

6B-1

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARD APPOINTMENT SUMMARY

Meeting Date: March 20, 2012

Department: Planning, Zoning & Building Department

Submitted By: Building Division

Advisory Board Name: Building Code Advisory Board

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A) Appointment of one new member and B) reappointment of one member to the Building Code Advisory Board:

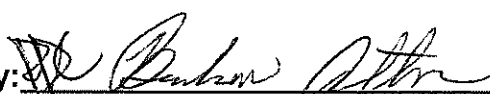
<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Andrew Mack	7	Building Official	BOAPBC	3/21/2012-1/10/2013
<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Maurice Jacobson	15	HVAC Contractor	CIMC	3/21/2012-3/6/2015

**Summary:** The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for board members is three years; with no limit to the number of terms a member may serve. The appointment of Andrew Mack is nominated by the Building Officials Association of Palm Beach County (BOAPBC), to complete the term of previous board member, George Diaz. The reappointment of Maurice Jacobson is nominated by Construction Industry Management Council (CIMC) of Palm Beach County. The Board is composed of sixteen members; seven regional Building Officials who must be appointed from nominees submitted by the Building Officials Association of Palm Beach County; seven members who must be appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; one member who must be a registered Architect appointed from nominees submitted by the Palm Beach County Chapter of the American Institute of Architects; and one member who must be a Professional Engineer appointed from nominees submitted by the Palm Beach County Chapter of the Florida Engineering Society. Countywide (SF)

Background and Justification: continued on page 3

**Attachments:**

1. Board Appointment Information Forms
2. Letters of Recommendation
3. Resumes
4. BCAB Attendance Record
5. Special Act

Recommended By:  2-24-12  
Department Director Date

Legal Sufficiency:  2/28/12  
Assistant County Attorney Date

## II. REVIEW COMMENTS

### A. Other Department Review:

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Department Director

REVISED 06/92  
ADM FORM 03  
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

continued from page 1

**Background and Justification:** The Building Code Advisory board is authorized to advise local governments regarding adoption of administrative or technical amendments to the Florida Building Code based on local conditions.

Advise local governments how construction code enforcement can be improved and standardized.

Advise local governments on evaluation of new and innovative materials, products, systems, or methods of construction for compliance with the Florida Building Code, and any amendments or revision thereto.

Act as the countywide compliance review board, pursuant to section 553.73(4) (b) 7., Florida Statutes, notwithstanding the requirements contained therein to establish such review board by interlocal agreement.

The board is authorized to establish policies and procedures necessary to conduct evaluation efforts, such as, but not limited to, applications, fees, renewals, and revocations.

This advisory committee membership has 16 seats, 13 currently filled and 3 vacancies and a diversity count of Asian: 0 (0.00%), Black: 0 (0.00%), Hispanic: 0 (0%), White: 13 (100.00%) and unknown: 0 (0.00%). The gender ratio (male:female) is 11:2.

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

**Section I (Department):** (Please Print)

Board Name: Building Code Advisory Board Advisory  Not Advisory

At Large Appointment or  District Appointment / District #: 7

Term of Appointment: 3 Years. From: 3/7/2012 To: 3/10/13

Seat Requirement: Building Official Seat #: 7

\*Reappointment or  New Appointment

or  to complete the term of George Diaz Due to:  resignation  other

Completion of term to expire on: January 10, 2013

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: 0

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: MACK ANDREW PETER  
Last First Middle

Occupation/Affiliation: Building Official / ENGINEER

Owner  Employee  Officer

Business Name: City of Boynton Beach

Business Address: 100 EAST BOYNTON BEACH BOULEVARD

City & State: Boynton Beach, FL Zip Code: 33435

Residence Address: 9740 Roche Place

City & State: Wellington, FL Zip Code: 33414

Home Phone: ( ) N/A Business Phone: (561) 742-6366 Ext.

Cell Phone: (561) 797-6628 Fax: (561) 742-6357

Email Address: MACKA@bbfl.us

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes  No

If Yes, state the court, nature of offense, disposition of case and date: Adjudication withheld (see attached)

Minority Identification Code:  Male  Female  
 Native-American  Hispanic-American  Asian-American  African-American  Caucasian

**Section II Continued:**

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR  NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

- By watching the training program on the Web, DVD or VHS 4
- By attending a live presentation given on AUGUST 16th, 2011

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: [Signature] Printed Name: ANDREW MACK Date: 12/16/11

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
 Ashley Salvati, Palm Beach County Building Division  
 2300 North Jog Road, West Palm Beach, FL 33411

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

~~DBPR 0050~~ Explanatory Information for Background Questions

~~STATE OF FLORIDA~~  
~~DEPARTMENT OF BUSINESS AND~~  
~~PROFESSIONAL REGULATION~~  
~~NOTE~~ This form must be submitted as part of an  
~~application packet.~~

PERSONAL INFORMATION				
Last Name	First	Middle	Title	Suffix
Mack	Andrew	Peter		
Identify question number on form DBPR 0010 this explanation pertains to: This is in response to question #1 from the above referenced form.				

EXPLANATION	
Offense Aggravated Assault on Officer without a firearm (Plea of Nolo Contendere)	
County Leon	State Florida
Penalty/Disposition Probation for two years	
Date of Offense (MM/DD/YYYY) 10 / 25 / 1992	Have all sanctions been satisfied? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Description While a student at FSU I got into an altercation with a FSU police officer. I wrote a letter of apology to the officer and was placed on probation for two years.  Attached is a certified copy of the disposition for your use.	

EXPLANATION	
Offense Driving Under the influence	
County Leon	State Florida
Penalty/Disposition Suspended License for six months and DWI education class	
Date of Offense (MM/DD/YYYY) 10 / 02 / 1993	Have all sanctions been satisfied? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Description While a student at FSU I made a bad decision to drive home after having drinks at a social event. My license was suspended for six months and took a DWI education class.	

Attach additional sheets as necessary

69706

AF 1

ORDER WITHHOLDING ADJUDICATION OF GUILT  
AND PLACING DEFENDANT ON PROBATION

STATE OF FLORIDA

VS Plaintiff

ANDREW P. MACK

Defendant

In The Circuit Court,  
of LEON County, Florida

Case No. R92-3686A

DC No.

This cause coming on this day to be heard before me, and you, the defendant ANDREW P. MACK, being now present before me, and you having:



ENTERED A PLEA OF NOLO CONTENDERE TO the offense of AGGRAVATED ASSAULT ON LAW ENFORCEMENT OFFICER WITHOUT FIREARM, F.S. 784.07, F3

It appearing to the satisfaction of the Court that you are not likely again to engage in a criminal course of conduct, and that the ends of justice and the welfare of society do not require that you should presently be adjudged guilty and suffer the penalty authorized by law:

Now, therefore, it is ordered and adjudged that the adjudication of guilt and imposition of sentence are hereby withheld, and that you are hereby placed on probation for a period of TWO (2) YEARS under the supervision of the Department of Corrections and its Officers, such supervision to be subject to the provisions of the laws of this State.

It is further ordered that you shall comply with the following conditions of probation:

- (1) Not later than the fifth day of each month, you will make a full and truthful report to your Probation Officer on the form provided for that purpose.
- (2) You will pay to the State of Florida the amount of Forty Dollars and 4% surcharge per month toward the cost of your supervision unless otherwise waived in compliance with Florida Statutes.
- (3) You will not change your residence or employment or leave the county of your residence without first procuring the consent of your Probation Officer.
- (4) You will neither possess, carry or own any weapons or firearm without first securing the consent of your Probation Officer.
- (5) You will live and remain at liberty without violating any law. A conviction in a court of law shall not be necessary in order for such a violation to constitute a violation of your probation.
- (6) You will not use intoxicants to excess; nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (7) You will work diligently at a lawful occupation and support any dependents to the best of your ability as directed by your Probation Officer.
- (8) You will promptly and truthfully answer all inquiries directed to you by the Court or the Probation Officer, and allow the Officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions he may give you.
- (9) After service of one-half of the period of probation, and upon completion of all financial requirements and all other special conditions of the probation, the defendant may be placed by the Department of Corrections in administrative probation status. All conditions of probation, except for condition (1) and (2), are to remain applicable. The defendant shall pay to the Department of Corrections a one-time, nonrecurring \$50.00 processing fee, such to be remitted to the Department within thirty (30) days of placement into administrative probation status. Failure to comply with all conditions, except conditions (1) and (2), or with remittance of the \$50.00 processing fee may subject the defendant to revocation of probation.
- (10) You are responsible for the payment of all costs for any court ordered drug testing and substance abuse treatment. When these services are provided by the Department of Corrections, you will reimburse the Department for its actual cost for providing these services unless payment is waived by the Department.

RECEIVED IN COMPLIANCE WITH  
05 MAY 11 11 36  
CLERK OF THE CIRCUIT COURT  
LEON COUNTY, FLORIDA  
STATE OF FLORIDA  
JUDICIAL BRANCH

- (11) Reimburse Leon County \$200.00 as partial costs of prosecution and pay \$3.00 to the Criminal Justice Trust Fund, \$50.00 Crime Victim Compensation Fund and \$2.00 to the Law Enforcement Education Fund through the Leon County Clerk of Court as directed by the Probation Officer.
- (12) Serve 10 days in the Alternative Community Service Program and pay a one-time \$25.00 supervisory fee through the Leon County Clerk of Court as directed by the Probation Officer. If community work is served outside Leon County, Florida, the one-time \$25.00 supervisory fee is optional depending on the agency administering the Program.
- (13) Make a fine in the amount of \$200.00 through the Leon County Clerk of Court as directed by the Probation Officer.

COST OF SUPERVISION FEES ARE WAIVED UNTIL COSTS ARE PAID. EARLY TERMINATION AFTER 1 YEAR IF IN GOOD STANDING.

You are hereby placed on notice that the Court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision; and that if you violate any of the conditions of your probation, you may be arrested and the Court may revoke your probation, adjudge you guilty and impose any sentence which it might have imposed before placing you on probation.

It is further ordered that when you have reported to the Probation Officer and have been instructed as to the conditions of probation you shall be released from custody if you are in custody and if you are at liberty on bond, the sureties thereon shall stand discharged from liability.

It is further ordered that the Clerk of this Court file this order in his office, record the same in the Minutes of the Court, and forthwith provide certified copies of same to the Probation Officer for his use in compliance with the requirements of law.

CHARGES/COSTS/FEES/RESTITUTION  
ALL PAYMENTS ORDERED BY THE COURT MUST BE IN MONEY ORDER MADE PAYABLE TO:  
DEPARTMENT OF CORRECTIONS  
A SURCHARGE OF 4% WILL BE ADDED TO ALL PAYMENTS ORDERED BY THE COURT

DONE AND ORDERED IN OPEN COURT this 7TH day of APRIL, 1993.

*N. Sanders Sauls*

JUDGE N. SANDERS SAULS

I acknowledge receipt of a certified copy of this order and that the conditions have been explained to me.

Date: \_\_\_\_\_

Probationer: \_\_\_\_\_

Instructed by: \_\_\_\_\_

024Y0/jej

Original: Court

Copies: Probationer/File

DC4-900B

Rev 6/85

A Certified Copy  
 Attest:

**Bob Inzer**

Clerk Circuit Court  
 Leon County, Florida

By *[Signature]*  
 D.C.



*WJ*





**Building Officials  
Association of  
Palm Beach County**  
[www.boapbc.org](http://www.boapbc.org)

**2011 Officers &  
Directors**

**President**  
Tim Lynch, CBO  
Town of Jupiter  
[timl@jupiter.fl.us](mailto:timl@jupiter.fl.us)

**Vice President**  
Frank Knapp, CBO  
Palm Beach County  
[fknappp@pbegov.org](mailto:fknappp@pbegov.org)

**Secretary**  
Steven Kennedy, CBO  
Palm beach Gardens  
[skennedy@pbgfl.com](mailto:skennedy@pbgfl.com)

**Treasurer**  
Robert McDougal CBO  
City of West Palm Beach  
[RMcdougal@wpb.org](mailto:RMcdougal@wpb.org)

**Directors**  
Paul Malanaphy, CBO  
City of Boca Raton  
[pmalanaphy@myboca.us](mailto:pmalanaphy@myboca.us)

George Diaz, CBO

**State Director and Past  
President**  
Doug Wise, CBO  
City of West Palm Beach  
[dwise@wpb.org](mailto:dwise@wpb.org)

[www.boapbc.org](http://www.boapbc.org)  
PO Box 20241  
West Palm Beach  
Florida, 33416-0241

November 12, 2011

Board of County Commissioners  
Palm Beach County  
2300 N. Jog Road  
West Palm Beach, FL 33411

**RE: BCAB District 7 Building Official Nominee – Andrew  
Mack, PE**

Dear Commissioners:

I am pleased to report to you that during the October 13<sup>th</sup> meeting of the Building Officials Association of Palm Beach County (BOAPBC), the BOAPBC membership voted unanimously to nominate Andrew Mack, PE, Building Official of the City of Boynton Beach, for your consideration to serve as the District 7 Building Official Representative on the Building Code Advisory Board of Palm Beach County (BCAB).. The Officers and Directors of the Association have carefully reviewed Mr. Mack's record of service in support of construction code administration, and believe that his skill and experience in construction technology and the enforcement of building codes makes him an asset to the jurisdiction he serves, the residents of District 7 and the County at large.

The membership, officers, and directors of our association respectfully ask for your favorable consideration of this nominee. We also remain grateful to the Commission for its continued support of consistent, strong, and equitable construction code enforcement in Palm Beach County and its 39 municipalities. We recognize, as the Commission Members do, that consistent and diligent enforcement of current construction codes protects the lives and property of the citizens and visitors of Palm Beach County, along with helping to keep down the high cost of property insurance in our County.

Sincerely,

Thomas V. "Tim" Lynch III, CBO  
2011 Chapter President



Chapter of  
**Building  
Officials  
Association of  
Florida**  
Since 1974



Chapter of  
**International  
Code  
Council**  
Since 2001

# Andrew P. Mack, P.E., LEED AP

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9740 Roche Place  
Wellington, Florida 33414

Phone: 561-797-6628  
Email: [FSU-GoNoles@comcast.net](mailto:FSU-GoNoles@comcast.net)

## **Background**

Fifteen plus years of experience in professional management for various types of governmental, commercial, and residential projects. Nine plus years of experience in professional management of business functions and decision making.

## **Experience**

### **CITY OF BOYNTON BEACH** Building Official/Engineer

Boynton Beach, Florida

- Supervise operations of the Building Division, including supervising field inspection activities, plan review activities, enforcing applicable codes and ordinances, perform administrative functions, develop and administer annual budget for the division.
- Perform advanced technical work in plan review, design, estimating, bidding, project management and inspection of capital improvement projects. Which include paving, grading, drainage, water, sewer, public buildings, and facilities.
- Design and prepare plans for public works and utility projects and manage outsourced design of capital improvement projects by engineers and architects.
- Review and analyze plans for conformance to City Code, the Florida Building Code, A.D.A., FDOT South Florida Water Management, Lake Worth Drainage District and Palm Beach County standards.
- Responsible for all development review and approvals for engineering and utilities.

### **MACK CONSULTING GROUP, INC.** Vice President/Director of Engineering

Lake Worth, Florida

- Qualifying Engineer for MCG
- Responsible for overseeing design, permitting, and construction observation for various projects.
- Responsible for management of business functions and decision making.

### **INTEGRITY DEVELOPMENT, LLC** President/Director of Land Acquisition and Project Development

West Palm Beach, Florida

- Qualifying agent for Integrity Development & Integrity Services Inc General Contractors
- Responsible for land acquisition and project financing.
- Responsible for investor and banking relationships.
- Responsible for overseeing design and permitting for various projects.
- Responsible for management of business functions and decision making.

### **CITY OF PEMBROKE PINES** Assistant Engineer

Pembroke Pines, Florida

- Project Manager/Engineer for capital improvements projects.
- Perform advanced technical work in plan review, design, estimating, bidding, inspection of engineering and public works projects. Which include paving, drainage, water, and sewer.
- Design and prepare plans for public works and utility projects and manage outsourced design of capital improvement projects by engineers and architects.
- Review and analyze plans for conformance to City Code, the Florida Building Code, A.D.A., FDOT standards, and BCTED standards.
- Responsible for all DRC review and approval for engineering and utilities.
- National Pollutant Discharge Elimination System Coordinator.
- National Flood Insurance/ CRS Coordinator.

Andrew P. Mack, P.E., LEED AP  
Resume - Page2

### **Education**

#### **Florida International University**

Miami, Florida

- Masters of Science in Construction Management.

#### **Florida State University**

Tallahassee, Florida

- Bachelors of Science in Civil Engineering

### **Licenses/Certifications**

Professional Engineering License #58100 – February 1, 2002  
State of Florida General Contractor's License #CGC-059814 – December 15, 1997  
Advanced Work Zone Traffic Control certificate – July 24, 2009  
LEED AP (BD+C) – December 16, 2009  
State of Florida Building Code Administrator License # PBC307 – August 16, 2010  
International Green Construction Code Plans Examiner – July 21, 2011

### **Professional Organizations**

Florida Engineering Society  
American Society of Civil Engineers  
U.S. Green Building Council  
International Code Council  
Building Officials Association of Florida

### **Boards/Civic**

Member of Design Review Board for City of Hollywood 1996-2001  
Member of Gold Coast Builders Association Board 2005-2006  
ASCE Broward Branch Treasurer & Secretary 2001-2002  
Member Florida Engineering Society Political Concerns Committee 2010 - Present

**REFERENCES AVAILABLE UPON REQUEST**

# Andrew P. Mack, P.E.

## PORTFOLIO



Bachelor of Science in  
Civil Engineering  
Florida State University 1996

Master of Science in  
Construction Management  
Florida International University 2001

State of Florida PE No. 58100

State of Florida Certified General Contractor No. 59814

State of Florida Building Code Administrator No. PBC-307

International Green Construction Code Plans Examiner

LEED AP (BD+C)

Advanced Work Zone Traffic Control certificate

Fifteen plus years of civil engineering and construction experience in the public and private sector. Currently serving a dual role as Building Official and Engineer for the City of Boynton Beach, Florida. Have been project manager for numerous commercial, residential and public sector projects throughout South Florida. I have vast expertise in the design, permitting, plan review, estimating, value engineering, site development, construction, and design build aspects of roadways, infrastructure, and real estate development.

### REPRESENTATIVE PUBLIC SECTOR EXPERIENCE:

**Seacrest Blvd Roadway Imp** – One mile of RRR with 10" reclaimed watermain extension, drainage improvements, access management, decorative lighting, landscaping, and irrigation.

**Gateway Blvd and Quantum Blvd Traffic Signalization** – New signalized intersection at Gateway Boulevard and Quantum Boulevard with associated roadway modifications.

**SW 145<sup>th</sup> Avenue** – One half mile of new 2 lane roadway with utility extensions, infrastructure, and connection to existing Pines Boulevard.

**Pines Boulevard Median Redesign Palm Avenue to Douglas Road** – One mile of median and roadway improvements which included curbing, roadway alignment modifications, landscaping, irrigation, lighting, paver bricks, resurfacing existing six land divided roadway.

**Sheridan Street Landscape Improvements** – two miles of median and roadway improvements which included curbing, roadway alignment modifications, landscaping, irrigation, lighting, and paver bricks.

**Pines Boulevard Intersection Study Flamingo Road/Pines Boulevard** – Study was conducted to determine the feasibility of grade separation and other alternative improvements at the intersection of Pines Boulevard & Flamingo Road.

**Pines Boulevard & NW 108<sup>th</sup> Avenue Traffic Signalization** – New signalized intersection at Pines Boulevard and NW 108<sup>th</sup> Avenue and associated roadway modifications.

**City of Pembroke Pines Waste Water Infiltration and Intrusion Project** – Repair and rehabilitation of various gravity sewer lines and lift stations through the City waste water system.

**City of Pembroke Pines Waste Water Treatment Plant Rehabilitation and Odor Control Project** – Rehabilitation of four existing treatment units, covering of four treatment units with new polymer skin tops, new biological and chemical air treatment units and replacing and new control systems.

### REPRESENTATIVE COMMERCIAL EXPERIENCE:

**Laser and Vision Center** – 2 acre site improvements and 3,700 SF medical office building located at Pines Boulevard & Douglas Road, Broward County, Florida.

**1<sup>st</sup> Baptist Church of Royal Palm Beach** – 7.0 acre site improvements and 19,500 SF multipurpose building, worship center, and classrooms located at Okeechobee Boulevard & 441, Palm Beach County, Florida.

**Church of Pembroke Pines** – 4.5 acre site improvements and 22,000 SF sanctuary and multipurpose building located at SW 14<sup>th</sup> Street & Flamingo Road, Broward County, Florida.

**Christway Baptist Church** – 9.8 acre site improvements and 14,000 SF multipurpose building located at Florida Turnpike Extension and Douglas Road, Broward County, Florida.

**Iglesia Bautista Bethel Hialeah** – 3.5 acre site improvements and 10,000 SF sanctuary located at 3805 West 8<sup>th</sup> Avenue, Hialeah, Miami Dade County, Florida.

### REPRESENTATIVE RESIDENTIAL EXPERIENCE:

**Eagle Trace at River Bridge** – 8.04 acre residential community of 40 dwelling units located at Forest Hill Boulevard & Riverbridge Boulevard, Palm Beach County, Florida.

**The Reserve at Summit** – 16.01 acre residential community of 72 units located at Ranchette Road & Summit Boulevard, Palm Beach County, Florida.

**Sunset Isles** – 3.16 acre residential community for 16 units located at Belvedere Road & Military Trail, Palm Beach County, Florida.

### AFFILIATIONS:

Member, American Society of Civil Engineers  
Member, Florida Engineering Society  
Member, National Society of Professional Engineers  
Member, U.S. Green Building Council  
Member, International Code Council

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

**Section I (Department):** (Please Print)

Board Name: Building Code Advisory Board Advisory  Not Advisory

At Large Appointment or  District Appointment /District #: \_\_\_\_\_

Term of Appointment: 3 Years. From: 3/7/2012 To: 3/6/2015

Seat Requirement: HVAC Contractor Seat #: 15

\*Reappointment or  New Appointment

or  to complete the term of \_\_\_\_\_ Due to:  resignation  other  
Completion of term to expire on: \_\_\_\_\_

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: 0

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Jacobson MAURICE J.  
Last First Middle

Occupation/Affiliation: Engineered Air  
Owner  Employee  Officer

Business Name: ENGINEERED AIR

Business Address: 2520 NO. ANDREWS AVE.

City & State: POMPAHO BEACH, FL Zip Code: 33064

Residence Address: 3605 So. Ocean Blvd Apt 202

City & State: South Palm Beach, FL Zip Code: 33480

Home Phone: (561) 585-4915 Business Phone: ( ) Ext. \_\_\_\_\_

Cell Phone: (561) 371-7424 Fax: ( )

Email Address: mj@fma@aol.com

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  
 Native-American  Hispanic-American  Asian-American  African-American  Caucasian

**Section II Continued:**

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Ex: (R#XX-XXXX/PO XXX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/11-09/30/12</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR  NONE

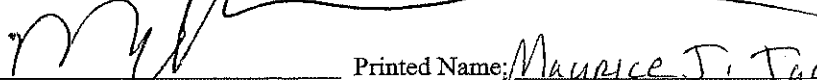
All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

- By watching the training program on the Web, DVD or VHS
- By attending a live presentation given on \_\_\_\_\_, 20\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature:  Printed Name: Maurice J. Jacobson Date: 12/12/11

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

**Return this FORM to:**  
**Ashley Salvati, Palm Beach County Building Division**  
**2300 North Jog Road, West Palm Beach, FL 33411**

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# CIMC

PALM BEACH COUNTY CONSTRUCTION INDUSTRY MANAGEMENT COUNCIL

Natasha V. Cannon, Executive Director

\*\*\* FURNISHED VIA FACSIMILE 561-233-5020 \*\*\*

October 31, 2011

Rebecca Caldwell, C.B.O.  
Chief Building Official  
Department of Planning Zoning & Building  
2300 North Jog Road  
West Palm Beach, Florida 33411

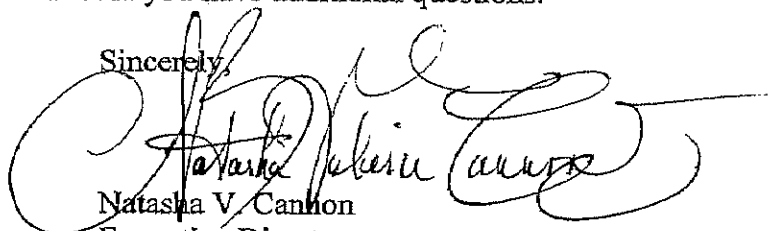
Re: HVAC Nominee to Building Code Advisory Board

Dear Ms. Caldwell:

The members of the Construction Industry Management Council have accepted the nomination of Maury J. Jacobson by the Palm Beach Air Conditioning Contractors of America and voted unanimously to nominate him to serve another term on Seat 15 of the Building Code Advisory Board.

Please call me at (561) 200-4788 should you have additional questions.

Sincerely,



Natasha V. Cannon  
Executive Director

NVC/sw

cc: PBACCA  
Maury J. Jacobson

THE MANAGEMENT LEVEL OF ASSOCIATIONS, REPRESENTING TRADE  
SKILLS AND DESIGN PROFESSIONALS IN THE CONSTRUCTION INDUSTRY IN  
PROVIDING AN EFFECTIVE FORMAT OF INFORMATION.

American Institute of Architects, Palm Beach • Electrical Council of Florida, Palm Beach  
Palm Beach County Roofing & Sheet Metal Contractors Association • Palm Beach Air Conditioning Contractors  
of America • Palm Beach Plumbing Heating Cooling Contractors Association • Plumbing & Air Conditioning  
Contractors Industry Fund • Sunshine State One Call of Florida

**MAURICE J. JACOBSON, MAYOR  
TOWN OF SOUTH PALM BEACH**

**NOMINEE FOR THE "E. HARRIS DREW" MUNICIPAL OFFICIAL LIFETIME  
ACHIEVEMENT AWARD**

**Sponsored by the Florida League of Cities  
Annual Conference August 14-16, 2008**

In his 87 years, Mayor Maurice (Maury) J. Jacobson is the oldest "sitting" Mayor in Palm Beach County and has devoutly served his country and his community with loyalty, dignity, and with great leadership skills. Like a fine aged wine, years of experiences have produced an outstanding community leader who exemplifies what all those who aspire to become public servants, should be.

Born last out of five children in Brooklyn, New York, on August 18, 1920; and like a child in the 20's learned the ways of life at an early age. To help earn money for the family Maury accompanied his father, by truck, to the Riverhead and Mattatuck Long Island train stop where he was let off to sell bananas. There he learned his entrepreneurial skills. Maury's father passed away when Maury was nine, leaving all five children and their mother to assume the responsibilities of carrying on. Later, and a little older, Maury passed the entrance exam and attended Brooklyn Tech High School where he learned basics of mechanical engineering by building and repairing a multitude of mechanical apparatus'. Upon graduation Maury moved to Washington D.C. where he attended the University of Maryland, at night, to study mechanical engineering. In 1944, during WW II, he joined the U.S. Army, became a Staff Sergeant and was soon sent overseas. His regiment was a division of the allied forces that descended into Germany to liberate concentration camps. While in Nuremberg, Maury attended the war trials where all the major players on Hitler's staff were on trial for crimes against humanity. Maury was able, during this time in 1946, to attend the First Passover Seder (or service) since the Nuremberg laws were put into effect. According to Maury, this period was one of the most emotional benchmarks in his life, and he further stated, "This one event opened my eyes to the world, and the need for humanity".

Gaining experience and knowledge in the private sector, Maury embraced the opportunity to occasionally become the speaker of causes. As the Air Conditioning field became his business of choice, Maury was involved with a national lobbying group in Maryland, and in 1975 became President of the National Environmental Systems Contractors Association which evolved into the Air Conditioning Contractors of America, Inc. It was also at this time that Maury, as National President of the Air Conditioning Contractors of America, Inc., read and presented a Position Paper on energy and economy to the White House staff while President Gerald R. Ford was in office. It was this leadership and lobbying, in the private sector that heightened his interest in public service.



On a personal note, in 1941 at the age of twenty-one Maury married his teenage sweetheart Fran, who was the head librarian of the Population Reference Bureau in Washington D.C. Together they had two daughters, Lynn and Janet. Maury and Fran, with daughters in tow, moved to Florida in 1974. Maury lost Fran on July 22, 1993; they had been married fifty-one years, seven months, and twenty-two days – give an hour or two. Maury never missed a day to say “I love you” to Fran. Those were the happiest days of his life, which made life, to him, a great journey.

To honor and serve the unique microcosm of residents, from all over the world who reside in our 5/8th of a mile community of South Palm Beach, Maury decided to run, and was elected, to a Town Council seat serving consecutive terms from 1993 through 1998. In 2000 he returned and served an unexpired term until 2001. That same year he was re-elected for two additional two year terms. In 2005, Maury ran for Mayor, was elected, and has served as our Mayor ever since. It is not uncommon that when speaking politics with Maury that one does not get a profound lesson in life, as well. It is his belief that, not only should we understand and respect the issues at hand, but also the people behind them. This is his solution to working towards a resolution. Maury also believes that one should always look ahead, learn from the past *and* the present. It is imperative that we are not only learning from one's own errors but from the errors of others in order to have a clear vision of what our own goal is in life. According to Maury's sage advice, “life is about the journey you take not the destination you reach, the journey is the essence of life”. He believes that one must realize that *we the people* are not finished with society, and not finished with making a better world for future generations. Being rich does not make happiness, nor make one's life fulfilled.

In his personal commitment to the Town of South Palm Beach, Maury has been instrumental in the right hand turn signal, at Ocean Avenue; guiding the Town, and rolling up his sleeves to lend a hand, through numerous hurricane seasons; is still striving to maintain quality of life in a small town community despite overwhelming growth in the South Florida area around us; was a former member of the Town's Code Enforcement Board, and Community Affairs Advisory Board (C.A.A.B.). Maury had been appointed in March 2005, by the Palm Beach County Commissioners to sit on the Palm Tran Service Board to complete an unexpired term ending in July 2005, and was re-appointed for an additional two years from July 2007 through July 2009. In October 2006, Maury was appointed as a representative of South Palm Beach to sit as a Palm Beach County League of Cities representative to the Treasure Coast Regional Planning Council, of which he has been a member since 1993. Since August of 2005, to present, Maury has been the Voting Delegate from the Town of South Palm Beach for the Palm Beach County League of Cities, Inc. In December 2006, the Town of South Palm Beach commemorated its 50<sup>th</sup> Anniversary with a celebration, and the dedication of a bronze Sea Turtle Statue. Maury had initiated this project, and by his efforts the Statue will be a lasting exhibit in front of Town Hall for many years to come.

The following are additional contributions and achievements within Palm Beach County: Palm Beach Citizen's Task Force, Palm Beach County Building Code Advisory Board, Palm Beach County Land Development Advisory Board, Palm Beach County Energy Advisory Board, Chairman, and the Palm Beach County Fuel Allocation Board.

Serving the State of Florida, Maury was on the Technical Advisory Committee for the Florida State Building Code and Energy Code Commission, presented a Position Paper on Energy to U.S. Southeast Nuclear Energy Board (Sarasota), and established Florida State Energy Efficiency Building Code. Maury was also awarded the John Welbourne Award, State of Florida, for contributions to the Air Conditioning Industry.

In order to give back to the community, in 1997, the Maurice J. Jacobson Scholarship Fund was established for years of dedication and service to the HVAC Industry. In 1990, Maury's company, Florida Heating and Air Conditioning helped build the Children's Place and Connor's Nursery in West Palm Beach – Florida's first nursery for HIV-Positive children. The Board of Directors of Connor's Nursery presented Maury with a platinum recognition for outstanding services in his participation in the construction of the facility.

Even with his eyesight failing, Maury never defers his responsibility to anyone. He is a respected presence in the community, available to all at any time for answering a question, making a decision, sharing his sage advice or even bringing an apple to each of the office staff in Town Hall. His dedication to public service is a lifetime of achievement we should all be so fortunate to share with Mayor Maurice J. Jacobson and his "journey". In closing we would like to share words of wisdom from Maury, *our Mayor*, "People are our greatest treasure; they possess the greatest challenges, and they provide the greatest opportunities."

**BUILDING CODE ADVISORY BOARD – ATTENDANCE RECORD 2011**

<b>MEMBER</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>
Byrne, Joseph		N		N		N		N		N		
Caldwell, Rebecca		N		N		N		N		N		
Diaz, George		N		N	A	N		N	N/A	N	N/A	N/A
Fichera, Michael		N		N		N		N	A	N		
Higgins, William Ray		N		N		N		N		N		
Jacobson, Maury	A	N	A	N		N		N	A	N		A
Kennedy, Steven		N		N		N		N		N		
Kozan, Gary	A	N		N		N		N	A	N	A	
Lewis, Howarth (Hap)		N		N		N		N		N		
Lowe, Bette		N		N		N	A	N		N		A
Miller, Gregory		N	A	N		N		N		N		
Tomasik, Jacek	A	N		N		N		N		N		
Wise, Doug		N		N		N		N		N		
Worley, Scott		N		N		N		N		N	A	
N/A												
N/A												

**No entry indicates member in attendance**  
**“A” entry indicates member absent**  
**“N” entry indicates no meeting held**  
**“C” entry indicates scheduled meeting cancelled**  
**“N/A” entry indicates no appointee or pending appointment**

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2001 Legislature

HB 917, Second Engrossed

1  
2 An act relating to Palm Beach County; amending  
3 chapter 90-445, Laws of Florida, as amended;  
4 providing for the uniform implementation,  
5 interpretation, and enforcement of building  
6 code requirements pursuant to the Florida  
7 Building Code; providing and amending  
8 definitions; providing for enforcement;  
9 providing for repeal of conflicting laws;  
10 providing for interpretation of codes and  
11 revision; deleting provisions relating to  
12 appointments; providing for authority for  
13 building code amendments; providing for  
14 amending provisions for product and system  
15 evaluation, including application fees and  
16 revocation and renewal of product and system  
17 compliance; providing severability; providing  
18 an effective date.  
19

20 Be It Enacted by the Legislature of the State of Florida:  
21

22 Section 1. Notwithstanding section 136 of chapter  
23 2000-141, Laws of Florida, chapter 90-445, Laws of Florida, is  
24 reenacted and amended to read:

25 Section 1. Purpose.--As provided in section 553.80(1),  
26 Florida Statutes, each local government and each legally  
27 constituted enforcement district with statutory authority  
28 shall regulate building construction and, where authorized in  
29 the state agency's enabling legislation, each state agency  
30 shall enforce the Florida Building Code, as revised or amended  
31 by the state or applicable local government, required on all

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HB 917, Second Engrossed

1 public or private buildings, structures, and facilities unless  
2 such responsibility has been delegated to another unit of  
3 government pursuant to section 553.79(9), Florida Statutes.

4 The purpose of this act is to provide for a system to advise  
5 the Palm Beach County Board of County Commissioners and local  
6 governments regarding the uniform implementation,  
7 interpretation, and enforcement of the Florida Building Code.

8 ~~Authority. The board of county commissioners shall have the~~  
9 ~~power to adopt, for all municipalities and unincorporated~~  
10 ~~areas of Palm Beach County, more recent editions and revisions~~  
11 ~~of the Standard Building, Gas, Mechanical, and Plumbing Codes,~~  
12 ~~as promulgated by the Southern Building Code Congress~~  
13 ~~International, in addition to the National Electrical Code, as~~  
14 ~~promulgated by the National Fire Protection Association.~~

15 ~~These codes shall be adopted by ordinance, based on the advice~~  
16 ~~of the Building Code Advisory Board of Palm Beach County.~~

17 Section 2. Definitions.--As used in this act:

18 (1) "Amendment" means modified requirements to the  
19 Florida Building Code model building codes which are adopted  
20 by ordinance by any unit of local government pursuant to  
21 section 553.73, Florida Statutes.

22 (2) "Board" means the Building Code Advisory Board of  
23 Palm Beach County, unless otherwise specified.

24 (3) "Building official" means an individual charged  
25 with the administration and enforcement of the Florida  
26 Building Code ~~several codes adopted pursuant to section 1,~~ who  
27 is a full-time employee of a municipality or the county, in  
28 the respective election district in which the jurisdiction is  
29 situated.

30 (4) "Design professional" means an architect or  
31 engineer so registered in the State of Florida.

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1           (5) "Florida Building Code" means the code adopted by  
2 the Florida Building Commission pursuant to section  
3 553.73(1)(a), Florida Statutes~~"Model codes" means the~~  
4 ~~Standard Building, Gas, Mechanical, and Plumbing Codes~~  
5 ~~published by the Southern Building Code Congress International~~  
6 ~~and the National Electrical Code published by the National~~  
7 ~~Fire Protection Association.~~

8           (6) "Revisions" means any modifications to the Florida  
9 Building Code ~~model codes~~ as published by the Florida Building  
10 Commission ~~applicable code promulgating organization.~~

11           ~~(7) "Service system" means an electrical, gas,~~  
12 ~~mechanical, plumbing, or other system which provides service~~  
13 ~~to a building, structure, or facility and is regulated by the~~  
14 ~~model codes and any amendments or revisions thereto.~~

15           ~~(7)(b)~~ (7) "Unit of local government" means any one of the  
16 municipal governing bodies in Palm Beach County or the Board  
17 of County Commissioners of Palm Beach County.

18           Section 3. Enforcement.--Enforcement of the Florida  
19 Building Code ~~model codes~~ adopted pursuant to section ~~1~~, and  
20 any amendments or revisions thereto, shall be the  
21 responsibility of each unit of local government. A unit of  
22 local government may provide these services through an  
23 interlocal agreement with the county or local government, as  
24 provided by section 553.79(9), Florida Statutes law.

25           Section 4. ~~Code enforcement personnel~~  
26 ~~qualifications. For the purposes of permit review and~~  
27 ~~inspection, qualified plans examiners and inspectors, whose~~  
28 ~~competency shall be determined by each unit of local~~  
29 ~~government, shall be employed and charged with the~~  
30 ~~responsibility of enforcing this act.~~

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2001 Legislature

HB 917, Second Engrossed

1           ~~Section 5. Violations. No building, structure, or~~  
2 ~~service system shall be erected or installed within Palm Beach~~  
3 ~~County in violation of the requirements of the model codes~~  
4 ~~adopted pursuant to section 1 or any amendments or revisions~~  
5 ~~thereto, except that state buildings are exempt from~~  
6 ~~compliance with such model codes.~~

7           Section ~~4.6~~. Repeal of laws in conflict.--Any laws,  
8 ordinances, or resolutions now in existence in the  
9 unincorporated areas of Palm Beach County or in any  
10 municipality in Palm Beach County in conflict with this act  
11 are hereby repealed.

12           ~~Section 7. Enactment of lower standards. No unit of~~  
13 ~~local government shall enact any law lowering the standards of~~  
14 ~~the model codes adopted pursuant to section 1. However, each~~  
15 ~~unit of local government may adopt ordinances providing~~  
16 ~~amendments to modify or improve the model codes, provided such~~  
17 ~~amendments are in compliance with s. 553.73, Florida Statutes.~~

18           ~~Section 8. Code available. Each unit of local~~  
19 ~~government shall have available for public inspection in its~~  
20 ~~principal office three copies of the model codes, together~~  
21 ~~with any amendments or revisions thereto. Amendments must be~~  
22 ~~printed or otherwise suitably duplicated, and copies shall be~~  
23 ~~available for sale at reasonable cost to the public.~~

24           Section ~~5.9~~. Interpretations.--In the event of a  
25 dispute in the interpretation of the provisions of the Florida  
26 Building Code model codes, or any amendments or revisions  
27 thereto, a building official, ~~plans examiner, inspector,~~  
28 builder, contractor, owner, architect, or engineer may ask for  
29 an opinion from the board's Code Interpretation Committee. The  
30 Code Interpretation Committee shall be comprised of each of  
31 the building official members of the board. ~~The request for~~

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2001 Legislature

HB 917, Second Engrossed

1 ~~interpretation must come by agreement of Both parties to the~~  
2 ~~dispute must agree to seeking the advisory interpretation from~~  
3 ~~the board.~~ Said procedure ~~opinion~~ may be conducted by  
4 telephone or other electronic means. A simple majority of the  
5 committee shall sustain an interpretation. Each building  
6 official member of the committee shall maintain a written  
7 record of the date and parties to the dispute. The  
8 interpretation shall not be binding upon the parties to the  
9 dispute.

10 Section ~~6.10~~ Appointments.--

11 (1) The Board of County Commissioners of Palm Beach  
12 County shall appoint the Building Code Advisory Board of Palm  
13 Beach County and supply it with a meeting place, office  
14 supplies including stationery, legal counsel, technical staff,  
15 mechanical recording of its meetings, written transcripts of  
16 the minutes of its meetings, secretarial service, and storage  
17 space for its records. The board shall have 16 members,  
18 composed of 7 building officials, 1 from each commission  
19 election district, appointed from nominees submitted by the  
20 Building Officials Association of Palm Beach County; 7  
21 members appointed from nominees submitted by the Construction  
22 Industry Management Council of Palm Beach County; 1 member who  
23 shall be a registered architect appointed from nominees  
24 submitted by the Palm Beach Chapter of the American Institute  
25 of Architects; and 1 member who shall be a professional  
26 engineer appointed from nominees submitted by the Palm Beach  
27 Chapter of the Florida Engineering Society. By January 1,  
28 1991, the Board of County Commissioners of Palm Beach County  
29 shall appoint the four new members, two for 1-year terms and  
30 two for 3-year terms. Thereafter, All appointments shall be  
31 for a term of 3 years, and each member shall serve until his



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HB 917, Second Engrossed

1 or her successor is appointed. If a vacancy should occur  
2 before a term has expired, the Board of County Commissioners  
3 shall appoint a new member within 60 days to complete the  
4 unexpired term.

5 (2) Members shall be required to attend all regular  
6 and special meetings of the board. The chair chairman of the  
7 board shall notify the Board of County Commissioners when a  
8 member accumulates three consecutive absences from the regular  
9 meetings or when a member fails to attend 50 percent of all  
10 meetings of the board during any 12-month period. On such  
11 notification, the member shall be removed by the Board of  
12 County Commissioners, and the Board of County Commissioners  
13 shall appoint a new member within 60 days to complete the  
14 unexpired term. The board shall hold meetings open to the  
15 public at least once in every calendar quarter, adopt rules  
16 and procedures procedure, and elect a chair chairman and vice  
17 chair chairman. A quorum of the board shall be 10 members,  
18 with a concurring vote of 9 members required to approve any  
19 action.

20 Section 7. Authority.--The purpose of the advisory  
21 board is authorized to:

22 (1) Advise units of local governments regarding:

23 (a) Future editions of the model codes and subsequent  
24 recommendation to the board of county commissioners concerning  
25 countywide adoption.

26 (b) Recommendations on the adoption of administrative  
27 or technical amendments to the Florida Building Code model  
28 codes based on local conditions.

29 (2) (c) Advise local governments how construction code  
30 enforcement can be improved and standardized.

31

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2001 Legislature

HB 917, Second Engrossed

1        ~~(3)(d)~~ Advise local governments how to prevent the  
2 recurrence of disputes.

3        ~~(4)(e)~~ Advise local governments on evaluation of new  
4 and innovative materials, products, systems, or methods of  
5 construction for compliance with the Florida Building Code  
6 model codes adopted pursuant to section 1, and any amendments  
7 or revisions thereto.

8        (5) Act as the countywide compliance review board,  
9 pursuant to section 553.73(4)(b)7., Florida Statutes,  
10 notwithstanding the requirements contained therein to  
11 establish such review board by interlocal agreement.

12        Section ~~8.11~~. Product and system evaluation.--

13        (1) The board shall have the authority to evaluate  
14 ~~ADMINISTRATION. Palm Beach County and each unit of local~~  
15 ~~government within Palm Beach County shall have the option to~~  
16 ~~direct inquiries concerning new or existing products or~~  
17 ~~systems in accordance with section 553.842, Florida Statutes,~~  
18 ~~and the Florida Building Commission's rules adopted thereunder~~  
19 ~~to the board. The board shall act as a clearing house for new~~  
20 ~~or different products or systems, by evaluating them based on~~  
21 ~~the current model codes and any amendments or revisions, being~~  
22 ~~recommended for adoption by the board. The board is~~  
23 authorized to may issue evaluation and compliance reports for  
24 products and systems found to be in compliance, as provided by  
25 policies established by the board. Recommendations and  
26 compliance reports of the board concerning new and existing  
27 products or systems shall be advisory in nature for the  
28 municipalities within Palm Beach County and shall not form the  
29 basis of a local or statewide approval pursuant to section  
30 553.842, Florida Statutes.

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1           (2) ~~STANDARDS.~~ The evaluation of new and innovative  
2 materials, products, systems, or methods of construction shall  
3 be based on the Florida Building Code ~~model codes adopted~~  
4 ~~pursuant to section 1,~~ and any amendments or revisions  
5 thereto. The types of construction, materials, systems, or  
6 methods of design referred to in the Florida Building Code  
7 ~~model codes,~~ and any amendments or revisions thereto, shall be  
8 considered standards of performance, quality, and strength.  
9 New or different types of construction, materials, or methods  
10 of design shall be at least equal to these standards for the  
11 corresponding use intended. For the purposes of determining  
12 compliance, the product's quality, strength, effectiveness,  
13 fire resistance, durability, safety, and control of  
14 installation shall be guides for consideration.

15           (3) The board is authorized to establish policies and  
16 procedures necessary to conduct evaluation efforts, such as,  
17 but not limited to, applications, fees, renewals, and  
18 revocations. ~~APPLICATION PROCEDURE.~~

19           ~~(a) Applications for evaluation and compliance~~  
20 ~~determination shall be made in accordance with the policy and~~  
21 ~~procedures established by the board. If the application is~~  
22 ~~for a type of structure or system, the application shall be~~  
23 ~~accompanied by plans prepared by a design professional,~~  
24 ~~together with supporting engineering calculations supporting~~  
25 ~~the design. Applications for components, materials, or~~  
26 ~~devices shall be accompanied by drawings, tests, and~~  
27 ~~calculations, prepared by an engineer registered in the State~~  
28 ~~of Florida, or other proof supporting the design.~~

29           ~~(b)~~ The board may employ the use of consultants to  
30 examine applications. A ~~The~~ consultant shall be a design  
31 professional with specific qualifications in the particular

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HB 917, Second Engrossed

1 that area of product or system analysis for which he or she is  
2 employed.

3       ~~(c)~~ The board may establish policies and procedures  
4 for the processing and review of requests for evaluation and  
5 compliance, including programs designed to monitor  
6 manufacturing, fabrication, or performance. The board or its  
7 designee may require calculations, tests, or opinions from  
8 design professionals, nationally recognized testing  
9 laboratories, or approved quality and assurance programs.

10       ~~(d)~~ ~~The data shall be analyzed and evaluated for~~  
11 ~~meeting the applicable performance standards. After receiving~~  
12 ~~an evaluation report, the board shall issue a written~~  
13 ~~recommendation on the appropriateness of the product or system~~  
14 ~~for use in Palm Beach County. All decisions or reports shall~~  
15 ~~be forwarded to:~~

- 16           ~~1. The product control file.~~  
17           ~~2. The applicant.~~  
18           ~~3. The local building departments.~~

19  
20 ~~The written recommendations of the board shall be advisory~~  
21 ~~only. It is the responsibility of each applicant, contractor,~~  
22 ~~or owner to submit individual permit applications for~~  
23 ~~construction or installation to the appropriate unit of local~~  
24 ~~government for specific approval or rejection.~~

25       ~~(4) FEES. A \$500 minimum initial application fee~~  
26 ~~shall be paid by the applicant at the time of filing. In~~  
27 ~~addition, the applicant shall be responsible for any cost the~~  
28 ~~board may incur. Resubmissions after unfavorable~~  
29 ~~recommendations shall not require an additional initial filing~~  
30 ~~fee unless final action had been taken by the board. However,~~  
31

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2001 Legislature

HB 917, Second Engrossed

1 ~~the applicant shall be required to pay any additional cost~~  
2 ~~incurred by the board prior to final action.~~

3 ~~(5) DISPOSITION OF FEES AND EXPENSES. All moneys~~  
4 ~~collected by the board shall be received, deposited, expended,~~  
5 ~~and accounted for pursuant to law. The expenses of the~~  
6 ~~advisory board, consulting fees, testing fees, and all other~~  
7 ~~necessary and appropriate fees shall be paid by the board from~~  
8 ~~the moneys collected.~~

9 ~~(6) DISAPPROVAL. Applications recommended for~~  
10 ~~disapproval, during any phase of the review process, shall be~~  
11 ~~returned to the applicant in writing, stating the reasons for~~  
12 ~~the recommendation of disapproval.~~

13 ~~(7) REVOCATION.~~

14 ~~(a) At any time during the valid term of a compliance~~  
15 ~~report, the recommendation may be revoked and become null and~~  
16 ~~void for any of the following reasons:~~

17 ~~1. Nonconformance with the model codes adopted~~  
18 ~~pursuant to section 1, and any amendments or revisions~~  
19 ~~thereto, or any subsequent updates to such standards which~~  
20 ~~occur after the date of acceptance.~~

21 ~~2. Deviation from the design on which the~~  
22 ~~recommendation of acceptance was based, due to change,~~  
23 ~~omission, or substitution.~~

24 ~~3. Use of the product, components, system, or method~~  
25 ~~not within the scope of the recommendation of acceptance.~~

26 ~~4. Unsatisfactory performance when subjected to actual~~  
27 ~~conditions.~~

28 ~~5. Appearance of intolerable effects such as, but not~~  
29 ~~limited to, toxicity when associated with other materials.~~

30 ~~(b) Notification of revocation shall be provided to~~  
31 ~~all persons having received the recommendation of acceptance.~~

ENROLLED

2001 Legislature

HB 917, Second Engrossed

1 ~~Revocations based on subparagraph (a)1. or subparagraph (a)2.~~  
2 ~~may be considered for reinstatement if the original applicant~~  
3 ~~submits:~~

- 4       1. ~~Revised drawings, calculations, test reports, or~~  
5 ~~other information to the satisfaction of the board.~~  
6       2. ~~Payment of a \$50 review fee.~~  
7       3. ~~Payment of additional costs incurred by the board.~~  
8

9 ~~Submittals for revisions shall bear the revised date and shall~~  
10 ~~be processed as a new application. Revised reports~~  
11 ~~recommended for approval shall be identified to indicate the~~  
12 ~~revised date; however, the submittal shall maintain the same~~  
13 ~~expiration date.~~

14       ~~(8) RENEWAL. One year from the date of acceptance and~~  
15 ~~every year thereafter, or upon the adoption of new codes,~~  
16 ~~amendments, revisions, or standards, the board shall ask the~~  
17 ~~original applicant whether he desires the evaluation and~~  
18 ~~compliance report to be renewed. Failure of the applicant to~~  
19 ~~respond within 30 days shall cause the report or approval to~~  
20 ~~be automatically canceled. An applicant desiring the report~~  
21 ~~or approval to be renewed shall submit a \$200 fee. The~~  
22 ~~applicant shall also be responsible for any additional cost~~  
23 ~~incurred by the board prior to final action.~~

24       Section 2. If any provision of this act or the  
25 application thereof to any person or circumstance is held  
26 invalid, the invalidity shall not affect other provisions or  
27 applications of the act which can be given effect without the  
28 invalid provision or application, and to this end the  
29 provisions of this act are declared severable.

30       Section 3. This act shall take effect upon becoming a  
31 law.