPH
23 for the design of the main wind force resisting systems, cladding, and glazing.

24
25 **Board.** The appropriate Hernando County Board of Construction Regulations, unless otherwise
26 specifically stated.

27
28 **Building.** Any structure used or intended for supporting or sheltering any use or occupancy.

29
30 **Building component.** An element or assembly of elements integral to or part of a building.

31
32 **Building shell.** The structural components that completely enclose a building, including, but not
33 limited to, the foundation, structural frame, floor slabs, exterior walls, and roof system.

34
35 **Building system.** A functionally related group of elements, components and/or equipment, such
36 as the electrical, plumbing, and mechanical systems of a building.

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

43
44 **Certificate of occupancy (C.O.).** An official document evidencing that a building satisfies the
45 requirements for the occupancy of a building.

46

- 1 **Change of occupancy.** A change from one Building Code occupancy classification or as defined
2 in the Existing Code.
3
- 4 **Commercial building.** Any building, structure, improvement, or accessory thereto, other than a
5 one or two-family dwelling.
6
- 7 **Demolition.** The act of razing, dismantling, or removal of a building or structure, or portion
8 thereof.
9
- 10 **Enclosure.** A building or part thereof, in whole or in part self-supporting, and having walls of
11 insect screening with or without removable vinyl or acrylic wind break panels and a roof of
12 insect screening, plastic, aluminum or similar lightweight material.
13
- 14 **Florida Building Code.** Refers to all volumes of the code.
15
- 16 **Florida Building Code – Fuel Gas.** Refers to the Fuel Gas volume of the code.
17
- 18 **Florida Building Code – Mechanical.** Refers to the Mechanical volume of the code.
19
- 20 **Florida Building Code – Plumbing.** Refers to the Plumbing volume of the code.
21
- 22 **Florida Building Code – Residential.** Refers to the Residential volume of the code.
23
- 24 **Florida Existing Building Code-** Refers to the Existing Building volume of the code.
25
- 26 **Florida Building Code – Energy Conservation.** Refers to the Energy Conservation volume of
27 the code.
28
- 29 **Florida Building Code – Accessibility.** Refers to the Accessibility volume of the code.
30
- 31 **Florida Building Code – Test Protocols for High –Velocity Hurricane Zones.** Refers to the
32 High-Velocity Hurricane Zones volume of the code.
33
- 34 **Habitable space.** A space in a structure for living, sleeping, eating or cooking. Bathroom, toilet
35 compartments, closets, halls, screen enclosures, sunroom Categories I, II and III as defined in the
36 AAMA/NPEA/NSA 2100, storage or utility space and similar areas are not considered habitable
37 space.
38
- 39 **Historic Structure.** means any structure that is determined eligible for the exception to the flood
40 hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic
41 Buildings.
42
- 43 **Inspection warrant.** A court order authorizing the official or his designee to perform an
44 inspection of a property named in the warrants.
45

1 **Interior finish.** The preparation of interior spaces of a commercial building for the first
2 occupancy thereof.
3

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

10 **Month.** The word “month” shall mean a calendar month.
11

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

17 **Permit.** An official document authorizing performance of a specific activity regulated by this
18 chapter.
19

20 **Settlement.** Settlement shall include, but not be limited to, any subsidence, settlement, or
21 sinkhole activity that impairs or has the potential to impair any structure, and for which an
22 inspection, investigation and/or remediation is conducted.
23

24 **Shall, may.** The word “shall” is mandatory; “may” is permissive. The word “shall” takes
25 precedence over “may.”
26

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

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

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

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

46 **Start of construction.**

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

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

7 **Substantial Improvement.** Any combination of repair, reconstruction, rehabilitation, addition or
8 improvement of a building or structure taking place during a 5-year period prior to the date of
9 permit application, the cumulative cost of which equals or exceeds 50 percent of the market
10 value of the structure before the improvement or repair is started. If the structure has sustained
11 substantial damage, any repairs are considered substantial improvement regardless of the actual
12 repair work performed. The term does not, however, include either:
13

14 1. Any project for improvement of a building required to correct existing health, sanitary
15 or safety code violations identified by the building official and that are the minimum
16 necessary to assure safe living conditions.
17

18 2. Any alteration of a historic structure provided that the alteration will not preclude the
19 structure's continued designation as a historic structure.

20 **Stop work order.** An order by the Building Official, or his designee, which requires the
21 immediate cessation of all work and work activities described in the order.
22

23 **Structural component.** Any part of a system, building, or structure, load bearing or nonload
24 bearing, which is integral to the structural integrity thereof, including but not limited to walls,
25 partitions, columns, beams, and girders.
26

27 **Structural work or alteration.** The installation or assembling of new structural components
28 into a system, building, or structure. In addition, any change, repair, or replacement of any
29 existing structural component of a system, building, or structure.
30

31 **Structure** For floodplain management purposes, a walled and roofed building, including a gas or
32 liquid storage tank that is principally above ground, as well as a manufactured home.
33

34 **Text.** In cases of any difference of meaning or implication between the text of this Chapter and
35 any figure, the text shall control.
36

37 **Value.** Job cost, including but not limited to, materials and labor.
38

39 **Violation.** The failure of a structure or other development to be fully compliant with this
40 ordinance. For floodplain management purposes, a structure or other development without the
41 elevation certificate, other certifications, or other evidence of compliance required in this
42 ordinance is presumed to be in violation until such time as that documentation is provided
43 showing different.
44

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

4
5 **Wind Borne Debris Region.** Areas within hurricane-prone regions located:

- 6
7 1. Within 1 mile of the coastal mean high water line where the ultimate design wind
8 speed is 130 MPH or greater; or
9
10 2. In areas where the ultimate design wind speed is 140 MPH or greater.

11
12 ***Starting point at north end of County:***

Location: coordinates: BEGIN: Minutes)	Approximate GPS (Degrees,
---	----------------------------------

13

Intersection of Lagrue Rd. & Retriever Rd. 42 n	82, 34w 28,
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14

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 33 n	82, 37 w 28,
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15

Then south approximately 5 miles to Intersection of Tarpon Blvd., and Hwy 19 28 n	82, 38 w 28,
---	---------------------

16

Then southerly approximately 2 miles to Intersection of County Line Rd. and Hwy 19 26 n	82, 38 w 28,
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17 *Wind Speeds.* Refer to FBC-B Chapter 16, Figures 1609A, 1609B, and 1609C for general
18 wind speed maps. Hernando County Wind Speeds are defined as follows and as displayed
19 by the "Hernando County Wind Speed Maps" attached to, and made part of this chapter:
20 (All values listed are V-ultimate.)

21
22 1609A (Risk Category II Buildings and Structures)

23
24 V-ult. = 140 mph Those areas west of a northwesterly line running between the
25 southwestern corner of S31 T23S R17E to the southwestern corner of S13 T23S
26 R16E continuing to the Gulf of Mexico.

27
28 V-ult. = 139 mph those areas east of the line described above as the 140-mph line
29 to the eastern end of the county. Interpolation is allowed.
30

1 1609B (Risk Category III & IV Buildings and Structures)

2
3 V-ult. = 149 mph throughout the county. Interpolation is allowed.

4
5 1609C (Risk Category I Buildings and Structures)

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

7
8 **Year.** The word “year” shall mean a calendar year, unless a fiscal year is indicated.

9
10 **SECTION 102**
11 **APPLICABILITY**

12
13 **102.1 General.** Where, in any specific case, different sections of this code specify different
14 materials, methods of construction or other requirements, the most restrictive shall govern.
15 Where there is a conflict between a general requirement and a specific requirement, the specific
16 requirement shall be applicable.

17
18 **102.1.1** The Florida Building Code does not apply to, and no code enforcement action shall be
19 brought with respect to, zoning requirements, land use requirements and owner specifications or
20 programmatic requirements which do not pertain to and govern the design, construction,
21 erection, alteration, modification, repair or demolition of public or private buildings, structures or
22 facilities or to programmatic requirements that do not pertain to enforcement of the Florida
23 Building Code. Additionally, a local code enforcement agency may not administer or enforce the
24 Florida Building Code, Building
25 to prevent the siting of any publicly owned facility, including, but not limited to, correctional
26 facilities, juvenile justice facilities, or state universities, community colleges, or public education
27 facilities, as provided by law.

28
29 **102.2 Building.** The provisions of the Florida Building Codes, including adopted Appendices,
30 shall apply to the construction, erection, alteration, modification, repair, equipment, use and
31 occupancy, location, maintenance, removal and demolition of every public and private building,
32 structure or facility or floating residential structure, or any appurtenances connected or attached
33 to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or
34 occupancy group in all buildings and structures shall comply with the provisions provided in the
35 Florida Existing Building Code. The following buildings, structures, and facilities are exempt
36 from the Florida Building Code – Building, and the Florida Residential Code as provided by law,
37 but not exempt from Flood Regulations and any future exemptions shall be as determined by the
38 legislature and provided by law:

39
40 (a) Building and structures specifically regulated and preempted by the Federal
41 Government.

42
43 (b) Railroads and ancillary facilities associated with the railroad.

44
45 (c) Non-residential farm buildings on farms.
46

1 (d) Temporary buildings or sheds used exclusively for construction purposes.
2

3 (e) Mobile homes or modular structures used as temporary offices, except that the
4 provisions of part V (ss. 553.501-553.513, FLORIDA STATUTES) relating to
5 accessibility by persons with disabilities and permits shall be required for structural
6 support and tie down, electric supply and all other such utility connections to such mobile
7 or modular structures as required by this jurisdiction.
8

9 (f) Those structures or facilities of electric utilities, as defined in s. 366.02, Florida
10 Statutes, which are directly involved in the generation, transmission, or distribution of
11 electricity.
12

13 (g) Temporary sets, assemblies, or structures used in commercial motion picture or
14 television production, or any sound-recording equipment used in such production, on or
15 off the premises.
16

17 (h) Chickees constructed by the Miccosukee Tribe of Indians or the Seminole Tribe of
18 Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut
19 that has a thatched roof of palm or palmetto or other traditional materials, and that does
20 not incorporate any electrical, plumbing, or other non-wood features.
21

22 (i) Family mausoleums not exceeding 250 square feet in area which are prefabricated and
23 assembled on site or preassembled and delivered on site and have walls, roofs, and a floor
24 constructed of granite, marble, or reinforced concrete.
25

26 (j) Temporary housing provided by the Department of Corrections to any prisoner in the
27 state correctional system.
28

29 (k) Building or structure having less than 1,000 square feet, which is constructed and
30 owned by a natural person for hunting, and which is repaired or reconstructed to the same
31 dimension and condition as existed on January 1, 2011, if the building structure:
32

33 (1) is not rented, leased, or used as a principal residence; and
34

35 (2) is not located within the 100-year floodplain, according to the Federal
36 Emergency Management Agency's current Flood Insurance Rate Map; and
37

38 (3) is not connected to an offsite electric power or water supply.
39

40 **102.2.1** In addition to the requirements of ss. 553.79 and 553.80 Florida Statutes, facilities
41 subject to the provisions of Chapter 395 Florida Statutes and Part II of Chapter 400 Florida
42 Statutes shall have facility plans reviewed and construction surveyed by the state agency
43 authorized to do so under the requirements of Chapter 395 Florida Statutes and Part II of Chapter
44 400 Florida Statutes and the certification requirements of the Federal Government.
45

1 **102.2.2** Residential Buildings or structures moved into or within Hernando County shall not be
2 required to be brought into compliance with the state minimum building code in force at the time
3 the building or structure is moved, provided:

- 4
- 5 1. The building or structure is structurally sound and in occupiable condition for its
6 intended use;
- 7
- 8 2. The occupancy use classification for the building or structure is not changed as a result
9 of the move;
- 10
- 11 3. The building is not substantially remodeled;
- 12
- 13 4. Current fire code requirements for ingress and egress are met;
- 14
- 15 5. Electrical, gas and plumbing systems meet the codes in force at the time of
16 construction and are operational and safe for reconnection; and
- 17
- 18 6. Foundation plans are sealed by a professional engineer or architect licensed to practice
19 in this state, if required by the Florida Building Code, for all residential buildings or
20 structures of the same occupancy class.
- 21

22 **102.2.3** The building official shall apply the same standard to a moved residential building or
23 structure as that applied to the remodeling of any comparable residential building or structure to
24 determine whether the moved structure is substantially remodeled. The cost of the foundation on
25 which the moved building or structure is placed shall not be included in the cost of remodeling
26 for purposes of determining whether a moved building or structure has been substantially
27 remodeled.

28

29 **102.2.4** This section does not apply to the jurisdiction and authority of the Department of
30 Agriculture and Consumer Services to inspect amusement rides or the Department of Financial
31 Services to inspect state-owned buildings and boilers.

32

33 **102.2.5 Reserved.**

34

35 **102.2.6** This section does not apply to swings and other playground equipment accessory to a
36 one- or two-family dwelling.

37

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

40

41 **102.3 Application of references.** References to chapter or section numbers, or to provisions not
42 specifically identified by number, shall be construed to refer to such chapter, section or provision
43 of this code.

44

45 **102.4 Referenced codes and standards.** The codes and standards referenced in the technical
46 codes shall be considered an integral part of the codes without separate adoption. If specific

1 portion of a standard are denoted by code text, only those portions of the standard shall be
2 enforced. Where code provisions conflict with a standard, the code provisions shall be enforced.
3 Permissive and advisory provisions in a standard shall not be construed as mandatory.

4
5 **102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes
6 and standards, the provisions of this code shall apply.

7
8 **102.4.2 Provisions in referenced codes and standards.** Where the extent of the reference to a
9 referenced code or standard includes subject matter that is within the scope of this code or the
10 Florida Codes listed in Section 101.4, the provisions of this code or the Florida Codes listed in
11 Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or
12 standard.

13
14 **102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal
15 or void, this shall not have the effect of making void or illegal any of the other parts or
16 provisions.

17
18 **102.6 Existing Structures.** The legal occupancy of any structure existing on the date of adoption
19 of this code shall be permitted to continue without change, except as is specifically covered in
20 this code, or the Florida Fire Prevention Code, or as is deemed necessary by the building official
21 for the general safety and welfare of the occupants and the public.

22
23 **102.6.1 Buildings not previously occupied.** A building or portion of a building that has not
24 been previously occupied or used for its intended purpose in accordance with the laws in
25 existence at the time of its completion shall comply with the provisions of the *FBC-Building*
26 *Code or FBC- Residential Code*, as applicable, for new construction or with any current permit
27 for such occupancy.

28
29 **102.6.2 Buildings previously occupied.**
30 The legal occupancy of any building existing on the date of adoption of this code shall be
31 permitted to continue without change, except as otherwise specifically provided in this code, the
32 *FBC Existing Building Code*, or as is deemed necessary by the *building official* for the general
33 safety and welfare of the occupants and the public.

34
35 **102.7 Relocation of manufactured buildings.**

- 36
37 1. Relocation of an existing manufactured building does not constitute an alteration.
38
39 2. A relocated building shall comply with wind speed requirements of the new location,
40 using the appropriate wind speed map. If the existing building was manufactured in
41 compliance with the Standard Building Code (prior to March 1, 2002), the wind speed
42 map of the Standard Building Code shall be applicable. If the existing building was
43 manufactured in compliance with the Florida Building Code (after March 1, 2002), the
44 wind speed map of the Florida Building Code shall be Applicable.
45

1 3. A relocated building shall comply with the flood hazard area requirements of the new
2 location, if Applicable.
3

4 **102.8 Existing mechanical equipment.** An agency or local government may not require that
5 existing mechanical equipment located on or above the surface of a roof be installed in
6 compliance with the requirements of the Florida Building Code except when the equipment is
7 being replaced or moved during reroofing and is not in compliance with the provisions of the
8 Florida Building Code relating to roof-mounted mechanical units.
9

10 **102.9 Federal and state authority.** The provisions of this code shall not be held to deprive any
11 Federal or State agency, or any applicable governing authority having jurisdiction, of any power
12 or authority which it had on the effective date of the adoption of this code or of any remedy then
13 existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its
14 legal rights as provided by law. Where code requirements promulgated by separate agencies of
15 government conflict, the more stringent standard shall be enforced unless prohibited by law.
16

17 **PART 2—ADMINISTRATION AND ENFORCEMENT**

18 **SECTION 103** 19 **BUILDING DIVISION** 20

21
22 **103.1 Creation of enforcement agency.** The Hernando County Building Division is hereby
23 created and the official in charge thereof shall be known as the building official.
24

25 **103.2 Building official.** The *building official* shall have at least 10 years' experience or
26 equivalent as an architect, engineer, inspector, contractor or superintendent of construction, or
27 any combination of these, five years of which shall have been supervisory experience. The
28 *building official* should be certified as a *building official* through a recognized certification
29 program.
30

31 **103.3 Inspector and plans examiner.** A person shall not be appointed or hired as inspector of
32 construction or plans examiner who has not had at least 5 years' experience as a contractor,
33 engineer, architect, or as a superintendent, foreman or competent mechanic in charge of
34 construction. The inspector or plans examiner shall be certified through a recognized
35 certification program for the appropriate trade. Failure to maintain such certification may be
36 grounds for dismissal as an inspector or plans examiner.
37

38 **103.4 Termination of employment.** Employees in the position of *building official*, inspector,
39 and plans examiner shall not be removed from office except for just cause.
40

41 **SECTION 104** 42 **DUTIES AND POWERS OF THE BUILDING OFFICIAL** 43

44 **104.1 General.** The Building Official is hereby authorized and directed to enforce the provisions
45 of this code. The Building Official is further authorized to render interpretations of this code,
46 which are consistent with its spirit and purpose and to adopt policies and procedures in order to

1 clarify the application of its provisions. Such interpretations, policies and procedures shall be in
2 compliance with the intent and purpose of this code, and shall not have the effect of waiving
3 requirements specifically provided for in this code. The building official is also authorized to
4 prevent occupancy or use of a structure where in violation of this code or any other ordinances of
5 Hernando County.

6
7 **104.2 Applications and permits.** The building official shall receive applications, review
8 construction documents and issue permits for the erection, and alteration, demolition and moving
9 of buildings and structures, inspect the premises for which such permits have been issued and
10 enforce compliance with the provisions of this code.

11
12 **104.2.1 Determination of substantially improved or substantially damaged existing**
13 **buildings and structures in flood hazard areas.** For applications for reconstruction,
14 rehabilitation, *repair, alteration, addition* or other improvement of existing buildings or
15 structures located in *flood hazard areas*, the *building official* shall determine if the proposed
16 work constitutes substantial improvement or *repair of substantial damage*. Where the *building*
17 *official* determines that the proposed work constitutes *substantial improvement* or *repair of*
18 *substantial damage*, and where required by this code, the *building official* shall require the
19 building to meet the requirements of Section 1612.

20
21 **104.3 Notices and orders.** The building official shall issue all necessary notices or orders to
22 ensure compliance with this code.

23
24 **104.3.1 Stop work orders – Reference Section 115.** Upon notice from the Building Official, or
25 his/her designee work on any building, structure, electrical, gas, mechanical or plumbing system
26 that is being done contrary to the provisions of this code or any County ordinance in a dangerous
27 or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to
28 the owner of the property, the owner’s agent, or to the person doing the work, and shall state the
29 conditions under which work may be resumed. Where an emergency exists, the Building Official
30 shall not be required to give a written notice prior to stopping the work.

31
32 **104.3.2 Revocation of permits.** The Building Official is authorized to suspend or revoke a
33 permit issued under the provisions of this code wherever the permit is issued in error or on the
34 basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or
35 regulation or any provisions of this code.

36
37 **104.3.3 Misrepresentation of application.** The Building Official may revoke a permit or
38 approval, issued under the provisions of this code, where there has been any false statement or
39 misrepresentation as to the material fact in the application or plans on which the permit or
40 approval was based.

41
42 **104.3.4 Violation of code provisions.** The Building Official may revoke a permit upon
43 determination by the Building Official that the construction, erection, alteration, repair, moving,
44 demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or
45 plumbing systems for which the permit was issued is in violation of, or not in conformity with,
46 the provisions of this code.

1
2 **104.4 Inspections.** The building official shall make all the required inspections, or the building
3 official shall have the authority to accept reports of inspection by approved agencies or
4 individuals. Reports of such inspections shall be in writing and be certified by a responsible
5 officer of such approved agency or by the responsible individual. The building official is
6 authorized to engage such expert opinion as deemed necessary to report upon unusual technical
7 issues that arise, subject to the approval of the appointing authority.

8
9 **104.5 Identification.** The building official shall carry proper identification when inspecting
10 structures or premises in the performance of duties under this code.

11
12 **104.6 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of
13 this code, or where the building official has reasonable cause to believe that there exists in a
14 structure or upon a premises a condition which is contrary to or in violation of this code which
15 makes the structure or premises unsafe, dangerous or hazardous, the building official is
16 authorized to enter the structure or premises at reasonable times to inspect or to perform the
17 duties imposed by this code, provided that if such structure or premises be occupied that
18 credentials be presented to the occupant and entry requested. If such structure or premises is
19 unoccupied, the building official shall first make a reasonable effort to locate the owner or other
20 person having charge or control of the structure or premises and request entry. If entry is refused,
21 the building official shall have recourse to the remedies provided by law to secure entry.

22
23 **104.6.1 Inspection warrant.** When the Building Official shall have first obtained a proper
24 inspection warrant or other remedy provided by law to secure entry, no owner or Occupant or
25 any other person having charge, care or control of any building structure, or premises shall fail or
26 neglect, after proper request is made as herein provided, to promptly permit entry therein by the
27 Building Official for the purpose of inspection and examination pursuant to this code.

28
29 **104.7 Department records.** The building official shall keep official records of applications
30 received, permits and certificates issued, fees collected, reports of inspections, and notices and
31 orders issued. Such records shall be retained in the official records for the period required for
32 retention of public records per FS 119.

33
34 **104.8 Liability.** The building official, member of the board of appeals or employee charged with
35 the enforcement of this code, while acting for the jurisdiction in good faith and without malice in
36 the discharge of the duties required by this code or other pertinent law or ordinance, shall not
37 thereby be rendered liable personally and is hereby relieved from personal liability for any
38 damage accruing to persons or property as a result of any act or by reason of an act or omission
39 in the discharge of official duties. Any suit instituted against an officer or employee because of
40 an act performed by that officer or employee in the lawful discharge of duties and under the
41 provisions of this code shall be defended by legal representative of the jurisdiction until the final
42 termination of the proceedings. The building official or any subordinate shall not be liable for
43 cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

44
45 **104.9 Approved Materials and Equipment.** Materials, equipment, and devices approved by the
46 Building Official shall be constructed and installed in accordance with such approval.

1
2 **104.9.1 Used materials and equipment.** The use of used materials which meet the
3 requirements of this code for new materials is permitted. Used equipment and devices
4 shall not be reused unless approved by the building official.
5

6 **104.10 Modifications.** Where there are practical difficulties involved in carrying out the
7 provisions of this code, the building official shall have the authority to grant modifications for
8 individual cases, upon application of the owner or owner’s representative, provided the building
9 official shall first find that special individual reason makes the strict letter to this code
10 impractical and the modification is in compliance with the intent and purpose of this code and
11 that such modification does not lesson health, accessibility, life and fire safety, or structural
12 requirements. The details of action granting modifications shall be recorded and entered in the
13 files of the building division.
14

15 **104.10.1** For buildings and structures, the affidavit shall state that the plans conform to the laws
16 as to egress, type of construction and general arrangement and, if accompanied by drawings,
17 show the structural design and that the plans and design conform to the requirements of the
18 technical codes as to strength, stresses, strains, loads and stability. The building official may
19 without any examination or inspection accept such affidavit, provided the architect or engineer
20 who made such affidavit agrees to submit to the building official copies of inspection reports as
21 inspections are performed and upon
22 completion of the structure, electrical, gas, mechanical or plumbing systems a certification that
23 the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with
24 the requirements of the technical codes and other pertinent laws, ordinances, or Flood
25 Regulations.
26

27 **104.11 Alternative materials, design, and methods of construction.** The provisions of this
28 Code are not intended to prevent the installation of any material or to prohibit any design or
29 method of construction not specifically prescribed by this code, provided that any such
30 alternative has been approved. An alternative material, design or method of construction shall be
31 approved where the Building Official finds that the proposed design is satisfactory and complies
32 with the intent of the provisions of this Code, and that the material, method or work offered is,
33 for the purpose intended, at least the equivalent of that prescribed in this Code in quality,
34 strength, effectiveness, fire resistance, durability, and safety. When alternate life-safety systems
35 are designed, the SFPE Engineering Guide to Performance – Based Fire Protection Analysis and
36 Design of Buildings, or other methods approved by the Building Official may be used. The
37 Building Official shall require that sufficient evidence or proof be submitted to substantiate any
38 claim made regarding the alternative.
39

40 **104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of
41 materials or assemblies not specifically provided for in this code, shall consist of valid research
42 reports from approved sources.
43

44 **104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this
45 code, or evidence that a material or method does not conform to the requirements of this code, or
46 in order to substantiate claims for alternative materials or methods, the building official shall

1 have the authority to require tests as evidence of compliance to be made at no expense to the
2 jurisdiction. Test methods shall be as specified in this code or by other recognized test standards.
3 In absence of recognized and accepted test methods, the building official shall approve the
4 testing procedure. Tests shall be performed by an approved agency. Reports of such tests shall be
5 retained by the building official for the period required for retention of public records.
6

7 **104.11.3 Accessibility.** Alternate designs and technologies for providing access to and usability
8 of a facility for persons with disabilities shall be in accordance with provisions of the Florida
9 Building Code, Accessibility.

10
11 **104.12 Requirements not covered by code.** Any requirements necessary for the strength,
12 stability or proper operation of an existing or proposed building, structure, electrical, gas,
13 mechanical or plumbing system, or for the public safety, health and general welfare, not
14 specifically covered by this or the other technical codes, shall be determined by the building
15 official.

16
17 **SECTION 105**
18 **PERMITS**
19

20 **105.1 When required.** Any owner, authorized agent, or contractor who desires to construct,
21 enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building
22 or structure, or any outside area being used as part of the building's designated occupancy (single
23 or mixed) or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-
24 resistant coverings, electrical, gas, mechanical, or plumbing system, the installation of which is
25 regulated by the technical codes, or to cause any such work to be done, shall first make
26 application to the building official and obtain the required permit for the work.
27

28 **105.1.1 Annual Facility Permit.** In lieu of an individual permit for each alteration to an existing
29 electrical gas, mechanical, plumbing or interior non-structural office system(s), the building
30 official is authorized to issue an annual permit for any occupancy to facilitate routine or
31 emergency service, repair, and refurbishing, minor renovations of service systems or
32 manufacturing equipment installations/relocations. The building official shall be notified of
33 major changes and shall retain the right to make inspections at the facility site as deemed
34 necessary. An annual facility service permit shall be assessed an annual fee and shall be valid for
35 one year from date of issuance. A separate permit shall be
36 obtained for each facility and for each construction trade, as applicable. The permit application
37 shall contain a general description of the parameters of work intended to be performed during the
38 year.
39

40 **105.1.2 Annual Permit Records.** The person to whom an annual permit is issued shall keep a
41 detailed record of alterations made under such annual permit. The building official shall have
42 reasonable access to such records upon request. The permit holder shall list/identify all work
43 performed on a form approved by the building official. At the end of the permit validation
44 period, a copy of the log shall be filed with the building official. The building official is
45 authorized to revoke or withhold the issuance of the future
46 permits if a pattern of code violations is found to exist.

1
2 **105.1.3 Food Permit.** In accordance with Section 500.12, Florida Statutes, a food permit from
3 the Department of Agriculture and Consumer Services is required of any person who operates a
4 food establishment or retail store.

5
6 **105.1.4 Public swimming pools.** The local enforcing agency may not issue a building permit to
7 construct, develop, or modify a public swimming pool without proof of application, whether
8 complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A
9 certificate of completion or occupancy may not be issued until such operating permit is issued.
10 The local enforcing agency shall conduct their review of the building permit application upon
11 filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may
12 confer with the Department of Health,
13 if necessary, but may not delay the building permit application review while awaiting comment
14 from the Department of Health.

15
16 **105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not
17 be deemed to grant authorization for any work to be done in any manner in violation of the
18 provisions of this code. Permits shall not be required for the following:

19
20 **Building:**

- 21 1. One-story detached accessory structures used as tool and storage sheds, playhouses and
22 similar uses, to a Group R-3 occupancy provided the floor area does not exceed 120
23 square feet, at grade level.
 - 24
25 2. Oil derricks.
 - 26
27 3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons
28 (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
 - 29
30 4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and
31 not over any basement or story below and are not part of an accessible route.
 - 32
33 5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 - 34
35 6. Temporary motion picture, television and theater stage sets and scenery.
 - 36
37 7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than
38 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed
39 entirely above ground.
 - 40
41 8. Shade cloth structures constructed for nursery or agricultural purposes, not including
42 service systems.
 - 43
44 9. Swings and other playground equipment accessory to detached one- and two-family
45 dwellings.
- 46

1 10. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9
2 inches (1753 mm) in height.

3
4 **Electrical:**

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

8
9 2. Radio and television transmitting stations: The provisions of this code shall not apply
10 to electrical equipment used for radio and television transmissions, but do apply to
11 equipment and wiring for a power supply and the installations of towers and antennas.

12
13 3. Temporary testing systems: A permit shall not be required for the installation of any
14 temporary system required for the testing or servicing of electrical equipment or
15 apparatus

16
17 **Gas:**

18 1. Portable heating appliance.

19
20 2. Replacement of any minor part that does not alter approval of equipment or make such
21 equipment unsafe.

22
23 **Mechanical:**

24 1. Portable heating appliance

25
26 2. Portable ventilation equipment

27
28 3. Portable cooling unit

29
30 4. Steam, hot or chilled water piping within any heating or cooling equipment regulated
31 by this code.

32
33 5. Replacement of any part that does not alter its approval or make it unsafe;

34
35 6. Portable evaporative cooler

36
37 7. Self-contained refrigeration system containing 10 lb. (4.54 5 kg) or less of refrigerant
38 and actuated by motors of 1 horsepower (746 W) or less

39
40 8. The installation, replacement, removal, or metering of any load management control
41 device.

42
43 **Plumbing:**

44 1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that
45 if any concealed trap, drain pipe, water, soil waste or vent pipe becomes defective and it
46 becomes necessary to remove and replace the same with new material, such work shall be

1 considered as new work and a permit shall be obtained and inspection made as provided
2 in this code.

3
4 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the
5 removal and reinstallation of water closets, provided such repairs do not involve or
6 require the replacement or rearrangement of valves, pipes or fixtures.

7
8 3. The cleaning of a septic tank.

9
10 4. All work described in Parts 1 & 2 above may only be performed by a licensed
11 plumbing contractor or the property owner in accordance with s. 489.103(7) Florida
12 Statutes, regardless of whether a permit is required for such work.

13
14 **105.2.1 Emergency repairs.** Where equipment replacements and repairs must be performed in
15 an emergency situation, the permit application shall be submitted within the next working
16 business day to the building official.

17
18 **105.2.2 Minor repairs.** Ordinary minor repairs or installation of replacement parts may be made
19 with the approval of the building official without a permit, provided the repairs do not include
20 the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural
21 beam or loadbearing support, or the removal or change of any required means of egress, or
22 rearrangement of parts of a structure affecting the egress requirements; additionally, ordinary
23 minor repairs shall not include addition to, alteration of, replacement or relocations of any
24 standpipe, water supply, sewer, drainage, drain
25 leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment,
26 or other work affecting public health or general safety, and such repairs shall not violate any of
27 the provisions of the technical codes.

28
29 **105.2.3 Emergency repairs following a disaster.** Where equipment replacements and repairs
30 must be performed in an emergency situation following a disaster whereby an emergency
31 declaration has been issued and the Building Official has authorized emergency permitting, the
32 permit application may be placed in abeyance for a period up to 30 calendar days or as otherwise
33 authorized by the Board of County Commissioners or County Administrator following
34 confirmation of a disaster inspection performed by a
35 disaster assessment team or building inspector (or other designee of the Building Official).

36
37 **105.2.4 Public service agencies.** A permit shall not be required for the installation, alteration or
38 repair of generation, transmission, distribution or metering or other related equipment that is
39 under the ownership and control of public service agencies by established right.

40
41 **105.3 Information required.** Each application for a permit, with the required fee, shall be filed
42 with the building official on a form furnished for that purpose and shall contain a general
43 description of the proposed work and its location. The application shall be signed by the owner, a
44 contractor certified by the State or County to practice in the area of work proposed, or his
45 authorized agent. The building permit application shall indicate the proposed occupancy of all
46 parts of the building and of that portion of the site or lot, if any, not covered by the building or

1 structure and shall contain such other information as may be required by the building official.
2 Permit application forms shall be in the format prescribed by the building division, and must
3 comply with the requirements of s. 713.135(5) & (6) Florida Statutes. Each application shall be
4 inscribed with the date of application and the code in effect as of that date. For a building permit
5 for which an application is submitted prior to the effective date of this code, the state minimum
6 building code in effect in Hernando County on the date of the application governs the permitted
7 work for the life of the permit and any extension granted to the permit
8

9 **105.3.1 Action on Applications.** The building official shall act upon an application for a permit
10 without unreasonable or unnecessary delay. If the application or the construction documents do
11 not conform to the requirements of pertinent laws, the building official shall reject such
12 application in writing, stating the reasons therefore. If the building official is satisfied that the
13 work described in an application for a permit and the contract documents filed conform to the
14 requirements of the technical codes and other pertinent
15 laws and ordinances, he shall issue a permit to the applicant as soon as practicable. When
16 authorized through contractual agreement with a school board, in acting on applications for
17 permits, the building official shall give first priority to any applications for the construction of, or
18 addition or renovation to, any school or educational facility.
19

20 **105.3.1.1** If a state university, state community college, or public school district elects to use a
21 local government's code enforcement offices, fees charged by counties and municipalities for
22 enforcement of the Florida Building Code on buildings, structures, and facilities of state
23 universities, state colleges, and public school districts shall not be more than the actual labor and
24 administrative costs incurred for plans review and inspections to ensure compliance with the
25 code.
26

27 **105.3.1.2** No permit may be issued for any building construction, erection, alteration,
28 modification, repair, or addition unless the applicant for such permit provides to the enforcing
29 agency which issues the permit any of the following documents which apply to the construction
30 for which the permit is to be issued and which shall be prepared by or under the direction of an
31 engineer registered under Chapter 471 Florida Statutes:
32

- 33 1. Plumbing documents for any new building or addition which requires a plumbing
34 system with more than 250 fixture units or which costs more than \$125,000.
35
- 36 2. Fire sprinkler documents for any new building or addition that includes a fire sprinkler
37 system that contains 50 or more sprinkler heads. Personnel as authorized by chapter 633
38 Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design
39 the alteration of an existing fire sprinkler system if the alteration consists of the
40 relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the
41 existing fire sprinkler system.
42
- 43 3. Heating, ventilation and air-conditioning documents for any new building or addition
44 that requires more than a 15-ton-per-system capacity which is designed to accommodate
45 100 or more persons or for which the system costs more than \$125,000. This paragraph
46 does not include any

1 document for the replacement or repair of an existing system in which the work does not
2 require altering a structural part of the building or for work on a residential one-family,
3 two-family, three-family or four-family structure. An air-conditioning system may be
4 designed by an installing air conditioning contractor certified under Chapter 489, Florida
5 Statutes to serve any building or addition which is designed to accommodate fewer than
6 100 persons and requires an air-conditioning system with value of \$125,000 or less; and
7 when a 15-ton-per-system or less is
8 designed for a singular space of a building and each 15-ton system or less has an
9 independent duct system. Systems not complying with the above require design
10 documents that are to be sealed by a professional engineer.

11
12 **Example 1:** When a space has two 10-ton systems with each having an independent duct
13 system, the contractor may design these two systems since each system is less than 15
14 tons.

15
16 **Example 2:** Consider a small single-story office building which consists of 6 individual
17 offices where each office has a single three-ton package air conditioning heat pump. The
18 six heat pumps are connected to a single water cooling tower. The cost of the entire
19 heating, ventilation and air conditioning work is \$47,000 and the office building
20 accommodates fewer than 100 persons.

21 Because the six mechanical units are connected to a common water tower, this is
22 considered to be an 18- ton system. It therefore could not be designed by a mechanical or
23 air-conditioning contractor.

24
25 **Note:** It was further clarified by the Florida Building Commission that the limiting
26 criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost of
27 the total air-conditioning system of the building.

28
29 4. Any specialized mechanical, electrical, or plumbing document for any new building or
30 addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon,
31 or fire detection and alarm system which costs more than \$5,000.

32
33 5. Electrical documents. Any electrical system that requires an aggregate service capacity
34 of 600 amperes (240 volts) or less on a residential electrical system or 800 amperes (240
35 volts) or less on a commercial or industrial electrical system. See Florida Statutes
36 471.003(2) (h).

37
38 NOTE: It was further clarified by the Florida Building Commission that the limiting
39 factor of 240 volts or over is required to be designed by an engineer.

40
41 Documents requiring an engineer seal by this part shall not be valid unless a professional
42 engineer who possesses a valid certificate of registration has signed, dated, and stamped
43 such document as provided in s. 471.025, Florida Statutes.

44
45 6. All public swimming pools and public bathing places defined by and regulated under
46 Chapter 514, Florida Statutes.

1
2 **105.3.2 Time limitation of application.** An application for a permit for any proposed work shall
3 be deemed to have been abandoned becoming null and void 180 days after the date of filing,
4 unless such application has been pursued in good faith or a permit has been issued; except that
5 the building official is authorized to grant one or more extensions of time for additional periods
6 not exceeding 90 days each. The extension shall be requested in writing and justifiable cause
7 demonstrated.

8
9 **105.3.3** An enforcing authority may not issue a building permit for any building construction,
10 erection, alteration, modification, repair or addition unless the permit either includes on its face
11 or there is attached to the permit the following statement: “**NOTICE:** In addition to the
12 requirements of this permit, there may be additional restrictions applicable to this property that
13 may be found in the public records of this county, and there may be additional permits required
14 from other governmental entities such as water
15 management districts, state agencies or federal agencies.”

16
17 **105.3.4** A building permit for a single-family residential dwelling must be issued within 30
18 working days of application thereof unless unusual circumstances require a longer time for
19 processing the application or unless the permit application fails to satisfy the Florida Building
20 Code or the enforcing agency’s laws or ordinances.

21
22 **105.3.5 Identification of minimum premium policy.** Except as otherwise provided in Chapter
23 440, Workers Compensation, every employer shall, as a condition to receiving a building permit,
24 show proof that it has secured compensation for its employees as provided in SECTION 440.10
25 and 440.38, Florida Statutes.

26
27 **105.3.6 Asbestos removal.** Moving, removal or disposal of asbestos-containing materials on a
28 residential building where the owner occupies the building, the building is not for sale or lease,
29 and the work is performed according to the owner-builder limitations provided in this paragraph.
30 To qualify for exemption under this paragraph, an owner must personally appear and sign the
31 building permit application. The permitting agency shall provide the person with a disclosure
32 statement in substantially the following form:

33
34 **Disclosure Statement:**

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

1 projects. It is your responsibility to make sure that people employed by you have licenses
2 required by state law and by county or municipal licensing ordinances.
3

4 **105.3.7 Public right of way.** A permit shall not be given by the Building Official for the
5 construction of any building, or for the alteration of any building where said building is to be
6 changed and such change will affect the exterior walls, bays, balconies, or other appendages or
7 projections fronting on a right of-way, easement, conservation area or zoning minimum lot line
8 setback, unless the applicant has obtained authorization for such encroachment from the
9 appropriate regulatory body.
10

11 **105.4 Conditions of permit.** The issuance or granting of a permit shall not be construed to be a
12 permit for, or an approval of, any violation of any of the provisions of this code or any other
13 ordinance of this jurisdiction. Permits presuming to give authority to violate or cancel the
14 provisions of this code or other ordinances of this jurisdiction shall not be valid. The issuance of
15 a permit based on construction documents and other data shall not prevent building official from
16 requiring the corrections of errors in the construction documents and other data. The building
17 official is also authorized to prevent occupancy or use of a structure where in violation of this
18 code or any other ordinances of Hernando County.
19

20 **105.4.1 Permit intent.** A permit issued shall be construed to be a license to proceed with the
21 work detailed in the approved plans and specifications and not as authority to violate, cancel,
22 alter or set aside any of the provisions of the technical codes or any other code or ordinance, nor
23 shall issuance of a permit prevent the building official from thereafter requiring a correction of
24 errors in plans, construction, or violations of this code. Every permit issued shall become invalid
25 unless the work authorized by such permit is commenced within the time limitations described in
26 subsection 105.3.2 (90 days for stand-alone permits or 180 days for all other permits) after its
27 issuance, or if the work authorized by such permit is suspended or abandoned for a period of 90
28 or 180 days, per the time limitations described above, after the time the work is commenced. One
29 or more extensions of time for a period of not more than 90 days each may be allowed by the
30 building official for the application provided the extension is requested in writing and justifiable
31 cause is demonstrated.
32

33 **105.4.1.1** If work has commenced and the permit is revoked, becomes null and void, or expires
34 because of lack of progress or abandonment, a new permit covering the proposed construction
35 shall be obtained before proceeding with the work. Permits may be reinstated or renewed at the
36 discretion of the building
37 official or his/her designee for just cause.
38

39 **105.4.1.2** If a new permit is not obtained within 180 days, from the date the initial permit became
40 null and void, the building official is authorized to require that any work that has been
41 commenced or completed be removed from the building site. Alternately, a new permit may be
42 issued on application, providing
43 the work in place and required to complete the structure meets all applicable regulations in effect
44 at the time the initial permit became null and void and any regulations which may have become
45 effective between the date of expiration and the date of issuance of the new permit.
46

1 **105.4.1.3** Work shall be considered to be in active progress when the permit has received an
2 approved inspection within 180 days. This provision shall not be applicable in case of civil
3 commotion or strike or when the building work is halted due directly to judicial injunction, order
4 or similar process.

5
6 **105.4.1.4** A fee for a renewal reissuance and an extension of a permit shall be assessed by
7 Administrative Authority in accordance with the adopted fee schedule.

8
9 **105.4.1.5** A permit holder (owner/contractor) is responsible for requesting; a final inspection
10 within (10) ten days of completion of permitted work; and if applicable; a reinspection within (7)
11 seven days of issuance of a red-tag.

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

21
22 **Exception:**

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

25
26 **105.6 Suspension or revocation.** The building official is authorized to suspend or revoke a
27 permit issued under the provisions of this code wherever the permit is issued in error or on the
28 basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or
29 regulation or any of the provisions of this code.

30
31 **105.7 Placement of Permit.** Work requiring a permit shall not commence until the permit holder
32 or his agent posts the permit card in a conspicuous place near the front of the premises or in an
33 easily identifiable central location. The permit shall be protected from the weather and located in
34 such position as to permit the building official or representative to conveniently make the
35 required entries thereon.

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

44
45 If the direct contract is greater than \$2,500.00 or a direct contract cost of \$7,500 or greater to
46 repair or replace an existing heating or air-conditioning system, the applicant shall file with the

1 issuing authority prior to the first inspection either a certified copy of the recorded notice of
2 commencement or a notarized statement that the notice of commencement has been filed for
3 recording, along with a copy thereof. In the absence of the filing of certified copy of the recorded
4 notice of commencement, the issuing authority shall not perform or approves subsequent
5 inspections until the applicant files by mail, facsimile, hand delivery, or any other means such as
6 certified copy with the issuing authority. The certified copy of the notice of commencement must
7 contain the name and address of the owner, the name and address of the contractor, and the
8 location or address of the property being improved. The issuing authority shall verify that the
9 name and address of the owner, the name of the contractor, and the location or address of the
10 property being improved which is contained in the certified copy of the notice of commencement
11 is consistent with the information in the building permit application.
12

13 **105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition or
14 renovation of an existing structure to contain an asbestos notification statement which indicates
15 the owner's or operator's responsibility to comply with the provisions of s. 469.003 Florida
16 Statutes and to notify the Department of Environmental Protection of her or his intentions to
17 remove asbestos, when applicable, in accordance with state and federal law.
18

19 **105.10 Certificate of Protective Treatment for prevention of termites.** A weather resistant
20 jobsite posting board shall be provided to receive duplicate Treatment Certificates as each
21 required protective treatment is completed, providing a copy for the person the permit is issued
22 to and another copy for the building permit files. The Treatment Certificate shall provide the
23 product used identity of the applicator, time and date of the treatment, site location, area treated,
24 and chemical used percent concentration and number of gallons used, to establish a verifiable
25 record of protective treatment. If the soil chemical barrier method for termite prevention is used,
26 final exterior treatment shall be completed prior to final building approval.
27

28 **105.11 Notice of termite protection.** A permanent sign, which identifies the termite treatment
29 provider and need for re-inspection and treatment contract renewal, shall be provided. The sign
30 shall be posted near the water heater or electric panel.
31

32 **105.12 Work Started before Permit Issuance.** Upon review of the building official, the scope
33 of work delineated in the building permit application and plans may be started prior to the final
34 review and issuance of the permit provided any work completed is entirely at risk of the permit
35 applicant and the work does not proceed past the first required inspection.
36

37 **105.13 Phased permit approval.** When application for permit to erect or enlarge a building or
38 for interior work under an existing roof has been filed and pending issuance of such permit, the
39 Building Official may, at his discretion, issue a permit for the foundation only or an early start.
40 Electrical, gas, mechanical and plumbing permits entailing work under or through the foundation
41 or associated with the interior work may be issued based on the existence of a special permit.
42 The holder of such a permit is proceeding at his own risk and without assurance that a permit for
43 the remainder of the work will be granted nor that corrections will not be required in order to
44 meet provisions of the technical codes.
45

1 **105.13.1 Special Foundation Permit.** When application for permit to erect or enlarge a
2 building has been filed and pending issuance of such permit, the building official may, at his
3 discretion, issue a special permit for the foundation only. The holder of such a special permit is
4 proceeding at his/her own risk and without assurance that a permit for the remainder of the work
5 will be granted nor that corrections will not be required in order to meet provisions of the
6 technical codes. The fees for such permit will be 20% of the total cost of the main permit.

7
8 **105.14 Permit issued on basis of an affidavit.** The building official may accept a sworn
9 affidavit from a registered architect or engineer stating that the plans submitted conform to the
10 technical codes and Flood Regulations following verification that said approval is not contrary to
11 the County's participation with the National Flood Insurance Program. For buildings and
12 structures, the affidavit shall state that the plans conform to the laws as to egress, type of
13 construction and general arrangement and, if accompanied by drawings, show the structural
14 design and that the plans and design conform to the requirements of the technical codes as to
15 strength, stresses, strains, loads and stability. The building official may without any examination
16 or inspection accept such affidavit, provided the architect or engineer who made such affidavit
17 agrees to submit to the building official copies of inspection reports as inspections are performed
18 and upon completion of the structure, electrical, gas, mechanical or plumbing systems a
19 certification that the structure, electrical, gas, mechanical or plumbing system has been erected in
20 accordance with the requirements of the technical codes and other pertinent laws, ordinances, or
21 Flood Regulations. Where the Building Official relies upon such affidavit, the architect or
22 engineer shall assume full responsibility for the compliance with all provisions of the technical
23 codes and other pertinent laws or ordinances and provide the Building Official with a signed and
24 sealed statement to this effect prior to the issuance of a certificate of occupancy or letter of
25 completion. The building official shall ensure that any person conducting plans review or
26 inspections is qualified as an inspector or plans examiner licensed under Chapter 468 Part XII,
27 Florida Statutes.

28
29 **Exception:**

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

32
33 **105.14.1 Work authorized.** A building, electrical, gas, mechanical or plumbing permit shall
34 carry with it the right to construct or install the work, provided the same is shown on the
35 drawings and set forth in the specifications filed with the application for the permit. Where these
36 are not shown on the drawings and covered by the specifications submitted with the application,
37 separate permits shall be required.

38
39 **105.14.2 Exclusivity.** Building permits do not allow the permittee to do the work for which
40 another permit is required.

41
42 **105.15 Opening protection.** When any activity requiring a building permit that is applied for on
43 or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site-built single-
44 family detached residential structure that is located in the wind-borne debris region as defined in
45 this code and that has an insured value of \$750,000 or more, or, if the site-built single-family
46 detached residential structure is uninsured or for which documentation of insured value is not

1 presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000
2 or more; opening protections as required within this code or *Florida Building Code, Residential*
3 for new construction shall be provided.

4
5 **Exception:** Single-family residential structures permitted subject to the *Florida Building*
6 *Code* are not required to comply with this section.

7
8 **105.16 Inspection of existing residential buildings not impacted by construction.**

9
10 (a) A local enforcing agency, and any local building code administrator, inspector, or
11 other official or entity, may not require as a condition of issuance of a one- or two family
12 residential building permit the inspection of any portion of a building, structure, or real
13 property that is not directly impacted by construction, erection, alteration, modification,
14 repair, or demolition of the building, structure, or real property for which the permit is
15 sought.

16
17 (b) This section does not apply to a building permit sought for:

- 18
19 1. A substantial improvement as defined in Section 161.54, Florida Statutes or as
20 defined in the Florida Building Code.
21
22 2. A change of occupancy as defined in the Florida Building Code.
23
24 3. A conversion from residential to nonresidential or mixed use pursuant to
25 Section 553.507(2) (a), Florida Statutes or as defined in the Florida Building Code.
26
27 4. A historic buildings as defined in the Florida Building Code.

28
29 (c) This subsection does not prohibit a local enforcing agency, of any local building code
30 administrator, inspector, or other official or entity, from:

- 31
32 1. Citing any violation inadvertently observed in plain view during the ordinary
33 course of an inspection conducted in accordance with the prohibition in paragraph
34 (a).
35
36 2. Inspecting a physically nonadjacent portion of a building, structure, or real
37 property that is directly impacted by the construction, erection, alteration,
38 modification, repair, or demolition of the building, structure, or real property for
39 which the permit is sought in accordance with the prohibition in paragraph (a).
40
41 3. Inspecting any portion of a building, structure, or real property for which the
42 owner or other person having control of the building, structure, or real property
43 has voluntary consent to the inspection of that portion of the building, structure,
44 or real property in accordance with the prohibition in paragraph (a).
45

1 4. Inspecting any portion of a building, structure, or real property pursuant to an
2 Inspection warrant issued in accordance with Section 933.20 through 933.30,
3 Florida Statutes.
4

5 **105.17 Streamline low-voltage alarm system installation permitting.**
6

7 (1) As used in this section, the term:
8

9 (a) “Contractor” means a person who is qualified to engage in the business of electrical or
10 alarm systems contracting pursuant to a certificate or registration issued by the
11 department under Part II of Chapter 489, Florida Statutes.
12

13 (b) “Low-voltage alarm system project” means a project related to the installation,
14 maintenance, inspection, replacement, or service of a new or existing alarm system, as
15 defined in Section 489.505, Florida Statutes, *that is hardwired and* operating at low
16 voltage, as defined in the National Electrical Code Standard 70, and ancillary components
17 or equipment attached to such a system, including, but not limited to, home-automation
18 equipment, thermostats and video cameras.
19

20 (c) “Wireless alarm system” means a burglar alarm system or smoke detector that is not
21 hardwired.
22

23 (2) Notwithstanding any provision of this code, this section applies to all low-voltage alarm
24 system projects for which a permit is required by local enforcement agency. However, a permit
25 is not required to install, maintain, inspect, replace, or service a wireless alarm system,
26 including and ancillary components or equipment attached to the system.
27

28 (3) This section does not apply to the installation or replacement of a fire alarm if a plan review
29 is required.
30

31 (4) A local enforcement agency shall make uniform basic permit labels available for purchase by
32 a contractor to be used for the installation or replacement of a new or existing alarm system at a
33 cost as indicated in Section 553.793, Florida Statutes. The local enforcement agency may not
34 require the payment of any additional fees, charges, or expenses associated with the installation
35 or replacement of a new or existing alarm.
36

37 (a) A local enforcement agency may not require a contractor, as a condition of purchasing
38 a label, to submit information other than identification information of the licensee and
39 proof of registration or certification as a contractor.
40

41 (b) A label is valid for 1 year after the date of purchase and may only be used within the
42 jurisdiction of the label enforcement agency that issued the label. A contractor may
43 purchase labels in bulk for one or more unspecified current or future projects.
44

45 (5) A contractor shall post an unused uniform basic permit label in a conspicuous place on the
46 premises of the low-voltage alarm system project site before commencing work on the project.

1
2 (6) A contractor is not required to notify the local enforcement agency before commencing work
3 on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a
4 Low-voltage Alarm System Project as provided under subsection (7) to the local enforcement
5 agency within 14 days after completing the project. A local enforcement agency may take
6 disciplinary action against a
7 contractor who fails to timely submit a Uniform Notice of a Low-voltage Alarm System Project.
8

9 (7) The Uniform Notice of a Low-voltage Alarm System Project may be submitted electronically
10 or by facsimile if all submissions are signed by the owner, tenant, contractor or authorized
11 representative of such persons. The Uniform Notice of a Low-voltage Alarm System Project
12 shall be in the format prescribed by the local enforcement agency and must comply with the
13 requirements of Section 553.793(7), Florida Statutes.
14

15 (8) A local enforcement agency may coordinate directly with the owner or customer to inspect a
16 low-voltage alarm system to ensure compliance with applicable codes and standards. If a low-
17 voltage alarm system project fails an inspection, the contractor must take corrective action as
18 necessary to pass inspection.
19

20 (9) A municipality, county, district, or other entity of local government may not adopt or
21 maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is
22 inconsistent with this section.
23

24 (10) A uniform basic permit label shall not be required for the subsequent maintenance,
25 inspection, or service of an alarm system that was permitted in accordance with this section. The
26 provisions of this act are not intended to impose new or additional licensure requirements on
27 persons licensed in accordance with the applicable provisions of Chapter 489, Florida Statute.
28

29 **105.18 Refusal to issue permits.** If the application for a permit and the accompanying contract
30 documents describing the work do not conform to the requirements of the technical codes or
31 other
32 pertinent laws or ordinances, the building official may refuse to issue a permit. Such refusal
33 shall,
34 when requested, be in writing and shall contain the reason for refusal.
35

36 **105.18.1** A permit may not be issued to any contractor or homeowner who:
37

- 38 1. Has allowed a previous permit to expire without obtaining a final inspection;
39 Or
- 40 2. Has a previous permit greater than 30 days old with outstanding code violations or
41 outstanding fees. Or
- 42 3. Has outstanding or pending disciplinary action.
43
44
45
46

SECTION 106

1 **FLOOR AND ROOF DESIGN LOADS**

2
3 **106.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a
4 commercial or industrial building is, or has been designed to exceed 50 psf, such design live
5 loads shall be conspicuously posted by the owner in that part of each story in which they apply,
6 using durable signs. It shall be unlawful to remove or deface such notices.

7
8 **106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section 111
9 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

10
11 **106.3 Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on
12 any floor or roof of a building, structure or portion thereof, a load greater than is permitted by
13 this code.

14
15 **SECTION 107**
16 **DRAWINGS AND SPECIFICATIONS**

17 ~~**107.1 Submittal documents.** Submittal documents consisting of construction documents, a
18 statement of special inspections and other data shall be submitted in two or more sets or other
19 approved necessary with each application for a permit. The construction documents shall be
20 prepared by a design professional where required by Chapter 471, Florida Statutes and 61G15
21 Florida Administrative Code or Chapter 481, Florida Statutes and 61G1 Florida Administrative
22 Code. Where special conditions exist, the building official is authorized to require additional
23 construction documents to be prepared by a registered design professional.~~

24 *107.1 General. Submittal documents consisting of construction documents, statement of special*
25 *inspections, geotechnical report and other data shall be submitted in two or more sets with each*
26 *permit application. The construction documents shall be prepared by a registered design*
27 *professional where required by Chapter 471, Florida Statutes & 61G15 Florida Administrative*
28 *Code or Chapter 481, Florida Statutes & 61G1 Florida Administrative Code. Where special*
29 *conditions exist, the building official is authorized to require additional construction documents*
30 *to be prepared by a registered design professional.*

31
32 **Exception:** The building official is authorized to waive the submission of construction
33 documents and other data not required to be prepared by a registered design professional
34 if it is found that the nature of the work applied for is such that review of construction
35 documents is not necessary to obtain compliance with this code. If the design
36 professional is an architect or engineer legally registered under the laws of this state
37 regulating the practice of architecture as provided for in Chapter 481, *Florida Statutes*,
38 Part I, or engineering as provided for in Chapter 471, *Florida Statutes*, then he or she
39 shall affix his or her official seal to said drawings, specifications and accompanying data,
40 as required by *Florida Statute*. If the design professional is a landscape architect
41 registered under the laws of this state regulating the practice of landscape architecture as
42 provided for in Chapter 481, *Florida Statutes*, Part II, then he or she shall affix his or her
43 seal to said drawings, specifications and accompanying data as defined in Section
44 1.303(6)(a)(b)(c)(d), *FS*. Such information shall be specific, and the technical codes shall
45 not be cited as a whole or in part, nor shall the term “to code” or “legal” or its equivalent
46 be used as a substitute for specific information.

1
2 **Exception:** Master plans on file or Electronic submittal, *may require 2 or more sets.*
3

4 **107.2 Construction documents.** Construction documents shall be in accordance with Sections
5 107.2.1 through 107.2.5
6

7 **107.2.1 Information on construction documents.** Construction documents shall be
8 dimensioned and drawn to a legible scale upon suitable material. Electronic media documents are
9 permitted to be submitted when approved by the building official. Construction documents shall
10 be of sufficient clarity to indicate the location, nature and extent of the work proposed and show
11 in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules
12 and regulations, as determined by the
13 building official. Such drawings and specifications shall contain information, in the form of
14 notes or otherwise, as to quality of materials, where quality is essential to conformity with the
15 technical codes. Such information shall be specific, and the technical codes shall not be cited as a
16 whole or in part, nor shall the term “legal” or its equivalent be used as a substitute for specific
17 information. All information, drawings, specifications and accompanying data shall bear the
18 name and signature of the person responsible for the design.
19

20 **107.2.1.1 Roof assemblies.** For roof assemblies required by the code, the construction
21 documents shall illustrate, describe, and delineate the type of roofing system, materials, fastening
22 requirements, flashing requirements and wind resistance rating that are required to be installed.
23 Product evaluation and
24 installation shall indicate compliance with the wind criteria required for the specific site or a
25 statement by an architect or engineer for the specific site must be submitted with the construction
26 documents.
27

28 **107.2.1.2 Additional data.** The Building Official may require details, computations, stress
29 diagrams, and other data necessary to describe the construction or installation and the basis of
30 calculations. All drawings, specifications and accompanying data required by the Building
31 Official to be prepared by an architect or engineer shall be affixed with their official seal and
32 signed.
33

34 **107.2.1.3 Structural and fire resistance integrity.** Plans for all buildings shall indicate how
35 required structural and fire resistance integrity will be maintained where a penetration of a
36 required fire resistant wall, floor or partition will be made for electrical, gas, mechanical,
37 plumbing and communication conduits, pipes and systems. Such plans shall also indicate in
38 sufficient detail how the fire
39 integrity will be maintained where required fire resistant floors intersect the exterior walls and
40 where joints occur in required fire resistant construction assemblies
41

42 **107.2.1.4 Hazardous occupancies.** The Building Official may require the following:
43

- 44 1. General site plan. A general site plan drawn at a legible scale which shall include, but
45 not be limited to, the location of all buildings, exterior storage facilities, permanent
46 access ways, evacuation routes, parking lots, internal roads, chemical loading areas,

1 equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment and
2 adjacent property uses. The exterior storage areas shall be identified with the hazard
3 classes and the maximum quantities per hazard class of hazardous materials stored.
4

5 2. Building floor plan. A building floor plan drawn to a legible scale which shall include,
6 but not be limited to, all hazardous materials storage facilities within the building and
7 shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly
8 rating, location of
9 liquid tight rooms, and evacuation routes. Each hazardous material storage facility shall
10 be identified on the plan with the hazard classes and quantity range per hazard class of
11 the hazardous materials stored.
12

13 **107.2.2 Fire protection system shop drawings.** Shop drawings for the fire protection system(s)
14 shall be submitted to indicate conformance to this code and the construction documents and shall
15 be approved prior to the start of system installation. Shop drawings shall contain all information
16 as required by the referenced installation standards in Chapter 9.
17

18 **107.2.2.1 Structural and fire resistance integrity.** Plans for all buildings shall indicate how
19 required structural and fire integrity will be maintained where a penetration of a required fire
20 resistant wall, floor or partition will be made for electrical, gas, mechanical, plumbing and
21 communication conduits. Such plans shall also indicate in sufficient detail how the fire integrity
22 will be maintained where required fire resistant floors intersect the exterior walls and where
23 joints occur in required fire resistant construction assemblies.
24

25 **107.2.3 Means of egress.** The construction documents shall show in sufficient detail the
26 location, construction, size and character of all portions of the means of egress including path of
27 the exit discharge to the public way in compliance with the provisions of this code. In other than
28 occupancies in Group R-2, R-3 and I-1, the construction documents shall designate the number
29 of occupants to be accommodated on every floor, and in all rooms and spaces.
30

31 **107.2.4 Exterior wall envelope.** Construction documents for all buildings shall describe the
32 exterior wall envelope in sufficient detail to determine compliance with this code. The
33 construction documents shall provide details of the exterior wall envelope as required, including
34 flashing, intersections with dissimilar materials, corners, end details, control joints, intersections
35 at roof, eaves or parapets, means of drainage, water-resistive membrane and details around
36 openings.
37

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

44 **107.2.5 Site plan.** The construction documents submitted with the application for permit shall be
45 accompanied by a site plan showing to scale the size and location of new construction and
46 existing structures on the site, distances from lot lines, the established street grades and the

1 proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood
2 elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case
3 of demolition, the site plan shall show construction to be demolished and the location and size of
4 existing structures and construction that are to remain on the site or plot. The building official is
5 authorized to waive or modify the requirement for a site plan when the application for permit is
6 for alteration or repair or when otherwise warranted.

7
8 **107.2.5.1 Design flood elevations.** Where design flood elevations are not specified, they shall be
9 established in accordance with Section 1612.3.1.

10
11 **107.2.5.2** For the purpose of inspection and record retention, site plans for a building may be
12 maintained in the form of an electronic copy at the worksite. These plans must be open to
13 inspection by the building official or a duly authorized representative, as required by the Florida
14 Building Code.

15
16 **107.2.6 Structural information.** The construction documents shall provide the information
17 specified in Section 1603.

18
19 **107.3 Examination of documents.** The building official shall as deemed necessary examine or
20 cause to be examined each application for a permit and the accompanying documents, consisting
21 of drawings, specifications, computations and additional data, and shall ascertain by such
22 examinations whether the construction indicated and described is in accordance with the
23 requirements of the technical codes and all other pertinent laws or ordinances.

24
25 **Exceptions:**

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

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

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

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

6
7 **107.3.3 Phased approval.** The building official is authorized to issue a permit for the
8 construction of foundations or any other part of a building or structure before the construction
9 documents for the whole building or structure have been submitted, provided that adequate
10 information and detailed statements have been filed complying with pertinent requirements of
11 this code. The holder of such permit for the foundation or other parts of a building or structure
12 shall proceed at the holder's own risk with the
13 building operation and without assurance that a permit for the entire structure will be granted.

14
15 **107.3.4 Design professional in responsible charge.**

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

- 21
22 1. All new construction not exempted by other provisions of this code.
- 23
24 2. All renovation of Group A, E, and I occupancies.
- 25
26 3. Complex construction and or remodeling as ~~per~~ *required by* the building official.
- 27
28 4. Buildings and structures 5,000 sq. ft. or more in area.
- 29
30 5. All renovations of any occupancy where the work is structural in nature as defined in
31 the Florida Building Codes.
- 32
33 6. For all claims of exemption from these requirements, the submittal shall bear the
34 certification of the applicant that a specific legal exception permits its preparation by a
35 person not so registered.

36
37 The *registered design professional in responsible charge* shall be responsible for reviewing and
38 coordinating submittal documents prepared by others, including phased and deferred submittal
39 items, for compatibility with the design of the building.

40
41 Work shall be installed in accordance with the approved construction documents, and any
42 changes made during construction that are not in compliance with the approved construction
43 plans shall be resubmitted for approval as an amended set of construction plans. *The building*
44 *official shall be notified in writing by the owner or the owner's authorized agent if the registered*
45 *design professional in responsible charge is changed or is unable to continue to perform the*
46 *duties.*

1
2 **107.3.4.1 Deferred submittals.** For the purposes of this section, deferred submittals are defined
3 as those portions of the design that are not submitted at the time of the application and that are to
4 be submitted to the building official within a specified period. Deferral of any submittal items
5 shall have the prior approval of the building official. The registered design professional in
6 responsible charge shall list the deferred submittals on the construction documents for review by
7 the building official. Documents for deferred submittal items shall be submitted to the registered
8 design professional in responsible charge that shall review them and forward them to the
9 building official with a notation indicating that the deferred submittal documents have been
10 reviewed and found to be in accordance to the design. The deferred submittal items shall not be
11 installed until the deferred submittal documents have been approved by the building official.
12

13 **107.3.4.2 Certification by contractors authorized under the provisions of s.489.115(4)(b) Florida**
14 **Statutes shall be considered to be equivalent to sealed plans and specifications by a person**
15 **licensed under Chapter 471 Florida Statutes or Chapter 481 Florida Statutes by local**
16 **enforcement agencies for plans review**
17 **for permitting purposes relating to compliance with the wind resistance provisions of the code or**
18 **alternate methodologies approved by the Florida Building Commission for one- and two-family**
19 **dwellings. Local enforcement agencies may rely upon such certification by contractors that the**
20 **plans and specifications submitted conform to the requirements of the code for wind resistance.**
21 **Upon good cause shown, local government code enforcement agencies may accept or reject**
22 **plans sealed by persons licensed under Chapters 471, 481 or 489, Florida Statutes.**
23

24 **107.3.5 Minimum plan review criteria for buildings.** The examination of the documents by the
25 building official shall include the following minimum criteria and documents, and other criteria
26 as required: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all
27 fenestration penetrations; flashing; and rough opening dimensions; and all exterior elevations:
28

29 **Commercial Buildings:**

30 **Building:**

31 1. Site Requirements

- 32 • parking
- 33 • fire access
- 34 • vehicle loading
- 35 • driving/turning radius
- 36 • fire hydrant/water supply/Post Indicator Valve (PIV)
- 37 • set back/separation (assumed property lines)
- 38 • location of specific tanks, water lines and sewer lines
- 39 • flood hazard areas, flood zones, and design flood elevations.
- 40

41
42 2. Occupancy group and special occupancy requirements shall be determined. (with cross
43 check with the energy code submittal).
44

45 3. Minimum type of construction shall be determined (Table 503).
46

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4. Fire resistant construction requirements shall include the following components:
- fire resistant separations
 - fire resistant protection for type of construction
 - protection of openings and penetrations of rated walls
 - fire blocking and draftstopping calculated fire resistance
5. Fire suppression systems shall include:
- early warning smoke evacuation systems
 - schematic fire sprinklers
 - standpipes
 - pre-engineered systems
 - riser diagram
6. Life Safety systems shall be determined and shall include the following requirements:
- occupant load and egress capacities
 - exit access
 - exit
 - exit discharge
 - exit access travel distance
 - common path of travel
 - stairs construction/geometry and protection
 - doors
 - emergency lighting and exit signs
 - electrical panels
 - specific occupancy requirements
 - construction requirements
 - horizontal exits/exit passageways
 - early warning
 - smoke control
 - 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

- 1 • construction requirements
2 • horizontal exits/exit passageways
3
4 8. Structural requirements shall include:
5 • soil conditions/analysis
6 • termite protection
7 • design loads
8 • wind requirements
9 • building envelope
10 • impact resistant coverings or system
11 • structural calculations (if required)
12 • foundation
13 • flood requirements in accordance with Section 1612, including lowest floor
14 elevation, enclosures, flood damage-resistant materials
15 • wall systems
16 • floor systems
17 • roof systems
18 • threshold inspection plan
19 • stair systems
20

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

- 22 • wood
23 • steel
24 • aluminum
25 • concrete
26 • plastic
27 • glass
28 • masonry
29 • gypsum board and plaster
30 • insulating (mechanical)
31 • roofing
32 • insulation

33 Building envelope portions of the Energy Code (including calculation and mandatory
34 requirements)
35
36

37 10. Accessibility requirements shall include the following:

- 38 • site requirements
39 • accessible route
40 • vertical accessibility
41 • toilet and bathing facilities
42 • drinking fountains
43 • equipment
44 • special occupancy requirements

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- fair housing requirements

11. Interior requirements shall include the following:

- interior finishes (flame spread/smoke develop)
- light and ventilation
- sanitation

(including corresponding portion of the energy code)

12. Special systems

- elevators
- escalators
- lifts

13. Swimming Pools

- barrier requirements
- spas
- wading pools

14. Location and installation details. The specific location and installation details of each fire

door, fire damper, ceiling damper, and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical:

1. Electrical

- wiring
- services
- feeders and branch circuits
- overcurrent protection
- grounding
- wiring methods and materials
- GFCIs

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

2. Equipment

3. Special Occupancies

4. Emergency Systems

5. Communication Systems

6. Low-voltage

7. Load calculations

8. Design flood elevation

Plumbing:

- 1 1. Minimum plumbing facilities
- 2 2. Fixture requirements
- 3 3. Water supply piping
- 4 4. Sanitary drainage
- 5 5. Water heaters
- 6 6. Vents
- 7 7. Roof drainage
- 8 8. Backflow prevention
- 9 9. Irrigation
- 10 10. Location of water supply line
- 11 11. Grease traps
- 12 12. Environmental requirements
- 13 13. Plumbing riser
- 14 14. Design flood elevation.
- 15 15. Water/plumbing portions of the Energy Code (including calculation and mandatory
- 16 requirements)

17
18
19
20 **Mechanical:**

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

40
41 **Gas:**

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

- 1 6. Type of gas
- 2 7. Fireplaces
- 3 8. LP tank location
- 4 9. Riser diagram/shut-offs
- 5 10. Design flood elevation
- 6 11. Gas portions of the Energy Code (including calculation and mandatory requirements)
- 7
- 8

9 **Demolition:**

- 10 1. Asbestos removal
- 11

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

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

44 **Manufactured / Mobile Homes:**

- 45 1. Site requirements

- 1 • setback/separation (assumed property lines)
- 2 • location of septic tanks
- 3 • lot grading
- 4 2. Structural
- 5 • wind zone
- 6 • anchoring
- 7 3. Plumbing
- 8 • List potable water source and meter size (if applicable)
- 9 4. Mechanical
- 10 • Exhaust systems
- 11 • clothes dryer exhaust
- 12 • kitchen equipment exhaust
- 13 5. Electrical
- 14 • exterior disconnect location

15
16 **Exemptions.**

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

- 18 1. Replacing existing equipment such as mechanical units, water heaters, etc.
- 19 2. Re-roof
- 20 3. Minor electrical, plumbing and mechanical repairs.
- 21 4. Annual maintenance permits
- 22 5. Prototype plans
 - 23 ▪ except for local site adaptations, siding, foundations and/or modifications
 - 24 • except for structures that require waiver
- 25 6. Manufactured building plans except for foundations, accessibility criteria, and
- 26 modifications of the building site.

27
28 **107.4 Amended construction documents.** Work shall be installed in accordance with the
29 reviewed construction documents, and any changes made during construction that are not in
30 compliance with the reviewed construction documents shall be resubmitted for review as an
31 amended set of construction documents.

32
33 **107.5 Retention of construction documents.** One set of reviewed and or as-built construction
34 documents shall be retained by the building official for a period of not less than 180 days from
35 date of completion of the permitted work, or as required by Florida Statutes.

36
37 **107.6 Affidavits.** The building official may accept a sworn affidavit from a registered architect
38 or engineer stating that the plans submitted conform to the technical codes. For buildings and
39 structures, the affidavit shall state that the plans conform to the laws as to egress, type of
40 construction and general arrangement and, if accompanied by drawings, show the structural
41 design and that the plans and design conform to the requirements of the technical codes as to
42 strength, stresses, strains, loads and stability. The building official may, without any examination
43 or inspection, accept such affidavit, provided the architect or engineer who made such affidavit
44 agrees to submit to the building official copies of inspection reports as inspections are performed
45 and upon completion of the structure, electrical, gas, mechanical or plumbing system has been

1 erected in accordance with the requirements of the technical codes. Where the building official
2 relies upon such affidavit, the architect or engineer shall assume full responsibility for
3 compliance with all provisions of the technical codes and other pertinent laws or ordinances. The
4 building
5 official shall ensure that any person conducting plans review is qualified as a plans examiner
6 under Part XII of Chapter 468, Florida Statutes.
7

8 **107.6.1 Building permits issued on the basis of an affidavit.** Pursuant to the requirements of
9 federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections
10 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections,
11 and to accept plans and construction documents on the basis of affidavits and plans submitted
12 pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood
13 resistance construction requirements of the
14 *Florida Building Code*.

15
16 **SECTION 108**
17 **TEMPORARY STRUCTURES AND USES**
18

19 **108.1 General.** The building official is authorized to issue a permit for temporary structures and
20 temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for
21 more than 180 days. The Building Official is authorized to grant extensions for demonstrated
22 purposes.
23

24 **108.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire
25 safety, means of egress, accessibility, light, ventilation, and sanitary requirements of this code as
26 necessary to ensure the public health, safety and general welfare.
27

28 **108.3 Temporary Power.** The Building Official is authorized to give permission to temporarily
29 supply and use power in part of an electric installation before such installation has been fully
30 completed and the final Certificate of Completion has been issued. The part covered by the
31 temporary certificate shall comply with the requirements specified for temporary lighting, heat,
32 or power in NFPA 70.
33

34 **108.4 Termination of approval.** The Building Official is authorized to terminate such permit
35 for a temporary structure or use, and to order the temporary structure or use to be discontinued.
36

37 **SECTION 109**
38 **FEES**
39

40 **109.1 Prescribed fees.** A permit shall not be issued until fees authorized under s. 553.80 Florida
41 Statutes have been paid. Nor shall an amendment to a permit be released until the additional fee,
42 if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing,
43 and mechanical or gas systems, has been paid.
44

45 **109.2 Schedule of Permit Fees.** On all buildings, structures, electrical, plumbing, mechanical
46 and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required

1 at the time of obtaining the permit or submitting the filing an application, as appropriate and in
2 accordance with the schedule as established. Building permit fees are by resolution of The Board
3 of County Commissioners.

4
5 **109.2.1 Types of fees enumerated.** Fees may be charged for, but not limited to, the following:

- 6 • Permits;
- 7 • Plan examination;
- 8 • Certificates of competency (including fees for applications, examinations,
9 renewal,
- 10 • late renewal, and reciprocity);
- 11 • Re-inspections;
- 12 • Administrative fees (including fees for investigative and legal costs incurred in
13 the
- 14 • context of certain disciplinary cases heard by the Board);
- 15 • Administrative appeals;
- 16 • Violations; and
- 17 • Other fees as established by local ordinance.

18
19 **109.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit
20 value at time of application. If, in the opinion of the Building Official, the valuation of building,
21 alteration, structure, electrical, gas, mechanical or plumbing systems appear to be underestimated
22 on the application, permit shall be denied, unless the applicant can show detailed estimates to
23 meet the approval of the Building Official. Permit valuations shall include total cost, such as
24 electrical, gas, mechanical, plumbing equipment and other systems, including materials and
25 labor. The permit valuation may be calculated using the latest Building Valuation Data published
26 by the International Code Council or other applicable model code organization, at the option of
27 the Building Official.

28
29 **109.4 Work commencing before permit issuance.** Any person who commences any work on a
30 building, structure, electrical, gas, mechanical or plumbing system before obtaining the Building
31 Official or his/her designee approval or the necessary permits shall be subject to a penalty of 200
32 percent of the usual permit fee in addition to the required permit fee. The payment of such fees
33 shall not relieve any persons from fully complying with the requirements of this code in the
34 execution of the work nor from any other penalties prescribed by this code. This provision shall
35 not apply to emergency work when delay would clearly have placed life or property in imminent
36 danger. But in all such cases, the ~~chief of the appropriate inspection discipline~~ Building Official,
37 Deputy Building Official or their designee must be notified of the work as soon as possible and
38 the required permit(s) must be applied for within three (3) business days.

39
40 **Exceptions:**

41 1. Where extenuating circumstances are justified, the Building Official may allow an
42 extension of the permit application deadline.

43
44 2. For just causes, and in cases involving extreme circumstances and unusual hardship,
45 the Building Official may waive the 200 percent penalty fee.

1 **109.5 Related fees.** The payment of the fee for the construction, alteration, removal or
2 demolition for work done in connection to or concurrently with the work authorized by a
3 building permit shall not relieve the applicant or holder of the permit from the payment of other
4 fees that are prescribed by law.

5
6 **109.6 Refunds.** The building official is authorized to establish a refund policy.
7

8 **SECTION 110**
9 **INSPECTIONS**

10
11 **110.1 General.** Construction or work for which a permit is required shall be subject to inspection
12 by the building official and such construction or work shall remain accessible and exposed for
13 inspection purposes until approved. Approval as a result of an inspection shall not be construed
14 to be an approval of a violation of the provisions of this code or of other ordinances of the
15 jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this
16 code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner
17 and or permit applicant to cause the work to remain accessible and exposed for inspection
18 purposes. The building official shall be permitted to require a boundary line survey prepared by a
19 qualified surveyor whenever the boundary lines cannot be readily determined in the field.
20 Neither the building official nor the jurisdiction shall be liable for expense entailed in the
21 removal or
22 replacement of any material required to allow inspection.
23

24 **110.1.1 Manufacturers and fabricators.** When deemed necessary by the building official, he
25 shall make, or cause to be made, an inspection of materials or assemblies at the point of
26 manufacture or fabrication. A record shall be made of every such examination and inspection
27 and of all violations of the technical codes.
28

29 **110.1.2 Inspection service.** The building official may make, or cause to be made, the inspections
30 required in Section 110. He or she may accept reports of department inspectors, independent
31 inspectors or of recognized inspection services, provided that after investigation he/she is
32 satisfied as to their licensure, qualifications and reliability. A certificate required by any
33 provision of this code shall not be based on such reports unless the same are recorded by the
34 building code inspector or the architect or engineer
35 performing building code inspections in a manner specified by the building official. The building
36 official shall ensure that all persons making such inspections shall be certified in accordance to
37 Chapter 468 Florida Statutes.
38

39 **110.2 Preliminary Inspection.** Before issuing a permit, the Building Official may examine or
40 cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which
41 an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or
42 change the occupancy. The official shall inspect all buildings, structures, electrical, gas,
43 mechanical and plumbing systems, from time to time, during and upon completion of the work
44 for which a permit was issued. The official shall make a record of every such examination and
45 inspection and of all violations of the technical codes.
46

1 **110.3 Required inspections.** The building official upon notification from the ~~permit holder~~
2 *contractor of record* or his agent shall make the following minimum inspections, *or any other*
3 *such inspections as deemed necessary* and shall either release that portion of the construction or
4 shall notify the ~~permit holder~~ *contractor of record* or his agent of any violations that must be
5 corrected in order to comply with the technical codes. The building official shall determine the
6 timing and sequencing of when inspections occur and what elements are inspected at each
7 inspection.

8
9 **Building**

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

- 12 • stem-wall
- 13 • monolithic slab-on-grade
- 14 • piling/pile caps
- 15 • footers/grade beams

16
17 A foundation survey prepared and certified by a registered surveyor ~~shall~~ *may* be required
18 for all new construction prior to approval of the ~~framing~~ *slab* inspection. The survey shall
19 certify placement of the building on the site, illustrate all surrounding setback
20 dimensions, identification of the flood zone, base flood elevation, and elevation for the
21 lowest floor, and shall be available at the job site for review by the building inspector. In
22 lieu of providing a survey, the contractor may elect to uncover all property line makers
23 and string up all property lines in preparation for inspection. The foundation survey may
24 be required prior to the foundation inspection if there is reason to believe the required
25 setbacks are not being met.

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

30
31 **1.2. Flood hazard areas.** Upon placement of the lowest floor, including basement, and prior
32 to further vertical construction, the elevation certification required in Section 1612.5 shall be
33 submitted to the building official. Note: No further work to continue until elevation
34 certificate is received and
35 approved.

36
37 **2. Framing inspection.** To be made after the roof, all framing, fireblocking and bracing is in
38 place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and shall at a
39 minimum include the following building components:

- 40 • window/door framing and installation
- 41 • vertical cells/columns
- 42 • lintel/tie beams
- 43 • framing/trusses/bracing/connectors (including truss layout & engineered
44 drawings)
- 45 • draft stopping/fire-blocking
- 46 • curtain wall framing

- energy insulation
- accessibility
- verify rough openings are within tolerances
- ceiling/wall diaphragms

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

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

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

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

- roof sheathing
- wall sheathing
- sheathing fasteners
- roof/wall/dry-in
- sheathing/cladding inspection
- window/door buck attachment

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

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

- vapor barrier installation (overlap)
- flashing installation (including Z-channel)
- metal lath installation
- control joint installation

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

- dry-in
- insulation
- roof coverings
- flashing

5. Final inspection. To be made after the building is completed and ready for occupancy 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 lowest
3 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 water, the bonding connections made, the proper drain covers installed and the
14 final 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 described in
22 Section 454.2.17, of this code and Section R4501.17 of the Residential Code.
23

24 **7. Demolition inspections:**

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

29
30 **8. Manufactured Building inspections.** To be made as to construction of foundations;
31 connecting buildings to foundations; installation of parts identified on plans as site installed
32 items; joining the modules; including utility crossovers; utility connections from the building to
33 utility lines on site; and any other work done on site that requires compliance with the Florida
34 Building Code, manufacturer's installation instructions and the product approval. Additional
35 inspections may be required for public educational facilities. (See section 453.27.20)
36

37 **8.1** In flood hazard areas, as part of the final inspection, a final certification of the lowest
38 floor elevation shall be submitted to the authority having jurisdiction.
39

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

- 43 • The system indicated on the plan was installed.
- 44 • The system is installed in accordance with the manufacturer's installation
45 instructions and the product approval.

1
2 **Electrical:**

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

5
6 **2. Rough-In inspection.** To be made after the roof, framing, fire-blocking and bracing is
7 in place and all wiring and other components to be concealed are in place and prior to the
8 installation of wall or ceiling membranes.

9
10 **3. Pre-Power inspection.** To be made after the building is complete, all required
11 electrical fixtures are in place and properly connected or protected, and the structure is
12 ready for occupancy.

13
14 **4. Final Electrical Inspection.** To be made after structure is energized.

15
16 **Plumbing:**

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

19
20 **2. Rough-In inspection.** To be made after the roof, framing, fire-blocking and bracing is
21 in place and all soil, waste and vent piping is complete, and prior to the installation of
22 wall or ceiling membranes.

23
24 *Includes plumbing provisions of the energy code and approved calculations provisions.*

25 **3. Final inspection.** To be made once building is energized, all required plumbing
26 fixtures are in place and properly connected, and the structure is ready for occupancy.

27
28 **Note:** See Section P312 of the Florida Building Code, Plumbing for required test.

29
30 **Mechanical:**

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

33
34 **2. Rough-In inspection.** To be made after the roof is dried-in, framing, fire-blocking and
35 bracing is in place and all ducting and other concealed components are complete, and
36 prior to the installation of wall or ceiling membranes.

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

38 **3. Final inspection.** To be made once the building is energized, the mechanical system is
39 in place and properly connected, and the structure is ready for occupancy.

40
41 **Gas:**

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

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

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

9
10 **3. Final inspection.** To be made on all new gas work authorized by the permit and such
11 portions of existing systems as may be affected by new work or any changes, to insure
12 compliance with all the requirements of this code and to assure that the installation and
13 construction of the gas system is in accordance with reviewed plans.

14
15 **110.3.1 Footings and foundation inspection.** Footing and foundation inspections shall be made
16 after excavations for footings are complete and any required reinforcing steel is in place. For
17 concrete foundations, any required forms shall be in place prior to inspection.

18
19 **110.3.2 Concrete slab and under-floor inspection.** Concrete slab and under-floor inspections
20 shall be made after in-slab or under-floor reinforcing steel and building service equipment,
21 conduit, piping accessories and other ancillary equipment items are in place, but before any
22 concrete is placed or floor sheathing installed, including the subfloor.

23
24 **110.3.3 Reinforcing steel and structural frames.** Reinforcing steel or structural framework of
25 any part of any building or structure shall not be covered or concealed without first obtaining a
26 release from the building official.

27
28 **110.3.4 Termites.** Building components and building surroundings required to be protected from
29 termite damage in accordance with Section 1503.7, Section 2304.11.6 or Section 2304.13,
30 specifically required to be inspected for termites in accordance with 2114, or required to have
31 chemical soil treatment in accordance with 1816 shall not be covered or concealed until the
32 release from the building official has been received.

33
34 **110.3.5 Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made
35 after lathing and gypsum board, interior and exterior, is in place, but before any plastering is
36 applied or gypsum board joints and fasteners are taped and finished.

37
38 **Exception:** Gypsum board that is not part of a fire-resistance-rated assembly or a shear
39 assembly.

40
41 **110.3.6 Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-
42 resistant-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view
43 until inspected and approved.

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

5 **110.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with
6 FBC, Energy Conservation and confirm with the approved energy code submittal (by
7 appropriate trade) and corresponding mandatory requirements and shall include, but not be
8 limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-
9 value and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical and
10 water-heating equipment efficiency.

11
12 **110.3.8 Reinspection.** Failure to be found in compliance during any requested inspection may
13 result in a reinspection and associated fee and/or a penalty fee for each violation of the technical
14 codes observed, a reinspection within seven (7) days of issuance of a red-tag. A re-inspection fee
15 shall be charged for each additional visit unless otherwise approved by the building official.
16

17 **110.3.9 Site Debris**

18 1. The contractor and/or owner of any active or inactive construction project shall be
19 responsible for the clean-up and removal of all construction debris or any other
20 miscellaneous discarded articles prior to receiving final inspection approval. Construction
21 job sites must be kept clean; such that excessive accumulation of construction debris
22 must not remain on the property for a period of time exceeding 14 days.
23

24 2. All debris shall be kept in such a manner as to prevent it from being spread by any
25 means.
26

27 **110.3.10 Impact-resistant coverings or systems.** Where impact-resistant coverings or systems
28 are installed to meet requirements of this code, the building official shall schedule adequate
29 inspections of impact-resistant coverings or systems to determine the following:
30

- 31 1. The system indicated on the plans was installed.
- 32 2. The system is installed in accordance with the manufacturer's installation instructions
33 and the product approval.
34

35 **110.3.11 Final Inspection.** The final inspection shall be made after all work required by the
36 building permit is completed. A permit holder (owner/contractor) is responsible for requesting; a
37 final inspection within ten (10) days of the completion of permitted work, and if applicable; a
38 reinspection within seven (7) days of issuance of a red-tag.
39

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

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~~ contractor of the permit or their
6 duly authorized agent to notify the building official when work is ready for inspection. It shall be
7 the duty of the ~~permit holder~~ contractor or owner to provide access to and means for inspections
8 of such work required 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 inspections
23 on a threshold building pursuant to a structural inspection plan prepared by the engineer or
24 architect of record. The structural inspection plan must be submitted to the enforcing agency
25 prior to the issuance of a building permit for the construction of a threshold building. The
26 purpose of the structural inspection plans is to provide specific inspection procedures and
27 schedules so that the building can be adequately inspected for compliance with the permitted
28 documents. The special inspector may not serve as a
29 surrogate in carrying out the responsibilities of the building official, the architect, or the engineer
30 of record. The contractor's contractual or statutory obligations are not relieved by any action of
31 the special inspector.
32

33 **110.8.2** The special inspector shall determine that a professional engineer who specializes in
34 shoring design has inspected the shoring and reshoring for conformance with the shoring and
35 reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which
36 does not meet the minimum size, height, occupancy, occupancy classification, or number-of-
37 stories criteria which would result in classification as a threshold building under s. 553.71(7),
38 may designate such building as a threshold building, subject to more than the minimum number
39 of inspections required by the
40 *Florida Building Code*.
41

42 **110.8.3** The fee owner of a threshold building shall select and pay all costs of employing a
43 special inspector, but the special inspector shall be responsible to the enforcement agency. The
44 inspector shall be a person certified, licensed or registered under Chapter 471, *Florida Statutes*,
45 as an engineer or under Chapter 481, *Florida Statutes*, as an architect.
46

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

3 **110.8.4.1** The special inspector, upon completion of the building and prior to the issuance of a
4 certificate of occupancy, file a signed and sealed statement with the enforcement agency in
5 substantially the following form: “To the best of my knowledge and belief, the above described
6 construction of all structural loadbearing components complies with the permitted documents,
7 and the shoring and
8 reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency.”
9

10 **110.8.4.2** Any proposal to install an alternate structural product or system to which building
11 codes apply be submitted to the enforcement agency for review for compliance with the codes
12 and made part of the enforcement agency’s recorded set of permit documents.
13

14 **110.8.4.3** All shoring and reshoring procedures, plans and details be submitted to the
15 enforcement agency for recordkeeping. Each shoring and reshoring installation shall be
16 supervised, inspected and certified to be in compliance with the shoring documents by the
17 contractor.
18

19 **110.8.4.4** All plans for the building which are required to be signed and sealed by the architect or
20 engineer of record contain a statement that, to the best of the architect’s or engineer’s
21 knowledge, the plans and specifications comply with the applicable minimum building codes and
22 the applicable fire-safety standards as determined by the local authority in accordance with this
23 section and Chapter 633, *Florida Statutes*.
24

25 **110.8.5** No enforcing agency may issue a building permit for construction of any threshold
26 building except to a licensed general contractor, as defined in Section 489.105(3) (a), *Florida*
27 *Statutes*, or to a licensed building contractor, as defined in Section 489.105(3)(b), *Florida*
28 *Statutes*, within the scope of her or his license. The named contractor to whom the building
29 permit is issued shall have the responsibility for supervision, direction, management and control
30 of the construction activities on the project for which the building permit was issued.
31

32 **110.8.6** The building division may allow a special inspector to conduct the minimum structural
33 inspection of threshold buildings required by this code, Section 553.73, *Florida Statutes*, without
34 duplicative inspection by the building department. The building official is responsible for
35 ensuring that any person conducting inspections is qualified as a building inspector under Part
36 XII of Chapter 468, *Florida Statutes*, or certified as a special inspector under Chapter 471 or
37 481, *Florida Statutes*. Inspections of threshold buildings required by Section 553.79(5), *Florida*
38 *Statutes*, are in addition to the minimum inspections required by this code.
39
40

41 **SECTION 111**
42 **CERTIFICATES OF OCCUPANCY AND COMPLETION**
43

44 **111.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in
45 the existing occupancy use, group, or operator classification of a building or structure or portion
46 thereof shall be made until the building official has issued a certificate of occupancy therefore as

1 provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a
2 violation of the provisions of this code or of other ordinances.

3
4 **Exception:** Certificates of occupancy are not required for work exempt from permits
5 under Section 105.2

6
7 **111.2 Certificate Issued.** After the building official inspects the building or structure and finds
8 no violations of the provision of this code or other laws that are enforced by the department, the
9 building official shall issue a certificate of occupancy substantially contains the following:

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

31
32 **111.3 Temporary/Partial occupancy.** A temporary/ partial Certificate of Occupancy may be
33 issued for a portion or portions of a building that may safely be occupied prior to final
34 completion of the building. The building official shall set a time period with an established fee
35 during which the temporary certificate of occupancy is valid.

36
37 **111.4 Revocation.** The building official is authorized to, in writing, suspend or revoke a
38 certificate of occupancy or completion issued under the provisions of this code wherever the
39 certificate is issued in error, or on the basis of incorrect information supplied, or where it is

1 determined that the building or structure or portion thereof is in violation of any ordinance,
2 regulation, or any of the provisions of this code.

3
4 **111.5 Certificate of Completion.** Upon satisfactory completion of a building, structure,
5 electrical, gas, mechanical or plumbing system, a certificate of completion may be issued. A
6 certificate of completion is proof that a structure or system is complete and for certain types of
7 permits is released for use and may be connected to a utility system. This certificate does not
8 grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a
9 Certificate of Occupancy.

10
11 **Certificates of Completion may be issued for the following types of projects:**

12
13 **1. New Commercial Building Shell:** A certificate of completion shall be issued after all
14 final inspections have been approved and the fees paid. The issuance of a certificate of
15 completion allows permits to be obtained for the completion of the interior tenant spaces.
16 Occupancy of any part of the building is not permitted until a certificate of occupancy is
17 issued in accordance with section 111.2 for the finished spaces. Permanent power for the
18 building shall not be released to the utility company until the first tenant space has been
19 issued a certificate of occupancy.

20
21 **2. New Residential Building Shell:** A certificate of completion shall be issued after all
22 rough-in inspections have been approved and the fees paid. The issuance of a certificate
23 of completion allows permits to be obtained for the completion of the residential
24 dwelling. Occupancy of any part of the building is not permitted until a certificate of
25 occupancy is issued in accordance with section 111.2.

26
27 **3. Existing Buildings:** Any construction project involving the repair, remodeling,
28 renovation, or alteration of an existing residential or commercial building or structure,
29 which is not part of a change of occupancy, as defined in this chapter, may be issued a
30 certificate of completion. Upon specific request, the certificate of completion shall be
31 issued when all permits associated with the construction project have been granted final
32 approval and all fees have been paid.

33
34 **SECTION 112**
35 **SERVICE UTILITIES**

36
37 **112.1 Connection of service utilities.** No person shall make connections from a utility source of
38 energy, fuel or power to any building or system which is regulated by the technical codes for
39 which a permit is required, or to devices and appliances to be used in connection with any
40 carnival or show, or in any place, tent or building to be used as a temporary place of assembly,
41 until released by the building official and a Certificate of Occupancy or Completion is issued.

42
43 **112.2 Temporary connection.** The building official may authorize the temporary connection of
44 the building or system to the utility source of energy, fuel or power for the purpose of testing
45 building service systems or for use under a temporary Certificate of Occupancy.

1 **112.3 Authority to disconnect service utilities.** The building official shall have the authority to
2 authorize disconnection of utility service to the building, structure, or system regulated by this
3 code and the referenced codes and standards set forth in Section 101.4 in case of emergency
4 where necessary to eliminate an immediate hazard to life or property or when such utility
5 connection has been made without approval required by Section 112.1 or 112.2. The building
6 official shall notify the serving utility, and whenever possible the owner and occupant of the
7 building, structure or service system of the decision to disconnect prior to taking such action. If
8 not notified prior to disconnecting, the owner or occupant of the building, structure or service
9 system shall be notified in writing, as soon as practical thereafter.

10
11 **SECTION 113**
12 **BOARD OF APPEALS**
13

14 **113.1 Appointment.** There may be established a board to be called the Board of Construction
15 Regulations, which should consist of nine (9) members but not less than seven. The board shall
16 be appointed by the applicable governing body.

17
18 **113.2 Powers.** The Board shall have the power as authorized by and as, further defined in 113.4,
19 and per Hernando County Ordinance Chapter 8, Article 2, and Division 2, Sections 8-55 to hear
20 appeals of decisions and interpretations of the building official and consider variances of the
21 technical codes.

22
23 **113.3 Appeals**
24

25 **113.3.1 Decision of the building official.** The owner of a building, structure or service system,
26 or his duly authorized agent, may appeal a decision of the building official to the Construction
27 Board of Adjustment and Appeals whenever any one of the following conditions are claimed to
28 exist:

- 29
- 30 1. The building official rejected or refused to approve the mode or manner of
31 construction proposed to be followed or materials to be used in the installation or
32 alteration of a building, structure or service system.
 - 33
 - 34 2. The provisions of this code do not apply to this specific case.
 - 35
 - 36 3. That an equally good or more desirable form of installation can be employed in any
37 specific case.
 - 38
 - 39 4. The true intent and meaning of this code or any of the regulations there under have
40 been misconstrued or incorrectly interpreted.
 - 41

42 **113.3.2 Variances.** The Construction Board of Adjustments and Appeals, when so appealed to
43 and after a hearing, may vary the application of any provision of this code to any particular case
44 when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary
45 to the spirit and purpose of this or the technical codes or public interest, and also finds all of the
46 following:

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

18 **113.3.2.1 Conditions of the variance.** In granting the variance, the board may prescribe a
19 reasonable time limit within which the action for which the variance is required shall be
20 commenced or completed or both. In addition, the board may prescribe appropriate conditions
21 and safeguards in conformity with this code. Violation of the conditions of a variance shall be
22 deemed a violation of this code.
23

24 **113.3.3 Notice of appeal.** Notice of appeal shall be in writing and filed within 30 calendar days
25 after the decision is rendered by the building official. Appeals shall be in a form acceptable to the
26 building official. Appeals relating to provisions of the "Florida Building Code", other than local
27 amendments, may be appealed to the Florida Building Commission, pursuant to section 120.569
28 Florida Statutes, regarding the
29 local government's action. Notice of Administrative Rights may be obtained from the local
30 building department.
31

32 **113.3.4 Unsafe or dangerous buildings or service systems.** In the case of a building, structure
33 or service system which, in the opinion of the building official, is unsafe, unsanitary or
34 dangerous, the building official may, in his order, limit the time for such appeals to a shorter
35 period.
36

37 **113.4 Procedures of the Board**

38
39 **113.4.1 Rules and regulations.** The board shall establish rules and regulations for its own
40 procedure not inconsistent with the provisions of this code. The board shall meet on call of the
41 chairman. The board shall meet within 30 calendar days after notice of appeal has been received.
42

43 **113.4.2 Decisions.** The Construction Board of Adjustment and Appeals shall, in every case,
44 reach a decision without unreasonable or unnecessary delay. Each decision of the board shall
45 also include the reasons for the decision. If a decision of the board reverses or modifies a refusal,
46 order, or disallowance of the building official or varies the application of any provision of this

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

8
9 **SECTION 114**
10 **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
17 **114.2 Notice of violation.** The building official is authorized to serve a notice of violation or
18 order on the person responsible for the erection, construction, alteration, extension, repair,
19 moving, removal, demolition or occupancy of a building or structure in violation of the
20 provisions of this code, or in violation of a permit or certificate issued under the provisions of
21 this code. Such order shall direct the discontinuance of the illegal action or condition and the
22 abatement of the violation.

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

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

35
36 **SECTION 115**
37 **STOP WORK ORDER**

38
39 **115.1 Authority.** Whenever the Building Official or his/her designee finds any work regulated
40 by this code being performed in a manner either contrary to the provisions of this code, or
41 dangerous or unsafe, the Building Official or his/her designee is authorized to issue a Stop Work
42 Order.

43
44 **115.2 Issuance.** The Stop Work Order shall be in writing and shall be given to the owner of the
45 property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a

1 Stop Work Order, the cited work shall immediately cease. The Stop Work Order shall state the
2 reason for the order, and the conditions under which the cited work will be permitted to resume.

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

7
8 **SECTION 116**
9 **UNSAFE STRUCTURES AND EQUIPMENT**

10
11 **116.1 Conditions.** Structures or existing equipment that are or hereafter become unsafe,
12 insanitary or deficient because of inadequate means of egress facilities, inadequate light and
13 ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public
14 welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be
15 deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe,
16 as the building official deems necessary and as provided for in this section. A vacant structure
17 that is not secured against entry shall be deemed unsafe.

18
19 **116.2 Record.** The building official shall cause a report to be filed on an unsafe condition. The
20 report shall state the occupancy of the structure and the nature of the unsafe condition.

21
22 **116.3 Notice.** If an unsafe condition is found, the building official shall serve on the owner,
23 agent or person in control of the structure, a written notice that describes the condition deemed
24 unsafe and specifies the required repairs or improvements to be made to abate the unsafe
25 condition, or that requires the unsafe structure to be demolished within a stipulated time. Such
26 notice shall require the person thus notified to declare immediately to the building official
27 acceptance or rejection of the terms of the order.

28
29 **116.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is (a)
30 delivered to the *owner* personally; (b) sent by certified or registered mail addressed to the owner
31 at the last known address with the return receipt requested; or (c) delivered in any other manner
32 as prescribed by local law. If the certified or registered letter is returned showing that the letter
33 was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure
34 affected by such notice. Service of such notice in the foregoing manner upon the owner's agent
35 or upon the person responsible for the structure shall constitute service of notice upon the *owner*.

36
37 **116.5 Restoration.** Where the structure or equipment determined to be unsafe by the building
38 official is restored to a safe condition, to the extent that repairs, alterations or additions are made
39 or a change of occupancy occurs during the restoration of the structure, such repairs, alterations,
40 additions and change of occupancy shall comply with the requirements of Section 105.2.2 and
41 the Florida Building Code - Existing Building Code.

42
43 **116.6 Unsafe buildings or systems.** Additional information, refer to Hernando County Code of
44 Ordinances, Chapter 8, Article II, Division 6 for provisions for unsafe structures and equipment.

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SECTION 117
EMERGENCY MEASURES

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117.1 Imminent danger. When, in the opinion of the *building official*, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *building official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *building official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This *Structure Is Unsafe and Its Occupancy Has Been Prohibited* by the *building official*." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

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117.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *building official*, there is *imminent danger* due to an unsafe condition, the *building official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *building official* deems necessary to meet such emergency.

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117.3 Closing streets. When necessary for public safety, the *building official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

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117.4 Emergency repairs. For the purposes of this section, the *building official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

117.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* where the unsafe structure is or was located for the recovery of such costs.

117.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

1
2 **Sec. 8-99. - Technical amendment to the Florida Building Code, Residential related to**
3 **flood-resistant construction.**

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5 **R322 FLOOD RESISTANT CONSTRUCTION**

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7 **R322.2.1 Elevation requirements.**

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9 1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall
10 have the lowest floors elevated to or above the base flood elevation plus 1 foot or the
11 design flood elevation, whichever is higher.

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13 2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall
14 have the lowest floors elevated to or above the base flood elevation plus 1 foot (305 mm),
15 or to the design flood elevation, whichever is higher.

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17 3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest
18 floor (including basement) elevated at least as high above the highest adjacent grade as
19 the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet if a depth
20 number is not specified.

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22 4. Basement floors that are below grade on all sides shall be elevated to or above the base
23 flood elevation plus 1 foot or the design flood elevation, whichever is higher. Exception:
24 Enclosed areas below the design flood elevation, including basements whose floors are
25 not below grade on all sides, shall meet the requirements of Section R322.2.2.

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

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

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35 **R322.3.2 Elevation requirements.**

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

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42 1.1 Located at or above the base flood elevation plus 1 foot or the design flood elevation,
43 whichever is higher, if the lowest horizontal structural member is oriented parallel to the
44 direction of wave approach, where parallel shall mean less than or equal to 20 degrees
45 (0.35 rad) from the direction of approach, or
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1 1.2 Located at the base flood elevation plus 2 feet, or the design flood elevation,
2 whichever is higher, if the lowest horizontal structural member is oriented perpendicular
3 to the direction of wave approach, where perpendicular shall mean greater than 20
4 degrees (0.35 rad) from the direction of approach.

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

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8 3. The use of fill for structural support is prohibited.

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

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

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

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

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23 2. Are constructed with insect screening or open lattice; or

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

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

33
34 4.1 The walls below the design flood elevation have been designed to collapse from a
35 water load less than that which would occur during the design flood.

36
37 4.2 The elevated portion of the building and supporting foundation system have been
38 designed to withstand the effects of wind and flood loads acting simultaneously on all
39 building components (structural and nonstructural). Water loading values used shall be
40 those associated with the design flood. Wind loading values used shall be those required
41 by this code.

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

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2 **Sec. 8-100. - Technical amendment to the Florida Building Code, Building related to flood**
3 **loads**
4 **and substantial improvement.**

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6 **1612 FLOOD LOADS**
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8 **SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction, rehabilitation,
9 addition or improvement of a building or structure taking place during a 5-year period prior to
10 the date of permit application, the cumulative cost of which equals or exceeds 50 percent of the
11 market value of the structure before the improvement or repair is started. If the structure has
12 sustained substantial damage, any repairs are considered substantial improvement regardless of
13 the actual repair work performed. The term does not, however, include either:

- 14
15 1. Any project for improvement of a building required to correct existing health, sanitary
16 or safety code violations identified by the building official and that are the minimum
17 necessary to assure safe living conditions.
18
19 2. Any alteration of a historic structure provided that the alteration will not preclude the
20 structure's continued designation as a historic structure.
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22 **Sec. 8-101. - Technical amendment to the Florida Building Code, Existing Building related**
23 **to definitions and substantial improvement.**

24
25 **202 GENERAL DEFINITIONS**
26

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

- 33
34 1. Any project for improvement of a building required to correct existing health, sanitary
35 or safety code violations identified by the building official and that are the minimum
36 necessary to assure safe living conditions.
37
38 2. Any alteration of a historic structure provided that the alteration will not preclude the
39 structure's continued designation as a historic structure.
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41 **SECTION 6 - Severability.** It is declared to be the intent of the Board of County
42 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
43 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
44 the validity of the remaining portions of this ordinance.
45

1 **SECTION 7 - Repealer Clause.** Upon the effective date of this ordinance, those previously
2 enacted ordinances and amendments thereto which regulate the construction activities addressed
3 by this ordinance, namely Hernando County Ordinance No. 2015-13, are hereby repealed in its
4 entirety.

5
6 Notwithstanding anything to the contrary herein, the adoption of this ordinance shall not be
7 construed or held to repeal the above-referenced ordinances or the code provisions in effect prior
8 to the adoption of this ordinance as to any violation occurring, pending, or committed in
9 violation of any of the stated ordinances or the prior code provisions. Such pending, occurring, or
10 committed violations will be prosecuted under the applicable ordinance or the prior code
11 provisions under the procedures and penalties of the applicable ordinance or prior code
12 provisions. No violation of the provisions of the applicable ordinance or the prior code
13 provisions shall be prosecuted two (2) years from the effective date of this ordinance.

14
15 **SECTION 8 - Violations and Penalties.** Any person, firm, corporation or agent who shall
16 violate a provisions of this code, or fail to comply therewith, or with any of the requirements
17 thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical,
18 gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or
19 demolished a building, structure, electrical, gas , mechanical, or plumbing system, in violation of
20 a detailed statement or drawing submitted and permitted there under, shall be guilty of a
21 misdemeanor of the second degree. Each such person shall be considered guilty of a separate
22 offense for each and every day or portion thereof during which any violation of any of the
23 provisions of this code is committed or continued. Upon conviction of any such violation such
24 person shall be punished within the limits as provided by the law and local ordinance.

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27 **SECTION 9 - Inclusion in the Code.** It is the intention of the Board of County
28 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of
29 this Ordinance shall become and be made a part of the Code of Ordinances of Hernando
30 County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered
31 to accomplish such intention, and that the word “ordinance” may be changed to “section,”
32 “article,” or other appropriate designation.

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SECTION 10 - Effective Date. This ordinance shall become effective on ~~June 30,~~
2015 December 31, 2017.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
HERNANDO COUNTY, FLORIDA, in Regular Session this 12th day of December, 2017.**

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

Attest: Marguerite Luke, D.C. By: Wayne Dukes
Donald C. Barber Jr. **Wayne Dukes**
Clerk of Circuit Court & Comptroller **Chairman**



**Approved as to Form and
Legal Sufficiency**

BY: [Signature]