

# **PALM BEACH COUNTY AMENDMENTS TO THE**

## ***Florida Building Code Administrative Code, Chapter 1 and Florida Building Code Building and Electrical Sections for Unincorporated Palm Beach County***

**Edition 03/01/02**

Words Underlined are additions  
Words with strikeouts are deletions

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**CHAPTER 1  
ADMINISTRATION**

**SECTION 101  
GENERAL**

**101.1 Scope.** Provisions of this chapter shall govern the administration and enforcement of the Florida Building Code, as herein amended by Palm Beach County, in the jurisdiction of unincorporated Palm Beach County.

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

**101.3 Code remedial**

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

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

**101.3.3 Permitting And Inspection.** The permitting 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. Further, no Building Department employee shall be liable in tort for damages from such conditions, in accordance with Section 768.28(9)(a), Florida Statutes, as may be amended.

**101.4 Applicability**

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

**101.4.2 Building.** The provisions of the *Florida Building Code*, as amended herein, shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures, or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 of this code. However, this section does not apply to the manufacture of mobile homes as defined by Federal law.

**101.4.2.1** The *Florida Building Code* does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law. In addition to the requirements of this code, other regulations affecting building design and construction are adopted by various agencies, such as, but not limited to:

<u>OTHER AGENCIES</u>	<u>TOPICS REGULATED</u>
<u>Federal &amp; State DEP:</u>	<u>Wetlands Permitting</u>
<u>State Health Department:</u>	<u>Wells &amp; Septic Systems</u>
<u>PBC Sheriff's Department:</u>	<u>Commercial Building Security</u>
<u>PBC Emergency Management Department:</u>	<u>Flood Damage Prevention Ordinance</u>
<u>PBC PZ&amp;B Department's ULDC:</u>	
<u>Zero Lot Line Homes</u>	<u>Patio Screens And Roofs</u>
<u>Townhouses</u>	<u>Setbacks</u>
<u>Rainfall Irrigation Switches</u>	<u>Height Measurement</u>
<u>Roof Overhangs in Easements</u>	

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

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

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

**101.4.2.3.1** The building official shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is

substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

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

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

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

~~Each code exemption, as defined in this section, shall be certified to the local board 10 days prior to implementation and shall be effective only in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it. Construction under this code shall be governed by the board created in Section 108 of this code.~~

**EXEMPTIONS:**

1. The resident of an existing single family dwelling shall be exempt from permitting and inspection requirements when replacing non-structural components of building systems in the residence, without connection to electric power or pressure piping. A licensed contractor performing component replacement work on residential properties shall be exempt from individual permits and inspections if under a valid Annual Permit per Section 104.1.7 of this Code and all such work is reported as required in Section 104.1.7.1 of this Code for compliance evaluation. But no added capacity, system expansion or new building work of any type shall be excluded from individual permit and inspection by this provision, for any person.

**101.4.3 Electrical.** The provisions of Chapter 27 of the *Florida Building Code, Building*, adopting the “National Electrical Code” (NEC), as amended herein, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

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

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

**101.4.6 Plumbing.** The provisions of the *Florida Building Code, Plumbing* shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, and when connected to a water or sewerage system and all aspects of a medical gas system.

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

**101.4.8 Appendices.** ~~To be enforceable, the appendices included in the technical codes must be adopted by a local governmental jurisdiction for use in that jurisdiction.~~ Appendix A is hereby adopted and incorporated into this code.

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

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

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

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

**SECTION 102**  
**BUILDING DEPARTMENT**  
{Reserved}

**102.1 Establishment.** There is hereby established a department to be called the building department and the person in charge shall be known as the building official. All code officials employed by the department shall be certified in accordance with Chapter 468, Part XII, Florida Statutes.

**102.2 Employee qualifications**

**102.2.1 Building Official's Qualifications.** The building official shall have at least ten years combined experience as an architect, engineer, construction code official, contractor or construction superintendent with at least five years of such experience

in supervisory positions. The building official shall be certified as a building official or building code administrator by the State of Florida.

**102.2.2 Chief Inspector Qualifications.** The building official, with the approval of the governing authority, may designate chief inspectors to administer the provisions of the Building, Electrical, Gas, Mechanical, and Plumbing Codes. Each chief inspector shall have at least ten years combined experience as an architect, engineer, construction code official, contractor or construction superintendent with at least five years of such experience in supervisory positions. The chief inspector shall be certified for the appropriate trade by the State of Florida.

**102.2.3 Plans Examiner & Inspector Qualifications.** The building official, with the approval of the applicable governing authority, may appoint or hire such number of officers, plans examiners, inspectors, assistants and other employees as shall be authorized from time to time. A person shall not be appointed or hired as a plans examiner or inspector of construction who has not had at least five years experience as a building inspector, engineer, architect, or as a superintendent, foreman, or competent mechanic in charge of construction, in the corresponding trade. The plans examiners and inspectors shall be certified, through the State of Florida for the appropriate trade.

**102.2.4 Deputy Building Official Qualifications.** The building official may designate as a deputy an employee in the department who shall, during the absence or disability of the building official, exercise all the powers of the building official. The deputy building official shall have the same qualifications listed in 102.2.1.

### **102.3 Restrictions On Employees**

An officer or employee connected with the department, except one whose only connection is as a member of the board established by this code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he/she is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with their duties or conflict with the interests of the department.

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

**102.5 Reports** The building official may submit annually a report covering the work of the building department during the preceding year. He/she may incorporate in said report a summary of the decisions of the Board of Adjustments and Appeals during said year.

## **SECTION 103** **POWERS AND DUTIES OF THE** **BUILDING OFFICIAL**

~~103.1 through 103.6 Reserved.~~

**103.1 General** The building official is hereby authorized and directed to enforce the provisions of this code. The building official is further authorized to render interpretations of this code, which are consistent with its spirit and purpose.

## **103.2 Right Of Entry**

**103.2.1** Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical or plumbing systems unsafe, dangerous or hazardous, the building official may enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this code. If such building or premises are occupied, he/she shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

**103.2.2** When the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

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

## **103.4 Revocation Of Permits**

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

**103.4.2 Violation Of Code Provisions.** The building official may revoke a permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

## **103.5 Unsafe Buildings Or Systems**

All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the this Code . The extent of repairs shall be determined by the building official.

When the building official determines that an unsafe building, structure or service system cannot be reasonably repaired in accordance with this or the technical codes, it shall be demolished in accordance with this section.

**103.5.1** When the building official determines a building, structure, electrical, gas, mechanical or plumbing system or portion thereof is unsafe, as set forth in this Code he/she shall, in accordance with established procedure for legal notices, give the owner, agent or person in control of such building, structure, electrical, gas, mechanical or plumbing system written notice stating the defects thereof. This notice shall require the owner within a stated time either to complete specified repairs or improvements, or to demolish and remove the building, structure, electrical, gas, mechanical or plumbing system or portion thereof.

**103.5.2** If necessary, such notice shall also require the building, structure, electrical, gas, mechanical, plumbing systems or portion thereof to be vacated forthwith and not reoccupied until the specified repairs and improvements are completed, inspected and approved by the building official. The building official shall cause to be posted at each entrance to such building a notice stating: THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL. Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or its officers, agents, or other servants, to remove such notice without written permission of the building official, or for any person to enter the building, or use such systems except for the purpose of making the required repairs or of demolishing same.

**103.5.3** The owner, agent or person in control shall have the right to appeal from the decision of the building official, as provided hereinafter, and to appear before the Construction Board of Adjustments and Appeals at a specified time and place to show cause why he should not comply with said notice.

**103.5.4** In case the owner, agent, or person in control cannot be found within the stated time limit, or, if such owner, agent, or person in control shall fail, neglect, or refuse to comply with notice to repair, rehabilitate, or to demolish, and remove said building, structure, electrical, gas, mechanical or plumbing system or portion thereof, the building official, after having ascertained the cost, shall cause such building, structure, electrical, gas, mechanical or plumbing system or portion thereof, to be demolished, secured, or required to remain vacant or unused.

**103.5.5** The decision of the building official shall be final in cases of emergency which, in the opinion of the building official, involve imminent danger to human life or health or the property of others. He/she shall promptly cause such building, structure, electrical, gas, mechanical or plumbing system or portion thereof to be made safe or cause its removal. For this purpose he/she may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He/she may order the vacating of adjacent structures and may require the protection of the public by appropriate fence or such other means as may be necessary, and for this purpose may close a public or private way.

103.5.6 Costs incurred under 103.5.4 and 103.5.5 shall be charged to the owner of the premises involved. If charges are not paid within a ten (10) day period following the billing notification sent by certified mail, the owner of the premises will be charged in the following manner:

1. The building official shall assess the entire cost of such vacation, demolition, or removal against the real property upon which such cost was incurred, which assessment shall include but not be limited to all administrative costs, postal expenses, newspaper publication, and shall constitute a lien upon such property superior to all others except taxes.

2. The Clerk of the Circuit Court shall file such lien in the County's Official Record Book showing the nature of such lien, the amount thereof and an accurate legal description of the property, including the street address, which lien shall be effective from the date of filing and recite the names of all persons notified and interested persons. After three (3) months from the filing of any such lien which remains unpaid, the governing body may foreclose the lien in the same manner as mortgage liens are foreclosed. Such lien shall bear interest from date of abatement of nuisance at the rate of 10 percent per annum and shall be enforceable if unsatisfied as other liens may be enforced by the governing agency.

**103.6 Requirements Not Covered By Code** - Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or the other technical codes, shall be determined by the building official. In addition, other requirements to implement, clarify or set procedures to accomplish the intent of this code may be set in writing by the building official and may be posted electronically for public access.

### **103.7 Alternate materials and methods.**

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

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

**104**  
**PERMITS**

**104.1 Permit Application.**

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

Exceptions:

1. Permits shall not be required for the following mechanical work:
  - 1.1 any portable heating appliance;
  - 1.2 any portable ventilation equipment;
  - 1.3 any portable cooling unit;
  - 1.4 any steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
  - 1.5 replacement of any part which does not alter its approval or make it unsafe.
  - 1.6 any portable evaporative cooler;
  - 1.7 any self-contained refrigeration system containing 10lb (4.54kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less; and
  - 1.8 the installation, replacement, removal, or metering of any load management control device.

Any owner, authorized agent, or contractor who desires 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 electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit, or permission, for the work, unless this code provides a specific exemption. Permit applicants shall be competent in all technical work and codes under their direct supervision. Unless exempted, a permit, or permission in advance, shall be required for, but not limited to, the following as determined by the building official:

**Buildings/Structures** - Construct, erect, enlarge, alter, move, remove, relocate, demolish or change the occupancy of any building, or portion thereof.

**Service Systems** - Install, enlarge, alter, repair, improve, remove, convert or replace any electrical, gas, mechanical, or plumbing system work or cause the same to be done.

**Roofing** - Install, replace, or resurface roofing, or make repairs.

**Windows & Doors** - Install or replace windows or doors including frames, shutters, awnings, canopies, or similar items.

**Barriers & Signs** - Erect or replace fences, walls, signs, or sign structures.

**Antennas, Mast or Poles** - Install or replace masts, towers for television or radio receiving-transmitting antenna extending more than 10 ft above the last anchorage, satellite dish antennas (roof mounted, equal to or one two meter diameter residential, or over three meters diameter commercial, or larger), flag poles, exterior lighting or similar items.

**Pools** - Install swimming pools, wading pools, or spas, above or below ground, unless otherwise exempted.

**Fuel Tanks** - Install or replace gasoline, fuel, oil, bottled gas, oxygen, nitrous oxide, or similar liquid or gaseous storage tanks, pumps, and related equipment, above or below ground in a capacity of more than 5 gallons.

**Surfaces** - Construct, replace or resurface asphalt or concrete driveways, parking areas, hardstands, or sidewalks.

**Marine Facilities** - Install or replace docking or mooring facilities for private or commercial water craft, groins, sea walls, jetties, revetments, or similar structures and facilities related thereto.

**Fire Prevention/Suppression** - Install, replace, or relocate fire sprinkler, fire alarm, smoke detection, or similar fire prevention and protection systems and related equipment or appurtenances.

**EXCEPTIONS:**

Exemption from the 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 the technical codes or any other laws or ordinances of the applicable governing body.

**Building.** Building permits are not required for replacement or repair work having value of less than \$1,000.00, providing, however, that such work will not effect the structural integrity, fire rating, exit access or egress requirements. In the case of roofing or re-roofing repairs a permit is not required for work having a value of less than \$500.00.

**Mechanical.** Permits are not required for the installation, replacement or repair of the following mechanical work:

1. any portable heating appliance.
2. any portable ventilation equipment.
3. any portable cooling unit.
4. any steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code.
5. replacement of any part which does not alter its approval or make it unsafe.
6. any portable evaporative cooler.
7. any self-contained refrigeration system containing 10 lb or less of refrigerant and actuated by motors of 1 horsepower or less.
8. Replacement components of a system in a single family residence upon approval of building official.

**Electrical, Gas & Plumbing.** In a 1 & 2 Family Dwelling, building permits are not required for the following:

1. Repair, installation or replacement of common household fixtures to existing energy supply lines and outlets. Existing energy supply lines shall not be altered or extended.
2. Repair or replacement of common household electrical switches and outlets on the load side of the electrical source.
3. Repair, installation or replacement of common household plumbing fixtures to existing supply lines and outlets. Existing supply lines shall not be altered or extended. This does not include water heaters.
4. Replacement components of a system upon approval of the building official.

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

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

**104.1.4 Minor repairs.** Ordinary minor repairs, and installation of replacement parts may be made without a permit, provided that such repairs shall not violate any of the provisions of this Code. Installation shall be done in accordance with the manufacturer's specification when not in conflict with this or the technical codes.

**104.1.5 Information required.** Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or his authorized agent. The building permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information as may be required by the building official. Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with requirements of s. 713.135(6) & (7) Florida Statutes. Each application shall be inscribed with the date of application, and the code in effect as of that date. The code in effect on the date of application shall govern the project.

**104.1.6 Time Limitations.** An application for a permit for any proposed work shall be deemed to have been abandoned 6 months after the date of filing for the permit, unless before then a permit has been issued. One or more extensions of time for periods of not more than 90 days each may be allowed by the building official for the application, provided the extension is requested in writing before the application becomes abandoned and justifiable cause is demonstrated.

**104.1.7 Annual Facility Permit** – In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical, plumbing or interior non-structural system(s), the building official is authorized to issue an annual permit to the Maintenance Manager for Group F occupancies, to multi-building facilities, and to contractors replacing system components in residential properties, to facilitate routine or emergency service, repair, refurbishing, component replacement in 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 work sites as deemed necessary. An facility service annual permit shall be assessed an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

**104.1.7.1 – Annual Permit Records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official

shall have reasonable access to such records upon request. The permit holder shall list/identify all work performed on a form approved by the building official. At the end of the permit validation period, a copy of the log shall be filed with the building official. In addition, contractors replacing system components under an annual permit shall register all such work within three business days with the building official for code compliance follow up evaluations utilizing trade certification forms supplied by the building official, and shall pay a unit fee to fund the code compliance follow-up. The building official is authorized to revoke or withhold the issuance of the future annual permits if code violations are found to exist.

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

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

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

## **104.2 Drawings and specifications.**

**104.2.1 Requirements.** As required by 104.3.1.1 of the code, two or more copies of specifications, and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

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

**104.2.1.2 Additional Data.** The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal, and signature as state law requires.

**104.2.1.3 Quality Of Building Plans.** Building plans shall be drawn to a minimum 1/8 inch scale upon substantial paper, cloth or other acceptable medium. The building official may establish through departmental policy, standards for plans and specifications, in order to provide conformity to its record retention program. This policy may include such things as minimum size, shape, contrast, clarity, or other items related to records management.

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

**104.2.2.1** Certifications by contractors authorized under the provisions of s. 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.

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

**104.2.4 Site Drawings.** Drawings shall show the location of all new work, including the proposed building or structure and of all existing man-made improvements, and every existing building or structure on the site or lot. The site plan for the first building on a lot shall be prepared from a boundary survey, less than one year old, or from photocopied, platted lot dimensions. The building official may require other special surveys, prepared by a qualified surveyor. If required, surveys shall be prepared in accordance with provisions of Chapters 177 and 472 Florida Statutes, and Rule 61G17, Florida Administrative Code.

**104.2.5 Reserved.**

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

termite prevention is used, final exterior treatment shall be completed prior to final building approval.

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

### **104.3 Examination of documents.**

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

#### **Exceptions:**

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

**104.3.1.1 Minimum Plan Review Criteria For Buildings.** The examination of the documents by the building official shall include the following minimum criteria and documents; a floor plan, site plan, foundation plan, floor/roof framing plan or truss layout and all exterior elevations:

#### **Commercial Buildings:**

##### **Building**

1. Site Requirements
  - parking
  - fire access
  - vehicle loading
  - driving/turning radius
  - fire hydrant/water supply/Post Indicator Valve (PIV)
  - set back/separation (assumed property lines)
  - location of specific tanks, water lines and sewer lines
2. Occupancy group and special occupancy requirements shall be determined.
3. Minimum type of construction shall be determined (Table 500)
4. Fire resistant construction requirements shall include the following components:
  - fire resistant separations
  - fire resistant protection for type of construction
  - protection of openings and penetrations of rated walls

- fire blocking and draft stopping
  - 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
    - structural calculations (if required)
    - foundation
    - wall systems
    - floor systems
    - roof systems
    - threshold inspection plan
    - stair systems
  9. Materials shall be reviewed and shall at a minimum include the following:
    - wood
    - steel
    - aluminum
    - concrete
    - plastic
    - glass
    - masonry

- gypsum board and plaster
  - insulating (mechanical)
  - roofing
  - insulation
10. Accessibility requirements shall include the following:
    - site requirements
    - accessible route
    - vertical accessibility
    - toilet and bathing facilities
    - drinking fountains
    - equipment
    - special occupancy requirements
    - fair housing requirements
  11. Interior requirements shall include the following:
    - interior finishes (flame spread/smoke develop)
    - light and ventilation
    - sanitation
  12. Special systems
    - elevators
    - escalators
    - lifts
  13. Swimming Pools
    - barrier requirements
    - spas
    - wading pools

Plans shall detail compliance with Section 424 of this code, and NSPI-5, and Section 104.2.4 on Site Drawings.

**Electrical**

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

**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

### **Mechanical**

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

### **Gas**

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

### **Demolition**

1. Asbestos removal

### **Residential (One – and Two-Family):**

#### **Building**

1. Site requirements (and Section 104.2.4 Site Drawings)
  - set back/separation (assumed property lines)
  - location of septic tanks
2. fire resistant construction (if required)
3. fire
4. smoke 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)
  - elevator support and attachment
7. Accessibility requirements:
  - show/identify accessible bath
8. Electrical requirements shall include:
  - electric service riser with wire sizes, conduit detail and grounding detail.
  - complete load calculations
  - panel schedules
  - service equipment and panel locations

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

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

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

#### 104.4. Issuing Permits

#### **104.4.1 Action on Permits**

**104.4.1.1** The building official shall act upon an application for a permit without unreasonable or unnecessary delay. If the building official is satisfied that the work described in an application for a permit and the contract documents filed therewith conform to the requirements of the technical codes and other pertinent laws and ordinances, he shall issue a permit to the applicant. When authorized through contractual agreement with the School Board of Palm Beach County, in acting on applications for permits, the building official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

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

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

1. Electrical documents for any new building or addition which requires an aggregate service capacity of 600 amperes (240 volts) or more on a residential electrical system or 800 amperes (240 volts) or more on a commercial or industrial electrical system and which costs more than \$50,000.
2. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$50,000.
3. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. A Contractor I, Contractor II, or Contractor IV, certified under s. 633.521, may design a fire sprinkler system of 49 or fewer heads and may design alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.
4. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$50,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-family, two-family, three-family or four-family structure.

An air conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, Florida Statutes to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with value of \$50,000 or less; and when a 15-ton-per-system or less is designed for a singular space of a building and

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 6 individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system. It therefore could not be designed by a mechanical or air conditioning contractor.

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

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

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

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

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

**104.4.3 Identification of minimum premium policy.** Except as otherwise provided in Chapter 440, Workers' Compensation, every employer shall, as a condition to receiving a

building permit, show proof that it has secured compensation for its employees as provided in ss. 440.10 and 440.38, Florida Statutes.

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

**Disclosure Statement**

State law requires asbestos abatement to be done by licensed contractors. you have applied for a permit under an exemption to that law. The exemption allows you, as the owner of the 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 yourself or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

**104.4.5 Special Foundation Permit**

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

**104.5 Conditions of the permit.**

**104.5.1 Permit Intent.** A permit issued shall be construed to be a license to proceed with the work as permitted and not as authority to violate, cancel, alter, or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction, or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced, as evidenced by lack of inspection requests or file activity. Nothing herein shall prohibit the building official from setting policies accepting documented proof of on site progress for file activity.

**104.5.1.1** If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

**104.5.1.2** If a new permit is not obtained within 180 days from the date the initial permit became null and void, the building official is authorized to require that any

work which has been commenced or completed be removed from the building site. Orders of removal are appealable to the Construction Board of Adjustments and Appeals within thirty days of receipt of the order. The power to order removal of unpermitted work is supplemental to the power to demolish unsafe structures under Section 103.5 of this Section, as well as the power to seek injunctive relief, as provided for in Section 553.83, F.S. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

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

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

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

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

**104.5.4 Work starting before permit issuance.** Upon written request of owner and contractor, and with prior approval of the building official, the scope of work delineated in an accepted building permit application and plans, on interior remodeling only, may be started prior to the final approval and issuance of the permit. Any such work completed is entirely at risk of the permit applicant and owner, and the work shall not proceed past the first required inspection.

## **104.6 Fees.**

**104.6.1 Prescribed fees.** A permit shall not be issued until fees authorized under s. 553.80 Florida Statutes have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical or gas systems has been paid. Fees shall be set by Ordinance to fully recoup cost of enforcing this code only.

**104.6.2 Work Commencing Before Permit Issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees, plus penalty fees up to 300 percent of the usual permit fee, as decided by the building official.

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

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

**104.6.5 Building Permit Valuation.** If, in the opinion of the building official, the claimed valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates, and/or bona fide signed contracts (excluding land value) to meet the approval of the building official. For permitting purposes, valuation of buildings and systems shall be total replacement value to include structural, electric, plumbing, mechanical, interior finish, normal site work (excavation and backfill for buildings), architectural and design fees, overhead and profit; excluding only land value. Valuation references may include the latest published date of national construction cost analysis services (Marshall-Swift, Means, etc.) with regional adjustments for location (Southern Building Code Congress International).

## 105 INSPECTIONS

**105.1 Reserved Existing Building Inspections.** Before issuing a permit, the building official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy. He/she may inspect the buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, before, during and upon completion of the work for which a permit was issued. He/she shall make a record of every such examination and inspection and of all observed violations of the technical codes. Additional regulations in Chapter 34 of this code may apply.

**105.2 Reserved 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.

**105.3 Reserved Resident Inspection Services.** The building official may make, or cause to be made by others, the inspections required by Section 105. He/she may accept reports of inspectors of recognized inspection services, provided that after investigation he/she is satisfied as to their qualifications and reliability. A certificate called for by any provision of the technical codes shall not be based on such reports unless the same are in writing and certified by a responsible officer of such service. The building official may require the owner to employ an inspection service in the following instances:

1. for buildings or additions of Type I or Type II construction
2. for all major structural alterations
3. where the concrete design is based on compressive strength (f 'c) in excess of 3000 pounds per square inch
4. for pile driving
5. for buildings with area greater than 20,000 square foot
6. for buildings more than 2 stories in height
7. for buildings and structures of unusual design or methods of construction

Such inspectors shall be present at all times that work is underway on the structural work. Such inspectors shall be a registered architect, or engineer, or a person licensed under Chapter 468, Part XII, Florida Statutes. Such inspectors shall submit weekly progress reports including the daily inspections to the building official, and including a code compliance opinion of the Resident Inspector.

At the completion of the construction work or project, such inspectors shall submit a certificate of compliance to the building official, stating that the work was done in compliance with this code and in accordance with the permitted drawing. Final inspection shall be made by the building official before a Certificate of Occupancy or Certificate of Completion is issued; and confirmation inspections may be made at any time to monitor activities and resident inspectors.

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

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

**105.6 Required inspections.** The building official, upon notification from the permit holder or his agent, shall make the following inspections, and such other inspections as deemed necessary, and shall either release that portion of the construction or shall notify the permit holder or his agent of any code 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. A complete survey, or special purpose survey may be required before an inspection is approved.

## **Building**

1. Foundation inspection: To be made after trenches are excavated and forms erected and shall at a minimum include the following building components:
  - stem-wall
  - monolithic slab-on-grade
  - piling/pile caps
  - footers/grade beams
  
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 shall at a minimum include the following building components:
  - window/door framing
  - vertical cells/columns
  - lintel/tie beams (including truss layout drawings)
  - framing/trusses/bracing/connectors
  - draft stopping/fire blocking
  - curtain wall framing
  - energy insulation
  - accessibility
  
3. Sheathing inspection: To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:
  - roof sheathing
  - wall sheathing
  - sheathing fasteners
  - roof/wall dry-in.
  
4. Roofing inspection: Shall at a minimum include the following building components:
  - dry-in
  - insulation
  - roof coverings
  - flashing.
  
5. Final inspection: After the building is completed and ready for occupancy.
  
6. Swimming pool inspection:
  - First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete.
  - Perimeter plumbing
  - Pool Deck (including soil reports as applicable, paver type decks, or special perimeter footings or deck features)
  - Final Electric prior to filling with water
  - Final Permanent Barrier prior to filling with water
  - Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place
  - Final Gas (if applicable)
  
7. Storm Shutter Inspection
  - To insure compliance to Section 1606.1.4

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 condition shall exist during or after demolition operations.
  - Final inspection to be made after all demolition work is completed.

### **Electrical**

1. Underground inspection: To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
2. Rough-In inspection: To be made after the roof, framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.
3. Low Voltage: To be made for security, alarm, elevator, and special uses prior to being covered from view.
4. Final inspection: To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

### **Plumbing**

1. Underground inspection: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Rough-In inspection: To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.
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, fireblocking and bracing are in place and all ducting, and other concealed components are complete , and prior to the installation of wall or ceiling membranes.
3. Final inspection: To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

### **Gas**

1. Rough piping inspection: To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.
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 insure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

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

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

**105.9 Plaster fire protection.** In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the building official after all lathing and backing is in place. Plaster shall not be applied until the release from the building official has been received.

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

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

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

### **105.13 Threshold Building**

**105.13.1** The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents.

**105.13.2** The special inspector shall inspect the shoring and reshoring for conformance to 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 s. 553.71(7) Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the *Florida Building Code, Building*.

**105.13.3** The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under chapter 471 Florida Statutes as an engineer or under chapter 481 Florida Statutes as an architect, to conduct inspections of threshold buildings.

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

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

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

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

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

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

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

**105.14 Failure To Obtain Required Inspections.** In the event that required inspections are not obtained and approved prior to work being covered, the cost of forensic, after-the-fact investigations, testing, certification or additional fees necessary to document

compliance with technical codes to the satisfaction of the building official, shall be borne by the permit holder or owner.

## **SECTION 106 CERTIFICATES**

### **106.1 Certificate of Occupancy**

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

**106.1.2 Issuing Certificate of Occupancy.** Upon completion of construction of a building or structure and installation of electrical, gas, mechanical and plumbing systems in accordance with the technical codes, reviewed plans and specifications, and after the final inspection, the building official shall issue a certificate of occupancy stating the nature of the occupancy permitted, the number of persons for each floor when limited by law, and the allowable load per square foot for each floor in accordance with the provisions of this code.

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

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

### **106.3 Service utilities**

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

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

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

conditions arise which indicate a potential unsafe circumstance, the building official may inform the serving utility and owner of them

#### **106.4 Posting floor loads.**

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

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

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

### **107 TESTS (Reserved)**

The building official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner, or agent, by an approved testing laboratory or other approved agency.

## **108 CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

### **108.1 Appointment**

There is hereby established a board to be called the Construction Board of Adjustment and Appeals, which shall consist of seven members and two alternates. The Board shall be appointed by the applicable governing body.

### **108.2 Membership and terms**

**108.2.1 Membership.** Board members shall be composed of individuals with knowledge and experience in the technical codes to include; an architect, engineer general contractor, electrical contractor, HVAC contractor, plumbing contractor, and one member at large from the public. In addition to the seven regular members, there should be two alternate contractor members. A board member shall not act in a case in which he has a personal or financial interest.

**108.2.2 Terms.** The terms of office of the board members shall be staggered so no more than 1/3 of the board is appointed or replaced in any 12 month period. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Three unexcused absences of any regular

member from scheduled meetings of the board shall, at the discretion of the applicable governing body, render any such member subject to immediate removal from office.

**108.2.3 Quorum and voting.** Four members shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. In modifying a decision of the building official, not less than four affirmative votes, but not less than a majority of the board, shall be required. In the event that regular members are unable to attend a meeting, the alternate members, if seated, shall vote.

**108.2.4 Secretary of Board.** The building official, or his authorized representative, shall act as secretary of the board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a regular member to vote.

### **108.3 Powers**

The Construction Board of Adjustments and Appeals shall have the power, as further defined in 108.4, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes. The Board shall constitute the local contractor regulatory board of Chapter 489 F.S. for hearings on the performance of state licensed, Certified contractors, charged with fraud or willful code violations.

### **108.4 Appeals**

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

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

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

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
2. That the special conditions and circumstances do not result from the action or inaction of the applicant.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures or service systems.
4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

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

**108.4.3 Notice of appeal.** Notice of appeal shall be in writing and filed within 30 calendar days after the decision is rendered by the building official, and shall include the code section of the appeal, and the applicant's technical basis of contesting the decision of the building official.

**108.4.4 Unsafe or dangerous buildings or service systems.** In the case of a building, structure or service system which, in the opinion of the building official, is so unsafe, unsanitary or dangerous, as to constitute an imminent and immediate threat to public health or safety, the building official may, in the order, limit the time for such appeals to ten business days.

### **108.5 Procedures of the Board**

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

**108.5.2 Decisions.** The Construction Board of Adjustment and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision, and shall cite detailed compliance with one or more of the four conditions of Section 108.4.1. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or other method reasonably calculated to afford adequate notice to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

Section 108  
Severability  
(Reserved)

**109 SEVERABILITY**

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

**Section 109**  
**Violations and Penalties**  
**(Reserved)**

**110 VIOLATIONS AND PENALTIES**

Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of a misdemeanor. Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by state laws. Nothing in this section shall prevent Palm Beach County from imposing fines or liens, or seeking injunctive relief, or exercising other enforcement powers as permitted by law.

**SECTION 1606**  
**WIND LOADS**

**1606.1.6 Basic wind speed.** The basic wind speed in miles per hour, for the development of wind loads, shall be determined from Figure 1606, said Basic Wind Speed for Palm Beach County being:

**3 Second Gust**

120 mph

130 mph

140 mph

**All Locations In**

R35E

R36E, R37E, R38E

R39E through R43E

as depicted on map Figure 1606.1.6., is hereby added to this code.

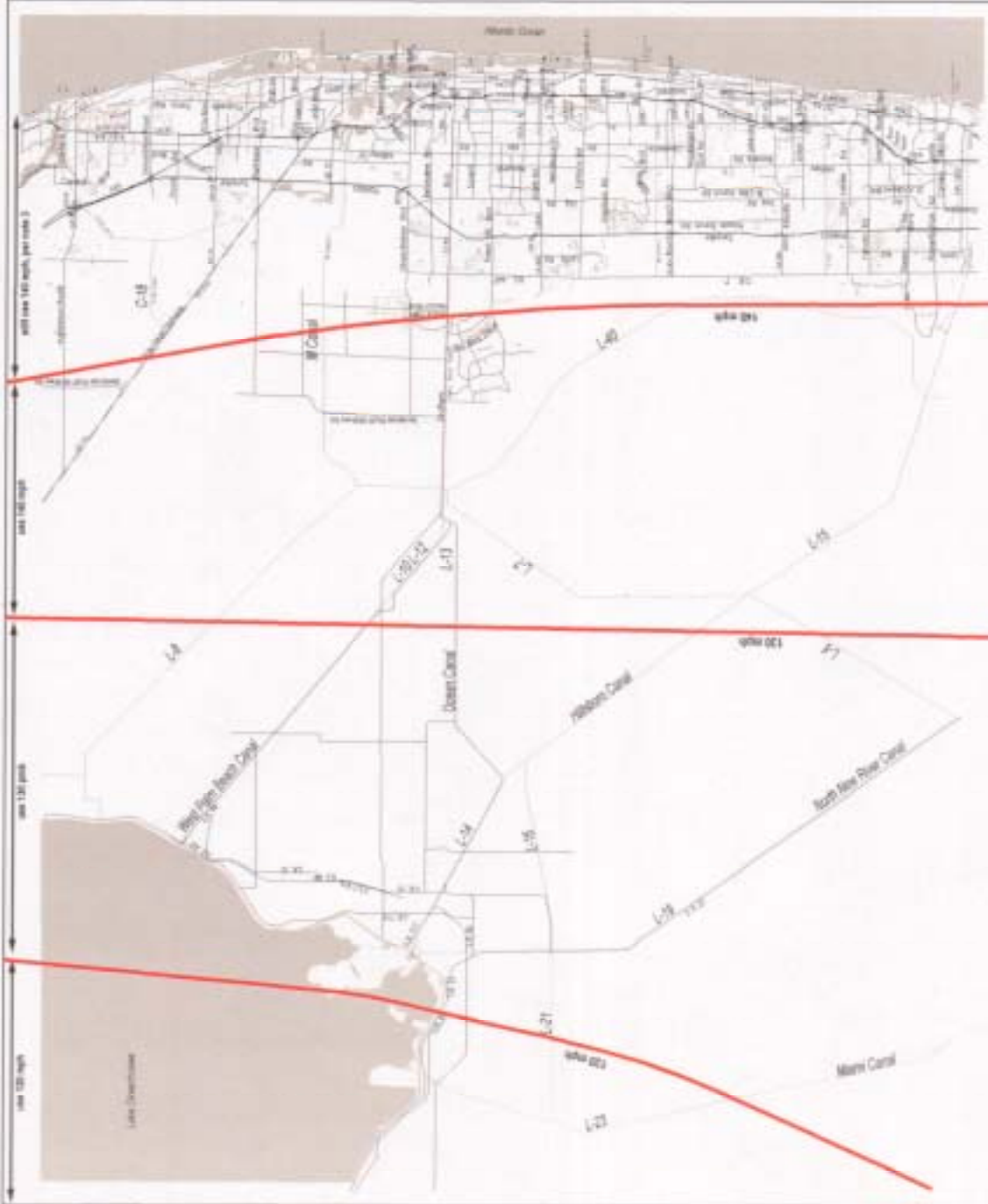
# Palm Beach County Basic Wind Speeds

Florida Building Code  
Figure 1606.1.6  
Basic Wind Speed  
Three Second Gusts

**Notes**

1. Values are rounded down to nearest gust, wind speeds in miles per hour (mph) at 33 ft (10 m) above ground for Exposure C Category.
2. This map is accurate to the county. Local governments establish specific wind speed requirements based on using physical characteristics such as major roads, canals, rivers, and obstructions.
3. Islands and coastal areas outside the 100-mile limit use the 100-mile wind speed number of the coastal area.
4. Measurements levels, gages, anemometer heights, and specific wind regimes shall be recorded for unusual study conditions.
5. Wind speeds are American Society of Civil Engineers Standard (ASCE 7-05) 60-100-year peak gusts.

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35 Figure 1606.1.6 11/23/02

**CHAPTER 18**  
**FOUNDATIONS AND RETAINING WALLS**  
**1804 - FOOTINGS AND FOUNDATIONS**

**1804.1.1** Foundations shall be built on undisturbed soil or properly compacted fill material. Foundations shall be constructed of materials described in this chapter. All footings and concrete pads shall be formed full depth.

**1804.1.7** Finish grade shall be sloped away from the foundation for drainage. The finish grade at the perimeter of a monolithic foundation shall be at least 4 inches (101.6 mm) below the interior slab elevation. Finish grade shall keep drainage along or within property lines to the street or to common drainage facilities.

**Exception:**    •Refer to Chapter 23 for additional clearance requirements for wood siding.  
                      •See Chapter 32 for sites in flood plains.

**1804.2.2 Questionable soil.** ~~Where the bearing capacity of the soil is not definitely known or is in question, the building official may require load tests or other adequate proof as to the permissible safe bearing capacity at that particular location. To determine the safe bearing capacity of soil, it shall be tested at such locations and levels as conditions warrant, by loading an area not less than 4 sq. ft. (0.27 m<sup>2</sup>) to not less than twice the maximum bearing capacity desired for use. Such double load shall be sustained by the soil for a period of not less than 48 hours with no additional settlement taking place, in order that such desired bearing capacity may be used. Subsoil conditions shall be examined at the expense of the owner, when deemed necessary by the building official.~~ Where the bearing capacity of the soil is not known from previous exploration, or is in question, the Building Official may require additional explorations, tests or other adequate proof as to the permissible safe bearing capacity. Required tests and recommendations submitted to verify bearing capacity shall be certified by a geotechnical report from a design professional properly licensed in the State of Florida.

**CHAPTER 21**  
**2111 MASONRY CONSTRUCTION**

**2111.1.9 Water stop** - Where exterior wall masonry units bear on a concrete floor surface, a 1.5 inch (38 mm) recess shall be provided to minimize water intrusion into finished area.

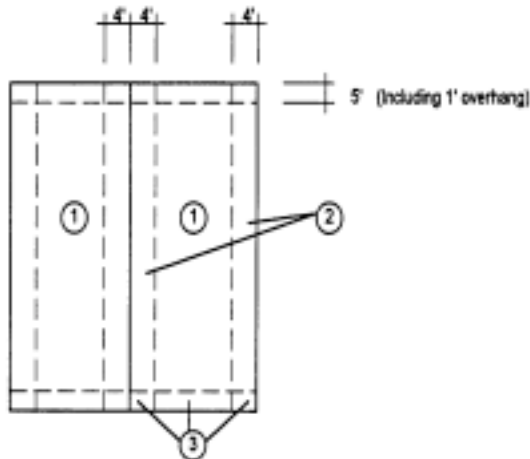
**CHAPTER 23  
FASTENINGS**

- Delete wind speed limits in Section 2301 related to Sections 2306, 2307, 2308 and 2309.
- Delete Tables 2306.1, 2307.6B and 2309.3A published in the code and insert the following:

**REVISED TABLE 2306.1  
FASTENING SCHEDULE**

CONNECTION	FASTENER	NUMBER OR SPACING
<b>WOOD STRUCTURAL PANEL ROOF SHEATHING</b>		
<u>Mean Roof Height &lt; 25'</u> 19/32" or greater	8d Common	<u>Zone 1 &amp; 2(below)</u> 6" o.c. edges and 6" o.c. intermediate <u>Zone 3(below)</u> 4" o.c. edges and 6" o.c. intermediate
<u>Mean Roof Height 25'- 35' Max.</u> 19/32" or greater	8d Common	<u>Zone 1 &amp; 2(below)</u> 6" o.c. edges and 6" o.c. intermediate
	8d Ring-Shank	<u>Zone 3(below)</u> 4" o.c. edges and 6" o.c. intermediate
<u>Mean Roof Height &lt; 25'</u> 19/32" - 3/4"	16ga galvanized wire staples 3/8" minimum crown. 1"leg length, plus panel Thickness.	<u>Zone 1, 2 &amp; 3(below)</u> 2" o.c. edges and 5" o.c. intermediate
<u>Mean Roof Height 25'- 35' Max.'</u>	16ga galvanized wire staples 3/8" minimum crown. 1"leg length, plus panel thickness.	<u>Zone 1 &amp; 2(below)</u> 2" o.c. edges and 5" o.c. intermediate
		<u>Zone 3(below)</u> Not permitted

**WOOD STRUCTURAL PANEL ROOF FASTENING ZONES**



- 1 - Interior nailing zone**
- 2 - Perimeter nailing zone**
- 3 - Edge nailing zone**

**REVISED PANEL SPAN TABLE 2307.6B**

**ALLOWABLE SPANS AND LOADS FOR WOOD STRUCTURAL PANELS IN SHEATHING AND SINGLE FLOOR GRADES CONTINUOUS OVER TWO OR MORE SPANS, LONG DIMENSION PERPENDICULAR TO SUPPORTS (See notes 1,5 and 6)**

Sheathing Grade		Roof				Floor
Span Rating	Panel Thickness (in)	Maximum Span (in)		Load (psf)		Maximum Span (in)
		With Edge Supported <sub>2</sub>	Without Edge Support	Total Load	Live Load	
Roof/Floor Span		With Edge Supported <sub>2</sub>	Without Edge Support	Total Load	Live Load	Maximum Span (in)
32/16	5/8	32	28	40	30	16 20 24 32 48
40/20	19/32, 5/8, 3/4, 7/8	40	32	40	30	
48/24	19/32, 3/4, 7/8	48	36	45	35	
54/32	7/8, 1	54	40	45	35	
60/48	7/8, 1, 1-1/8	60	48	45	35	
Single Floor Grade		Roof				Floor
Span Rating	Panel Thickness (in)	Maximum Span (in)		Load (psf)		Maximum Span (in)
		With Edge Supported <sub>2</sub>	Without Edge Support	Total Load	Live Load	
16o.c.	19/32, 5/8	24	24	50	40	16 <sup>4</sup>
20o.c.	19/32, 5/8, 3/4	32	32	40	30	20 <sup>3,4</sup>
24o.c.	23/32, 3/4	48	36	35	25	24
32o.c.	7/8, 1	48	40	50	40	32
48o.c.	1-3/32, 1-1/8	60	48	50	40	48

1 in = 25.4 mm

1 psf = 47.8803 Pa

**Notes, TABLE 2307.6B:**

1. The allowable loads were determined using a dead load of 10 psf. If the dead load exceeds 10 psf then the live load shall be reduced accordingly.
2. Tongue-and-groove edges, panel edge clips (one midway between each support, except two equally spaced between supports 48 inches on center), lumber blocking, or other. Only lumber blocking shall satisfy blocked diaphragm requirements.
3. Maximum framing space shall be 24 inches on center for floors where 1-1/2 inches of cellular or lightweight concrete is applied over the panels.
4. Maximum frame spacing shall be 24 inches on center where 3/4-inch wood strip flooring is installed at right angles to joist.
5. Shall apply only to panels 24 inches or wider.
6. In no case shall any roof sheathing be less than 32/16 - 19/32 inch Wood Structural Panels in spans 16 inches or more on center.

**REVISED TABLE 2309.3A**  
**ALLOWABLE LOAD (PSF) FOR WOOD STRUCTURAL PANEL ROOF**  
**SHEATHING**  
**OVER TWO OR MORE SPANS AND**  
**LONG DIMENSION PARALLEL TO SUPPORTS**  
**(Wood Structural Panels are 5-ply, 5-layer unless otherwise noted) <sup>1,3</sup>**

PANEL GRADE	THICKNESS		MAXIMUM SPAN (inches)	LOAD AT MAXIMUM SPAN (psf)	
	(inches)	SPAN RATING		LIVE	TOTAL
Structural I	19/32, 5/8	40/20	24	70	80
Sheathing	23/32, 3/4	48/24	24	90	100
	19/32	40/20	24	40 <sup>2</sup>	50 <sup>2</sup>
Sheathing	5/8	32/16, 40/20	24	45 <sup>2</sup>	55 <sup>2</sup>
	23/32, 3/4	40/20, 48/24	24	60 <sup>2</sup>	65 <sup>2</sup>

1 inch = 25.4mm  
1 psf = 4.882 kg/m<sup>2</sup>.

**Notes:**

1. Uniform load deflection limitations: 1/180th of span under live load plus dead load, 1/240th live load only. Edges shall be blocked with lumber or other approved type of edge supports.
2. For composite and 4-ply plywood panels, load shall be reduced by 15 psf.
3. In no case shall any roof sheathing be less than 32/16 - 19/32 inches plywood in spans 16 inches or more on center

## CHAPTER 27 ELECTRICAL SYSTEMS

### SECTION 2701 GENERAL

**2701.2** Electrical systems shall comply with the provisions of NFPA 70 the National Electric Code, ~~Where provisions conflict, this code shall govern.~~ as herein amended, in specific Sections following:

## CHAPTER 2

### ARTICLE 210 - BRANCH CIRCUITS

#### A. General Provisions

#### **Section 210-8 Ground-Fault Circuit-Interrupter Protection for Personnel**

210-8 (a)(7) ~~Wet bars.~~ All sinks. Where the receptacles are installed to serve the counter top surfaces and are not located within 6ft. (1.83m) of the outside edge of ~~the wet bar sinks~~ all sinks. Receptacle outlets shall not be installed in a face-up position in the work surfaces or countertops.

(b) Other than Dwelling Units. All 125-volt, single-phase, 15 and 20 ampere receptacles installed in the locations specified below shall have ground-fault circuit-interrupter protections for personnel.

1. Bathrooms
2. Rooftops
3. Outdoors

4. All sinks. Where the receptacles are installed to serve the counter top surfaces and are located within 6 ft. (1.83m) of the outside edge of all sinks.

Exception No. 1: Receptacles that are not readily accessible and are not supplied from a dedicated branch circuit for electric snow-melting or deicing equipment shall be permitted to be installed in accordance with the applicable provisions of Article 426.

Exception No. 2 (to item (3) & (4) above): A single receptacle or duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord-and-plug connected in accordance with Section 400-7(a) (6), (a) (7), or (a) (8).

#### **210-11 Branch Circuits Required.**

(c) Dwelling Units.

(4) Kitchen Refrigeration Equipment. The receptacle outlet(s) for refrigeration equipment serving the kitchen area and in excess of 5 cubic feet shall be installed on a separate branch circuit rated fifteen 15 or 20 amperes.

## 210-52 Dwelling Unit Receptacle Outlets

(b) Small Appliances.

(1) In the kitchen, pantry, breakfast room, dining room, or similar area of a dwelling unit, the two or more 20 ampere small appliance branch circuits required by Section 210-11 (c) (1) shall serve all receptacle outlets covered by Sections 210-52 (a) and (c) ~~and receptacle outlets for refrigeration equipment.~~

Exception No. 1: In addition to the required receptacles specified by Section 210-52, switched receptacles supplied from a general purpose branch circuit as defined in Section 210-70 (a) (1), Exception No. 1 shall be permitted.

Exception No. 2: The receptacle outlet for refrigeration equipment shall be permitted to be supplied from an individual branch circuit rated 15 amperes or greater.

## ARTICLE 215 - FEEDERS

~~215-8 Means of Identifying Conductor with the Higher Voltage to Ground. On a 4 wire, delta connected secondary where the midpoint of one phase is grounded to supply lighting and similar loads, the phase conductor having the higher voltage to ground shall be identified by an outer finish that is orange in color or by tagging or other effective means. Such identification shall be placed at each point where a connection is made if the grounded conductor is also present.~~

Identification of Feeder Conductors. Feeder conductors in NEW BUILDINGS shall be identified by color or tagging or by such other effective methods as determined by the Building Official at each point a connection is made if the neutral conductor is present.

Exception: The existing system of coding may be maintained in new buildings or additions to existing buildings at industrial and commercial installations.

(a) 120/240 volt, single phase, three wire system  
Phase AA@ -Black  
Phase AB@ -Red  
Neutral-White

(b) 208Y/120 volt, three phase, four wire system  
Phase A -Black  
Phase B -Red  
Phase C -Blue  
Neutral-White

(c) 480Y/277 volt, three phase, four wire system  
Phase A -Brown  
Phase B -Purple  
Phase C -Yellow  
Neutral-Grey

(d) 240 delta/120 volt, three phase, four wire system (open delta)

Phase A -Black  
Phase B -Orange (higher voltage to ground or high leg)  
Phase C -Red  
Neutral-White

Note: A cabinet or enclosure shall be identified by the words "OPEN DELTA" where Internal Phase "B" and neutral conductors are connected.

**215-12 Feeder Conductors.** All feeder conductors to panel boards with extra circuit spaces in one and two family dwelling shall include a grounded (neutral) conductor and it shall be sized not less than the equipment grounding conductor specified in section 250-122.

## **NEC ARTICLE 230 - SERVICES**

### D. Service - Entrance Conductors

#### **230-43. Wiring Methods for 600 Volts, Nominal or Less.**

Service-entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and shall be limited to the following methods: (1) open wiring on insulators; (2) Type IGS cable; (1) rigid metal conduit; (2) intermediate metal conduit; (3) electrical metallic tubing; (6) electrical nonmetallic tubing (ENT); (7) service entrance cables; (4) wireways; (5) busways; (6) auxiliary gutters; (7) rigid nonmetallic conduit; (8) cablebus; (13) Type MC cable; (9) mineral-insulated, metal-sheathed cable; (15) flexible metal conduit not over 6 feet (1.83 m) long or liquidtight flexible metal conduit not over 6 ft (1.83 m) long between raceways, or between raceway and service equipment, with equipment bonding jumper routed with the flexible metal conduit or the liquidtight flexible metal conduit according to the provisions of Section 250-102(a),(b),(c), and (e); or (16) liquidtight flexible nonmetallic conduit.

Cable tray systems shall be permitted to support cables for use as service-entrance conductors in accordance with Article 318.

### F. Service Equipment - Disconnecting Means

#### **230-70 General**

(a) Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. If more than eight (8) feet per set of service entrance conductors are located inside of the building as determined by Section 230-6, a disconnect with overcurrent protection must be installed at the location the conductors enter the building.

Service disconnecting means shall not be installed in bathrooms.

## NEC ARTICLE 250 - GROUNDING

### C. Grounding electrode system and grounding electrode conductor.

**250-62. Grounding electrode conductor material.** The grounding electrode conductor shall be of copper. ~~aluminum, or copper-clad aluminum.~~ The material selected shall be resistant to any corrosive condition existing at the installation or shall be suitably protected against corrosion. The conductor shall be solid or stranded, insulated, covered, or bare.

### F. Equipment grounding and equipment grounding conductors.

#### 250-118. Types of equipment grounding conductors.

(4) Electrical metallic tubing. When using electrical metallic tubing in an exterior location, for feeders or branch circuits, an insulated equipment grounding conductor shall be installed to assure a continuous bond.

## CHAPTER 3

## NEC ARTICLE 310 - CONDUCTORS FOR GENERAL WIRING

### 310-2 Conductors.

(b) Conductor material. Conductors in this article shall be aluminum, copper-clad aluminum, or copper unless otherwise specified.

(1) Aluminum and copper clad aluminum conductors smaller than No. 2 A.W.G. shall not be installed.

(2) Aluminum and copper clad aluminum conductors shall not be used for grounding or bonding.

## NEC ARTICLE 333 - ARMORED CABLE

### TYPE AC

#### C. Construction specifications.

**333-21 Grounding.** Type AC cable shall include a separate copper grounding conductor and shall provide an adequate path for equipment grounding as required by Section 250-2(d).

(a) Type AC cable with full size ground conductor, sized by 250-122, and an outer metal armor or sheath that is identified as an acceptable ground return path may be used as provided in Article 517-13. Type AC cable shall be terminated with listed connectors.

## NEC ARTICLE 348 - ELECTRICAL METALLIC TUBING

### A. General

#### 348-4 Uses permitted.

(b) Corrosion Protection. Ferrous or non-ferrous electrical metallic tubing, elbows, couplings, and fittings shall be permitted to be installed in concrete above grade ~~in direct contact with the earth or in areas subject to severe corrosive influences where protected by corrosion protection and judged suitable for the condition.~~

FPN: See Section 300-6 for information on protection against corrosion.

FPN: See Section 250-118 (4) for grounding requirements.

#### 348-5 Uses not permitted. Electrical metallic tubing shall not be used:

- (1) Where, during installation or afterward, it will be subject to severe physical damage
- (2) Where protected from corrosion solely by enamel
- (3) In cinder concrete or cinder fill where subject to permanent moisture unless protected on all sides by a layer of non-cinder concrete at least 2 inches (50.8mm) thick or unless the tubing is at least 18 inches (457mm) under the fill
- (4) In any hazardous (classified) location except as permitted by Section 502-4, 503-3 and 504-20
- (5) For the support of fixtures or other equipment except conduit bodies no larger than the largest trade size of the tubing. Where practicable, dissimilar metals in contact anywhere in the system shall be avoided to eliminate the possibility of galvanic action
- (6) Slabs on grade
- (7) In direct contact with earth

**Exception:** Aluminum fittings and enclosures shall be permitted to be used with steel electrical metallic tubing.

## CHAPTER 31

### SECTION 3109 FLOOD PLAIN

**-Delete the section included in Florida Building Code as published in its entirety, substitute the following-**

**3109.1 Construction in Flood Plain** The Palm Beach County Emergency Management Department ordinance "Flood Damage Prevention" shall regulate all development and construction in the regulatory flood plain. The Palm Beach County ULDC, Article 8, shall govern storm water management. Specific additional regulations on individual buildings shall apply as detailed in this Section. Grading plans showing natural and proposed finish earth grades may be required by the building official.

**3109.2 Minimum Floor Elevation.** Finished floor elevations shall be above Base Flood Elevations and not less than twelve inches (12") above the lowest crown or surface of any roadway adjoining the building site.

**3109.3 Preserving Flood Storage Volume.** Earth fill imported onto the building site shall not exceed the minimums necessary to raise a concrete slab-on-grade, no more than six inches (6") above the Minimum Floor Elevation set above.

**EXCEPTIONS:**

1. Only on building sites requiring raised septic mounds to Health Department minimum elevations, additional minimum volume of fill shall be allowed to construct the mound.
2. Earth fill dug from an on site excavation shall be unregulated, provided finished grade directs lot drainage into the excavation.
3. Any volume of fill for placement inside the perimeter foundation walls to raise a concrete interior slab to any higher elevation shall be allowed.
4. Fill necessary to direct drainage on site to public roadway or public drainageway by positive sloped grading shall also be unregulated, when placed to fill low yard areas.