



TOWN COUNCIL AGENDA REGULAR MEETING

THURSDAY

NOVEMBER 16, 2023 – 6:00 P.M.

TOWN COUNCIL CHAMBERS

4300 S. ATLANTIC AVENUE, PONCE INLET, FL

SUNSHINE LAW NOTICE FOR BOARD MEMBERS – Notice is hereby provided that one or more members of the Town’s various boards may attend and speak at this meeting.

A complete copy of the materials for this agenda is available at Town Hall.

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL.
4. INAUGURATION:
 - A. Administer Oath of Office to Council Members - Elect.

----- Break for Refreshments -----
 - B. Reconvene Council meeting.
 - C. Appointment of Vice-Mayor.
 - D. Appointment of Council representatives for interlocal organizations:
 1. Primary and Alternate representatives at the County Roundtable of Elected Officials.
 2. Primary and Alternate representatives to the River-To-Sea Transportation Planning Organization.
 3. Representative to the First Step Shelter, Inc. Board of Directors – *any change requires confirmation by the City of Daytona Beach Commission.*
5. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA.
6. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:
 - A. Presentation of plaque to Ms. Caswell for her service on the Town Council.
 - B. Presentation of Volusia County’s beach restoration activities – *Jessica Fentress, Coastal Division Director*

C. Mayor's report of Proclamations.

7. **CONSENT AGENDA** - *Items on the consent agenda are defined as routine in nature that do not warrant detailed discussion or individual action by the Council; therefore, all items remaining on the consent agenda shall be approved and adopted by a single motion, second and vote by the Town Council. Items on the consent agenda are not subject to discussion. **Any member of the Town Council may remove any item from the consent agenda simply by verbal request at the Town Council meeting.** Removing an item from the consent agenda does not require a motion, second or a vote; it would simply be a unilateral request of an individual Council member and this item would then be added as the last item under New Business. As with all agenda items, the public will have the opportunity to comment prior to a motion being placed on the floor and their comment(s) may persuade Council to remove the item from the Consent Agenda and place under New Business for discussion.*

A. Approval of the Town Council Regular meeting minutes – October 19, 2023.

B. Annual Accounting Report from Citizens for Ponce Inlet.

C. Approval of “Piggyback” Contract with Sweeping Corp of America for the Phase II stormwater system cleaning project.

D. Approval of Facilitated Self-Assessment Manual proposal from Center for Public Safety Excellence.

E. Request to change the date of the August 2024 Town Council regular meeting to August 22, 2024.

8. **OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE MEETING:**

A. Request for use of Town property and co-sponsorship of Operation Changing Lives 5K race.

9. **PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:** *Certain ordinances, resolutions, special exceptions, variances, and permits are Quasi-Judicial items. Members of Council must disclose any ex-parte communications concerning any items on this portion of the agenda prior to voting.*

10. **PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:**

A. Second reading and adoption of Ordinance 2023-05, Creating additional Alternate Seats for the Essential Services Advisory Board.

11. **CITIZENS' PARTICIPATION** - *The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is an opportunity for our citizens to talk to us collectively on any subject that is not identified on the meeting agenda. The Town's Rules for Conducting Town Council meetings are set forth in Resolution 2021-11 and include the following guidelines:*

- *Citizens are provided with **5 minutes** at each meeting to speak on one or more issues that are not otherwise placed on the meeting agenda.*
- *Please introduce yourself with your name and address clearly for the record.*

- Share with us your thoughts, ideas, and opinions; we want to hear them.
- Under our rules, all questions and comments are directed to the Mayor.

While some questions may be able to be addressed at this meeting, others may require research or more information than we have readily available from our staff, so we may have to defer the response to you until we have that information. Also, depending on the type of issue, we may place the matter on a properly noticed subsequent meeting agenda. As a Council, we welcome the opportunity to hear from you and hope you will speak with us not only during Citizen Participation but outside of these meetings. We understand the formal nature of this meeting, but rest assured, we want to hear from you, we want to address your concerns, and we are appreciative of your involvement.

12. ORDINANCES (FIRST READING) AND RESOLUTIONS:

- A. Ordinance 2023-06 – 1st reading – Adopting the 2023 FL Building Code; and adopting the Building Official’s Association of Florida’s Model Administrative Code (2023) with additions from the Town of Ponce Inlet.

13. OLD BUSINESS: None.

14. NEW BUSINESS: None.

15. FROM THE TOWN COUNCIL:

- A. Vice-Mayor Smith, Seat #5
- B. Councilmember Villanella, Seat #4
- C. Councilmember White, Seat #3
- D. Councilmember Milano, Seat #2
- E. Mayor Paritsky, Seat #1

16. FROM THE TOWN MANAGER.

17. FROM THE TOWN ATTORNEY.

18. CITIZENS’ PARTICIPATION - *The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is another opportunity for our citizens to talk to us collectively for **2 minutes** before closure of this meeting regarding reports provided by the Town Council, Town Manager, or Town Attorney in items 14-16 (only) of the meeting agenda.*

19. ADJOURNMENT.

Next Town Council Meeting date:

- Thursday, December 21st, 2023, 6:00 p.m.

*If a person decides to appeal any decision made by the Town Council with respect to any matter considered at a meeting or hearing, he/she will need a record of the proceedings and that for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who require accommodation in order to attend this meeting should contact the Ponce Inlet Town Hall at 236-2150 **at least 48 hours prior to the meeting** in order to request such assistance.*



Meeting Date: 11/16/2023

Agenda Item: 4

Report to Town Council

Topic: Inauguration

Summary:

A. Administer the Oath of Office to Councilmembers-elect

--- Break for Refreshments / Photos ---

B. Reconvene and Roll-Call of New Council

C. Appointment of Vice-Mayor

D. Appointment of Council representatives for interlocal organizations:

1. Primary and Alternate representatives at the County Roundtable of Elected Officials;

2. Primary and Alternate representatives to the River-To-Sea Transportation Planning Organization;

3. Representative to the First Step Shelter, Inc. Board of Directors – *any change requires confirmation by the City of Daytona Beach Commission.*

Requested by: Ms. Cherbano / Town Clerk

Approved by: Mr. Disher / Town Manager



Meeting Date: 11/16/2023

Agenda Item: 6

Report to Town Council

Topic: Proclamations, Presentations, and Awards.

Summary:

- A. Presentation of plaque to outgoing Councilmember Caswell
- B. Presentation of Volusia County's beach restoration activities - *Jessica Fentress, Coastal Division Director*
- C. Mayor's report of proclamations.

Suggested motion: None required.

Requested by: Ms. Cherbano, HR Director/Town Clerk
Mayor Paritsky

Approved by: Mr. Disher, Town Manager



MEMORANDUM

Town of Ponce Inlet - Office of the Mayor

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
Through: Michael E. Disher, Town Manager
From: Mayor Lois A. Paritsky *LAP*
Date: November 16, 2023
Subject: Proclamation Report

The attached Proclamation was presented at an event honoring and recognizing Caroline Marks on November 10th:

- A Proclamation declaring November 10th, 2023 as *Caroline Marks Day*.

Copies of the Proclamation may be viewed at the Town Hall kiosk.

/p

PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, Caroline Marks, a talented and accomplished surfer, was born and raised in Florida, where she developed her passion for the sport of surfing at a young age; and

WHEREAS, Caroline has exhibited dedication, perseverance, and exceptional talent in the world of professional surfing, consistently achieving remarkable milestones and winning numerous titles in various competitions, thereby becoming a true inspiration to our community; and

WHEREAS, Caroline has represented the United States on the global stage as a member of the USA Surfing Team, showcasing her remarkable skills and sportsmanship, and bringing pride and recognition to our hometown; and

WHEREAS, Caroline, as the youngest woman athlete to qualify for the World Surf League's Championship world tour, won the title in the 2023 World Surf League's Championship Tour; and

WHEREAS, Caroline has exhibited her love for our community and has a deep affection for the ocean as displayed by her enjoyment of our beaches, waves, and jetty; and

WHEREAS, it is only fitting and proper that we recognize and celebrate Caroline for her extraordinary achievements, her dedication to her sport, and her contributions to our community.

NOW, THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet, do hereby proclaim November 10, 2023, as "Caroline Marks Day" in the Town of Ponce Inlet. On this day, we celebrate the accomplishments, dedication, and contributions of Caroline.

Let us come together as a community to honor one of our own, Caroline Marks, and celebrate her as a source of pride and inspiration for our town.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 10th day of November 2023.

Town of Ponce Inlet, Florida
Mayor Lois A. Paritsky

Attest:
Kim Cherbano, CMC/Town Clerk



Meeting Date: 11/16/2023

Agenda Item: 7

Report to Town Council

Topic: Consent Agenda

- A. Approval of the Town Council regular meeting minutes - October 19, 2023.
- B. Annual accounting report from Citizens for Ponce Inlet.
- C. Approval of “Piggyback” contract with Sweeping Corp of America for the Phase II stormwater system cleaning project.
- D. Approval of Facilitated Self-Assessment Manual proposal from Center for Public Safety Excellence.
- E. Request to change the date of the August 2024 Town Council regular meeting to August 22, 2024

Summary: See attached staff reports.

Suggested motion:

To approve the Consent agenda as presented.

Requested by: Ms. Cherbano, Town Clerk
Mr. Disher, Town Manager
Mr. Griffith, Public Works Director
Chief Scales, Public Safety Director

Approved by: Mr. Disher, Town Manager



Town of Ponce Inlet
Town Council
Regular Meeting Minutes
October 19, 2023

4

5
6 **1. CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to
7 order at 6:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

8
9 **2. PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance; she
10 reviewed the protocol for filling out the Citizens' Participation request forms for agenda item #10.

11
12 **3. ROLL CALL:**

13 **Town Council:**

14 Mayor Paritsky, Seat #1
15 Councilmember Milano, Seat #2
16 Councilmember Caswell, Seat #3
17 Councilmember Villanella, Seat #4
18 Vice-Mayor Smith, Seat #5

19
20 **Staff Members Present:**

21 Ms. Cherbano, Town Clerk
22 Mr. Disher, Town Manager
23 Ms. French, Cultural Services Manager
24 Ms. Gjessing, Permit Technician
25 Chief Glazier, Police Chief
26 Mr. Griffith, Public Works Director
27 Mr. Okum, IT Manager
28 Attorney Shephard, Town Attorney
29 Ms. Stewart, Assistant Deputy Clerk
30

31 **4. ADDITIONS, CORRECTIONS, OR DELETIONS TO THE AGENDA.** Mayor
32 Paritsky moved item 5D to 5A; there were no other changes and the agenda section was re-lettered
33 accordingly.

34
35 Mayor Paritsky moved to approve the agenda as amended; seconded by Councilmember Caswell.
36 The motion PASSED 5-0, consensus.

37
38 **5. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:**

39
40 **A. Proclamations:** Mayor Paritsky read the proclamation declaring October 23rd – 31st
41 as *Red Ribbon Week* and presented it to Executive Officer David Owen, Unit Commander Sara
42 Zettlemyer, and the Volusia Young Marines. Commander Zettlemyer explained the mission of
43 the Young Marines. Mayor Paritsky noted that a proclamation declaring the month of October as
44 *Breast Cancer Awareness Month* has also been issued and that copies of both proclamations would
45 be posted in the kiosk at town hall.
46

47 **B. FPL Storm Preparedness:** Florida Power and Light representative Linda
48 Webster-Dubea, Area Manager, External Affairs provided a [presentation](#) on the agency’s
49 equipment upgrades, storm preparedness, and response to power outages before, during, and after
50 hurricanes and other storm-related events.

51
52 **C. Barracks of Hope – Halifax Urban Ministries:** Buck James, Executive Director,
53 provided a [presentation](#) on services provided by HUM’s *Barracks of Hope* to Veterans and
54 expressed the agency’s need for funds to construct new facilities; specifically requesting local
55 governments to consider sponsoring a room at the new facility (\$25,000); Mr. James showed a
56 video of several veterans speaking of how their lives have been dramatically improved through
57 these services. Ralph Maydar, Veteran Services Officer, Commandant David Owen, and Joe
58 Suszinski, a 92-year-old Korean War veteran, shared their stories and hopes for the support and
59 success of this organization. Mr. Disher and Mayor Paritsky noted that funding requests must be
60 considered during the budget process and an official letter should be sent to the Town Manager for
61 placement on a Town Council agenda for consideration. Mr. James noted that there is a ground-
62 breaking ceremony on November 10th at 2:00 p.m. and invited Council and the public to attend.
63 Council briefly discussed the First Step Shelter’s obligation and ideas for fundraisers.

64
65 **D. Progress of Invasive Species removal at the Ponce Preserve:** Barbara Davis
66 provided a comprehensive [presentation](#) on the progress of removing invasive species at Ponce
67 Preserve and reported that several native species have been identified. Council thanked Ms. Davis
68 for organizing this project and for the efforts of the volunteers.

69
70 **6. CONSENT AGENDA:** Mayor Paritsky asked if there was any item Council would like to
71 remove from the consent agenda; there were no requests. Mayor Paritsky asked for public
72 comments – hearing none, she closed public comments.

73
74 **A. Town Council Regular meeting minutes – September 21, 2023.**

75
76 Mayor Paritsky moved to approve the Consent Agenda as presented; seconded by Councilmember
77 Caswell. The motion PASSED 5-0, consensus.

78
79 **7. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**
80 **MEETING**

81
82 **A. Request for use of Town property for the Daytona 100 Ultramarathon event**
83 **on December 9th-10th, 2023.** Ms. French reviewed her [staff report](#) and supporting documents,
84 noting that this is the second year for this event. There were no questions from Council. Mayor
85 Paritsky opened public comment – hearing none, she closed public comment.

86
87 Councilmember Milano moved to approve the co-sponsorship request of the Daytona 100
88 Ultramarathon event; seconded by Councilmember Villanella. The motion PASSED 5-0,
89 consensus.

90
91 **B. Lien Reduction/Abatement request: RFM Properties, LLC – 4591 South**
92 **Atlantic Avenue.** Mr. Hooker [provided a report](#) summarizing the Code Enforcement history of
93 this property, concluding with the lien placed by the Code Enforcement Board due to non-

94 compliance. The owner was required to either repair the structures or demolish them. He stated
95 that the property was brought into compliance on July 25th when the demolition of the structures
96 began. Mr. Mills, owner of the property, apologized for not having the property in compliance and
97 explained that he recently became a caregiver for his mother-in-law after the death of his father-
98 in-law. He stated that after last year's hurricanes, it was difficult to find contractors, so he contacted
99 Samsula Demolition. The structures were then demolished, missing the deadline date by four days.
100 Councilmember Milano stated that this property has been in non-compliance for quite some time
101 and in April there were seven certified mail receipts signed as received. He asked Mr. Mills why
102 it took more than four months to attempt to do anything? Mr. Mills stated the reasons included
103 family issues and the inability to secure a contractor. Mayor Paritsky outlined the timeline and
104 noted that several LLCs and a non-profit are owned by Mr. Mills; the State reports were filed and
105 paid on time; and the property taxes were paid. Vice-Mayor Smith asked if there was any
106 information provided tonight that was not presented to the Code Board; Mr. Hooker replied no and
107 confirmed that no representative from RFM appeared at any of the Code Board meetings.
108 Councilmember Villanella asked for clarification whether Mr. Mills contacted Samsula verbally
109 or in writing – Mr. Mills responded that the contacts were verbal. A discussion ensued between
110 Mr. Mills and the Council. Mayor Paritsky opened public comment – hearing none, she closed
111 public comment.

112
113 Councilmember Milano stated that based on the testimony and evidence, moved to deny the lien
114 reduction/abatement request filed by RFM Properties; seconded by Councilmember Caswell. The
115 motion PASSED 5-0, with the following vote: Councilmember Milano -yes; Councilmember
116 Caswell – yes; Mayor Paritsky – yes; Councilmember Villanella – yes; Vice-Mayor Smith – yes.
117 The request is DENIED.

118
119 **8. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:** None.

120
121 **9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:** None.

122
123 **10. CITIZENS' PARTICIPATION:** Mayor Paritsky opened citizens' participation. Mark
124 Oebbecke, 4758 S. Peninsula Drive: thanked Council for allowing Barracks of Hope to provide a
125 presentation; he noted that the Marine Cadets will be participating in the Christmas parade; the
126 tree canopy is blocking the light along the S. Peninsula Drive sidewalk and encroaching on the
127 power lines; attention needs to be focused on the crosswalk at North Turn Restaurant as pedestrians
128 do not pay attention to traffic; suggested gates or painting the street; thanked Public Works staff
129 for their support of the Community Center. Mr. Disher noted that Atlantic Avenue is a County
130 roadway and they will not install a crosswalk or flashing beacons if it appears to benefit a private
131 entity. Mayor Paritsky closed public participation.

132
133 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

134
135 **A. [Ordinance 2023-05](#).** Attorney Shepard read the Ordinance by title only. AN
136 ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA,
137 AMENDING CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE TOWN'S CODE OF
138 ORDINANCES TO CREATE A CORRESPONDING ALTERNATE SEAT FOR EACH
139 REGULAR SEAT OF THE ESSENTIAL SERVICES ADVISORY BOARD; PROVIDING FOR
140 CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. Mr. Disher

141 noted that this is on the list of Goals for the Clerk’s office and it has been determined that an
142 Alternate Seat for each Regular Seat is needed; the ordinance clarifies language and streamlines
143 review procedures for items that have already gone to the Town Council. Councilmember Caswell
144 asked what types of contracts would no longer be on the ESAB agenda for review, and are there
145 contracts that ESAB previously reviewed? Mr. Disher stated the intent of this ordinance is to align
146 responsibilities with the town’s purchasing policies; and confirmed there are no outstanding
147 contracts that the ESAB has not reviewed. Mayor Paritsky opened public participation – hearing
148 none, she closed public participation.

149 Councilmember Villanella moved to approve first reading of Ordinance 2023-05 as presented;
150 seconded by Councilmember Caswell. The motion PASSED, 5-0 with the following vote:
151 Councilmember Villanella – yes; Councilmember Caswell – yes; Mayor Paritsky – yes;
152 Councilmember Milano – yes; Vice-Mayor Smith – yes.

153
154 **12. OLD BUSINESS:** None.

155
156 **13. NEW BUSINESS:**

157
158 **A. Grant of temporary access and construction easement to Volusia County to**
159 **install “Trap Bags” for shoreline protection at the Ponce Preserve.** Mr. Disher explained that
160 the purpose of the [easement](#) is to allow the County to install “trap bags” at the Ponce Preserve area
161 of the beach to avoid and control further erosion on 876 feet of shoreline. The Easement is a
162 temporary five-year agreement to allow the County and Army Corps of Engineers to clear the area
163 of debris and then begin installation. Councilmember Caswell asked why the need for a five-year
164 easement. Mr. Disher stated that it is standard language but does not mean it will take five years,
165 this is temporary and project-specific. Attorney Shepard read the section of the ordinance that
166 addresses timeline and noted that it depends on when the project starts. Mayor Paritsky opened
167 public participation – Councilmember-elect Skip White explained that each resident along the
168 coastline is required to sign; there will be a meeting with Jessica Fentress, Coastal Division
169 Director and this is free to residents; they are dumping sand and this process started approximately
170 six months ago. Councilmember Caswell asked if there will be notification to residents before the
171 project begins; Mr. White stated that once all the Easements are signed, the Army Corps of
172 Engineers will put the project in their timeline. Howard Paritsky, 4757 S. Atlantic Avenue stated
173 that after their Easement was signed, the trap bags were installed within a week and the owners
174 saved \$100,000 dollars. Mayor Paritsky closed public participation. Vice-Mayor Smith asked if
175 beach access at the Ponce Preserve would be blocked. Mr. Disher replied, no.

176
177 Councilmember Milano moved to grant the 5-year access and construction Easement to Volusia
178 County to enable the installation of trap bags along the coastline of the Ponce Preserve; seconded
179 by Councilmember Caswell. The motion PASSED 5-0, consensus.

180
181 **B. Support for seeking requests for legislative appropriation.** Mr. Disher stated
182 that next week staff from the Town and other municipalities members will be meeting with the
183 Volusia County Legislative Delegation. This meeting occurs once a year and allows municipalities
184 to ask for additional funding, appropriations, and/or changes to policy. [The Town’s proposal](#) is to
185 request funding of three projects: two generators (one at the fire station and one at public works)
186 and providing construction funding for the first phase of the septic-to-sewer project. The

187 generators were approved during the 2023 legislative session but cut from the state budget by the
188 Governor. All of these requests will be for 50/50 funding. Councilmember Caswell asked who Mr.
189 Disher conferred with to determine these items and was there anything left off? Mr. Disher
190 reiterated that some of these are items that were requested last year and cut by the Governor, so he
191 is seeking Council’s support to seek funding for these items again this year. Mayor Paritsky noted
192 that the Septic-to-Sewer project has been under discussion for many years. Councilmember
193 Caswell suggested asking for more funds. Mayor Paritsky opened public comment – hearing none,
194 she closed public comment.

195
196 Council consensus to support seeking requests for legislative appropriations; by consensus, 5-0.
197

198 **C. Discussion of foreclosure on outstanding code enforcement liens for non-**
199 **homesteaded properties.** Mr. Hooker provided a [report](#) indicating the number of liens against
200 non-homesteaded properties and noted that as the owner of the lien, the Town can foreclose on
201 these properties after 90 days of date of filing per state law. He reported that there are eight non-
202 homesteaded properties with liens totaling \$196,160. He noted that this topic was presented and
203 discussed during the September Code Enforcement Board meeting and the members supported
204 sending letters to each of the property owners advising them of their debt and impending
205 foreclosure; he explained the process for how that would transpire. Vice-Mayor Smith asked how
206 long after the lien is filed can foreclosure proceedings begin. Mr. Hooker stated F.S. 162 requires
207 a minimum of 90 days, and property owners would be notified via certified mail. Councilmember
208 Milano noted that Mr. Mills was sent certified mail to seven different addresses; Mr. Hooker stated
209 notices will be sent to all known addresses per F.S. 162.09(3) and that property owners would be
210 given the opportunity to seek a reduction or abatement. Mayor Paritsky opened public comment.
211 Councilmember-elect Skip White, 4885 S. Atlantic Ave - noted that there is a property on the list
212 where a new home is being built; could we deny a construction permit until the lien is paid?
213 Attorney Shepard stated he was unsure as there may be other variables. Mayor Paritsky added that
214 if a lien is reduced, and that amount is not paid within the timeframe given, the lien amount
215 increases to the original lien amount. Mayor Paritsky opened public comment – hearing none, she
216 closed public comment.

217
218 Council authorized staff to begin foreclosure process for non-homesteaded properties; by
219 consensus, 5-0.
220

221 **D. Support for the City of DeBary in proposing amendments to the Live Local**
222 **Act.** Mr. Disher stated that the FL Legislature passed SB 102 this year as a means to remove
223 barriers to and encourage development of affordable housing ([see report](#)). While affordable
224 housing is needed, the Act attempts to achieve it by circumventing local governments’ land use
225 and development codes and zoning laws. The City of DeBary is leading the charge for amendments
226 to the rule by asking for support from local jurisdictions. Mayor Paritsky noted that this item is on
227 the Volusia Elected Officials Roundtable discussion agenda for next week. Councilmembers
228 expressed deep concerns regarding SB 102 and the unintended consequences it could have on local
229 governments. Mayor Paritsky opened public comment – hearing none, she closed public comment.

230
231 Council consensus to support the City of DeBary in requesting amendments to the Live Local Act;
232 5-0.
233

- 234 **14. FROM THE TOWN COUNCIL:**
235
236 **A. Vice-Mayor Smith, Seat #5** – Stated that he had nothing further.
237
238 **B. Councilmember Villanella, Seat #4** – Reiterated his concerns of unintended
239 consequences from bad legislation.
240
241 **C. Councilmember Caswell, Seat #3** – Stated this is her last meeting as a member of
242 Council and requested that everyone support Councilmember-elect White; she noted that
243 Councilmembers devote a lot of time to make the right decisions and engage the public.
244
245 **D. Councilmember Milano, Seat #2** – Thanked PICCI members for donating clothes
246 left from the Yard Sale to the First Step Shelter; noted that since opening in 2019, approximately
247 115 guests were veterans.
248
249 **E. Mayor Paritsky, Seat #1** – Reported that the Coffee and Cake with Volusia County
250 Sheriff Mike Chitwood was a success; it was a packed house and she thanked all who helped her
251 by making and serving the coffee, serving the cake, and welcoming residents to the event; as
252 President of the Volusia League of Cities, she had the opportunity to speak at the Deland and
253 DeBary City Council meetings about bringing new council members into the Leagues’ mentorship
254 program and that workshops and other resources are available to the elected officials; she noted
255 that new and seasoned elected officials should understand the League is a resource and that reading
256 their Municipal Charter, and understanding Sunshine and public records laws are essential for them
257 to be the most effective advocates for their constituents.
258
259 **15. FROM THE TOWN MANAGER** – [See Mr. Disher’s staff report.](#)
260
261 **16. FROM THE TOWN ATTORNEY** – Attorney Shephard stated he had nothing further to
262 report.
263
264 **17. PUBLIC PARTICIPATION (on items 14 – 16 only)** – Mayor Paritsky opened public
265 participation. Mayor Paritsky closed public comment.
266
267 **18. ADJOURNMENT** – With no further business, Mayor Paritsky adjourned the meeting at
268 8:28 p.m.

269
270 Respectfully submitted by:

271
272 Draft

273 Kim Cherbano, CMC / Town Clerk

274 Prepared by: Peg Hunt, CMC / Deputy Clerk



MEMORANDUM
OFFICE OF THE TOWN MANAGER

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Michael E. Disher, AICP, Town Manager
Date: November 1, 2023
Subject: Citizens for Ponce Inlet (C4PI) – Annual Accounting Report

MEETING DATE: November 16, 2023

Pursuant to Resolution 2020-16, C4PI has provided the attached information regarding how the annual \$4,000 contribution from the Town was spent.

The Town has participated in providing newsletter articles for four of the five editions of the C4PI newsletter this year. Town staff does not typically submit articles for the summer election edition, which is intended as a forum for candidates to introduce themselves and respond to questions.

C4PI records and posts Town Council meetings on its website, providing a service to the public not currently offered by the Town. The Town also provides C4PI with copies of public records upon request, which C4PI makes available to its members at no charge, pursuant to its agreement with the Town. In the past, C4PI has also conducted surveys for the Town, such as obtaining feedback to improvements to the dog park.

In accordance with Resolution 2020-16, \$4,000 has been provided in the Town's approved budget for C4PI in the current fiscal year to ensure that the newsletter remains available online at no charge to all Town residents and property owners.

Attachment
C4PI 202 Annual Accounting Report



October 29, 2023

Mr. Mike Disher, Town Manager
Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, Florida 32127

Re: Citizens for Ponce Inlet Newsletter Agreement

Dear Mr. Disher

On May 18, 2023, the Department of the Treasury officially granted 501c3 Public Charity status to the Citizens for Ponce Inlet, Inc. organization. We take immense pride in this achievement, and we want to assure your community that both our Board and Advisory Board Volunteers remain committed to delivering essential services.

2023 signifies the 40th anniversary of CFPI's newsletter distribution to Ponce Inlet residents. You can easily access four decades' worth of intriguing and historical information in the Newsletter Section on our website, completely free of charge. Our Quarterly Newsletters, along with the Annual Election Edition are directly emailed to our members.

Promoting and Improving the Quality of Life in the Town of Ponce Inlet

info@C4Pi.org Citizens For Ponce Inlet, Inc.
c/o Ponce Inlet Community Center
4670 S. Peninsula Dr., Ponce Inlet, FL 32127 www.C4Pi.org

In 2022 we were able to mail a paper-based Election Edition Newsletter to every resident. Regrettably, due to the associated costs, we couldn't replicate this effort in the current year. Nevertheless, in 2023, we've been shifting many volunteer responsibilities to NSB Hosting. This transition, while incurring some additional expenses, provides us with greater flexibility in serving our residents.

In accordance with the Citizens for Ponce Inlet (C4Pi) Newsletter Agreement with the Town, concerning the Town's contribution of \$4,000 for the CFPI/Town Digital Newsletter in the fiscal year 2022-2023, I'm providing the following financial breakdown:

CFPI Expenses from October 1, 2022, to September 30, 2023:

- Telecom Email Subscription Service, Web Hosting & Cloud Storage, Per Diem Tech Support, and NSB payments: **\$1,569.16**
- Expense or Citizen of the Year & Lifetime Achievement Awards Dinner, Miscellaneous Accounting for Florida Dept. of State & Federal Services for 501c3 filing, Vimeo & Video Dropbox Storage **\$3,998.72**
- Unpaid Invoices for Newsletter Design & Creation. **\$850.00**

TOTAL ANNUAL EXPENSE: \$6,417.87

Our organization is grateful for the inclusion of Town information in our newsletter, and we sincerely hope that you are content with the services we offer. Your ongoing support is greatly appreciated.

Warm regards,



Judy DiCarlo, President
Sue Fillion, Treasurer



MEMORANDUM

TOWN OF PONCE INLET, PUBLIC WORKS DEPARTMENT

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet residents obtain the greatest value for their tax dollar.

To: Michael E. Disher, AICP, Town Manager
 From: Fred W. Griffith, P.E., Public Works Director
 Date: October 27, 2023
 Subject: Request to approve "Piggyback" Contract with Sweeping Corps of America for the Phase II Stormwater System Cleaning

MEETING DATE: November 16, 2023

In January of 2023, the Town Council approved the implementation of Phase I of the stormwater drainage system evaluation and maintenance program. This program was initiated after last year's unprecedented rainfall and resulting flooding from Hurricane Ian, and was recommended by the Essential Services Advisory Board (ESAB). The Town has three miles, or 16,560 feet, of storm pipes that need to be evaluated periodically and cleaned if needed. Phase I of the program focused on the south half of Town where the worst flooding occurred. The maintenance program documented the existing conditions of the system, identified stormwater pipes that needed to be cleaned, and started the cleaning process. The Town entered into a contract with Sweeping Corp of America (SCA), as part of a cooperative purchasing program, to perform this work.

Phase II of the project will focus on all Town roads north of Calumet Avenue. The Phase II project proposal was reviewed by the ESAB at its March 2023 budget meeting and was approved by the Town Council for the fiscal year 23/24 budget. For Phase II, Staff is requesting to enter into another cooperative purchase agreement with SCA. SCA has provided a current contract awarded through a competitive bid with the City of Orlando. The contract with the City of Orlando is attached for your review, along with the City of Orlando's and SCA's approval to utilize this existing contract's unit prices for the purposes outlined above.

Staff is recommending that the Town accept the stormwater maintenance proposal from SCA. Funds are currently budgeted in the Stormwater Maintenance Account, 001-0039-538-4600 for this previously planned expenditure.

Attachments:

E-mail from City of Orlando
 Existing Orlando Contract
 Cost Proposal from SCA



Via Email: ckentopp@sweepingcorp.com

March 20, 2023

Chris Kentopp
USA Services of Florida, LLC
448 Spring Hammock Ct
Longwood, FL 32805

SUBJECT: Renewal of Term Contract (IFB22-0182-2) Video Inspection and Cleaning of City Stormwater Systems – Amendment One

Dear Chris,

The City of Orlando would like to offer your company the opportunity to extend the existing contract between your company and the City of Orlando.


In accordance with the terms and conditions of this Contract, the Contract may, by mutual assent of the parties, be extended for an additional Twelve (12) month period under the same terms, conditions, and pricing. The current Contract will expire July 17, 2023. In agreeing to the contract renewal by signing below, the **new contract expiration date will be July 17, 2024**

Please indicate your approval of this offer by having an officer of your company execute the acceptance portion below and return to William.resto@orlando.gov .Please submit your response no later than April 14, 2023.

As a part of the renewal process, please send a of your current completed W-9 form and your current insurance certificate, listing the City of Orlando as an additional insured.

Thank you for your immediate attention to this matter.

Sincerely,


David Billingsley, CPSM, C.P.M.
Chief Procurement Officer

ACCEPTANCE

By: Michael Latanza
Official Signature & Date
Michael Latanza
Print Name
VP
Title
7/5/23
Date

Mayor
Buddy Dyer

Chief Procurement Officer
David Billingsley, CPSM, C.P.M.



**CITY OF ORLANDO
INVITATION FOR BIDS (IFB)**

DATE OF ISSUE: MAY 2, 2022

IFB DUE DATE: JUNE 2, 2022

IFB DUE TIME: 2:00 p.m., Local Time, City of Orlando, FL

BID DELIVERY LOCATION: City of Orlando
Procurement and Contracts Division
400 South Orange Avenue, Fourth Floor
Orlando, Florida 32801
Bid opening held at same location.

IFB TITLE: VIDEO INSPECTION AND CLEANING OF CITY
STORMWATER SYSTEMS

IFB NO: IFB22-0182
*(IFB NUMBER MUST BE PLACED ALL SUBMITTALS
DOCUMENTS)*

THIS IS NOT AN ORDER

DIRECT ALL INQUIRIES TO: SILVIA COSTE, CPP, SENIOR PURCHASING AGENT
Phone: (407) 246-2216
Email: silvia.coste@orlando.gov

BUSINESS NAME & ADDRESS	CONTACT INFORMATION
USA Services of Florida, LLC	Rob Stultz
Business Name	Name of Contact Individual
448 Spring Hammock Court	448 Spring Hammock Court
Address	Contact Address
Longwood, FL 32750	Longwood, FL 32750
City, State, Zip	Contact City, State, Zip
407-339-1800	407-470-7310
Telephone Number	Contact Telephone Number
Bids@sweepingcorp.com	Rstultz@sweepingcorp.com
Business Email Address	Contact Email Address



FORMS AND SUBMITTAL DOCUMENTS



ELECTRONIC BID PRICING FORM(S) INSTRUCTIONS

This Solicitation uses an Electronic Bid Price Form. You may download the Microsoft Excel spreadsheet from VendorLink.

Complete the Electronic Bid Price Form using Microsoft Excel. Insert your **Vendor Name, City, State and Zip** in the fields located at the top of the form (in yellow). The Electronic Bid Price Form has been designed to allow the vendor to insert data into the appropriate unlocked fields. These fields are labeled Part No., Manufacturer, and Firm Unit Price. For convenience, the Electronic Bid Price Form will automatically calculate and total. If you are submitting a “no bid” item or have an item that is “no charge” to the City, put a **zero (0)** in that field. Do not put “no bid”, “no charge” or N/A in that field.

Once complete, “save as” the Electronic Bid Price Form. **Return (1) copy of your completed Bid Price Form in excel format together with your completed Invitation for Bids submittal** electronically, by the due date and time specified herein. Again, ensure your **Vendor Name, City, State and Zip** are included on both the Microsoft Excel spreadsheet and bid response to the City. Be sure to save a copy for yourself as well.

If you need further assistance in obtaining the Electronic Bid Price Form, you may contact the Procurement and Contracts Division at (407) 246-2291 and we would be more than happy to assist you.

***** NOTE: BID PRICE FORM MUST BE SUBMITTED IN EXCEL WITH A HARD COPY. *****

REVISED ELECTRONIC BID PRICE FORM

You are invited to Bid on the following: **IFB22-0182 , Video Inspection and Cleaning Services of Stormwater Systems**

THE BIDDER, HAVING EXAMINED CAREFULLY THE SPECIFICATIONS, TERMS AND CONDITIONS HEREIN, PROPOSES TO FURNISH ALL LABOR, MATERIALS, EQUIPMENT AND OTHER ITEMS, FACILITIES AND SERVICES, WITHOUT EXCEPTIONS FOR THE PROPER EXECUTION AND COMPLETION OF THE CONTRACT, AND IF AWARDED THE CONTRACT, TO COMPLETE THE SAID WORK WITHIN TIME LIMITS AS SPECIFIED FOR THE FOLLOWING BID PRICES. BIDDERS MUST BID ON ALL LINE ITEMS.

USA Services of Florida, LLC

448 Spring Hammock Court

Longwood, FL 32750

↑(Vendor Name, Address, City, State, Zip)↑

Item	Description	Quantity	Unit	Unit Price (numbers only)	Total
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GROUP I - Storm Sewer Cleaning

1	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 15 inch thru 24 inch	1000	LF	\$7.50	\$7,500.00
2	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 30 inch thru 48 inch	1000	LF	\$10.00	\$10,000.00
3	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 54 inch thru 78 inch	1000	LF	\$20.00	\$20,000.00
4	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 84 inch thru 120 inch	1000	LF	\$30.00	\$30,000.00
5	Heavy Cleaning (debris & sediment fills 30% to 100%) pipe sizes 15 inch thru 24 inch	1000	LF	\$5.00	\$5,000.00
6	Heavy Cleaning (debris & sediment fills 30% to 100%) 30 inch thru 48 inch	1000	LF	\$7.50	\$7,500.00
7	Heavy Cleaning (debris & sediment fills 30% to 100%) 54 inch thru 78 inch	1000	LF	\$17.50	\$17,500.00
8	Heavy Cleaning (debris & sediment fills 30% to 100%) 84 inch thru 120 inch	500	LF	\$22.50	\$11,250.00
Subtotal for Group I Storm Sewer Cleaning:					\$108,750.00

GROUP II - Storm Line Plugs

9	Pipes sizes from 15 inch thru 24 inch				
9a	Per Day	5	EA	\$150.00	\$750.00
9b	7 Day Period minimum	2	EA	\$500.00	\$1,000.00
9c	30 Day Period minimum	1	EA	\$1,200.00	\$1,200.00
10	Pipes sizes from 30 inch thru 48 inch				
10a	Per Day	5	EA	\$250.00	\$1,250.00
10b	7 Day Period minimum	2	EA	\$650.00	\$1,300.00
10c	30 Day Period minimum	1	EA	\$1,500.00	\$1,500.00
11	Pipes sizes from 54 inch thru 78 inch				
11a	Per Day	5	EA	\$600.00	\$3,000.00

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REVISED ELECTRONIC BID PRICE FORM

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USA Services of Florida, LLC

448 Spring Hammock Court

Longwood, FL 32750

↑(Vendor Name, Address, City, State, Zip)↑

Item	Description	Quantity	Unit	Unit Price (numbers only)	Total
11b	7 Day Period minimum	2	EA	\$1,000.00	\$2,000.00
11c	30 Day Period minimum	1	EA	\$2,500.00	\$2,500.00
12	Pipes sizes from 84 inch thru 120 inch				
12a	Per Day	5	EA	\$1,000.00	\$5,000.00
12b	7 Day Period minimum	2	EA	\$1,750.00	\$3,500.00
12c	30 Day Period minimum	1	EA	\$5,000.00	\$5,000.00
Subtotal for Group II Storm Line Plugs:					\$28,000.00

GROUP III - Storm Sewer Video Inspection/Recording

13	Video Inspection/Recording of pipe sizes from 15 inch thru 24 inch	1000	LF	\$4.00	\$4,000.00
14	Video Inspection/Recording of pipe sizes from 30 inch thru 48 inch	1000	LF	\$4.00	\$4,000.00
15	Video Inspection/Recording of pipe sizes from 54 inch thru 78 inch	1000	LF	\$4.00	\$4,000.00
16	Video Inspection/Recording of pipe sizes from 84 inch thru 120 inch	1000	LF	\$4.00	\$4,000.00
Subtotal for Group III Storm Sewer Video Inspection/Recording:					\$16,000.00

GROUP IV - Dewatering Storm Lines

17	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. Pipe sizes 0 inch thru 36 inch	1000	LF	\$6.50	\$6,500.00
18	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. Pipe sizes 48 inch thru 60 inch	1000	LF	\$7.00	\$7,000.00
19	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. pipe sizes 66 inch thru 84 inch	1000	LF	\$7.50	\$7,500.00
20	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. pipe sizes 96 inch thru 120 inch	1000	LF	\$8.00	\$8,000.00
Subtotal for Group IV Dewatering Storm Lines					\$29,000.00

21	4 joints or less - 15 inch (Unit Price is per joint.)	1	EA	\$200.00	\$200.00
22	5 joints or more - 15 inch (Unit Price is per joint.)	1	EA	\$200.00	\$200.00
23	4 joints or less - 18 inch (Unit Price is per joint.)	1	EA	\$250.00	\$250.00
24	5 joints or more - 18 inch (Unit Price is per joint.)	1	EA	\$250.00	\$250.00
25	4 joints or less - 24 inch (Unit Price is per joint.)	1	EA	\$250.00	\$250.00

*** NOTE: BID PRICE FORM MUST BE SUBMITTED IN EXCEL WITH A HARD COPY. ***

REVISED ELECTRONIC BID PRICE FORM

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THE BIDDER, HAVING EXAMINED CAREFULLY THE SPECIFICATIONS, TERMS AND CONDITIONS HEREIN, PROPOSES TO FURNISH ALL LABOR, MATERIALS, EQUIPMENT AND OTHER ITEMS, FACILITIES AND SERVICES, WITHOUT EXCEPTIONS FOR THE PROPER EXECUTION AND COMPLETION OF THE CONTRACT, AND IF AWARDED THE CONTRACT, TO COMPLETE THE SAID WORK WITHIN TIME LIMITS AS SPECIFIED FOR THE FOLLOWING BID PRICES. **BIDDERS MUST BID ON ALL LINE ITEMS.**

USA Services of Florida, LLC
 448 Spring Hammock Court
 Longwood, FL 32750
 ↑(Vendor Name, Address, City, State, Zip)↑

Item	Description	Quantity	Unit	Unit Price (numbers only)	Total
26	5 joints or more - 24 inch (Unit Price is per joint.)	1	EA	\$250.00	\$250.00
27	4 joints or less - 30 inch (Unit Price is per joint.)	1	EA	\$300.00	\$300.00
28	5 joints or more - 30 inch (Unit Price is per joint.)	1	EA	\$300.00	\$300.00
29	4 joints or less - 36 inch (Unit Price is per joint.)	1	EA	\$300.00	\$300.00
30	5 joints or more - 36 inch (Unit Price is per joint.)	1	EA	\$300.00	\$300.00
31	4 joints or less - 42 inch (Unit Price is per joint.)	1	EA	\$350.00	\$350.00
32	5 joints or more - 42 inch (Unit Price is per joint.)	1	EA	\$350.00	\$350.00
33	4 joints or less - 48 inch (Unit Price is per joint.)	1	EA	\$350.00	\$350.00
34	5 joints or more - 48 inch (Unit Price is per joint.)	1	EA	\$350.00	\$350.00
35	4 joints or less - 54 inch (Unit Price is per joint.)	1	EA	\$400.00	\$400.00
36	5 joints or more - 54 inch (Unit Price is per joint.)	1	EA	\$400.00	\$400.00
37	4 joints or less - 60 inch (Unit Price is per joint.)	1	EA	\$400.00	\$400.00
38	5 joints or more - 60 inch (Unit Price is per joint.)	1	EA	\$400.00	\$400.00
39	4 joints or less - 66 inch (Unit Price is per joint.)	1	EA	\$450.00	\$450.00
40	5 joints or more - 66 inch (Unit Price is per joint.)	1	EA	\$450.00	\$450.00
41	4 joints or less - 72 inch (Unit Price is per joint.)	1	EA	\$450.00	\$450.00
42	5 joints or more - 72 inch (Unit Price is per joint.)	1	EA	\$450.00	\$450.00
43	4 joints or less - 84 inch (Unit Price is per joint.)	1	EA	\$500.00	\$500.00
44	5 joints or more - 84 inch (Unit Price is per joint.)	1	EA	\$500.00	\$500.00
45	4 joints or less - 96 inch (Unit Price is per joint.)	1	EA	\$500.00	\$500.00
46	5 joints or more - 96 inch (Unit Price is per joint.)	1	EA	\$500.00	\$500.00
47	4 joints or less 108 inch (Unit Price is per joint.)	1	EA	\$550.00	\$550.00
48	5 joints or more - 108 inch (Unit Price is per joint.)	1	EA	\$550.00	\$550.00
49	4 joints or less 120 inch (Unit Price is per joint.)	1	EA	\$550.00	\$550.00
50	5 joints or more - 120 inch (Unit Price is per joint.)	1	EA	\$550.00	\$550.00
Subtotal for Group V Joint Repair (Chemical Group):					\$11,600.00
51	Mobilization for job with requirements of installing 1 to 10 internal joint seals for pipe size of 24 in. to 48 in.	1	LS	\$1,000.00	\$1,000.00
52	Mobilization for job with requirements of installing 11 and over internal joint seals for pipe size of 24 in. to 48 in.	1	LS	\$1,000.00	\$1,000.00
53	Mobilization for job with requirements of installing 1 to 10 internal joint seals for pipe size of 54 in. to 78 in.	1	LS	\$1,000.00	\$1,000.00

IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall

Vendor's Name	EnviroWaste Services Group, Inc.	B & D Enterprises	Altair Environmental Group
Vendor's Address, City & State:	Miami, FL	Winter Springs, FL	Longwood, FL

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
GROUP I - Storm Sewer Cleaning									
1	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 15 inch thru 24 inch	1000	LF	\$1.00	\$1,000.00	\$6.00	\$6,000.00	\$6.00	\$6,000.00
2	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 30 inch thru 48 inch	1000	LF	\$1.00	\$1,000.00	\$8.00	\$8,000.00	\$7.25	\$7,250.00
3	General Cleaning (debris & sediment fills 0% to 29% of diameter) pipe sizes 54 inch thru 78 inch	1000	LF	\$1.00	\$1,000.00	\$30.00	\$30,000.00	\$8.00	\$8,000.00
4	Heavy Cleaning (debris & sediment fills 30% to 100%) pipe sizes 15 inch thru 24 inch	1000	LF	\$1.00	\$1,000.00	\$35.00	\$35,000.00	\$15.50	\$15,500.00
5	Heavy Cleaning (debris & sediment fills 30% to 100%) 30 inch thru 48 inch	1000	LF	\$1.00	\$1,000.00	\$2.50	\$2,500.00	\$6.00	\$6,000.00
6	Heavy Cleaning (debris & sediment fills 30% to 100%) 54 inch thru 78 inch	1000	LF	\$1.00	\$1,000.00	\$5.50	\$5,500.00	\$7.25	\$7,250.00
7	Heavy Cleaning (debris & sediment fills 30% to 100%)	1000	LF	\$1.00	\$1,000.00	\$14.00	\$14,000.00	\$8.00	\$8,000.00

**IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall**

Vendor's Name		EnviroWaste Services Group, Inc. Miami, FL	B & D Enterprises Winter Springs, FL	Altair Environmental Group Longwood, FL
Vendor's Address, City & State:				

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
15	Video Inspection/Recording of pipe sizes from 54 inch thru 78 inch	1000	LF	\$20.00	\$20,000.00	\$1.25	\$1,250.00	\$7.00	\$7,000.00
16	Video Inspection/Recording of pipe sizes from 84 inch thru 120 inch	1000	LF	\$25.00	\$25,000.00	\$1.25	\$1,250.00	\$5.00	\$5,000.00
Subtotal for Group III Storm Sewer Video Inspection/Recording:					\$64,000.00		\$8,500.00		\$22,500.00

GROUP IV - Dewatering Storm Lines									
17	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. pipe sizes 0 inch thru 36 inch	1000	LF	\$0.01	\$10.00	\$6.50	\$6,500.00	\$5.00	\$5,000.00
18	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. pipe sizes 48 inch thru 60 inch	1000	LF	\$0.01	\$10.00	\$6.50	\$6,500.00	\$5.00	\$5,000.00
19	Price is per linear foot to include all mobilization, materials, manpower, plugs and incidentals to dewater stormwater lines and associated structures. pipe sizes 66 inch thru 84 inch	1000	LF	\$0.01	\$10.00	\$6.50	\$6,500.00	\$5.00	\$5,000.00

IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall

Vendor's Name	EnviroWaste Services Group, Inc.	B & D Enterprises	Altair Environmental Group
Vendor's Address, City & State:	Miami, FL	Winter Springs, FL	Longwood, FL

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
Subtotal for Group IV Dewatering Storm Lines					\$40.00		\$26,000.00		\$20,000.00
GROUP V - Joint Repair (Chemical Grout)									
21	4 joints or less - 15 inch (Unit Price is per joint.)	1	EA	\$75.00	\$75.00	\$10.00	\$10.00	\$65.00	\$65.00
22	5 joints or more - 15 inch (Unit Price is per joint.)	1	EA	\$50.00	\$50.00	\$200.00	\$200.00	\$60.00	\$60.00
23	4 joints or less - 18 inch (Unit Price is per joint.)	1	EA	\$85.00	\$85.00	\$10.00	\$10.00	\$65.00	\$65.00
24	5 joints or more - 18 inch (Unit Price is per joint.)	1	EA	\$60.00	\$60.00	\$200.00	\$200.00	\$60.00	\$60.00
25	4 joints or less - 24 inch (Unit Price is per joint.)	1	EA	\$100.00	\$100.00	\$10.00	\$10.00	\$175.00	\$175.00
26	5 joints or more - 24 inch (Unit Price is per joint.)	1	EA	\$80.00	\$80.00	\$200.00	\$200.00	\$160.00	\$160.00
27	4 joints or less - 30 inch (Unit Price is per joint.)	1	EA	\$140.00	\$140.00	\$10.00	\$10.00	\$250.00	\$250.00
28	5 joints or more - 30 inch (Unit Price is per joint.)	1	EA	\$100.00	\$100.00	\$200.00	\$200.00	\$170.00	\$170.00
29	4 joints or less - 36 inch (Unit Price is per joint.)	1	EA	\$200.00	\$200.00	\$10.00	\$10.00	\$350.00	\$350.00
30	5 joints or more - 36 inch (Unit Price is per joint.)	1	EA	\$120.00	\$120.00	\$200.00	\$200.00	\$200.00	\$200.00
31	4 joints or less - 42 inch (Unit Price is per joint.)	1	EA	\$200.00	\$200.00	\$20.00	\$20.00	\$375.00	\$375.00
32	5 joints or more - 42 inch (Unit Price is per joint.)	1	EA	\$130.00	\$130.00	\$250.00	\$250.00	\$300.00	\$300.00
33	4 joints or less - 48 inch (Unit Price is per joint.)	1	EA	\$250.00	\$250.00	\$20.00	\$20.00	\$450.00	\$450.00
34	5 joints or more - 48 inch (Unit Price is per joint.)	1	EA	\$150.00	\$150.00	\$250.00	\$250.00	\$400.00	\$400.00

IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall

Vendor's Name	EnviroWaste Services Group, Inc. Miami, FL	B & D Enterprises Winter Springs, FL	Altair Environmental Group Longwood, FL
Vendor's Address, City & State:			

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
36	5 joints or more - 54 inch (Unit Price is per joint.)	1	EA	\$150.00	\$150.00	\$350.00	\$350.00	\$500.00	\$500.00
37	4 joints or less - 60 inch (Unit Price is per joint.)	1	EA	\$275.00	\$275.00	\$20.00	\$20.00	\$650.00	\$650.00
38	5 joints or more - 60 inch (Unit Price is per joint.)	1	EA	\$150.00	\$150.00	\$400.00	\$400.00	\$600.00	\$600.00
39	4 joints or less - 66 inch (Unit Price is per joint.)	1	EA	\$300.00	\$300.00	\$20.00	\$20.00	\$750.00	\$750.00
40	5 joints or more - 66 inch (Unit Price is per joint.)	1	EA	\$160.00	\$160.00	\$300.00	\$300.00	\$700.00	\$700.00
41	4 joints or less - 72 inch (Unit Price is per joint.)	1	EA	\$325.00	\$325.00	\$20.00	\$20.00	\$850.00	\$850.00
42	5 joints or more - 72 inch (Unit Price is per joint.)	1	EA	\$170.00	\$170.00	\$350.00	\$350.00	\$800.00	\$800.00
43	4 joints or less - 84 inch (Unit Price is per joint.)	1	EA	\$350.00	\$350.00	\$20.00	\$20.00	\$950.00	\$950.00
44	5 joints or more - 84 inch (Unit Price is per joint.)	1	EA	\$180.00	\$180.00	\$350.00	\$350.00	\$900.00	\$900.00
45	4 joints or less - 96 inch (Unit Price is per joint.)	1	EA	\$375.00	\$375.00	\$20.00	\$20.00	\$1,050.00	\$1,050.00
46	5 joints or more - 96 inch (Unit Price is per joint.)	1	EA	\$190.00	\$190.00	\$400.00	\$400.00	\$1,000.00	\$1,000.00
47	4 joints or less 108 inch (Unit Price is per joint.)	1	EA	\$400.00	\$400.00	\$20.00	\$20.00	\$1,200.00	\$1,200.00
48	5 joints or more - 108 inch (Unit Price is per joint.)	1	EA	\$200.00	\$200.00	\$400.00	\$400.00	\$1,100.00	\$1,100.00
49	4 joints or less 120 inch (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$20.00	\$20.00	\$1,700.00	\$1,700.00
50	5 joints or more - 120 inch (Unit Price is per joint.)	1	EA	\$250.00	\$250.00	\$400.00	\$400.00	\$2,000.00	\$2,000.00
Subtotal for Group V Joint Repair									

44,400.00

44,400.00

44,400.00

**IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall**

Vendor's Name	EnviroWaste Services Group, Inc. Miami, FL	B & D Enterprises Winter Springs, FL	Altair Environmental Group Longwood, FL
Vendor's Address, City & State:			

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
51	Mobilization for job with requirements of installing 1 to 10 internal joint seals for pipe size of 24 in. to 48 in.	1	LS	\$1.00	\$1.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00
52	Mobilization for job with requirements of installing 11 and over internal joint seals for pipe size of 24 in. to 48 in.	1	LS	\$1.00	\$1.00	\$10.00	\$10.00	\$500.00	\$500.00
53	Mobilization for job with requirements of installing 1 to 10 internal joint seals for pipe size of 54 in. to 78 in.	1	LS	\$1.00	\$1.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00
54	Mobilization for job with requirements of installing 11 and over internal joint seals for pipe size of 54 in. to 78 in.	1	LS	\$1.00	\$1.00	\$10.00	\$10.00	\$500.00	\$500.00
55	Mobilization for job with requirements of installing 1 to 10 internal joint seals for pipe size of 84 in. to 120 in.	1	LS	\$1.00	\$1.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00
56	Mobilization for job with requirements of installing 11 and over internal joint seals for pipe size of 84 in. to 120 in.	1	LS	\$1.00	\$1.00	\$10.00	\$10.00	\$500.00	\$500.00
57	For 24 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$700.00	\$700.00	\$670.00	\$670.00
58	For 24 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$300.00	\$300.00	\$623.10	\$623.10

**IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall**

Vendor's Name	EnviroWaste Services Group, Inc.	B & D Enterprises	Altair Environmental Group
Vendor's Address, City & State:	Miami, FL	Winter Springs, FL	Longwood, FL

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
59	For 30 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$700.00	\$700.00	\$740.00	\$740.00
60	For 30 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$300.00	\$300.00	\$688.20	\$688.20
61	For 36 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$800.00	\$800.00	\$920.00	\$920.00
62	For 36 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$500.00	\$500.00	\$400.00	\$400.00	\$855.60	\$855.60
63	For 42 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$650.00	\$650.00	\$1,200.00	\$1,200.00	\$980.00	\$980.00
64	For 42 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$650.00	\$650.00	\$500.00	\$500.00	\$911.40	\$911.40
65	For 48 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$650.00	\$650.00	\$1,200.00	\$1,200.00	\$1,080.00	\$1,080.00
66	For 48 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$650.00	\$650.00	\$600.00	\$600.00	\$1,004.40	\$1,004.40
67	For 54 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$650.00	\$650.00				

**IFB17-0194 Video Inspection and Cleaning of City Stormwater Facilities
 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall**

Vendor's Name		EnviroWaste Services Group, Inc.	B & D Enterprises	Altair Environmental Group
Vendor's Address, City & State:		Miami, FL	Winter Springs, FL	Longwood, FL

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
68	For 54 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$650.00	\$650.00	\$500.00	\$500.00	\$1,088.10	\$1,088.10
69	For 60 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$950.00	\$950.00	\$1,400.00	\$1,400.00	\$1,450.00	\$1,450.00
70	For 60 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$950.00	\$950.00	\$500.00	\$500.00	\$1,740.00	\$1,740.00
71	For 66 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$950.00	\$950.00	\$1,400.00	\$1,400.00	\$1,348.50	\$1,348.50
72	For 66 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$950.00	\$950.00	\$500.00	\$500.00	\$1,618.20	\$1,618.20
73	For 72 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$950.00	\$950.00	\$1,400.00	\$1,400.00	\$1,900.00	\$1,900.00
74	For 72 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$950.00	\$950.00	\$600.00	\$600.00	\$1,767.00	\$1,767.00
75	For 78 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$1,250.00	\$1,250.00	\$1,200.00	\$1,200.00	\$2,020.00	\$2,020.00
76	For 78 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$1,250.00	\$1,250.00	\$500.00	\$500.00	\$1,878.60	\$1,878.60

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 Bid Opening June 14, 2017 at 2:00 p.m. Marlin Conference Room, 4th Floor City Hall**

Vendor's Name	EnviroWaste Services Group, Inc.	B & D Enterprises	Altair Environmental Group
Vendor's Address, City & State:	Miami, FL	Winter Springs, FL	Longwood, FL

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
77	For 84 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$1,250.00	\$1,250.00	\$1,800.00	\$1,800.00	\$2,260.00	\$2,260.00
78	For 84 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$1,250.00	\$1,250.00	\$400.00	\$400.00	\$2,101.88	\$2,101.88
79	For 90 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$1,250.00	\$1,250.00	\$1,800.00	\$1,800.00	\$2,380.00	\$2,380.00
80	For 90 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$1,250.00	\$1,250.00	\$400.00	\$400.00	\$2,213.40	\$2,213.40
81	For 96 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$1,450.00	\$1,450.00	\$2,200.00	\$2,200.00	\$2,510.00	\$2,510.00
82	For 96 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$1,450.00	\$1,450.00	\$600.00	\$600.00	\$2,334.30	\$2,334.30
83	For 102 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$1,450.00	\$1,450.00	\$2,500.00	\$2,500.00	\$2,630.00	\$2,630.00
84	For 102 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$1,450.00	\$1,450.00	\$600.00	\$600.00	\$2,445.90	\$2,445.90
85	For 108 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA						

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Vendor's Name	EnviroWaste Services Group, Inc. Miami, FL	B & D Enterprises Winter Springs, FL	Altair Environmental Group Longwood, FL
Vendor's Address, City & State:			

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
86	For 108 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$1,450.00	\$1,450.00	\$500.00	\$500.00	\$2,576.10	\$2,576.10
87	For 120 in. host pipe, for job with requirement of 1 to 10 internal joint seals. (Unit Price is per joint.)	1	EA	\$2,100.00	\$2,100.00	\$2,500.00	\$2,500.00		\$4,200.00
88	For 120 in. host pipe, from 11 and over internal joint seals. (Unit Price is per joint.)	1	EA	\$2,100.00	\$2,100.00	\$700.00	\$700.00	\$4,200.00	\$4,200.00
Subtotal for Group VI Internal Joint Seals (Rubber):					\$33,006.00		\$32,060.00		\$63,074.68

GROUP VII - Miscellaneous Services									
89	Radar Inspection	100	Hour	\$45.00	\$4,500.00	\$45.00	\$4,500.00	\$65.00	\$6,500.00
90	Cement Based Grout Injection	500	CF	\$25.00	\$12,500.00	\$40.00	\$20,000.00	\$20.00	\$10,000.00
91	Drill and Patch Holes	100	EA	\$1.00	\$100.00	\$5.00	\$500.00	\$45.00	\$4,500.00
92	Cracks All Pipes Sizes	250	LF	\$20.00	\$5,000.00	\$25.00	\$6,250.00	\$45.00	\$11,250.00
93	Commercial Diving Team services - Job Specific	24	Hour	\$100.00	\$2,400.00	\$500.00	\$12,000.00	\$350.00	\$8,400.00
Subtotal for Group VII Miscellaneous Services					\$24,500.00		\$43,250.00		\$40,650.00
Calculated Grand Total (Groups I, II, III, IV, V, VI, VII)					\$151,661.00		\$266,110.00		\$247,204.68

*** Note: Recheck your data prior to submission. Bids may not be changed after being opened. ***

Vector Truck Service									
94	1010 S. Westmoreland Avenue, Orlando FL Wash Rack to Empty the Waste Water Holding Tanks for the Truck Wash Runoff	26	LS	\$500.00	\$13,000.00	\$1,000.00	\$26,000.00	\$2,000.00	\$52,000.00
Hourly rate for Vector, operator and									

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Vendor's Name	EnviroWaste Services Group, Inc. Miami, FL	B & D Enterprises Winter Springs, FL	Altair Environmental Group Longwood, FL
Vendor's Address, City & State:			

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
96	Hourly rate for after hour response for Vactor, operator and helper for week days 7 pm to 7 am and weekends	80	Hour	\$150.00	\$12,000.00	\$50.00	\$4,000.00	\$300.00	\$24,000.00
Subtotal for Group Vactor Truck Service					\$37,000.00		\$46,000.00		\$96,000.00
Stormwater Baffle Boxes, C.D.S., Stormceptors									
CDS Units									
	GIS ID #	Location Address			Total				
97	HB-30-054	746 Terrace Blvd.	1	LS	\$750.00		\$1,500.00		\$1,500.00
98	HB-23-013	714 Wilkenson Street	1	LS	\$750.00		\$1,500.00		\$1,500.00
99	LW-10-092	1009 Bryn Mawr Street	1	LS	\$750.00		\$1,500.00		\$1,500.00
100	BC-19-490	2721 Lake Holden Terrace	1	LS	\$750.00		\$1,500.00		\$1,500.00
Subtotal for CDS units					\$3,000.00		\$6,000.00		\$6,000.00
Stormceptors									
101	HB-25-255	319 East Princeton Street	1	LS	\$750.00		\$1,500.00		\$2,100.00
102	HB-25-289	2211 North Orange Ave.	1	LS	\$750.00		\$1,500.00		\$2,100.00
103	N/A	2100 Alden Drive	1	LS	\$750.00		\$1,500.00		\$2,100.00
104	HB-26-091	401 West Livingston Place	1	LS	\$750.00		\$1,500.00		\$2,100.00
105	N/A	1416 Atlanta Avenue	1	LS	\$750.00		\$1,500.00		\$2,100.00
Subtotal for Stormceptors					\$3,750.00		\$7,500.00		\$10,500.00
Baffle Boxes									
106	HB-23-104	810 Wilkerson Ave.	1	LS	\$750.00		\$250.00		\$4,250.00
107	HB-25-009	582 Ivanhoe Plaza	1	LS	\$750.00		\$250.00		\$4,250.00
108	HB-25-097	1324 Poinsettia Ave.	1	LS	\$750.00		\$250.00		\$4,250.00

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Vendor's Name	EnviroWaste Services Group, Inc.	B & D Enterprises	Altair Environmental Group
Vendor's Address, City & State:	Miami, FL	Winter Springs, FL	Longwood, FL

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
111	HB-27-004 960 South Lake Adair Blvd.		1	LS	\$750.00		\$250.00		\$4,250.00
112	HB-27-017 1030 West Lake Adair Blvd.		1	LS	\$750.00		\$1,000.00		\$4,250.00
113	HB-28-059 1507 Spring Lake Drive		1	LS	\$750.00		\$250.00		\$4,250.00
114	HB-28-125 1164 Overbrook Drive		1	LS	\$750.00		\$250.00		\$4,250.00
115	HB-28-159 1275 Spring Lake Drive		1	LS	\$750.00		\$250.00		\$4,250.00
116	HB-29-515 578 West Concord Street		1	LS	\$750.00		\$250.00		\$4,250.00
117	HB-34-019 1515 Falcon Court		1	LS	\$750.00		\$250.00		\$4,250.00
118	LW-10-002 1227 West Yale Street		1	LS	\$750.00		\$1,000.00		\$4,250.00
119	LW-10-004 2609 Ardsley Drive		1	LS	\$750.00		\$250.00		\$4,250.00
120	LW-10-122 1233 Bryn Mawr Street		1	LS	\$750.00		\$250.00		\$4,250.00
121	LW-10-157 3009 Ardsley Drive		1	LS	\$750.00		\$250.00		\$4,250.00
122	LW-10-161 2717 Ardsley Drive		1	LS	\$750.00		\$250.00		\$4,250.00
123	N/A 1320 SW Ivanhoe Blvd.		1	LS	\$750.00		\$250.00		\$4,250.00
124	N/A 722 West Concord street		1	LS	\$750.00		\$1,000.00		\$4,250.00
125	BC-19-116 3120 Albert Street		1	LS	\$750.00		\$250.00		\$4,250.00
126	BC-19-117 3216 Albert Street		1	LS	\$750.00		\$250.00		\$4,250.00
127	LE-12-120 3303 Hargill Drive		1	LS	\$750.00		\$250.00		\$4,250.00
128	LE-15-079 616 Lake Como Circle		1	LS	\$750.00		\$250.00		\$4,250.00
129	LE-19-037 2301 South Summerlin		1	LS	\$750.00		\$1,000.00		\$4,250.00
130	LE-21-042 1016 Bahama Drive		1	LS	\$750.00		\$250.00		\$4,250.00
131	N/A 818 East Church St.		1	LS	\$750.00		\$250.00		\$4,250.00
132	N/A 520 S. Magnolia Avenue		1	LS	\$750.00		\$250.00		\$4,250.00

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Vendor's Address, City & State:			

Item	Description	Qty	Unit	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total	Unit Price (numbers only)	Total
135	SC-10-1821 2000 Monte Carlo Trail		1	LS	\$750.00				\$4,250.00
136	SC-19-203 621 18th Street		1	LS	\$750.00		\$250.00		\$4,250.00
137	SC-19-231 609 19th Street		1	LS	\$750.00		\$250.00		\$4,250.00
138	SC-13-097 722 West Central Avenue		1	LS	\$750.00		\$250.00		\$4,250.00
Subtotal for Baffle Boxes					\$24,750.00		\$12,750.00		\$140,250.00
GRAND TOTAL OF ALL WORK					\$220,161.00		\$338,360.00		\$499,954.68



Fred W. Griffith, PE
Public Works Director
4875 S. Peninsula Drive
Ponce Inlet, FL 32127

SCA is interested in providing storm water desilting, CCTV, and necessary repairs to the Town of Ponce Inlet at City of Orlando pricing.

Respectfully,

Gabriel Vitale
District Manager



MEMORANDUM
Office of the Public Safety Director

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Michael E. Disher, AICP, Town Manager
From: Daniel Scales, Public Safety Director
Date: November 2, 2023
Subject: Approval of Facilitated Self-Assessment Manual Proposal from Center for Public Safety Excellence in the Amount of \$44,700

MEETING DATE: November 16, 2023

During the FY 23/24 budget process, the Town Council approved funding of a facilitated process for the creation of a Self-Assessment Manual (SAM), which is a required component of fire department accreditation. The Center for Public Safety Excellence (CPSE) will facilitate the process.

Even though CPSE staff will be facilitators during this process, all levels of fire department staff will be involved, with the Deputy Fire Chief being the lead department representative. The SAM will be the final significant component for fire department accreditation, allowing Ponce Inlet to move to the next level of accreditation, from applicant to candidate status.

The SAM project is scheduled to begin in January of 2024 and be completed sometime in August of 2024.

Staff requests the Town Council accept and approve the attached scope-of-work for the SAM creation process in the Amount \$44,700. The CPSE has been identified as the sole-source service provider for this task.



Appendix A: Self-Assessment Manual Facilitation with Site Study
October 12, 2023

Contract Price: \$44,700				
Project Steps	Step Details	Step Timing	Step Responsibility	Step Billing
1. Project Acceptance	<ul style="list-style-type: none"> Finalized statement of work Signed professional services agreement Construction of updated shared web site 	By Friday, December 1, 2023	CPSE and Ponce Inlet Fire Rescue	\$3,725
2. Project Executive Orientation	<ul style="list-style-type: none"> Discussion of final SOW and identification of resources need for each step Overview of the shared web site 	By Friday, December 15, 2023	CPSE	N/A
3. Self-Assessment Writing Team Instruction	<ul style="list-style-type: none"> Instruction of the CFAI Model competencies and writing requirements for agency Self-Assessment Manual 	Tuesday, January 30, 2024 and Wednesday, January 31, 2024	CPSE	\$11,175
4. Upload of SAM Categories 1,3, and 4	<ul style="list-style-type: none"> Agency upload of Category 1 Draft Agency upload of Category 3 Draft Agency upload of Category 4 Draft 	By Friday, March 15, 2024	Ponce Inlet Fire Rescue	N/A
5. Technical Review of Categories 1, 3, and 4	<ul style="list-style-type: none"> Technical Advisor review and comment on Categories 1, 3, and 4 	By Friday, March 22, 2024	CPSE	N/A
6. Upload of SAM Categories 9, 10, and 11	<ul style="list-style-type: none"> Agency upload of Category 9 Draft Agency upload of Category 10 Draft Agency upload of Category 11 Draft 	By Friday, April 26, 2024	Ponce Inlet Fire Rescue	N/A
7. Technical Review of Categories 9, 10, and 11	<ul style="list-style-type: none"> Technical Advisor review and comment on Categories 9, 10 and 11 	By Friday, May 3, 2024	CPSE	\$7,450
8. Upload of SAM Categories 6, 7, and 8	<ul style="list-style-type: none"> Agency upload of Category 6 Draft Agency upload of Category 7 Draft Agency upload of Category 8 Draft 	By Friday, June 7, 2024	Ponce Inlet Fire Rescue	N/A
9. Technical Review of Categories 6, 7, and 8	<ul style="list-style-type: none"> Technical Advisor review and comment on Categories 6, 7, and 8 	By Friday, June 14, 2024	CPSE	N/A
10. Upload of SAM Categories 2 and 5	<ul style="list-style-type: none"> Agency upload of Category 2 Draft Agency upload of Category 5 Draft; Criteria A, B, C, D, E, F, G, H, (I, J, K, L, if applicable) 	By Friday, July 12, 2024	Ponce Inlet Fire Rescue	N/A
11. Technical Review of Categories 2 and 5	<ul style="list-style-type: none"> Technical Advisor review and comment on Category 2, and the Criteria of Category 5 	By Friday, July 19, 2024	CPSE	\$7,450
12. Final SAM Web Meeting (optional)	<ul style="list-style-type: none"> Final technical advisor review and wrap up of SAM categories and criteria CPSE & agency exhibit preparation and site study discussion 	By Friday, July 26, 2024	CPSE and Ponce Inlet Fire Rescue	N/A



Appendix A: Self-Assessment Manual Facilitation with Site Study
October 12, 2023

13. Self-Assessment Site Study	<ul style="list-style-type: none">• Site work activity by 3 technical advisors to evaluate the agency's CFAI model work	Monday, August 19, 2024 through Wednesday, August 21, 2024	CPSE	N/A
14. Self-Assessment Site Study Report	<ul style="list-style-type: none">• Technical advisor report and recommendations for agency to consider before becoming a CFAI candidate agency	By Friday, August 30, 2024	CPSE	\$14,900

Acceptance:

Town of Ponce Inlet, Florida

Initials of Authorized Party: *Mike Disher, Town Manager*

Center for Public Safety Excellence (CPSE)

Initials of Authorized Party: *Debbie Sobotka, COO*



CPSE Technical Advisor Program Professional Services Agreement

This PROFESSIONAL SERVICES AGREEMENT, (together with any attachments referred to below, the "Agreement") is dated as of October 12, 2023, by and between the CENTER FOR PUBLIC SAFETY EXCELLENCE®, INC. ("CPSE"), 1900 Reston Metro Plaza, Suite 600, Reston, Virginia 20190, a Virginia not-for-profit corporation and the Town of Ponce Inlet, Florida ("Agency"), 4300 South Atlantic Avenue, Ponce Inlet, Florida 32127. CPSE® and Agency are also referred to as the "parties" and each as a "party."

The parties, intending legally and equitably to be bound, agree as follows:

1. Recitals

The Agency desires to retain the services of CPSE for the facilitation of a self-assessment manual facilitation with site study for Ponce Inlet Fire Rescue. Appendix A -Statement of Work (SOW) outlines the specific services CPSE will provide to Agency.

2. Fees

Total contract price is \$44,700.00, and Agency shall pay fees in accordance with the schedule of fees and minimum payments included in Appendix A -SOW.

Agency agrees to perform Step Responsibility within the Step Timing as outlined in Appendix A – SOW. Should agency fall more than thirty (30) days behind the schedule, CPSE, at its discretion, may invoice agency an additional 5% per month of the total contract amount for the project delay.

CPSE shall periodically send invoices to Agency, and Agency shall pay CPSE on receipt of such invoice, but in no event later than 30 days after such receipt.

3. Technical Advisors

CPSE Technical Advisors working on projects under this Agreement may perform similar services from time to time for others, and this Agreement shall not prevent CPSE from performing such similar services or restrict CPSE from so assigning the technical advisors provided to Agency under this Agreement. CPSE will make every effort consistent with sound business practices to honor the specific requests of Agency with regard to the assignment of its technical advisors; however, CPSE reserves the sole right to determine the assignment of its technical advisors.

4. Modification of Services

If Agency wishes to change Appendix A -SOW or wishes to obtain additional Services not listed in Appendix A -SOW, Agency through its authorized signatory shall so advise CPSE in writing. If the requested Service is within CPSE's scope, such Services shall be performed following the issuance of a change order. If CPSE performs the Services in response to Agency's written request, the charges for such Services and other terms and conditions of performance shall be governed by this Agreement.

5. Right to Assurance

Whenever one party to this Contract has reason to question, in good faith, the other party's intent to perform according to Appendix A - SOW, the former party may demand that the other party give a written assurance of this intent to perform. If a demand is made, and no written assurance is given within fifteen (15) days, the demanding party may treat this failure as the other party's intent not to perform and as a cause for automatic agreement termination.



CPSE Technical Advisor Program Professional Services Agreement

6. Termination of Services

CPSE or Agency may at any time terminate this agreement upon thirty (30) days prior written notice, stating its intention to terminate and the date upon which such termination shall be effective. Agency shall pay for all services rendered by CPSE up to the effective date of termination within thirty (30) days following the effective date of termination of such services.

7. Rights in Work Product

Unless otherwise agreed by the parties, all services rendered by CPSE under this Agreement and the product of such services manifested in documentation delivered to Agency ("Work Product") shall belong to and be owned by Agency. To the extent such Work Product qualifies as a "work made for hire" under applicable copyright law, it shall be considered a work made for hire, and the copyright shall be owned solely and exclusively by Agency. To the extent such Work Product is not considered as a "work made for hire" under applicable copyright law, CPSE hereby assigns and transfers all of CPSE's right, title and interest in and to such Work Product to Agency. The rights conveyed to Agency pursuant to this Agreement do not include rights to any preexisting CPSE Intellectual Property used, developed and refined by CPSE during CPSE's provision of Services under this Agreement. CPSE shall retain sole and exclusive ownership, right, title and interest, including ownership of copyright, with respect to CPSE's Intellectual Property.

8. Limitation of Liability

No action, regardless of form, arising out of the Services under this Agreement may be brought by either party more than one year after the cause of action has occurred, except that an action for nonpayment may be brought within one year of the date of last payment.

9. Force Majeure

Both parties shall not be held responsible for delay or default due to causes beyond its reasonable control, including but not limited to fire, floods, earthquakes, riot, acts of God or war, civil unrest, major weather event (e.g., tornado, blizzard, etc.), epidemics, pandemics or outbreak of communicable disease, quarantines, and failures of public carrier.

10. Conflict of Interest Statement

CPSE has neither directly, nor indirectly entered into any agreement, participated in any collusion or collusion activity, nor otherwise taken any action which in any way restrict or restraint the competitive nature of this solicitation, including but not limited to, the prior discussion of terms, conditions, pricing or other offer parameters required by this solicitation.

CPSE is not presently suspended or otherwise prohibited from participation in this solicitation or any other contracting to follow thereafter by any government.

Neither CPSE nor anyone associated with CPSE have any potential conflict of interest because of or due to any other clients, contracts, or property interests in this solicitation or the resulting project. In the event that a conflict of interest is identified in the provision of services, CPSE will immediately notify the Agency in writing.

Any person assigned to this project by CPSE shall not serve as a peer assessor for the Commission of Fire Accreditation International (CFAI) for the Agency within a five (5) year time period.



CPSE Technical Advisor Program Professional Services Agreement

11. Notice

Any notice required or permitted to be sent under this Agreement shall be delivered by hand or mailed by certified mail, return receipt requested, or sent by reliable overnight carrier to the address of the parties first set forth in this Agreement.

12. General

This agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

The laws of the State of Florida, United States of America, shall govern this agreement.

This agreement is an integrated writing, executed by the parties after negotiation and discussions of all material provisions. Neither party has relied upon inducements, concessions or representations of the fact, except as set forth in this written agreement and CPSE's proposal.

If any provision or any portion thereof contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable and shall not be affected and shall remain in full force and effect.

In the event of any legal action between the parties hereto to enforce the provisions of this agreement, the prevailing party shall be entitled to reasonable legal fees and costs as fixed by the Court.

THE PARTIES ACKNOWLEDGE THAT THEIR AUTHORIZED REPRESENTATIVES HAVE READ THIS AGREEMENT, UNDERSTAND IT AND AGREE TO BE BOUND BY ITS TERMS AND FURTHER AGREE THAT ALONG WITH ANY STATEMENT OF WORK IT IS THE COMPLETE AND EXCLUSIVE STATEMENT OF THE AGREEMENT BETWEEN THE PARTIES, WHICH SUPERSEDES ALL PROPOSALS, ORAL AND WRITTEN, AND ALL OTHER COMMUNICATIONS BETWEEN THE PARTIES RELATING TO THE SUBJECT MATTER OF THIS AGREEMENT.

Accepted by:

CPSE

X

Debbie Sobotka
Name

Chief Operating Officer
Title

Date

Accepted by:

Town of Ponce Inlet, Florida

X

Mike Disher
Name

Town Manager
Title

Date



MEMORANDUM
TOWN OF PONCE INLET – OFFICE OF THE TOWN MANAGER

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE
 WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

TO: Town Council
FROM: Michael E. Disher, AICP, Town Manager
DATE: November 9, 2023
SUBJECT: Request to change the date of the August 2024 Town Council regular meeting to August 22, 2024

Meeting Date: November 16, 2023

In reviewing the calendar for 2024, the regular Town Council meeting on August 15th conflicts with the Florida League of Cities annual conference August 15th through August 17th in Hollywood, Florida. In the event you wish to attend this conference, I request that you move the regular Town Council meeting to **August 22nd**.

The dates for the regular Town Council meetings in 2024 are as follows:

January 18th
 February 15th
 March 21st
 April 18th
 May 16th
 June 20th
 July 18th
 August 15th
 September 19th
 October 17th
 November 21st
 December 19th

If you are aware of any other conflicts, you may request a change now or in the coming year, so long as it is done before the regular meeting preceding the one where a change is desired. The greater the notice the better for scheduling agenda items. Thank you.



Meeting Date: 11/16/2023

Agenda Item: 8-A

Report to Town Council

Topic: Request for use of Town Property and co-sponsorship
of
Operation Changing Lives 5k race.

Summary:
See attached staff report and supporting documents.

Suggested motion: As determined by Council.

Requested by: Ms. French, Cultural Services Manager

Approved by: Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET, CULTURAL SERVICES DEPARTMENT

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar

To: Michael E. Disher, AICP, Town Manager
From: Jackie French, Cultural Services Manager
Date: October 31, 2023
Subject: Request for Use of Town Property: 2023 Operation Changing Lives 5K

MEETING DATE: November 16, 2023

Ms. Cherise Wintz has submitted her special event permit application through the Cultural Services Department for the *Operation Changing Lives 5K*. This event was previously held in Ponce Inlet from 2010-2019 and is scheduled once again for Saturday, January 6, 2024.

Organizers expect approximately 250 runners this year. Proceeds from this event are used to fund worldwide reconstructive surgeries for children and adults with facial deformities. In addition, this event provides funding and gifts for Christmas parties held at various elementary schools in Volusia and Flagler Counties.

In years past, Ms. Wintz has requested co-sponsorship in the form of using the Town's means of advertising, waiving the special event application fees, and waiving the pavilion rental fee for a total cost of \$260 incurred by the Town. Ms. Wintz was responsible for the cost of off-duty Public Works and Police services and provided proof of insurance.

In 2019, the last year this event was held, staff received complaints from one resident on Sailfish Drive regarding the noise produced at the start of the race. As part of its review of the upcoming event, the Town's special event committee discussed this with the organizer. Ms. Wintz has agreed with the committee's suggestion of placing sound amplification within the closed boat ramp area and directing it away from Sailfish Drive.

Since the last race was held, the Town has updated its Special Event ordinance and criteria for co-sponsorship approval:

Sec. 51-2. – Definitions: Town-sponsored event

Town-sponsored event means that the town, solely or as a co-sponsor of the event, produces and/or coordinates the event, or contributes town services, funds, staff, or aid of any kind as a co-sponsor, after determining that the event:

- (a) Is planned, organized, and conducted by the Ponce Inlet Community Center Board, Inc., or any established not-for-profit organizations and clubs based in Ponce Inlet,

such as the Ponce Inlet Veterans Association, Ponce Inlet Lions Club, Ponce Inlet Garden Club, Ponce Inlet Women’s Club, and the Ponce Inlet Art Guild, that annually provide a copy of their currently valid IRS tax exemption certificate as an established 501(c)3 organization; and/or

(b) Has been traditionally co-sponsored by the Town as provided in Sec. 51-8(a).

Sec. 51-8(a). – Co-sponsorship or co-sponsored event criteria and standards:

(a) Based on the Town’s long tradition of co-sponsoring certain annual events based on repeated findings that they provide a local commemoration of a national holiday or provide historical, educational, cultural enrichment or recreational experiences to the public and town residents, the town council, in its sole discretion, may grant full co-sponsorship to those long-standing events identified and approved via resolution.

Pursuant to *Sec. 51-2.* and *Sec. 51-8(a)*, the *Operation Changing Lives 5K* **does not** meet the criteria for event co-sponsorship. Although hosted and planned by the non-profit Operation Changing Lives, this organization is not based in Ponce Inlet. For this event, staff must refer to *Sec. 51-8(d)* below,

(d) For events that do not meet the definition of *Town-sponsored event* under Sec. 51-2 described above, a written request shall be delivered to the town’s cultural services department at least 60 days prior to the event by an applicant if use of town facilities, parking on town property, and/or street closures are found to be required for the event based on the findings of the town’s special event review committee. Town staff may provide a report and recommendation to the town council for review.

Acknowledging that the *Operation Changing Lives 5K* does not meet the current criteria for co-sponsorship request, the applicant has submitted her request for the use of Town property during the event along with the special event permit application packet (**Attachment 1**).

The request includes closure of both the boat ramp and boat ramp trailer parking lot for this event, as well as use of the Davies Park pavilion. Street closures will occur along the race route with both Police and volunteers at intersections.

SUMMARY:

Request is for use of town property for the *Operation Changing Lives 5K* scheduled for January 6, 2024; the request is for closure of the boat ramp and boat ramp trailer parking lot; use of Davies Park pavilion; and street closures along the race route with the event organizers providing volunteers at street intersections.



Jackie French, Cultural Services Manager

October 31, 2023

Date

Attachments:

1. Application Packet_2023 *Operation Changing Lives 5K*



Town of Ponce Inlet
Cultural Services Department
Request Form: Event Use of Town Property
Pursuant to Chapter 51 of the Code of Ordinances

This co-sponsorship request form must be filled out accurately and completely and submitted along with a special event permit application. Incomplete forms cannot be reviewed.

This form and all supporting documents **may be submitted up to 365 days in advance of the event, but no less than 60 days prior to the event date.** If the applicant desires their co-sponsorship request to be heard at a specific Town Council meeting, these documents must be submitted no less than **20 days prior to the desired Council meeting date.**

Request forms for event use of Town property will be presented to Council for review for events not eligible for co-sponsorship. Regardless of whether the event qualifies as a special event, or is eligible for co-sponsorship, an applicant's co-sponsorship request shall comply with the content requirements below.

For event applicants requesting us of town's means of advertising, email jfrench@ponce-inlet.org

Event Name: Operation Changing Lives 5-K
Event Date(s): JAN 6th 2023 Event Location: Lighthouse
Business/ Organization Hosting Event: Operation Changing Lives
Event Applicant/ Contact: Cherise WINTZ

Please provide a brief description of the event and any important details:

Walk Run 5K

Please select and state your event needs that require permission from the Town:

Town permission required:
<input checked="" type="checkbox"/> Closure of boat ramp
<input checked="" type="checkbox"/> Closure of boat ramp trailer parking lot
<input type="checkbox"/> Placement of temporary signs on Town property
<input checked="" type="checkbox"/> Street closures
<input checked="" type="checkbox"/> Use of Town facilities
<input type="checkbox"/> Parking on Town property
<input type="checkbox"/> Other:

1. Estimated number of event participants:

250

2. Estimated number of any animals by type:

0

3. Purpose of the event:

Fundraiser / For OCL

4. Nature and the types of activities that will occur.

Run / walk

5. Provide a copy of indemnification in favor of the Town and included as part of the application, which shall be executed by an authorized representative of the applicant. The organization will not be required to indemnify the Town for the negligent acts of the Town's employees or agents.

Attached PROVIDING RENEWED

6. Describe any public right of way, property, buildings, facilities, or equipment utilized:

RUNNING ON STREET

7. County roadway is to be used:

Yes- County right-of-way use permit is attached No

8. The event serves a valid public purpose benefiting the town and/ or its residents and the community by either-

Providing a local commemoration of a national holiday; or
 Providing historical, educational, cultural enrichment and/or recreational experiences to Ponce Inlet residents and the public.

Describe how:

Recreational Experience
PONCE INLET RESIDENTS will be able to participate in a wonderful cause and support many children in our community

As the applicant, I certify that upon request, I will provide event space or facilities to established Ponce Inlet organizations and clubs during the event without cost. (If granting of such space will constitute a bona fide undue hardship to the event organizer, the applicant shall include a waiver of this request in their co-sponsorship request along with the reason for the hardship on the bottom of page one of this form.)

Cherise Wintz
Applicant signature

10-19-2023
Date

FOR OFFICE USE ONLY:

Application received by: Jackie French Date: 10/20/23

Event needs requiring permission from Town:

- Closure of boat ramp
- Closure of boat ramp trailer parking
- Placement of temporary signs on Town property
- Street closures
- Use of Town facilities - Dawies pavilion
- Parking on Town property
- Other: _____



Town of Ponce Inlet
Cultural Services Department
 4300 S. Atlantic Avenue
 Ponce Inlet, FL 32127
 386-322-6703

SPECIAL EVENT PERMIT APPLICATION
Pursuant to Chapter 51 of the Code of Ordinances

Permit #: 1446-2023
 Submittal Date: 10/18/23
 FEE PAID: _____

APPLICATIONS MAY BE SUBMITTED UP TO 365 DAYS IN ADVANCE OF THE EVENT, BUT NO LESS THAN 28 DAYS PRIOR TO EVENT DATE, OR 60 DAYS PRIOR IF REQUESTING TOWN CO-SPONSORSHIP.

Please submit the following information with your application:

- A site plan of the event area(s) with all applicable information requested below.
- If the event is on town property, a certificate of insurance showing the town as additional insured in the amount of \$1,000,000 is required.

SECTION 1: EVENT INFORMATION

Event Name: <u>operation changing lives 5K</u>	
Event Location: <u>Lighthouse</u>	
Date(s) of Event: <u>1-6-2024</u>	Event Hours: <u>6AM-9:30</u>
Brief Event Description: <u>5K Run/Walk</u>	
Estimated Attendance: <u>250</u>	Repeat Event: <input checked="" type="radio"/> Yes <input type="radio"/> No

SECTION 2: APPLICANT INFORMATION

Business/ Organization Hosting Event:

Authorized Head of Business/ Organization: <u>Cherise WINTZ</u>
Phone Number: <u>386 383-2686</u> Email Address: <u>cherise539@yahoo.com</u>
Event Applicant/ Contact:
Day-of Phone Number: <u>SAME</u> Email Address: _____
Mailing Address: _____

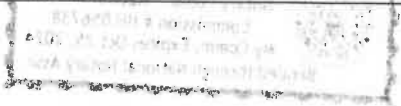
SECTION 3: ADDITIONAL INFORMATION

Please answer the questions below. If answering "Yes," indicate the location(s) on your site plan, providing any additional details on a separate sheet if needed.

Traffic Control Required? <input checked="" type="radio"/> Yes <input type="radio"/> No	Parade? <input type="radio"/> Yes <input checked="" type="radio"/> No <small>*Provide a map and streets to be closed*</small>
Portable Restrooms? <input checked="" type="radio"/> Yes <input type="radio"/> No	Private Security Firm? <input type="radio"/> Yes <input checked="" type="radio"/> No
Shuttle Transportation? <input type="radio"/> Yes <input checked="" type="radio"/> No	Name of Security Firm
Off-Site Parking Required? <input checked="" type="radio"/> Yes <input type="radio"/> No	<u>Lighthouse & Crittenfleet</u>

Provide written agreement with property owner(s) and number of spaces needed

Provide a site-plan showing the means of all vehicular (including shuttle) and pedestrian ingress & egress to and from the event.



SECTION 4: TEMPORARY USE - Additional Permits may be required.

Please answer the questions below. If answering "Yes," indicate the location(s) on your site plan, providing any additional details on a separate sheet if needed.

Barricades Required? <input type="radio"/> Yes <input checked="" type="radio"/> No	Traffic Cones Required? <input checked="" type="radio"/> Yes <input type="radio"/> No
Amplified Sound? ¹ <input checked="" type="radio"/> Yes <input type="radio"/> No	High-Intensity Lighting? ² <input type="radio"/> Yes <input checked="" type="radio"/> No <small>*Provide specifications*</small>
# of Tents (over 10'x10')? <input type="checkbox"/>	# Stages/ Structures? ³ <input type="checkbox"/>
Tent Size ³ (if over 10'x10')	Stage Dimensions:
	# of Signs/ Banners? ⁴ <input type="checkbox"/>
	Sign permit application submitted to Building Division? <input checked="" type="radio"/> Yes <input checked="" type="radio"/> N/A If yes, permit #:

How do you plan to collect and remove trash and litter during and after the event?

Volunteers

Food Prepared On-Site? ⁵ Yes No

# of Mobile Food Vendors (MFV)? ⁶ NO	# Parking Spaces Required for MFVs? NO <small>*Include on your site plan</small>
DBPR Food Service License # <small>*Attach copy of License</small> NO	DBPR Alcoholic Beverage License # ⁷ NO <small>*Attach copy of License</small>

Supplementary Regulations for Special Events:

- 1- See [Code of Ordinances Sec. 34-93](#) for sound limitations and [Code of Ordinances Sec. 34-94](#) for permit requirements to exceed maximum allowable noise level limits and restricted hours.
- 2- See [Code of Ordinances Sec. 34-99.1-5](#) for Town policy on nuisance lighting, requirements to reduce light trespass and glare. This section does not prohibit the temporary exterior lighting used for civic celebration and promotion associated with a permitted special event.
- 3- Tents larger than 10'x10' and stages require a fire inspection and building inspection in addition to a building permit
- 4- See [LUDC Sec. 3.30.6](#) and [Resolution 2011-03](#) for temporary sign regulations. To prevent signs from interfering with public utilities, contact Sunshine State One Call at 1-800-561-6720 prior to digging for sign installation.
- 5- [Code of Ordinances Sec. 46-3.a.4](#): Use of any portable cooking equipment is prohibited in all Town parks except in designated areas of Davies Lighthouse Park. Within designated areas, only propane and electric portable equipment is permitted – no charcoal.
- 6- [LUDC Sec. 3.34](#): Mobile Food vending is the sale of food, either prepared on location or pre-packaged, from a mobile food vending vehicle. Mobile food vendors shall comply with regulations from this section and shall be subject to an inspection pursuant to the NFPA and Florida Fire Prevention Code.
- 7- [Code of Ordinances Sec. 6-7.a](#): It is unlawful for any person to consume or possess any alcoholic beverages on public streets, sidewalks within the town, or on any town property or public park located in the town except as provided in the Code or as approved by Town Council.

I hereby state that the above information is true and accurate to the best of my knowledge. I further understand and agree to any and all conditions and costs of the required permits. I understand that the Town of Ponce Inlet assumes no liability for this event. I hereby agree to defend, hold harmless, and indemnify the Town, at the Town's option, from any and all demands, claims, suits, actions and legal proceedings brought against the Town in connection with this event, whether threatened or otherwise, to the full extent as permitted by the law of the State of Florida. This provision shall survive the term of this agreement and shall remain in full force and effect until the expiration of the time for the institution of any action at law or equity or administrative action against the Town under either federal law or the laws of Florida.

Opres Wong
Signature of Applicant

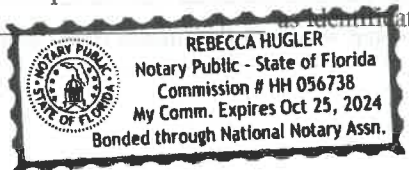
Oct 18-2023
Date Signed

STATE OF FLORIDA
COUNTY OF VOLUSIA

This document was sworn to (or affirmed) and subscribed before me by me of physical presence or online notarization, this 18 day of October, 2023 he/she is personally known to me or has presented as identification.

Rebecca Hugler
Notary Public, State of Florida

Notary stamp/ seal:





Town of Ponce Inlet
 Cultural Services Department
Special Amplified Sound Permit Application

Pursuant to Section 34-94 of the Code of Ordinances

Please Note: The application must be filled out accurately and completely. Incomplete applications cannot be processed.

Permits may be granted by the Town Manager for the purpose of **entertainment** or **nonentertainment** under the following conditions (see Sec. 34-94 for full list of conditions):

- The special permit may be issued only for **four** hours
- Between **9:00 a.m. and 10:00 p.m.** in one calendar day.

Operation Changing Lives 5K
 Name of Event
JAN. 6- 10am- 9:30 ~ 3.5
 Date of Event Time Hours of Amplified Sound

Name of applicant: Cheris WINTZ Phone: 386 383-2686

Applicant's street address: 92 JANA DRIVE

Description of equipment to be used (ie. stereo, band, etc. Bull horns are not permitted) _____
Speaker mic.

Description of how the sound will be minimized (mufflers, screens or other sound-attenuating devices) NATIONAL ATHLETIC - AWARDS

The issuance of a Special Amplified Sound Permit grants permission to the applicant(s) for the location and type of sound, as per section 34-94 of the Town of Ponce Inlet Ordinances. The Amplified Sound Permit may be revoked by an agent of the Town of Ponce Inlet at any time. The Special Amplified Sound Permit does not waive applicant's responsibility to ensure compliance with all applicable requirements. Applicant(s) agrees to hold the Town of Ponce Inlet, its agents and employees, harmless for any damages that may incur from failure to meet all Town codes.

CERTIFICATION STATEMENT (As required by Chapter 34, Ponce Inlet Code of Ordinances)

As applicant, I understand that I shall monitor the use and operation of all amplified sound equipment to ensure that it is operated within the decibel levels permitted by Chapter 34, §34-93, Ponce Inlet Code of Ordinances.

Dated this 10-~~17~~ 23 day of October 2023.

Applicant's Printed Name: Cherise Wintz

Applicant's Signature: Cherise Wintz

FOR OFFICE USE ONLY:

Fees (License Fee) = \$50.00 Amount Paid: _____

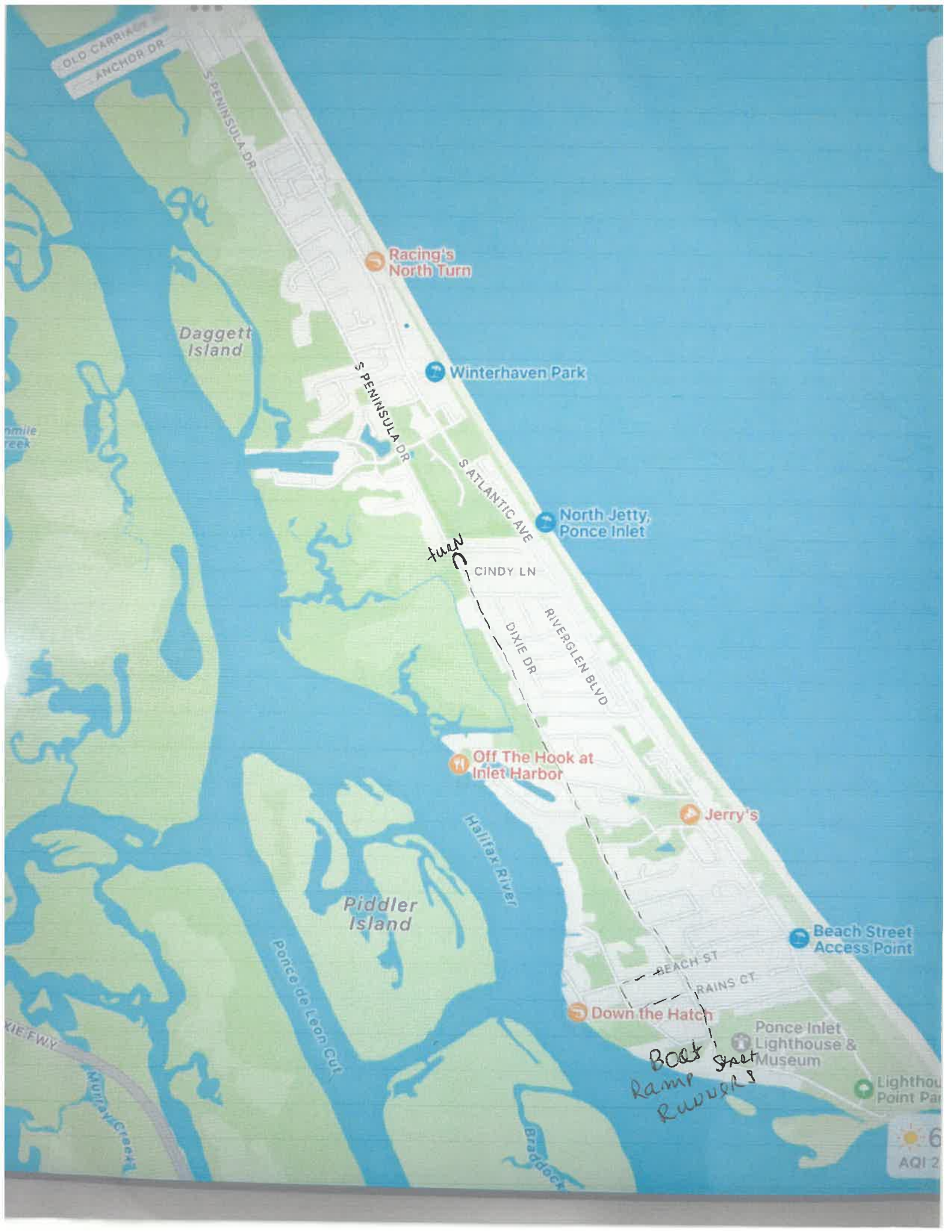
Application received by: Jackie French Date: 10/18/23

Town Manager: Approved Denied _____

Previous violations of sound ordinance? Yes No

Conditions: _____

By: _____ Date: _____



To: Town of Ponce Inlet

I'm am writing to you today asking for your support and use of town property to host the Operation Changing Lives 2024 5k walk/run that started 14 years ago in which the first 9 years was hosted in Ponce Inlet . Our route starts at the Lighthouse and finishes at the Lighthouse, we have total support for parking at the critter fleet and the Lower parking lot at the Lighthouse. I have enclosed our Brochure about Operation Changing Lives. I would be grateful for your support to bring this great family attended run for a wonderful cause.

Thank you

Cherise Wintz

Ponce Inlet resident

Parking at critter Fleet, lower level of the lighthouse, lighthouse park

Run starts at the boat ramp heads North up Peninsula turnaround is between Cindy Lane and loggerhead head back south down peninsula to Beach Street, Turn right head to Sailfish Drive turn left head back out to Peninsula make a right turn finish line back at the boat ramp.

Volunterrs will be on every street corner throughout the route police will be at Beech Street in Inlet Harbour Road



Meeting Date: 11/16/2023

Agenda Item: 10-A

Report to Town Council

Topic: Second reading and adoption of Ordinance 2023-05, creating Alternate seats for each Regular seat on the Essential Services Advisory Board.

Summary: This Ordinance is being presented to Council for second reading and adoption. There have been no changes since the first reading.

Suggested motion:

To approve and adopt Ordinance 2023-05 as presented.

Requested by: Ms. Cherbano, Town Clerk
Chief Scales, Public Safety Director

Approved by: Mr. Disher, Town Manager



MEMORANDUM
Office of the Public Safety Director

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Michael E. Disher, AICP, Town Manager
From: Kim Cherbano, Town Clerk and Daniel Scales, Public Safety Director
Date: October 10, 2023
Subject: Ordinance 2023-05 – Amending the Essential Services Advisory Board

MEETING DATE: October 19, 2023

1 Staff is requesting approval of Ordinance 2023-05, which updates the Code of Ordinance
2 provisions for the Essential Services Advisory Board (ESAB). The Board was created in 2021¹ to,
3 “...research, analyze, and provide recommendations to the town council on matters related to
4 police, fire, and public works...” The Board currently consists of five regular members and two
5 alternates, with each regular member having experience in either law enforcement, fire-rescue and
6 EMS, engineering, CPA/finance, and public relations, outreach, or human resources.

7
8 At its meeting on December 15, 2022, the Town Council directed staff to add to its list of goals, a
9 “...modification of the number of Alternate members to the Essential Services Advisory Board,
10 increasing it from two to five, one for each Regular seat and professional specialty.” The additional
11 alternate positions will ensure that all disciplines are represented at every ESAB meeting, allowing
12 the board to provide the most informed recommendations to the town council. This change is made
13 under Sections 2-121 and 2-122.f (see page 2 of the ordinance).

14
15 The ordinance also proposes to clarify certain powers and duties of the Board. First, under Section
16 2-124.e, the Board currently has authority to review and provide recommendations to the Town
17 Council on contracts and services within the police, fire, and public works. A literal interpretation
18 of this provision would mean that the ESAB must review any and all contracts within those
19 departments. However, this appears to run counter to the Town’s purchasing policies, which allow
20 purchases and contracts of \$25,000 or less to be executed at the staff level. Rather, the Board’s
21 review and recommendation should be clarified to apply only to contracts and agreements that
22 require approval by the Town Council. Additionally, the ordinance clarifies that the ESAB would
23 not be required to review contracts or projects previously approved by the Town Council. The
24 intent is to maximize the value of the Board’s input to the Council for items the Council has not
25 yet reviewed or discussed.

¹ Ord. No. 2021-01. Adopted 2-18-202

26 Second, the ordinance clarifies under Sections 2-124.d and 2-125.d that the Board’s review of
27 proposed changes to staffing levels applies only to those departments under its purview, namely
28 the police, fire, and public works departments.
29

30 Finally, the ordinance corrects minor grammatical mistakes, such as changing “essential works”
31 to “public works” in several locations.
32

33 **Recommendation**

34 Staff recommends approval of ordinance 2023-05.

ORDINANCE 2023-05

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE TOWN'S CODE OF ORDINANCES TO CREATE A CORRESPONDING ALTERNATE SEAT FOR EACH REGULAR SEAT OF THE ESSENTIAL SERVICES ADVISORY BOARD; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council enjoys and appreciates the assistance of its current regulatory and advisory boards and all of the citizen participation that this process is intended to generate; and

WHEREAS, the Town Council seeks to obtain advisory board recommendations on matters related to the provision of current needs for essential services and master planning to ensure the Town's long-term well-being via infrastructure improvements and staffing; and

WHEREAS, the Town Council created the Essential Services Advisory Board to research, analyze, and provide recommendations to the Town Council on matters related to police, fire, public works, and other essential Town services as described more fully in this ordinance; and

WHEREAS, the regular seats on the Essential Services Advisory Board are filled by those with experience in five specific disciplines related to the aforementioned essential services; and

WHEREAS, the Town Council desires to increase the number of alternate seats on the Essential Services Advisory Board to ensure that each discipline is represented at all times.

NOW, THEREFORE, BE IT ENACTED by the Town Council of the Town of Ponce Inlet, Florida as follows:

NOTE: Underlined words constitute additions to the Code of Ordinances, ~~strikethrough~~ constitutes deletions, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

SECTION 1. Chapter 2, Article IV, Division 3 – "ESSENTIAL SERVICES ADVISORY BOARD" of the Town's Code of Ordinances is hereby amended as follows:

Division 3. ESSENTIAL SERVICES ADVISORY BOARD

Section 2-120. Established. An essential services advisory board is created that has the powers, duties, and responsibilities set forth in this division, to be carried out in accordance with this code.

Section 2-121. Membership and terms of office. The essential services advisory board shall consist of five regular members and ~~two-five~~ alternates appointed by the town council. Each regular member shall be appointed for a three-year term, in staggered sequence, with the exception for the initial terms of members on this five-member board: terms for seats one and three shall expire December 2023, terms for seats two and four shall expire December 2022, and the term for seat five shall expire December 2021. Alternate members shall be appointed to an annual term ending in December of each year.

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Section 2-122. Qualifications. The essential services advisory board shall be composed of qualified electors of the town with specified qualifications for each seat as herein described. Preference shall be given to full-time residents. Members cannot be employees of the town. Board member seats shall be filled by those with experience in a specified discipline as follows:

- a. Seat One – Law enforcement background;
- b. Seat Two – Fire-rescue & EMS background;
- c. Seat Three – Engineering background;
- d. Seat Four – CPA / financial background;
- e. Seat Five – Public relations, outreach, or human resources background;
- f. Alternates – ~~shall May~~ be representatives of ~~one any~~ of the ~~above~~ five disciplines ~~above, so long as both alternates are not of the same discipline~~; alternates may only progress to a regular seat if ~~their~~ specified discipline is available.

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Section 2-123. Rules of procedure.

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- a. The essential services advisory board shall normally meet quarterly, at a minimum of twice per year, including the annual budget meeting as required by Section 2-125. All meetings of the board shall be duly advertised for public notice and participation. ~~If there is no meeting for the board to conduct, the meeting can be canceled.~~
- b. The essential services advisory board shall regularly receive assistance and relative expertise from the police department, fire department, and ~~essential public~~ works department in the performance of the board's responsibilities. Assistance and relative expertise from other departments shall be provided as needed for subject-specific items.
- c. The town council may assign a matter not addressed by this division to the essential services ~~advisory~~ board for review and advice at any time.
- d. No actions by the town may be invalidated solely due to failure to submit the action to the essential services ~~advisory~~ board for review.

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Section 2-124. Powers and duties. The essential services advisory board shall research, analyze, and provide recommendations to the town council on matters related to police, fire, and public works, as hereby set forth:

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- a. Strategic master planning of infrastructure improvements: water, sewer, stormwater, roadways, sidewalks, and street lighting;
- b. ~~Town~~ Operational facility planning;

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- c. Capital purchase requests in excess of \$50,000 prior to submittal for budget preparation related to the Town's infrastructure improvements, fleet management, and equipment. ~~Emergency purchases, as defined in the town's code, exceeding \$50,000 related to infrastructure improvements, fleet management, and equipment need not be reviewed by the board before purchase but shall be reported to the board at its next meeting;~~
- d. Additions or deletions to operational staffing levels [in the police, fire, and public works departments](#); and
- e. Contracts and interlocal agreements related to the provision of services within these departments [that are subject to town council approval. The board will not be required to review contracts or projects previously approved by the town council.](#)

Operational activities required by the Volusia County code, Florida State Statute, or Florida Administrative Rule are not the responsibility of the essential services advisory board.

Section 2-125. Annual Budget Meeting. In March of each year, ~~beginning in 2022,~~ the board shall meet to review and advise regarding major budgetary items for the upcoming fiscal year. ~~The town manager or designee shall incorporate or address the board's recommendations when submitting a proposed budget to the town council.~~ The heads of the various departments of the Town shall submit the following budgetary requests for consideration at the annual meeting when the expenditures would occur in the following fiscal year and the specific expenditures or staffing changes have not yet been reviewed by the board or approved by the Town Council:

- a. Initial expenditures commencing a new phase or project of an approved master plan;
- b. Initial expenditures for the planning of a new Town facility;
- c. Capital purchase requests of greater \$50,000.00 related to the Town's infrastructure improvements, fleet management, and equipment; and
- d. Additions or deletions to operational staffing levels [in the police, fire, and public works departments](#), excluding independent contractors.

~~The town manager or designee shall incorporate or address the board's recommendations when submitting a proposed budget to the town council.~~

SECTION 2. All ordinances or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity portion thereto.

SECTION 4. It is the intention of the town council of the Town of Ponce Inlet, Florida, that this Ordinance shall be codified into the Code of Ordinances of the Town of Ponce Inlet. The Code's codifier is hereby granted that authority as necessary for that purpose.

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SECTION 5. This ordinance shall become effective immediately upon its adoption.

It was moved by _____ and seconded by _____ that said Ordinance be passed on first reading. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1 _____
Councilmember Milano, Seat #2 _____
Councilmember Caswell, Seat #3 _____
Councilmember Villanella, Seat #4 _____
Vice-Mayor Smith, Seat #5 _____

Passed on first reading this _____ day of _____ 2023.

It was moved by _____ and seconded by _____ that said Ordinance be passed on second reading. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1 _____
Councilmember Milano, Seat #2 _____
Councilmember White, Seat #3 _____
Councilmember Villanella, Seat #4 _____
Vice-Mayor Smith, Seat #5 _____

Passed and adopted on second reading this _____ day of _____ 2023.

Town of Ponce Inlet, Florida

Lois A. Paritsky, Mayor

ATTEST:

Kim Cherbano, CMC
Town Clerk



Meeting Date: 11/16/2023

Agenda Item: 12-A

Report to Town Council

Topic: First reading of Ordinance 2023-06, adopting the 2023 FL Building Code; and adopting the Building Official's Association of Florida's Model Administrative Code (2023) with additions from the Town of Ponce Inlet.

Summary:

The Planning & Development Department is proposing amendments to Code of Ordinances Chapters 18 and 34 concerning building permit and construction regulations. The proposed changes are intended to update various codes that the Town has adopted by reference, and include the 2023 edition of the Florida Building Code, the 2023 Building Officials Association of Florida (BOAF) Model Administrative Code, 2021 International Property Maintenance Code and National Electrical Code.

Suggested motion:

To approve first reading of Ordinance 2023-06, as presented.

Requested by: Mr. Baker, Chief Building Official

Approved by: Mr. Disher, Town Manager.



MEMORANDUM

TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT BUILDING AND CODE ENFORCEMENT DIVISION

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Michael E Disher, AICP, Town Manager

From: Robert Baker, Chief Building Official/Certified Floodplain Manager

Date: November 9, 2023

Subject: Ordinance 2023-06 – Updating Code of Ordinances Chapter 18 – Buildings and Building Regulations; adopting the Florida Building Code, 8th Edition (2023) and certain appendices thereto; adopting the NFPA 70 National Electrical Code; adopting the 2021 International Property Maintenance Code; and adopting the BOAF’s Model Administrative Code (2023) with local additions thereto

MEETING DATE: November 16 , 2023

1 INTRODUCTION

2 The Planning & Development Department is proposing amendments to Code of Ordinances
3 Chapter 18 concerning building permit and construction regulations. The proposed changes are
4 intended to clarify regulations and to update various codes that the Town has adopted by reference,
5 including the 2023 edition of the Florida Building Code, the 2023 Building Officials Association
6 of Florida (BOAF) Model Administrative Code, the National Electrical Code, and the 2021
7 International Property Maintenance Code. Most notably, the Model Administrative Code now
8 includes milestone inspection procedures for threshold buildings, pursuant to F.S. § 553.899.
9 Proposed changes to the Code of Ordinances and to the 2023 Model Administrative Code are
10 discussed separately in this report.

11 BACKGROUND

12 Pursuant to §553.76, Florida Statutes, the Florida Building Commission has adopted the “Florida
13 Building Code, 8th Edition (2023).” Builders must comply with the Building Code and local
14 governments must follow the Building Code when issuing permits and inspecting new
15 construction. The Florida Building Commission updates the Florida Building Code every three
16 years, and local governments are required to adopt the latest version by reference. Section
17 553.73(4)(a), Florida Statutes also allows local governments to adopt additional administrative
18 standards regarding Chapter 1 of the Florida Building Code. When local governments adopt an
19 administrative chapter to the Building Code, it becomes Chapter 1 of the Florida Building Code
20 for that local government. The local government is then required to transmit its local amendments
21 to the administrative code to the Florida Building Commission within 30 days after enactment, per
22 F.S. § 553.73(4)(a).
23
24

25 Local governments primarily use the Model Administrative Code published by the Building
26 Officials Association of Florida (BOAF) as a guide when adopting their administrative chapters to
27 the Building Code and then make additions or changes BOAF Model Administrative Code to fit
28 the needs of the community. When the Florida Building Commission amends the Building Code,
29 the BOAF updates the Model Code to reflect the changes in the amended Building Code. The latest
30 version of the Model Code includes procedures for milestone inspections of threshold buildings
31 (multifamily structures of three or more stories), as adopted by the Florida Legislature in 2022.

32

33 **DISCUSSION**

34 Following is an explanation of the amendments to Chapter 18 of the Code of Ordinances and
35 changes to the Model Administrative Code adopted by the Town.

36

37 **Code of Ordinances Amendments**

38 Chapter 18 – Buildings and Building Regulations – governs the permitting and construction
39 process under the authority of the Florida Building Code and other codes adopted by reference. It
40 also contains reference to property maintenance regulations relied upon for Code Enforcement
41 purposes. The proposed changes to this chapter are located in **Exhibit “A”** of Ordinance 2023-06,
42 and are described as follows:

43

44 **Article I – In General**

45 • Section 18-3. – *Submission of surveys*. Removes the mandatory form board survey
46 requirement for pools and spas. The majority of pool decks these days are formed out of
47 semi-pervious brick or concrete pavers, which can be easily removed or relocated to meet
48 setback requirements upon final inspection. A form board survey unnecessarily adds time
49 and expense to such projects.

50 • Sec. 18-4. – *Posting of address numbers*. Adds a requirement for beach front properties to
51 post address numbers that face the beach. This is being done in conjunction with the other
52 beachside jurisdictions in Volusia County to improve emergency response. Having address
53 numbers facing the beach is necessary in situations where emergency responders need to
54 access a property from the beach. The ordinance includes a 120-day compliance deadline
55 from the date of adoption.

56 • Sec. 18-5. – *Florida Building Code adopted*. Updates references to and officially adopts
57 the Florida Building Code, 8th Edition (2023) and related appendices.

58 • Sec. 18-7. – *Restrictions on building and construction operations on Saturdays, Sundays
59 and holidays*. The language governing the days and hours of allowable and prohibited
60 construction activities is being transposed into a table for easier reading and understanding.
61 The Department already posts a similar table on its webpage. No changes are being
62 proposed to the hours, days, or activities themselves.

63

64 **Article II – Building Code**

65 • Sec.18-31. – *Model Administrative Code adopted; local additions to the Model
66 Administrative code adopted*. This section is amended to reflect that the Town is adopting
67 BOAF’s Model Administrative Code (2023) with local amendments thereto as
68 recommended by the Chief Building Official. The Model Administrative Code with the

69 Town’s additions is attached and expressly incorporated into the Ordinance under Exhibit
70 “B.”
71

72 **Article IX – Excavation and Grading Code**

- 73 • Sec. 18-241 – *Adopted*. Updates references to the Florida Building Code, 8th Edition (2023)
74 and adopts the 2023 version of Appendix J, Grading.
75

76 **Article XI – Housing Code**

- 77 • Sec. 18-411 is amended to reflect the adoption of the most recent version of the
78 International Property Maintenance Code (2021).
79

80 **Model Administrative Code Amendments**

81 The local amendments recommended by the Chief Building Official are summarized on
82 **Attachment 1** of this report. The Model Administrative Code with the recommend changes from
83 the Chief Building Official is attached to Ordinance 2023-06 as Exhibit “B.” The proposed changes
84 are shown in the text of the Model Administrative Code by underline and strikethrough.
85

86 The new provisions for milestone inspections of threshold buildings are under Section 110.9, pages
87 38-41. The new language is taken almost verbatim from F.S. § 553.899, which was enacted by the
88 Florida Legislature in 2022 following the collapse of a condo building in Surfside, Florida. This
89 issue was discussed extensively by the Ponce Inlet Planning Board and Town Council in 2021 and
90 2022. Since then, the Department has identified the buildings in Ponce Inlet that would be subject
91 to the law and created a milestone inspection program. Several of these buildings have already
92 initiated their own inspections starting in late 2021. The program will begin in earnest for all
93 jurisdictions once the State releases its official list of threshold buildings sometime in 2024. The
94 Department will need to propose new fees for this specialized type of inspection before the
95 program commences.
96

97 **RECOMMENDATION**

98 Staff recommends **approval** of proposed Ordinance 2023-06 updating Code of Ordinances
99 Chapter 18 – Buildings and Building Regulations; adopting the Florida Building Code, 8th Edition
100 (2023) and certain appendices thereto; adopting the NFPA 70 National Electrical Code; adopting
101 the 2021 International Property Maintenance Code; and adopting the BOAF’s Model
102 Administrative Code (2023) with local additions thereto.
103

104
105 _____ November 9, 2023
106 Robert Baker, Chief Building Official/Certified Floodplain Manager Date
107

108 Attachment:

- 109 1. Summary of Local Changes to Model Administrative Code
110

47 businesses, to adopt and incorporate by reference the most recent version of the NFPA 70 National
48 Electrical Code (NEC) as published by the National Fire Prevention Association.
49

50 **WHEREAS**, the Town of Ponce Inlet has determined that it is in the best interest of the
51 health, safety, and welfare of the citizens and businesses within the Town, and the patrons of such
52 businesses, to adopt and incorporate by reference the most recent version of the Model
53 Administrative Code published by the Building Officials Association of Florida (BOAF), such
54 Model Administrative Code being Chapter 1 of the Florida Building Code, with local additions
55 thereto recommended by the Town’s Chief Building Official; and
56

57 **WHEREAS**, this ordinance is enacted under the general home rule and police powers of
58 the Town of Ponce Inlet;
59

60 **NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE**
61 **TOWN OF PONCE INLET, FLORIDA:**
62

63 **NOTE:** Underlined words constitute additions to the Town of Ponce Code of Ordinances,
64 ~~striketrough~~ constitutes deletions from the current Code of Ordinances, and asterisks (***)
65 indicate an omission from the existing text which is intended to remain unchanged.
66

67 **SECTION 1.** Legislative Findings and Intent. The findings set forth in the recitals above
68 are hereby adopted as legislative findings pertaining to this Ordinance.
69

70 **SECTION 2.** Incorporation of Amendments. The proposed amendments to Chapter
71 18 of the Ponce Inlet Code of Ordinances are attached to this Ordinance as **Exhibit “A,”**
72 and are hereby incorporated into the text of this Ordinance as though fully set forth herein
73 verbatim as the Code of Ordinances amendments, said amendments also adopting by
74 reference the Florida Building Code, 8th Edition (2023), the 2021 International Property
75 Maintenance Code, and the NFPA 70 National Electrical Code (NEC).
76

77 **SECTION 3.** As reflected in Exhibit “A,” Chapter 18, Section 31 of the Town of Ponce
78 Inlet Code of Ordinances is amended to adopt BOAF’s Model Administrative Code for the Florida
79 Building Code, 8th Edition (2023). Pursuant to its authority under F.S. § 553.73(4)(a), and based
80 on the recommendations of the Town’s Building Official, the Town further adopts certain
81 additions to the BOAF’s Model Administrative Code, which are reflected in the Model
82 Administrative Code attached to this Ordinance as **Exhibit “B,”** and which are incorporated by
83 reference as if fully set forth herein. The Town’s additions to the BOAF Model Code are on file in
84 the office of the town clerk.
85

86 **SECTION 4.** Directions to the Town Manager. Pursuant to F.S. § 553.73(4)(a), within
87 thirty (30) days of the date of adoption of this Ordinance, the Town Manager or designee shall
88 submit a copy of this Ordinance, together with all attachments thereto and all documents adopted
89 by reference herein, to the Florida Building Commission, c/o Ms. Marlita Peters, Code
90 Administration TAC, 2601 Blair Stone Road, Tallahassee, FL 32399; or shall upload the
91 Ordinance, together will all attachments thereto and all documents adopted by reference herein, to

92 the Commission by accessing and logging on to the Commission’s webpage at
93 www.floridabuilding.org.

94
95 **SECTION 5.** Codification. It is the intent of the Town Council of the Town of Ponce
96 Inlet that the provisions of this Ordinance shall be codified. The codifier is granted broad and
97 liberal authority in codifying the provision of this Ordinance.

98
99 **SECTION 6.** Severability. If any section, sentence, phrase, word or portion of this
100 Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not
101 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
102 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
103 unconstitutional.

104
105 **SECTION 7.** Conflicts. All ordinances or parts of ordinances in conflict herewith are
106 hereby repealed to the extent of such conflict.

107
108 **SECTION 8.** Effective Date. This Ordinance shall become effective immediately upon its
109 passage and adoption.

110
111 It was moved by _____ and seconded by _____ that said Ordinance
112 be passed on first reading. A roll call vote of the Town Council on said motion resulted as follows:

- 113 Vice-Mayor Smith, Seat #1 _____
- 114 Councilmember Milano, Seat #2 _____
- 115 Councilmember White, Seat #3 _____
- 116 Councilmember Villanella, Seat #4 _____
- 117 Mayor Paritsky, Seat #5 _____

118 Passed on first reading this ____ day of _____ 2023.

119 It was moved by _____ and seconded by _____ that said
120 Ordinance be adopted on second reading. A roll call vote of the Town Council on said motion
121 resulted as follows:

- 122 Vice-Mayor Smith, Seat #1 _____
- 123 Councilmember Milano, Seat #2 _____
- 124 Councilmember White, Seat #3 _____
- 125 Councilmember Villanella, Seat #4 _____
- 126 Mayor Paritsky, Seat #5 _____

127
128 Passed this _____ day of _____ 2023.

129
130 Town of Ponce Inlet, Florida
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Lois A. Paritsky, Mayor

ATTEST:

Kim C. Cherbano,
Town Clerk

ATTACHMENT 1

Summary of Local Changes to Model Administrative Code

Section 101 – General (pg. 3)

- Section 101.2.1 Appendices. – Updated reference to 2023 Florida Building Code; Appendix C – removed reference to Chapter 9B-52 F.A.C.
- Section 101.4.4 Property maintenance. – Updated to newest version *2021 International Property Maintenance Code*.

Section 102 – Applicability (pgs. 5-6)

- 102.2 Building. – Adds exemption to the Florida Building Code for “drone port,” as required by state law.
- 102.6 Existing structures. – Updated to newest version *2021 International Property Maintenance Code*.

Section 103 – Department of Building Safety (pg. 7)

- 103.3 Deputies. – Updated to newest version *2021 International Property Maintenance Code*.

Section 104 – Duties and Powers of Building Official (pgs. 7 and 9)

- Section 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. – Added R322 of the Florida Building Code, Residential, as applicable.
- Section 104.11 Alternative materials, design and methods of construction and equipment. – Created criteria for approval of proposed alternative materials.

Section 105 – Permits (pgs. 11, 13-17, 20)

- Section 105.2 Work exempt from permit, Building (10). – Removed “cabinets, and vanities unless electrical or plumbing will be disconnected and/or altered from their original locations.”
- Section 105.2 Work exempt from permit, Plumbing (3). – Deleted.
- Section 105.3.1.2 – Added language regarding certain types of fire protection systems.
- Section 105.3.1.2(4) – Added Exception: Simplified permitting process for fire alarm system projects, including definitions of “component,” “contractor,” “fire alarm system project,” and “fire sprinkler system project,”; added requirements for permit application, plan submittal, permit issuance, and inspections.
- Section 105.3.1.3 Reviewing application for building. – Added new subsection incorporating changes to permit applications, reviews, and inspections consistent with recent changes to state law.
- Section 105.3.8 Contracts. – Replaced former language regarding public right of way with new restriction on requesting copies of contracts with permit applications, as now established under state law.

- Section 105.3.9 Public right of way. – Language moved to this location from Section 105.3.8 Contracts. Prevents the Building Official from issuing a building permit for certain types of work until a right-of-way permit has been issued first.
- Section 105.4.1.5 – Prevents a building enforcement agency from requiring changes to plans or specifications to a building permit after the permit has been issued, unless necessary to comply with the Florida Building Code or other applicable life/safety codes.
- Section 105.14.1 Affidavits in flood hazard areas. – Changed from an “Exception” and given its own subsection number; and added that the building official shall review and inspect flood load and flood resistance requirements for permits issued on the basis of an affidavit.

Section 107 – Submittal Documents (pgs. 22, 25, 28-30)

- Section 107.1 General. – Removed “in two or more sets” and added “in accordance with Florida Statute 553.79”.
- Section 107.3.4 Design professional in responsible charge. – Replaced “substitute” with “successor” and added statutory reference for requirements pertaining to design professionals.
- Section 107.3.5 Minimum plan review criteria for buildings. – Added “building envelope.”
- Section 107.3.5 Minimum plan review criteria for buildings, Commercial, Mechanical. – Added #18 “Smoke and/or Fire Dampers.”
- Section 107.3.5 Minimum plan review criteria for buildings – Residential (one-and two-family) (4). – Added “and/or carbon monoxide alarm/.”
- Section 107.3.5 Manufactured Buildings (2) Structural – Added “flood.”
- Section 107.6.2 Affidavits Provided Pursuant to Section 553.791, Florida Statutes. – Added new subsection requiring the Building Official to review any affidavit certifying compliance with the flood load and flood-resistant construction requirements of the Florida Building Code.”
- Section 107.7 – Requires the Building Official or inspector to provide plan review comments with applicable code citations to the local enforcing agency.

Section 110 – Inspections (pgs. 31-32, 35-36, 38-41)

- Section 110.1.2 Inspection service. – Added, language requiring inspectors to be licensed under Chapter 471 or 481 of Florida Statutes.
- Section 110.3 Required inspections, Building (1.2). – Requires foundation or form board surveys to be prepared and certified by a Florida-licensed professional surveyor and mapper, and deleted option to uncover all property line markers and string-up all property lines for inspection in lieu of providing a survey.
- Section 110.3.3 Lowest floor elevation. – Florida Building Code reference number changed from Section 1612.5 to 1612.4 and added reference to Florida Building Code Section R322.
- Section 110.3.6 Weather-exposed balcony and walking surface waterproofing. – Deleted “snow.”

- Section 110.3.8 Energy efficiency inspections – Deleted “Chapter 13.”
- Section 110.9 Mandatory Structural Inspections for condominiums and cooperative buildings. – Created new section and subsections pursuant to F.S. § 553.899, adopted in 2022 following the Surfside condo building collapse.
- Section 110.9.1 General. – Adopts legislative findings for statewide structural inspection program for aging condominium and cooperative buildings.
- Section 110.9.2 – Adds definitions of “milestone inspection” and “substantial structural deterioration.”
- Section 110.9.3 – Establishes deadlines for initial milestone inspections and subsequent inspections, and allowing deadline extensions for good cause.
- Section 110.9.4 – Requires the condominium or cooperative association to arrange and pay for the preparation of the milestone inspection report.
- Section 110.9.5 – Requires the local enforcement agency to provide written notice on the inspection requirement to the condominium or cooperative association and for the association to provide notice to its residents.
- Section 110.9.6 – Requires the Phase 1 milestone inspection to be completed within 180 days after the building owners receive notice of the inspection requirement.
- Section 110.9.7 – Establishes requirements for Phase 1 and Phase 2 milestone inspections.
- Section 110.9.8 – Creates requirements for the content of Phase 1 and Phase 2 milestone inspection reports.
- Section 110.9.9 – Requires condominium or cooperative association to provide a copy of the milestone inspection report to unit owners.
- Section 110.9.10 – Authorizes the local enforcement agency to create timelines and penalties for noncompliance.
- Section 110.9.11 – Allows local governments to create deadlines for condominium or cooperative associations to begin repairs based on a Phase 2 inspection report.

Section 111 – Certificate of Occupancy (pg. 41)

- Section 111.2 (6) Certificate issued. – Changed “authority having jurisdiction” to “building official”.

EXHIBIT "A"

1 **AMENDMENTS TO CHAPTER 18.** Chapter 18 of the Town of Ponce Inlet Code of Ordinances, titled
2 BUILDINGS AND BUILDING REGULATIONS, is hereby amended in its entirety to read as follows:

3 4 Chapter 18 - BUILDINGS AND BUILDING REGULATIONS

5 ARTICLE I. - IN GENERAL

6 * * *

7 Sec. 18-3. – Submission of surveys.

8 (a) *Survey required.* In order to demonstrate compliance with all town zoning and building regulations,
9 the applicant or contractor must provide the following, as outlined in [TableChart 18-1](#) below:

- 10 (1) A boundary survey at the time of building permit application;
- 11 (2) A form-board survey prior to construction of permanent improvements that are not easily altered
12 or modified in their location, size or shape;
- 13 (3) An as-built survey prior to issuance of a certificate of occupancy or a certificate of completion;
14 and
- 15 (4) When building permit plans call for construction within five (5) feet of the height limitation in the
16 applicable zoning district, a survey of height provided prior to the issuance of a certificate of
17 occupancy.

18 (b) *Types of permits requiring survey submission:*

- 19 (1) New construction
- 20 (2) Building addition
- 21 (3) Swimming pools and spas
- 22 (4) Accessory buildings and structures
- 23 (5) Fences and walls
- 24 (6) Nonexempt retaining walls, per LUDC Sec. 4.3.5
- 25 (7) Parking areas and driveways

26
27 [Table Chart 18-1:](#)

Type	Boundary survey	Form-board survey	As-built survey	Height/ elevation*
New construction	✓	✓	✓	✓
Building addition	✓	✓	✓	✓
Swimming pool & pool deck	✓	✗	✓	
Accessory buildings & structures	✓	✓		✓
Fences and walls	✓			

28 * When building permit plans call for construction within five feet of the zoning district height limitation.

29 * * *

30 **Sec. 18-4. - Posting of address numbers.**

31 All buildings in the town shall have their assigned address numbers properly displayed. It shall be the
32 duty of the owners and occupants of each building to post the assigned address number on the property
33 in the following manner:

- 34 (a) The address number shall be affixed to the front of the building or to a separate structure to the
35 front of the building (such as a mailbox, post, wall, fence, etc.) in such a manner so as to be
36 clearly visible and legible from the public or private way on which the building fronts from both
37 directions. For properties abutting the Atlantic Ocean, this requirement shall also apply to the
38 rear face of the building so that the address is visible from the beach. The addressing for all
39 properties fronting the Atlantic Ocean shall be in place within 120 days of the effective date of
40 the amending ordinance.
- 41 (b) Numerals shall be Arabic and shall not be less than three inches in height and one-half inch in
42 width. For properties abutting the Atlantic Ocean, address numerals intended to be visible from
43 the beach shall be a minimum of 12 inches in height.
- 44 (c) The numerals shall be of a contrasting color with the immediate background of the building or
45 structure on which such numerals are affixed.

46 **Sec. 18-5. - Florida Building Code adopted.**

47 There is hereby adopted by the town for the purpose of establishing rules and regulations for the
48 construction, maintenance, and repair of buildings, including permits and penalties, that certain code
49 known as the Florida Building Code, ~~87th~~ Edition (~~2023~~2020), as published by the International Code
50 Council, Inc., as though fully set forth herein.

51 The following Florida Building Code, ~~87th~~ Edition (~~2023~~2020) appendices are hereby adopted and
52 incorporated as though fully set forth herein: “Florida Building Code – Building, Appendix J”; “Florida
53 Building Code—Existing Building, Appendix B”; “Florida Building Code—Fuel Gas Code, Appendices A and
54 B”; and Florida Building Code—Plumbing, Appendices B, C, D, and E.”

55 Copies of the above-referenced codes and appendices are filed in the office of the town clerk.

56 * * *

57 **Sec. 18-7. - Restrictions on building and construction operations on Saturdays, Sundays and holidays.**

58 Building and construction activities shall only be allowed during the days and hours listed in Table 18-
59 2 below. All work not allowed during the days and hours listed below shall be prohibited.

60 Table 18-2

<u>Days of the Week and Hours</u>	<u>Allowed Work</u>	<u>Prohibited Work</u>
<u>Weekdays (M-F) that are not</u> <u>holidays</u> <u>7:00 am to 6:00 pm</u>	<u>Construction and building</u> <u>operations, including erection of</u> <u>principal buildings, accessory</u> <u>buildings, or any other structure</u>	

<u>Days of the Week and Hours</u>	<u>Allowed Work</u>	<u>Prohibited Work</u>
	<u>or part thereof, and alteration or repair.</u> <u>Excavating, grading, demolition, or clearing.</u>	
<u>Saturdays</u> <u>8:30 am to 5:00 pm</u>	<u>Construction and building operations, including erection of principal buildings, accessory buildings, or any other structure or part thereof, and alteration or repair.</u>	<u>Excavating, grading, demolition, or clearing.</u>
<u>Sundays</u>	<u>Repair and maintenance work on existing single-family residences, including, painting, wallpapering, carpeting, tiling, minor repairs, yard work, etc.</u> <u>Emergency repairs for major structural damage caused by catastrophic event or natural phenomenon.</u>	<u>Construction and building operations, including erection of principal buildings, accessory buildings, or any other structure or part thereof, and alteration or repair.</u> <u>Excavating, grading, demolition, or clearing.</u> <u>Delivery and unloading of construction and building materials.</u>
<u>Official Holidays observed by the Town, per Section 1-2</u> <u>8:30 am to 5:00 pm</u>	<u>Construction and building operations, including erection of principal buildings, accessory buildings, or any other structure or part thereof, and alteration or repair.</u>	<u>Excavating, grading, demolition, or clearing.</u>
<u>National Holidays:</u> <u>New Year’s Day</u> <u>Memorial Day</u> <u>Independence Day</u> <u>Labor Day</u> <u>Thanksgiving Day</u> <u>Christmas Day</u>		<u>Construction and building operations, including principal buildings, accessory buildings or any other structure or part thereof, and alteration or repair.</u> <u>Excavating, grading, demolition, or clearing.</u> <u>Delivery and unloading of construction and building materials.</u>

- 62 ~~(a) Generally. Construction and building operations, including erection of principal buildings, accessory~~
63 ~~buildings or any other structures or part thereof, alteration or repair is prohibited, except as otherwise~~
64 ~~provided in this section, on Saturdays, Sundays and holidays as specified in section 1-2. Excavating,~~
65 ~~grading, or demolition or clearing shall be prohibited on Saturdays, Sundays and the following national~~
66 ~~holidays observed by the town: New Year's Day; Memorial Day; Independence Day; Labor Day;~~
67 ~~Thanksgiving Day; and Christmas Day.~~
- 68 ~~(b) When permitted. Construction and building operations, including erection of principal buildings,~~
69 ~~accessory buildings or any other structures or part thereof, excavation, grading, demolition, clearing,~~
70 ~~alteration or repair, are permitted between the hours of 7:00 a.m. and 6:00 p.m. on weekdays that~~
71 ~~are not holidays. Such construction and building operations are permitted between the hours of 8:30~~
72 ~~a.m. to 5:00 p.m. on Saturdays and official holidays, as defined by section 1-2.~~
- 73 ~~(c) Exemption for existing single family residences. Repair and maintenance work on existing single-~~
74 ~~family residences is permitted on weekends and holidays. Such activities include, but are not limited~~
75 ~~to, painting, wallpapering, carpeting, tiling, minor repairs, yard work, etc.~~
- 76 ~~(d) Delivery and unloading of construction materials. The delivery and unloading of construction and~~
77 ~~building materials is expressly prohibited on Sundays and national holidays.~~
- 78 ~~(e) Emergency repairs. Emergency repairs for major structural damage caused by catastrophic event or~~
79 ~~natural phenomenon are permitted on weekends.~~

80 * * *

81 **ARTICLE II. - BUILDING CODE**

82 **Sec. 18-31. - Model Administrative Code adopted; local additions to the Model Administrative code** 83 **adopted.**

84 The Building Officials Association of Florida's (BOAF) Model Administrative Code (~~20232020~~) for the
85 Florida Building Code, 8⁷~~th~~ Edition (~~20232020~~), is hereby adopted by reference as though fully set forth in
86 this section, with certain local additions thereto recommended by the town's building official, as
87 authorized by F.S. § 553.73(4)(a) and as reflected in Ordinance ~~2023-062021-02~~. The Model
88 Administrative Code, which comprises Chapter 1 of the Florida Building code, with all of the town's
89 additions, together with this section is on file in the office of the town clerk.

90 * * *

91 **ARTICLE III. - ELECTRICAL CODE**

92 **18-61. - Adopted.**

93 With the exceptions referenced below, the town hereby adopts the "NFPA 70, *National Electrical Code*
94 (NEC)," as published by the National Fire Protection Association, and incorporates the same by reference
95 as if fully set forth herein. Copies of the National Electric Code are on file in the office of the town clerk.

96 * * *

97 **ARTICLE IX. - EXCAVATION AND GRADING CODE**

98 **Sec. 18-241. - Adopted.**

99 There is hereby adopted by the town that certain volume of the Florida Building Code, ~~87~~⁸⁷th Edition
100 (~~2023~~~~2020~~) known as “Florida Building Code, Building, Appendix J, Grading” thereof, as published by the
101 International Code Council, Inc. Copies of the subject code are filed in the office of the town clerk, and
102 such code is hereby adopted and incorporated as fully as if set out at length in this section, and the
103 provisions contained therein shall be controlling within the limits of the town.

104 * * *

105 **ARTICLE XI. - HOUSING CODE**

106 **Sec. 18-411. - International Property Maintenance Code adopted.**

107 (a) With the exceptions referenced below, the town hereby adopts the ~~2021~~~~2018~~ Edition of the
108 International Property Maintenance Code published by the International Code Council, Inc., and
109 incorporates the same by reference as if fully set forth herein. Copies of the ~~2021~~~~2018~~ International
110 Property Maintenance Code, together with this section, are on file in the office of the town clerk.

111 (b) The following sections of the ~~adopted~~ ~~2018~~ International Property Maintenance Code are hereby
112 amended as follows:

113 * * *



BOAF MODEL ADMINISTRATIVE CODE CHAPTER 1
FOR ~~8th~~ 7th Edition (~~2020~~) (2023) FLORIDA BUILDING CODE
WITH

**ADDITIONS FROM THE
TOWN OF PONCE INLET**

BOAF Model Administrative Code – ~~8th~~ 7th Edition (~~2020~~) (~~2023~~)

The Building Officials Association of Florida is proud to present this model document for use by its members as a tool to facilitate the uniform and consistent application of local amendments to the administrative provisions of the Florida Building Code. Every effort has been made to present the amendments in mandatory language format. The language that is shaded represents those text revisions approved by the BOAF Board of Directors.

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LEGEND: Underlined words herein constitute additions made by the Town of Ponce Inlet, pursuant to § 553.73(4)(a), Florida Statutes, to the BOAF ~~2023~~17 Model Administrative Code for the ~~Eighth~~ Seventh Edition of the Florida Building Code (~~2020~~2023). ~~Strikethroughs~~ constitute deletions from the BOAF ~~2017~~ 2023 Model Administrative Code.

CHAPTER 1
SCOPE AND ADMINISTRATION

PART 1—SCOPE AND APPLICATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the *Florida Building Code*, hereinafter referred to as “this code.”

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

Exceptions:

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

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

2020 2023 Florida Building Code, Building

- Appendix B - Chapter 9B-52 F.A.C. Florida Standard for Passive Radon-Resistant Construction
- Appendix C - ~~Chapter 9B-53 F.A.C.~~ Standard for Mitigation of Radon in Existing Buildings
- Appendix G - Flood-Resistant Construction

2020 2023 Florida Building Code, Residential

- Appendix A - Sizing and Capacities of Gas Piping
- Appendix B - Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I

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

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

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

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

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

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

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

101.4.3 Plumbing. The provisions of the *Florida Building Code, Plumbing* shall apply to the installation, *alteration*, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.

101.4.4 Property maintenance. The provisions of the ~~2018~~ 2021 *International Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.5 Fire prevention. For provisions related to fire prevention, refer to the *Florida Fire Prevention Code*. The *Florida Fire Prevention Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction,

extension, *repair*, *alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

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

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

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

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see Section 458, *Florida Building Code, Building*, and Rule 61-41 *Florida Administrative Code*.

SECTION 102 APPLICABILITY

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

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

facilities, or state universities, community colleges, or public education facilities, as provided by law.

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

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Section 553.501-553.513, *Florida Statutes*) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures. *Permits* shall be required for structural support and tie down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment

used in such production, on or off the premises.

- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (i) Family mausoleums not exceeding 250 square feet (23 m²) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

~~(k)~~ A drone port as defined in s.330.41(2).

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

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

1. The building or structure is structurally sound and in occupiable condition for its intended use;
2. The occupancy use classification for the building or structure is not changed as a result of the move;
3. The building is not substantially remodeled;

4. Current fire code requirements for ingress and egress are met;
5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the *Florida Building Code*, Building for all residential buildings or structures of the same occupancy class.

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

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

102.2.5 Not applicable.

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

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

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

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the

prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

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

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

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

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *Florida Building Code*, *Existing Building*, the ~~2018~~*2021 International Property Maintenance Code* and the *Florida Fire prevention code*, or as revised by ordinance of the Town or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

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

102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *Florida Fire prevention Code* or ~~2021~~*International Property Maintenance Code* ~~2018~~ or as is deemed

necessary by the *building official* for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

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

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

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103 DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the *building official*.

103.2 Appointment. The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the

concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy *building official*, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*.

For the maintenance of existing properties, see the [2018/2021 International Property Maintenance Code](#)

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

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

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

104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair of substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair of substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612 or [R322 of the Florida Building Code, Residential, as applicable](#).

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

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

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

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

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

104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the

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

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

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

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

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health,

accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Building Safety.

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

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets the following: design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. ~~Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.~~

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

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

- Quality.
- Strength.
- Effectiveness.
- Fire resistance.
- Durability.
- Safety.

Where the alternative material, design or method of construction is not approved, the *building official*

shall respond in writing, stating the reasons why the alternative was not approved.

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

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

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

SECTION 105 PERMITS

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

105.1.1 Annual facility permit. In lieu of an individual *permit* for each *alteration* to an existing

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

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

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

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

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any

manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the *local floodplain management ordinance*. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 32 square feet (3m²).
2. Decorative Iandscape Fences not over 3 feet (914.4 mm) high.
3. Retaining walls that are not over 2 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
7. Swings and other playground equipment accessory to detached one- and two-family *dwellings*
8. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1,372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.
9. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height
10. Building Interior: Repair and replacement of non-structural interior doors, trim, carpet, and other flooring, painting,

~~cabinets, and vanities unless electrical or plumbing will be disconnected and/or altered from their original locations,~~ repairs to walls and ceilings, additional attic insulation.

11. Building Exterior: Minor repair and replacement of small areas of trim and siding, fascia and soffit, broken panels of glass, replacement of window and pool enclosure screening, painting, and patching of exterior surfaces, fence repair, existing roof repair if less than 100 square foot total area during a twelve-month period, gutters and downspouts.

Electrical:

Repairs and maintenance. Repair and replacement of fixtures and appliances such as light fixtures, ceiling fans, receptacles, switches, refrigerator, range, range hood in their original location and no change to the circuit breakers in existing panels. Caution: electrical work should only be done by a qualified electrician or a person experienced with electrical systems. Improper electrical work can cause property damage, injury, and possible death.

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

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

Gas:

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

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.

3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. The installation, replacement, removal or metering of any load management control device.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- ~~3. For single fixtures not part of the remodeling and/or alteration project: replacement of kitchen or bath sinks and faucets, toilets if location is not altered, shower heads, garbage disposal if no changes to the electrical and/or drain line and traps are made.~~

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

105.2.2. Minor repairs. Ordinary minor repairs or installation of replacement parts may be made

with the prior approval of the *building official* without a permit, provided the repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.*

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

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

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

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

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

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

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

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

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

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes*, may design a fire ~~sprinkler~~ protection system of 49 or fewer ~~heads~~ sprinklers; ~~and~~ may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of ~~not more than 249 or fewer sprinkler heads, and the addition of up to 49 sprinklers, as long as the cumulative total number of fire sprinklers being added, relocated or delated does not exceed 249,~~ notwithstanding the size of the existing fire sprinkler ~~system; or may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of existing fire sprinkler system:~~
 - a. ~~if there is no change of occupancy of the affected areas, as defined in this Code and the Florida Fire Prevention Code, and~~
 - b. ~~if there is no change in the water demand as defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and~~

2-c. ~~if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the alteration.~~
3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any

document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one, two, three or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, *Florida Statutes*, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

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

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system.

NOTE: It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire

detection and alarm system which costs more than \$5,000.

Exception:

Simplified permitting process for fire alarm system projects.

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

(a) “Component” means valves, fire sprinklers, escutcheons, hangers, compressors, or any other item deemed acceptable by local enforcing agency. For purposes of this paragraph, a valve does not include pressure-regulating, pressure-reducing, or pressure-control valves.

(b) “Contractor” means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, Florida Statutes.

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

(d) “Fire sprinkler system project” means a fire protection system alternation of a total of 20 or fewer fire sprinklers in which the sprinklers are of the same K-factor and located in spaces where there is no change of hazards classification or increased system coverage area, or the installation or replacement of an equivalent fire sprinkler system component in an existing commercial, residential, apartment, cooperative, or condominium building. For purposes of this paragraph, a component is equivalent if the component has the same or better characteristics, including electrical, hydraulic, pressure losses, and required listings and spacing as the component being replaced.

(2) (a) A local enforcement agency may require a contractor, as a condition of obtaining a permit for a fire alarm system project, to submit a completed application and payment.

(b) A local enforcement agency may not require a contractor to submit plans or specifications as a condition of obtaining a permit for a fire alarm system project.

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

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

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

5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. The system; requires an electrical system with a value of over \$125,000; and rRequires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system.

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

Documents requiring an engineer seal by this part shall not be valid unless a

professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, *Florida Statutes*.

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

105.3.1.3 Reviewing application for building permit.

1. When reviewing an application for a building permit, a local government may not request additional information from the applicant more than three times, unless the applicant waives such limitation in writing.
2. If a local government requests additional information from an applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 15 days after receiving such information:
 - a. Determine if the application is properly completed;
 - b. Approve the application;
 - c. Approve the application with conditions;
 - d. Deny the application; or
 - e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.
3. If a local government makes a second request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information:
 - a. Determine if the application is properly completed;
 - b. Approve the application;

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

4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:
 - a. Approve the application;
 - b. Approve the application with conditions; or
 - c. Deny the application.
5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.

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

requested in writing and justifiable cause demonstrated.

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

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

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

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

Disclosure Statement: State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner

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

105.3.7 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract’s execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.3.8 ~~Contracts~~Public right of way. ~~A local government may not require a contract between a builder and an owner for the issuance of a building permit or as a requirement for the submission of a building permit application. A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way~~

~~permit from the authority having jurisdiction over the street, alley or public lane.~~

105.3.9 Public right of way. A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane.

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

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

105.4.1.1 If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the

proposed construction shall be obtained before proceeding with the work.

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

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

105.4.1.4 The fee for renewal reissuance and extension of a permit shall be set forth by the resolution of the Town Council, as amended from time to time.

105.4.1.5 After the local enforcing agency issues a permit, the local enforcing agency may not make or require any substantive changes to the plans or specifications except changes required for compliance with the Florida Building Code, the Florida Fire Prevention Code, or the Life Safety Code, or local amendments thereto. If a local agency makes or requires substantive changes to the plans or specifications after a permit is issued, the local enforcing agency must identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide the information to the permitholder in writing.

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its

issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced the permit holder and property owner shall be responsible to either complete all work in accordance with the permitted plans and inspection or remove any partially completed work in a safe and code compliant manner. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the *building official*. Permits issued for the demolition of a structure shall expire sixty (60) days from the date of issuance. For a justifiable cause, one or more extensions of time for a period not exceeding thirty (30) days may be allowed. Such request shall be in writing to the building official. In addition to subsections 105.4 and 105.5 of the BOAF Model Administration Code Chapter 1, all permits issued under the Florida Building Code (inclusive of all extensions) for new construction of residential and commercial projects shall be null and void two years and one day after the date of issuance and shall be deemed non-compliant. The expiration date will appear on the permit. No work shall be performed under a non-compliant permit. Any person performing work under a non-compliant permit shall be in violation of this section and may be sent a Notice of Violation to appear before the Town of Ponce Inlet Code Enforcement Board.

105.5.1 Additional options for closing a *permit*.

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

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the *permit*. If a contractor other than the original contractor listed on the *permit* is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original

contractor and is only liable for the work that he or she performs.

2. The property owner may assume the role of an owner- builder, in accordance with Sections 489.103(7) and 489.503(6), *Florida Statutes*.
3. If a building *permit* is expired and its requirements have been substantially completed, as determined by the local enforcement agency, the *permit* may be closed without having to obtain a new building *permit*, and the work required to close the *permit* may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the *permit*, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building *permit* 6 years after the issuance of the *permit*, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

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

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

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

105.6 Denial, suspension, or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provision of this code. Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection,

alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

105.6.1 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building *permit* to; issue a notice of violation to; or fine, penalize, sanction or assess fees against an arm's-length purchaser of a property for value solely because a building *permit* applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the *permit*.

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

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

105.8 Notice of commencement. In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT

MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

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

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

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

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

105.13 Phased permit approval. After submittal of the appropriate construction documents, the *building official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

105.14 Permit issued on basis of an affidavit. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the *building official*, are hazardous or complex, the *building official* shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the *building official* written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the *building official*. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part III of Chapter 468, *Florida Statutes*.

Exception: 105.145.1 Affidavits in flood hazard areas. Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the *Florida Building Code* and the *building official shall review and inspect those requirements*.

105.15 Opening protection. When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family

detached residential structure that is located in the wind borne debris region as defined in this Code and that has an insured value of \$750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this Code or *Florida Building Code, Residential* for new construction shall be provided.

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

105.16 Inspection of existing residential building not impacted by construction.

- (a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.
- (b) This subsection does not apply to a building permit sought for:
 - 1. A substantial improvement as defined in Section 161.54, *Florida Statutes* or as defined in the *Florida Building Code*.
 - 2. A change of occupancy as defined in the *Florida Building Code*.
 - 3. A conversion from residential to nonresidential or mixed use pursuant to Section 553.507(2)(a), *Florida Statutes* or as defined in the *Florida Building Code*.
 - 4. A historic building as defined in the *Florida Building Code*.
- (c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:

1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).
3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20-933.30, *Florida Statutes*.

105.17 Streamlined low-voltage alarm system installation permitting.

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

- (a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, *Florida Statutes*.
- (b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, *Florida Statutes*, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.
- (c) "Low-voltage electric fence" means an

alarm system, as defined in s. 489.505, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.

- (d) "Wireless alarm system" means a burglar alarm system or smoke detector that is not hardwired.
- (2) Notwithstanding any provision of this Code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.
- (3) A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further *permit* shall be required for the low-voltage alarm system project other than as provided in this section:
 - (a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.
 - (b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low-voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.
 - (c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.
- (4) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.
- (5) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, *Florida Statutes*. The local enforcement agency may not

require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.

- (a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
 - (b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.
- (6) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.
 - (7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.
 - (8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of Section 553.793(7), *Florida Statutes*.
 - (9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project

fails an inspection, the contractor must take corrective action as necessary to pass inspection.

- (10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.
- (11) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

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

SECTION 106 FLOOR AND ROOF DESIGN LOADS

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

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

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

SECTION 107 SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted ~~in two or more sets~~ with each *permit application* in accordance with Florida Statutes 553.79. The *construction documents* shall be prepared by a *registered design professional* where required by Chapter 471, Florida Statutes & 61G15

Florida Administrative Code or Chapter 481, Florida Statutes & 61G1 Florida Administrative Code. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

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

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

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

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

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

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

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

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

107.2.6 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, flood hazard areas,

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

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

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

107.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603.

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

Exceptions:

1. Building plans approved pursuant to Section 553.77(5), *Florida Statutes*, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to FAC 61-41.009, Florida Administrative Code, shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.

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

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

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

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

107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a *registered design professional*, the

building official shall be authorized to require the *owner* or the *owner's* authorized agent to engage and designate on the *building permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the *owner's* authorized agent shall designate a ~~substitute~~ successor *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building official* shall be notified in writing by the *owner* or the *owner's* authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties. Successor registered design professional in responsible charge licensed under Chapter 471 Florida Statutes shall comply with Section 471.025(4) Florida Statutes and the procedure set forth in 61G15-24.001 Florida Administrative Code; or licensed under Chapter 481 Florida Statutes shall comply with Section 481.221(6) Florida Statute and the procedure set forth in 61G1-18.002 Florida Administrative Code.

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

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

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

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *building official* with a notation indicating that the deferred submittal documents have been

reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been *approved* by the *building official*.

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

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

Commercial Buildings:

Building

1. Site requirements:

Parking

Fire access

Vehicle loading

Driving/turning radius

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

- Set back/separation (assumed property lines)
- Location of specific tanks, water lines and sewer lines
- Flood hazard areas, flood zones, and design flood elevations
- 2. Occupancy group and special occupancy requirements shall be determined (with cross check with the energy code submittal).
- 3. Minimum type of construction shall be determined (see Table 503).
- 4. Fire-resistant construction requirements shall include the following components:
 - Fire-resistant separations
 - Fire-resistant protection for type of construction
 - Protection of openings and penetrations of rated walls
 - Fire blocking and draft-stopping and calculated fire resistance
- 5. Fire suppression systems shall include:
 - Early warning smoke evacuation systems
 - Schematic fire sprinklers
 - Standpipes
 - Pre-engineered systems
 - Riser diagram
- 6. Life safety systems shall be determined and shall include the following requirements:
 - Occupant load and egress capacities
 - Early warning
 - Smoke control
 - Stair pressurization
 - Systems schematic
- 7. Occupancy load/egress requirements shall include:
 - Occupancy load
 - Gross
 - Net

- Means of egress
- Exit access
- Exit
- Exit discharge
- Stairs construction/geometry and protection
- Doors
- Emergency lighting and exit signs
- Specific occupancy requirements
- Construction requirements
- Horizontal exits/exit passageways
- 8. Structural requirements shall include:
 - Soil conditions/analysis
 - Termite protection
 - Design loads
 - Wind requirements
 - Building envelope
 - Impact resistant coverings or systems
 - Structural calculations (if required)
 - Foundation
 - Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials
 - Wall systems
 - Floor systems
 - Roof systems
 - Threshold inspection plan
 - Stair systems
- 9. Materials shall be reviewed and shall at a minimum include the following:
 - Wood
 - Steel
 - Aluminum
 - Concrete
 - Plastic

- Glass
- Masonry
- Gypsum board and plaster
- Insulating (mechanical)
- Roofing
- Insulation
- Building envelope portions of the Energy Code (including calculation and mandatory requirements)
- 10. Accessibility requirements shall include the following:
 - Site requirements
 - Accessible route
 - Vertical accessibility
 - Toilet and bathing facilities
 - Drinking fountains
 - Equipment
 - Special occupancy requirements
 - Fair housing requirements
- 11. Interior requirements shall include the following:
 - Interior finishes (flame spread/smoke development)
 - Light and ventilation (including corresponding portion of the energy code)
 - Sanitation
- 12. Special systems:
 - Elevators
 - Escalators
 - Lifts
- 13. Swimming pools:
 - Barrier requirements
 - Spas
 - Wading pools
- 14. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper

and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical

1. Electrical:
 - Wiring
 - Services
 - Feeders and branch circuits
 - Overcurrent protection
 - Grounding
 - Wiring methods and materials
 - GFCIs
 - Electrical portions of the Energy Code (including calculation and mandatory requirements)
2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. Design flood elevation

Plumbing

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

13. Plumbing riser
14. Design flood elevation
15. Water/plumbing portions of the Energy Code (including calculation and mandatory requirements)

Mechanical

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

16. Design flood elevation

~~16.~~17. Smoke and/or Fire Dampers

Gas

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents
5. Appliances
6. Type of gas
7. Fireplaces

8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation
11. Gas portions of the Energy Code (including calculation and mandatory requirements)

Demolition

1. Asbestos removal

Residential (one- and two-family):

1. Site requirements:
 - Set back/separation (assumed property lines)
 - Location of septic tanks
2. Fire-resistant construction (if required)
3. Fire
4. Smoke and/or carbon monoxide alarm/detector locations
5. Egress:
 - Egress window size and location stairs construction requirements
6. Structural requirements shall include:
 - Wall section from foundation through roof, including assembly and materials connector tables wind requirements structural calculations (if required)
 - Termite protection
 - Design loads
 - Wind requirements
 - Building envelope
 - Foundation
 - Wall systems
 - Floor systems
 - Roof systems
 - Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials

7. Accessibility requirements: show/identify accessible bath
8. Impact resistant coverings or systems
9. Residential Energy Code submittal (including calculation and mandatory requirements)

Manufactured buildings:

1. Site requirements:
 - Setback/separation (assumed property lines)
 - Location of septic tanks (if applicable)
2. Structural:
 - Wind zone
 - Flood
 - Anchoring
 - Blocking
3. Plumbing:
 - List potable water source and meter size (if applicable)
4. Mechanical:
 - Exhaust systems
 - Clothes dryer exhaust
 - Kitchen equipment exhaust
5. Electrical exterior disconnect location

Exemptions.

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

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. Reroofs
3. Minor electrical, plumbing and mechanical repairs
4. Annual maintenance permits
5. Prototype plans:
 - Except for local site adaptations, siding, foundations and/or modifications.
 - Except for structures that require waiver.

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

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

107.5 Retention of construction documents. One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

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

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

107.6.2 Affidavits Provided Pursuant to Section 553.791, Florida Statutes. For a building or structure in a flood hazard area, the building official shall review any affidavit certifying compliance with the flood load and flood-resistant construction requirements of the Florida Building Code.

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

SECTION 108 TEMPORARY STRUCTURES AND USES

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

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

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

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

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

SECTION 109 FEES

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

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

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

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

7. Administrative appeals;
8. Violations; and
9. Other fees as established by local resolution or ordinance.

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

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* or without prior approval from the *building official* as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees or as provided by local ordinance under [Code of Ordinances](#) Appendix A. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee (in addition to the permit fee). The payment of a double/penalty fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The *building official* may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

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

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

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a *permit* is required shall be subject to inspection by the *building official* and such construction or work shall remain accessible and exposed for inspection purposes until *approved*.

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

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

110.1.2 Inspection service. The *building official* may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the *building official*. The *building official* shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes; or licensed under Chapter 471 or 481 Florida Statutes.

110.2 Preliminary inspection. Before issuing a permit, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

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

Building

1. Foundation inspection. To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:
 - Stem-wall
 - Monolithic slab-on-grade
 - Piling/pile caps
 - Footers/grade beams
- 1.1. Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
- 1.2. A Foundation/Form Board survey prepared and certified by a ~~registered~~ Florida licensed professional surveyor ~~and mapper~~ may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. ~~In lieu of providing a survey, the contractor may elect to uncover all~~

~~property line markers and string up all property lines in preparation for inspection.~~

~~1.3~~ 1.2. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 Florida Building Code Building and R3221.1.1 Florida Building Code Residential shall be submitted to the building official.

2. Framing inspection. To be made after the roof, all framing, fire blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved* and shall at a minimum include the following building components:
 - Window/door framing
 - Window U-factor/SHGC as indicated on approved calculations
 - Vertical cells/columns
 - Lintel/tie beams
 - Framing/trusses/bracing/connectors (including truss layout and engineered drawings)
 - Draft stopping/fire blocking
 - Curtain wall framing
 - Energy insulation (Insulation R-factor as indicated on approved calculations)
 - Accessibility.
 - Verify rough opening dimensions are within tolerances.
 - Window/door buck attachment
- 2.1. Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal Includes wall and ceiling insulation.

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.

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

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

- Roof sheathing
- Wall sheathing
- Continuous air barrier
- Exterior Siding/Cladding
- Sheathing fasteners
- Roof/wall dry-in.

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

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

- Exterior wall coverings and veneers
- Soffit coverings

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

- Dry-in
- Insulation

- Roof coverings (including In Progress as necessary)
- Insulation on roof deck (according to submitted energy calculation)
- Flashing

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

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

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

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

a. Steel reinforcement inspection

b. Underground electric inspection.

c. Underground piping inspection including a pressure test.

d. Underground electric inspection under deck area (including the equipotential bonding)

e. Underground piping inspection under deck area.

f. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place)

g. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.

h. Final pool piping.

- i. Final Electrical inspection.
- j. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17. of this code.

- 8. Demolition inspections. First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.

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

- 9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the *Florida Building Code*. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).
- 10. Where impact resistant coverings or impact resistant systems are installed, the *building official* shall schedule adequate inspections of impact resistant coverings or impact resistant systems to determine the following:

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

Electrical

- 1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
- 2. Rough-in inspection. To be made after the roof, framing, fire-blocking and bracing is in place and prior to the installation of wall or ceiling membranes.
- 3. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.
- 4. Existing Swimming Pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

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

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

Mechanical

- 1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
- 2. Rough-in inspection. To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and

prior to the installation of wall or ceiling membranes. Includes mechanical provisions of the energy code and approved calculations provisions.

3. Final inspection. To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

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

Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any

means.

110.3.1 Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection.

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

110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.54 of the [Florida Building Code, Building and Section R22 of the Florida Building Code](#), shall be submitted to the *building official*.

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

110.3.5 Lath, gypsum board and gypsum panel product inspection.

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

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

110.3.6 Weather-exposed balcony and walking surface waterproofing. Where balcony or other

elevated walking surfaces are exposed to water from direct or blowing rain, ~~snow~~ or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and *approved*.

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

110.3.8 Energy efficiency inspections. Inspections shall be made to determine compliance with ~~Chapter 13-FBC~~, *Energy Conservation* and confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation *R*- and *U*-values, fenestration *U*-value and Solar Heat Gain Coefficient, duct system *R*-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

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

110.3.10 Special inspections. Reserved.

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

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

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

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

110.3.12 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.~~13~~12.9 or Section 2304.1~~2.64~~, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the *building official* has been received.

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

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

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

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

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

comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

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

110.8 Threshold building.

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

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

110.8.3 The fee owner of a threshold building shall select and pay all costs of employing a

special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, *Florida Statutes*, as an engineer or under Chapter 481, *Florida Statutes*, as an architect.

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

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

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

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

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

110.8.5 No enforcing agency may issue a building permit for construction of any threshold building

except to a licensed general contractor, as defined in Section 489.105(3)(a), *Florida Statutes*, or to a licensed building contractor, as defined in Section 489.105(3)(b), *Florida Statutes*, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

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

110.9 Mandatory structural inspections for condominium and cooperative buildings.

110.9.1 General. The Legislature finds that maintaining the structural integrity of a building throughout the life of the building is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such, the Legislature finds that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

110.9.2. As used in this section, the terms:

(a) “Milestone inspection” means a structural inspection of a building, including an inspection of load-bearing elements and the primary structural members and primary structural systems as those terms are defined in s. 627.706, Florida Statutes, by an architect licensed under chapter 481 or engineer licensed

under chapter 471 authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the fire safety code. The milestone inspection services may be provided by a team of professionals with an architect or engineer acting as a registered design professional in responsible charge with all work and reports signed and sealed by the appropriate qualified team member.

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

110.9.3. (a) An owner or owners of a building that is three stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718, Florida Statutes, or a residential cooperative under chapter 719, Florida Statutes, must have a milestone inspection performed by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building’s initial milestone inspection must be performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the

building's initial milestone inspection must be performed before December 31, 2025. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

(b) The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, require that a milestone inspection must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter.

(c) The local enforcement agency may extend the date by which a building's initial milestone inspection must be completed upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection and the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension.

(d) The local enforcement agency may accept an inspection report prepared by a licensed engineer or architect for a structural integrity and condition inspection of a building performed before July 1, 2022, if the inspection and report substantially comply with the requirements of this section. Notwithstanding when such inspection was completed, the condominium or cooperative association must comply with the unit owner notice requirements in Section 110.9.9. The inspection for which an inspection report is accepted by the local enforcement agency under this paragraph is deemed a milestone inspection for the applicable requirements in chapters 718 and 719. If a previous inspection and report is accepted by the local enforcement agency under this paragraph, the deadline for the building's subsequent 10-year milestone inspection is based on the date of the accepted previous inspection.

110.9.4. The milestone inspection report must be arranged by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership are each responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association. This section does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

110.9.5. Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable, by certified mail, return receipt requested. The condominium or cooperative association must notify the unit owners of the required milestone inspection within 14 days after receipt of the written notice from the local enforcement agency and provide the date that the milestone inspection must be completed. Such notice may be given by electronic submission to unit owners who consent to receive notice by electronic submission or by posting on the association's website.

110.9.6. Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive the written notice under Section 110.9.5. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

110.9.7. A milestone inspection consists of two phases:

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

110.9.7.2. A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer performing the phase two inspection must submit a phase two progress report to the local enforcement agency with a timeline for completion of the phase two inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.8. Upon completion of a phase one or phase two milestone inspection, the architect or engineer

who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, to any other owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

- (a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.
- (b) Indicate the manner and type of inspection forming the basis for the inspection report.
- (c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.
- (d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
- (e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
- (f) Identify and describe any items requiring further inspection.

110.9.9. Within 45 days after receiving the applicable inspection report, the condominium or Cooperative association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under chapter 718 or chapter 719, as applicable, and by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to received notice by electronic

transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector- prepared summary on the association’s website, if the association is required to have a website.

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

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

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. A/No building or structure shall not be used or occupied, and a/no change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

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

111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws

that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the *owner* or the owner’s authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction building official.
7. The name of the *building official*.
8. The edition of the code under which the *permit* was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.
10. The type of construction as defined in Chapter 6.
11. The design *occupant load*.
12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building *permit*.

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

111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error,

or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

111.5 Certificate of Completion. A Certificate of Completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a Certificate of Occupancy.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

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

SECTION 113 BOARD OF APPEALS

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and

interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

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

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

SECTION 114 VIOLATIONS

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

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

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

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

SECTION 115 STOP WORK ORDER

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

115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

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

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure

that is not secured against entry shall be deemed unsafe.

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

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

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

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

SECTION 117 VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), Florida Statutes, the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the

building official for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.



Meeting Date: 11/16/2023

Agenda Item: 15

Report to Town Council

Topic: From the Town Manager

Summary: Please see attached report.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



MEMORANDUM OFFICE OF THE TOWN MANAGER

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Michael E. Disher, AICP, Town Manager
Date: November 9, 2023
Subject: Town Manager's Report

MEETING DATE: November 16, 2023

1. On October 24, 2023, I attended the Legislative Delegation meeting in DeLand, along with Public Safety Director Scales, Mayor Paritsky, and Councilman-elect White, to present our requests for legislative appropriation as discussed at the October 19th Council meeting. These include new replacement generators for the Fire station and Public Works, and construction funds for the extending sewer to the Lighthouse Shores neighborhood. To assist us with these requests, we have retained the services of a lobbyist, Andrew Kael with Sunrise Consulting Group. In a short time, he has already provided us with useful information to improve our proposals and our chances of success.
2. County Council updates, November 7, 2023 meeting:
 - The County Council reviewed a proposal to [expand the Interlocal Service Boundary Agreement with Ormond Beach](#) to include the Hull Road fuel tank property. The ISBA gives Ormond Beach land use planning and development authority over properties inside the ISBA area. This circumvents SB 250, which prohibits local jurisdictions from adopting tougher development requirements if within 100 miles of where Hurricanes Ian and Nicole made landfall until 9-30-24. Volusia County is within 100 miles of the Hurricane Nicole landfall (Vero Beach), although Ormond Beach is not. The County Council is also initiating discussions with the owners of the property to [purchase or lease](#) it.
 - Reviewed an [Amendment to Grant Agreement with the FDEP](#) for an additional \$40,010,255 for the feasibility study, design, permitting, and construction of the Volusia County 2022 Hurricane Ian and Nicole Recovery Project. This is in addition to the \$37,689,745 awarded this past April, for a total of \$77,700,000. Of this, \$1,400,000 is for the feasibility study, design, and permitting, while the remainder is for construction.

3. Toward the beginning of next calendar year, the Town will begin contacting property owners with irrigation meters about our backflow prevention requirements. Those properties that have separate irrigation meters connected to the Town’s water supply are required to have backflow prevention devices, which must be tested every two years. There are about 100 properties that do not have such devices and will need to install them. We plan to notify them of the requirements via mail and other public notice methods with the goal of compliance within the next 6 months.
4. Building permit update: Permit volume remains high. Typical average is approximately 100 permits issued per month or 1,200 per year. Total permit applications year-to-date by the end of October is already at 1,406. We are on pace to end the year with over 1,600 permit applications.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Avg
Permit applications	119	176	186	133	159	164	120	121	108	120	141
Permits issued	144	104	160	141	138	144	148	114	108	120	121
Plan reviews	87	166	183	138	152	134	157	115	117	112	136
Inspections	295	235	403	319	289	323	233	320	293	347	306