

**ORDINANCE NO. 2017-**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
NASSAU COUNTY, FLORIDA, ADOPTING THE 5<sup>TH</sup> EDITION (2014)  
FLORIDA BUILDING CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature has adopted the 5<sup>th</sup> Edition (2014) Florida Building Code, effective July 1, 2015; and

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida, has found it necessary to adopt the 5<sup>th</sup> Edition (2014) Florida Building Code in its entirety.

**NOW, THEREFORE, BE IT ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. The Board of County Commissioners hereby adopts the 5<sup>th</sup> Edition (2014) Florida Building Code in its entirety with amendments to Chapter 1, Scope and Administration.
2. The attached Exhibit "A" sets forth the 2014 Florida Building Code and which shall replace and should be codified under Sections 7-6 through 7-8 of the Code of Laws and Ordinances of Nassau County, Florida.
3. This Ordinance shall become effective upon filing with the Department of State pursuant to Florida Statute §125.66.

**PASSED AND ENACTED** by the Board of County Commissioners of Nassau County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

\_\_\_\_\_  
DANIEL B. LEEPER  
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

APPROVED AS TO FORM BY THE  
NASSAU COUNTY ATTORNEY:

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MICHAEL S. MULLIN

## EXHIBIT "A"

### ARTICLE I. - BUILDING CODE

#### DIVISION 1. - GENERALLY

##### Sec. 7-6. - Adopted.

The board of county commissioners hereby adopts the 5<sup>th</sup> Edition (2014) Florida Building Code, in its entirety, with the following amendments to Chapter 1, Scope and Administration.

#### CHAPTER 1 SCOPE AND ADMINISTRATION

##### SECTION 101 GENERAL

*101.1 Title.* These regulations shall be known as the 5<sup>th</sup> Edition (2014) Florida Building Code, hereinafter referred to as "this code."

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

##### *Exceptions:*

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the 5<sup>th</sup> Edition (2014) Florida Building Code, Residential.
2. Existing buildings undergoing repair, alterations or additions and change of occupancy shall comply with 5<sup>th</sup> Edition (204) Existing Building Code and Chapter 34 of this code.

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

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

*101.4 Referenced codes.* The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

*104.4.1 Gas.* The provisions of the 5<sup>th</sup> Edition (2014) , Fuel Gas shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the Inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

*101.4.2 Mechanical.* The provisions of the 5<sup>th</sup> Edition (2014) Florida Building Code, Mechanical shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

*101.4.3 Plumbing.* The provisions of the 5<sup>th</sup> Edition (2014) Florida Building Code, Plumbing shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

*101.4.4 Property maintenance.* Reserved.

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

*101.4.6 Energy.* The provisions of the 5<sup>th</sup> Edition (2014) Florida Building Code, Energy Conservation shall apply to all matters governing the design and construction of buildings for energy efficiency.

*101.4.7 Accessibility.* For provisions related to accessibility, refer to the 5<sup>th</sup> Edition (2014) Florida Building Code, Accessibility.

*101.4.8 Manufactured buildings.* For additional administrative and special code requirements, see section 428, Florida Building Code, Building, and Rule 61-41 F.A.C.

## SECTION 102 APPLICABILITY

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

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

*102.2 Building.* The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 of this code. The following buildings, structures and facilities are exempt from the Florida Building Code, except for floodplain management regulations, as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.

- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Section 553.501-553.513, Florida Statutes) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures.
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission or distribution of electricity.
- (g) Temporary sets, assemblies or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing or other nonwood (sic) features.
- (i) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (j) Temporary housing provided by the Department of Correction to any prisoner in the state correctional system.
- (k) A building or structure having less than 1,000 square feet which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:
  1. Is not rented or leased or used as a principal residence;
  2. Is not located within the 100-year floodplain according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and
  3. Is not connected to an off-site electric power or water supply.

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

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


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

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

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

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

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:
  - a. 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 (93 m<sup>2</sup>) or the square footage of the primary structure, whichever is less.
  - b. 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. The following shall be included as allowed by this Section when not considered as substantial improvement or located within a mapped A, AE, or VE flood zone:
    1.  A one-time exemption within a 12 month period for porches, patios, decks, or storage sheds containing no more than 250 square feet, located at an owner occupied single family residence or manufactured home.
    2. Wood or masonry solid fences not exceeding 6 feet in height. Open wire fences not exceeding 12 feet in height.
    3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless: 1) supporting a sloped surcharge, or 2) within a distance from the property line that is less than the exposed height of the front of the wall.
    4. Raised decks, platforms, ramps, sidewalks and driveways not more than 30 inches above adjacent grade, and not over any story below and is not part of an accessible route.
    5. Painting, papering, tiling carpeting, cabinets, counter tops and similar finish work.
    6. Prefabricated swimming pools that are less than 24 inches deep.
    7. Shade cloth structures for nursery or agricultural purposes.
    8. Swings, slides, carousels and other playground equipment.
    9. Mechanical inspection exemption:
      - a. Inspections for additions, alterations or repairs of mechanical equipment where the property owner submits a notarized statement that holds Nassau County harmless from an adverse consequences resulting from the work and agrees not to initiate, execute, or enjoin any legal action against Nassau County for such consequences.
  - c. Building and inspection fees.
2. However, the exemption under subparagraph 1 do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise

exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.

3. Each code exemption, as defined in sub-subparagraph 1a, 1b, and 1c shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implanting it.

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

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

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

102.4 *Referenced codes and standards.* The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

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

102.4.2 *Provisions in referenced codes and standards.* Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Florida Codes listed in Section 101.4, the provisions of this or the Florida Codes listed in Section 104.4, as applicable, shall take precedence over the provisions in the reference code or standard.

102.5 *Partial Invalidity.* Reserved.

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

102.7 *Relocation of manufactured buildings.*

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

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

## PART 2—ADMINISTRATION AND ENFORCEMENT

### SECTION 103

#### DEPARTMENT OF BUILDING SAFETY

*103.1 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.

*103.2 Employee Qualifications.*

*103.2.1 Building Official Qualifications.* The Building Official shall be licensed as a Standard Building Code Administrator by the State of Florida. The Building Official shall be appointed by the Nassau County Manager.

*103.2.3 Employee Qualifications.* The Building Official, with the approval of the Nassau County Manager, may appoint or hire such number of officers, inspectors, plans examiners, assistants and other employees as shall be authorized by the Board of County Commissioners from time to time. A person shall not be appointed or hired as inspector or plans examiner unless that person meets the qualifications for licensure as an inspector or plans examiner in the appropriate trade as established by the State of Florida.

*103.3 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, within the jurisdiction of the department, unless he is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with his duties or conflict with the interest of the department.

*103.4 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.

*103.5 Liability.* Any officer or employee, or member of the Board of Adjustments and Appeals, charged with the enforcement of this code, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provisions of this code shall be defended by the Nassau County Attorney's Office until the final termination of the proceedings, unless such person is found to have acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard for the safety, health, and welfare of the public.

### SECTION 104

#### DUTIES AND POWERS OF THE BUILDING OFFICIAL

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

*104.2 Right of entry*

*104.2.1* 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 is occupied, he



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 person 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.

*104.2.2* 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.

*104.3 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 his 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.

*104.4 Revocation of permits.* The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any provisions of this code.

*104.4.1 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.

*104.4.2 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.

*104.5 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 provisions this Code or other local ordinance.

*104.6 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.

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

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

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

*104.10 Modifications.* Reserved.

*104.10.1 Modifications of the strict application of the requirements of the Florida Building Code.* The Building Official shall coordinate with the Floodplain Administrator to review requests submitted to the

Building Official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.

*104.11 Alternative materials, design and methods of construction and equipment.* The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code 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 alternative.

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

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

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

## SECTION 105 PERMITS

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

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

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

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

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

*Gas:*

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

*Mechanical:*

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

*Plumbing:*

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

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

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

*105.2.3 Public service agencies.* Reserved.

**105.3 Application for permit.** To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose. Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Section 713.135(5) and (6), Florida Statutes.

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

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

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

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

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$250,000.
2. 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 Section 633.521, Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.
3. Heating, ventilation and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$250,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-, two-, three or four-family structure.

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

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

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single 3-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.

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

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.
5. Electrical documents. See Florida Statutes 471.003(2)(h)

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

*105.3.2 Time limitation of application.* An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated. Applicants are responsible for fees for applications that have received a full plan review and approved for issuance whether or not plans are issued.

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

*105.3.4* A building permit for a single-family residential dwelling must be issued within 30 working days of application 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.

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

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

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

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

#### *105.4 Conditions of the permit.*

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

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

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

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

*105.4.1.4* The fee for renewal reissuance and extension of a permit shall be set forth by the administrative authority.

*105.5 Expiration.* Every permit shall become invalid as indicated in Section 105.4.1. Except,

1. The building official is authorized to grant longer time periods for specific projects.
2. The building official is authorized to establish a reasonable time period to complete a permit issued specifically to correct a violation of this code or any pertinent law, rule, regulation, or ordinance, or

to rehabilitate, repair, modify, remove, or demolish a dangerous or illegal building or structure or equipment, or to otherwise abate a nuisance.

3. Extensions of time to complete a permitted project shall only be allowed if no changes are made to the originally approved plans. Additionally, no laws, rules, or ordinances have been changed in such a manner as to prohibit the completion of the proposed work. The renewed permit shall require that all incomplete work conform to the laws, regulations, rules, and ordinances in effect at the time of renewal.

*105.6 Suspension or revocation.* Reserved.

*105.7 Placement of permit.* The building permit and supporting documents or copy shall be kept on the site of the work and be available for the building inspector at each inspection.

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

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

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

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

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

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

*105.14 Permit issued on basis of an affidavit.* Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the building official, are hazardous or complex, the building official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition,

they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the building official written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the building official. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building Inspector under Part III of Chapter 468, Florida Statutes.

*105.15 Opening Protection.* When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family detached residential structure that is located in the wind borne debris region as defined in the Code and that has an insured value of \$75,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this Code or Florida Building Code, Residential for new construction shall be provided.

*Exception:* Single Family residential structures permitted subject to the Florida Building Code are not required to comply with this section.

## SECTION 106 FLOOR AND ROOF DESIGN LOADS

*106.1 Live loads posted.* Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m<sup>2</sup>), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

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

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

## SECTION 107 SUBMITTAL DOCUMENTS

*106.1 Submittal documents.* Construction documents, a statement of special inspections and other data shall be submitted in two sets with each application for a permit. The construction documents shall be prepared by a design professional where required by Chapter 471, Florida Statutes or Chapter 481, Florida Statutes. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a design professional.

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

*107.2 Construction documents.* \_\_\_\_\_ Construction documents shall be in accordance with Sections 107.2.1 through 107.2.5

*107.2.1 Information on construction documents.* Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions



of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. (see also Section 107.3.5).

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

*107.2.1.2* For roof assemblies required by the code, the construction documents shall illustrate, describe and delineate the type of roofing system, materials, fastening 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.

*107.2.3 Means of egress.* Reserved.

*107.2.4 Exterior wall envelope.* Reserved.

*107.2.5 Site plan.* Reserved

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

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

*Exceptions:*

1. Building plans approved pursuant to state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to FAC 61-41.009, F.A.C., shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.
2. Industrial construction on sites where design, construction and fire safety are supervised by 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 certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

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

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

*107.3.3 Phased approval.* Reserved.

*106.3.4 Design professional in responsible charge.* Reserved.

107.3.4.1 *General.* Reserved.

107.3.4.2 *Deferred submittals.* Reserved

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

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

*Commercial Buildings:*

*Building*

1. Site requirements:
  - Parking
  - Fire access
  - Vehicle loading
  - Driving/turning radius
  - Fire hydrant/water supply/post indicator valve (PIV)
  - Set back/separation (assumed property lines)
  - Location of specific tanks, water lines and sewer lines
  - Flood hazard areas, flood zones, and design flood elevations.
2. Occupancy group and special occupancy requirements shall be determined.
3. Minimum type of construction shall be determined.  
(see Table 503).
4. Fire-resistant construction requirements shall include the following components:
  - Fire-resistant separations
  - Fire-resistant protection for type of construction
  - Protection of openings and penetrations of rated walls
  - Fire blocking and draftstopping and calculated fire resistance.
5. Fire suppression systems shall include:
  - Early warning smoke evacuation systems

Schematic fire sprinklers

Standpipes

Pre-engineered systems

Riser diagram

6. Life safety systems shall be determined and shall include the following requirements:

Occupant load and egress capacities

Early warning

Smoke control

Stair pressurization

Systems schematic

7. Occupancy load/egress requirements shall include:

Occupancy load

Gross

Net

Means of egress

Exit access

Exit

Exit discharge

Stairs construction/geometry and protection

Doors

Emergency lighting and exit signs

Specific occupancy requirements

Construction requirements

Horizontal exits/exit passageways

8. Structural requirements shall include:

Soil conditions/analysis

Termite protection

Design loads

Wind requirements

Building envelope

Impact resistant coverings or systems

Structural calculations (if required)

Foundation

Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials

Wall systems

Floor systems

Roof systems

Threshold inspection plan

Stair systems

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

Wood

Steel

Aluminum

Concrete

Plastic

Glass

Masonry

Gypsum board and plaster

Insulating (mechanical)

Roofing

Insulation

10. Accessibility requirements shall include the following:

Site requirements

Accessible route

Vertical accessibility

Toilet and bathing facilities

Drinking fountains

Equipment

Special occupancy requirements

Fair housing requirements

11. Interior requirements shall include the following:

Interior finishes (flame spread/smoke development)

Light and ventilation

Sanitation

12. Special systems:

Elevators

Escalators

Lifts

13. Swimming pools:

Barrier requirements

Spas

Wading pools

#### *Electrical*

1. 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

8. Design flood elevation

#### *Plumbing*

1. Minimum plumbing facilities

2. Fixture requirements

3. Water supply piping

4. Sanitary drainage
5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. Design flood elevation

*Mechanical*

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

*Gas*

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents

5. Appliances
6. Type of gas
7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation

#### *Demolition*

1. Asbestos removal  
Residential (one- and two-family)
2. Site requirements  
Set back/separation (assumed property lines)
2. Location of septic tanks
3. Fire-resistant construction (if required)
4. Fire
5. Smoke detector locations
6. Egress  
Egress window size and location stairs construction requirements
7. Structural requirements shall include:  
Wall section from foundation through roof, including assembly and materials connector tables wind requirements structural calculations (if required)
8. Flood hazard areas, flood zones, design flood elevations, to the lowest floor elevations, enclosures, equipment, and flood damage-resistant materials.
9. Accessible requirements; show/identify accessible
10. Impact resistant coverings or systems
11. Exemptions.
  1. Plans examination by the building official shall not be required for the following work:
  2. Replacing existing equipment such as Mechanical units, water heaters, etc.
  3. Reroofs
  4. Minor electrical, plumbing and mechanical repairs
  5. Annual maintenance permits
  6. Prototype plans
  7. Except for local site adaptations, siding, foundations and/or modifications.
  8. Except for structures that require waiver.
12. Manufactured buildings plan except for foundations and modifications of buildings on site.

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

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

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

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

## SECTION 108 TEMPORARY STRUCTURES AND USES

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

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

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

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

## SECTION 109 FEES

*109.1 Prescribed fees.* A permit shall not be issued until fees authorized under Section 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.

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

*109.3 Building permit valuations.* Reserved. See Nassau County Fee Resolution.

*109.4 Work commencing before permit issuance.* Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to an additional fee as set forth in the Nassau County building permit fee resolution.

*109.5 Related fees.* Reserved. See Nassau County Fee Resolution.

*109.6 Refunds.* Reserved. See Nassau County Fee Resolution.

## SECTION 110 INSPECTIONS

*110.1 General.* Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

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

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

### *Building*

1. Foundation inspection. To be made after trenches are excavated 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
  - 1.1 In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certificate shall be submitted to the authority having jurisdiction.
2. Framing inspection. To be made after the roof, all framing, fireblocking and bracing is in place and all concealed wiring, all pipes, chimneys, ducts and vents are complete and shall at a minimum include the following building components:

Window/door framing and

Vertical cells/columns

Lintel/tie beams

Framing/trusses/bracing/connectors

Draft stopping/fire blocking

Curtain wall framing

Energy insulation

Accessibility

Verify rough opening dimensions are within tolerances.

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. To be made after the building is completed and ready for occupancy. In flood hazard areas as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.
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.

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

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 424.2.17.

7. Demolition inspections.

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

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

8. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the Florida Building Code. Additional inspections may be required for public educational facilities (see Section 423.27.20).
9. Where impact-resistant coverings or impact resistant systems are installed to meet requirements of this code, the building official shall schedule adequate inspections of impact-resistant coverings to determine the following:

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

#### *Electrical*

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable is 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. 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 is 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 P312 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 is installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
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 ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

*110.3.1 Footing and foundation inspection.* Reserved.

*110.3.2 Concrete slab and under-floor inspection.* Reserved.

*110.3.3 Lowest floor elevation.* Reserved

*110.3.4 Frame inspection.* Reserved

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

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

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

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

*110.3.8 Other inspection.* In addition to the inspections in Sections 110.3 through 110.3.7, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

*110.3.9 Special inspections.* Reserved.

*110.3.10 Final inspections.* Reserved.

*110.3.10.1 Flood hazard documentation.* Reserved.

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

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

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

*110.4 Inspection agencies.* Reserved.

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

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

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

*110.8 Threshold building.*

110.8.1 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. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

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

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

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

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

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

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

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

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

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

## SECTION 111 CERTIFICATES OF OCCUPANCY

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

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

111.2 *Certificate issued.* After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction.
7. The name of the building official.
8. The edition of the code under which the permit was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.

10. The type of construction as defined in Chapter 6.
11. The design occupant load.
12. If an automatic sprinkler system is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building permit.

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

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

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

## SECTION 112 SERVICE UTILITIES

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

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

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

## SECTION 113 BOARD OF APPEALS

RESERVED

## SECTION 114 VIOLATIONS

RESERVED

## SECTION 115 STOP WORK ORDER

*115.1 Authority.* Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

*115.2 Issuance.* The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the

cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

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

SECTION 116  
UNSAFE STRUCTURES AND EQUIPMENT  
RESERVED

SECTION 117  
VARIANCES IN FLOOD HAZARD AREAS

**117.1 Flood hazard areas.** Pursuant to section 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.

**Cross reference—** Florida Building Code, Residential amendments, § 7-8.

**Sec. 7-7. – Nassau County Single-family residence exemptions from permitting and code requirements for the addition of a porch, deck, patio or storage shed.**

- (a) The owner of a single-family residence, including a mobile home, is exempt from obtaining a construction permit for construction of a porch, deck, patio or storage shed, providing that all of the following requirements and conditions are met:
- (1) The owner must reside at the single-family residence or mobile home.
  - (2) The owner must comply with the licensing exemption requirements of F.S. § 489.103(7), for owners of property, acting as their own contractors and providing direct on-site supervision themselves of all work not performed by licensed contractors on such property for the occupancy or use of such owners, and not offered for sale or lease.
  - (3) The porch, deck, patio, or storage shed shall not exceed two hundred fifty (250) square feet in area.
  - (4) The porch, deck or patio shall be open or utilize only screening on a minimum of two (2) sides or walls.
  - (5) The storage shed shall be a maximum of twelve (12) feet in height above grade and shall be attached to a three and one-half-inch thick concrete slab or be secured to the ground with auger type anchors as recommended by the manufacturer.
  - (6) The porch, deck, patio, or storage shed shall not be in violation of any adopted zoning regulation for the zoning district that it is located within.
  - (7) The porch, deck, patio or storage shed shall not be located in a mapped flood hazard area unless the building official has determined that the porch, deck, patio or storage shed does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.
  - (8) The porch, deck, patio, or storage shed shall not be converted to habitable space without submittal of construction plans, which must be signed and sealed by a design professional, the application for, and obtaining of, a construction permit, as well as payment of all associated fees.
  - (9) The exemption shall not be allowed more than one (1) time in any twelve-month period.



- (10) The owner shall assume any and all liability relating to the construction of the porch, deck, patio, or storage shed.
- (11) The owner shall submit a notarized affidavit of agreement to the requirements and conditions set forth above.
- (b) The owner of a single-family residence, including a mobile home, shall submit a site plan or plot plan that contains sufficient detail to determine compliance with zoning regulations that pertain to setbacks from other structures and property lines and percentage of allowable lot coverage.
- (1) The owner shall submit a site plan review fee of twenty-five dollars (\$25.00) as required by Exhibit "A" of Nassau County Resolution 2009-134, as amended.
- (c) Sunset. This ordinance [section] shall sunset by operation of F.S. § 553.73, upon any future adoption of the revised Florida Building Code.

Sec. 7-8. - [Florida Building Code, Residential amendments.]

The Florida Building Code, Residential is hereby amended by the following technical amendments.

Modify Sec. R322.2.1 as follows:

*R322.2.1 Elevation requirements.*

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floor elevated to or above the base flood elevation plus 1 foot (305 mm), or to the design flood elevation, whichever is higher.
3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet if a depth number is not specified.
4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
5. In areas designed as A-Zones without base flood elevation, the lowest floor must be a minimum of 36" above the highest adjacent grade.

*Exception:* Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

Modify Sec. R322.3.2 as follows:

*R322.3.2 Elevation requirements.*

1. All buildings and structures erected within coastal high-hazard areas shall be elevated so that the lowest portion of all horizontal structural members supporting the lowest floor, with the exception of mat or raft foundations, piling, pile caps, columns, grade beams and bracing, is:
  - 1.1 Located at or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented parallel to the direction of wave approach, where parallel shall mean less than or equal to 20 degrees (0.35 rad) from the direction of approach, or
  - 1.2 Located at the base flood elevation plus 1 foot (305 mm), or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented perpendicular

to the direction of wave approach, where perpendicular shall mean greater than 20 degrees (0.35 rad) from the direction of approach.

2. Basement floors that are below grade on all sides are prohibited.
3. The use of fill for structural support is prohibited.
4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

*Exception:* Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

**1612.3.1 Design Flood Elevation.** Where design flood elevations are not included in the flood hazard area established in Section 1612.3, or where floodways are not designated, the building official is authorized to require the applicant to:

1. Obtain and reasonably utilize any design flood elevation and floodway data available from a federal, state or other source.
2. Determine the design flood elevation and/or floodway in accordance with accepted hydrologic and hydraulic engineering practices used to define special flood hazard areas. Determinations shall be undertaken by a registered design professional who shall document that the technical methods used reflect currently accepted engineering practice.
3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Building Official to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
  - a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
  - b. Specify that the base flood elevation is three (3) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than three (3). Highest adjacent grade is the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

**Cross reference—**Adoption of the Florida Building Code, § 7-6.

Secs. 7-9—7-15. - Reserved.