ORDINANCE 15-16

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE IV, "ADMINISTRATVIE CONSTRUCTION CODE" OF CHAPTER 6 "BUILDINGS AND BUILDING REGULATIONS"; DELETING SECTIONS 6-71 THROUGH 6-80; AND DELETING AND REPLACING SECTION 6-111, ESTABLISHING THE CITY OF MARCO ISLAND ADMINISTRATIVE CONSTRUCTION CODE, WITH SAID ADMINISTRATIVE CONSTRUCTION CODE ACTING AS THE ADMINISTRATIVE CHAPTER (CHAPTER 1) OF THE FLORIDA BUILDING CODE, AS REFERENCED; AMENDING SECTION 108, FEES OF THE ADMINISTRATIVE CONSTRUCTION CODE, ADOPTING CHAPTER 1 OF THE 5th EDITION (2014) OF THE FLORIDA BUILDING CODE WITH AMENDMENTS; PROVIDING FOR INCORPORATION, REPEALER, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 553.73(4)(a), Florida Statutes, authorizes Florida municipalities to make local amendments to its building codes, provided they are not less stringent than the minimum standards described in the Florida Building Code ; and

WHEREAS, the City of Marco Island desires to provide for a single ordinance for the administration of the Florida Building Code 5th Edition (2014), enforced by the City of Marco Island.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA[i]:

SECTION 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

SECTION 2. Chapter 6 of City Code Amended. That Article IV "Administrative Construction Code, of Chapter 6 "Buildings and Building Regulations" of the City of Marco Island City Code of Ordinances are hereby amended to read as follows:

Sec. 6-111. Administration Chapter of Florida Building Code adopted; amendments.

(a) Adoption. There is hereby adopted by reference, Chapter 1, Administration, of the Florida Building Code, ~~2010 edition~~ 5th Edition (2014), as the administrative provisions of the Florida Building Code, enforced by the City of Marco Island.

(b) Amendment. That Chapter 1, Administration of the Florida Building Code, ~~2010 edition~~ 5th Edition (2014), is adopted in this section and is hereby amended by local amendment to read as follows:

CHAPTER 1
ADMINISTRATION

SECTION 100
PURPOSE

100.1 Purpose. The purpose of this Ordinance is to establish and adopt a single ordinance uniformly addressing the non-technical and administrative requirements for the Florida Building Code, ~~2010 edition~~ 5th Edition (2014) and any supplements, additions and or deletions, approved by the Department of Community Affairs, the Department of Business & Professional Regulation, the National Electric Code 2011 edition, Florida Fire Prevention Code, current edition and all other adopted technical codes and ordinances not superseded by the Florida Building Code.

100.1.1 Marco Island Administrative Construction Code shall constitute and be known and cited as the Marco Island Administrative Construction Code ("ACC") hereinafter referred to as the "ACC."

SECTION 101
GENERAL

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

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

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 *Florida Building Code, Residential.* ~~2010~~ 5th Edition (2014).

2. Existing buildings undergoing repair, alterations or additions or change of occupancy shall comply with the Florida Building Code, Existing Building.

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

a) Appendix F – Rodent-proofing is 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.

101.3.1 Permitting, plan review and inspection. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort or otherwise for damages or hazardous or illegal condition or inadequacy in such building, system or plan, or for any failure of any component of such, which may occur before, during or subsequent to such inspection or permitting. Further, no Building Services Division employee shall be liable in tort for damages from such conditions, in accordance with Section 768.28(9) (a), Florida Statutes, as may be amended.

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

101.4 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.

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

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

101.4.3 Plumbing. The provisions of the *Florida Building Code, Plumbing* shall apply to the installation, *alteration*, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage

system and all aspects of a medical gas system. The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.

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

~~**101.4.4**~~ **101.4.5 Fire prevention.** For provisions related to fire prevention, refer to the Florida Fire Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, *repair, alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

~~**101.4.5**~~ **101.4.6 Energy.** The provisions of the *Florida Building Code, Energy Conservation shall* apply to all matters governing the design and construction of buildings for energy efficiency.

~~**101.4.6**~~ **101.4.7 Accessibility.** For provisions related to accessibility, refer to the *Florida Building Code, Accessibility.*

101.4.8 Manufactured buildings. For additional administrative and special code requirements, see Section ~~428~~ 458, *Florida Building Code. Building*, and Rule ~~9B-1F.A.C.~~ 61-41 *Florida Administrative Code.*

~~**101.4.7**~~ **101.4.9 Maintenance.** All buildings, structures, electrical, gas, mechanical, plumbing, and fire protection systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the technical Codes when constructed, altered, or repaired, shall be maintained in good working order. The owner, or owner's designated agent, shall be responsible for the maintenance of buildings, structures, electrical, gas, mechanical, fire and plumbing and all other applicable systems.

SECTION 102
APPLICABILITY

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

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

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

a) Building and structures specifically regulated and preempted by the federal government.

b) Railroads and ancillary facilities associated with the railroad.

c) Nonresidential farm buildings on farms.

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

e) Mobile or modular structures used as temporary offices, except that the provisions of Part ~~V~~ II (Section 553.501-553.513, *FS*) relating to accessibility by persons with disabilities and permits shall be required for structural support and tie down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.

f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the generation, transmission, or distribution of electricity.

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

h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided

wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

i) Family mausoleums not exceeding 250 square feet (23 m^2) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

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

k) A building or structure having less than 1,000 square feet (93 m^2) 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, meeting the wind speed requirement as required by the windspeed maps in Section 1609 of the ~~2010~~ 5th Edition (2014) Florida Building Code, and in is 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. At its own option, each enforcement district or local enforcement agency may promulgate rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

1. Electric water heaters installed in a single family residence that has a capacity of 80 gallons or less. Each code exemption, as defined in this section, shall be certified to the local board 10 days prior to implementation and shall be effective only in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

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. ~~Where differences occur between provisions of this code and reference code and standards, the provisions of this code shall apply.~~ and as further regulated in Sections 102.4.1 and 102.4.2.

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

102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope

of this code or the Florida Codes listed in Section 101.4, the provisions of this code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

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

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, ~~or~~ the *International Property Maintenance Code* and 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 Rules of construction. The rules set out in this section shall be observed, unless such construction is inconsistent with the manifest intent of this chapter. The rules of construction and definitions set out here shall not be applied to any section of this chapter which contains any express provisions excluding such construction, or where the subject matter or content of such section would be inconsistent with this section.

102.8.1 Generally. All provisions, terms, phrases and expressions contained in this division shall be liberally construed in order that the true intent and meaning of the administration of the jurisdiction may be fully carried out. Terms used in this division, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of this state for the same terms.

102.8.2 Text. In case of any difference of meaning or implication between the text of this division and any figure, the text shall control.

102.8.3 Delegation of authority. Whenever a provision appears requiring the Building Official or some other officer or employee to do some act or perform some duty, it is to be construed to authorize the Building Official or other officer to designate, delegate and authorize professional level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

102.8.4 Month. The word "month" shall mean a calendar month.

102.8.5 Shall, may. The word "shall" is mandatory; "may" is permissive. The word "shall" takes precedence over "may."

102.8.6 Written or in writing. The term "written" or "in writing" shall be construed to include any representation of words, letters or figures whether by printing or otherwise.

102.8.7 Year. The word "year" shall mean a calendar year, unless a fiscal year is indicated.

102.8.8 Interpretation. Interpretations of this chapter shall be made by the Building Official.

102.9 Words defined.

Abandon or abandonment.

1. Termination of a construction project by a contractor without just cause or proper notification to the owner including the reason for termination.
2. Failure of a contractor to perform work without just cause for ninety (90) days.
3. Failure to obtain an approved inspection within one hundred eighty (180) days from the previous approved inspection.

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

Assessed value. The value of real property and improvements thereon as established by the County Property Appraiser.

Basic Wind Speed Line. The basic wind speed for the jurisdiction shall be as required by the windspeed maps in Section 1609 of the ~~2010~~ 5th Edition (2014 Florida Building Code:

Risk Category I: 155 mph
Risk Category II (Single Family Home): 170 mph
Risk Category III-IV: 185 mph

Board. The appropriate City or County Board of Adjustment and Appeals, unless otherwise specifically stated.

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

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

Certificate of occupancy (C.O.). An official document evidencing that a building satisfies the requirements of the jurisdiction for the occupancy of a building.

Certificate of Completion (C.of C.). An official document evidencing that a building satisfies the requirements of the jurisdiction for the completion of a building, or component of a building or an accessory structure.

Change of Occupancy. A change from one Building Code occupancy classification or sub classification to another.

Commercial building. Any building, structure, improvement or accessory thereto, other than a one or two-family dwelling.

Demolition. The act of razing, dismantling or removal of a building or structure, or portion thereof.

Examination. An exam prepared, proctored and graded by a recognized testing agency unless otherwise implied in context or specifically stated otherwise.

Imminent danger. Structurally unsound conditions of a structure or portion thereof that is likely to cause physical injury to a person entering the structure: Or due to structurally unsound conditions, any portion of the structure is likely to fall, be carried by the wind, or otherwise detach or move, and in doing so cause physical injury or damage to a person on the property or to a person or property nearby: Or the condition of the property is such that it harbors or is inhabited by pests, vermin, or organisms injurious to human health, the presence of which constitutes an immediate hazard to people in the vicinity.

Inspection warrant. A court order authorizing the official or his designee to perform an inspection of a particular property named in the warrant.

Intensification of use. An increase in capacity or number of units of a residential or commercial building.

NGVD - National Geodetic Vertical Datum of 1929 (NGVD 29). A system of measurement used by surveyors and engineers, the basis for relating ground and flood elevations. It has been replaced by the North American Vertical Datum of 1988 (NAVD 88).

NAVD - North American Vertical Datum of 1988 **(NAVD 88).** A revised system of measurement used by surveyors and engineers, the basis for relating ground and flood elevations. It is also based on satellite systems that account for differences in gravitational forces in different areas. Note: NGVD + 1.3 ft = NAVD

Permit. An official document authorizing performance of a specific activity regulated by this chapter.

Permit card or placard. A document issued by the jurisdiction evidencing the issuance of a permit and recording of inspections.

Risk Category of Buildings and Other Structures. See Table 1604.5 FBC.

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

102.10 Existing **mechanical equipment.** An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the Florida Building Code , until the equipment is required to be removed, or replaced, or the roof covering is replaced and is not in compliance with the provisions of the *Florida Building Code* relating to roof-mounted mechanical units.

SECTION 103
ADDITIONAL REQUIREMENTS

103.1 Additional Electrical Requirements

103.1.1 Ground rods:

Solid copper weld type ground rods shall be used for permanent installations.

103.1.2 System grounding:

Electrical systems shall be grounded to the footer reinforcing steel.

Exception: If the construction type does not use footer reinforcing steel, then solid copper type ground rods shall be used.

103.1.3 Access to main electrical service:

All occupants of multi-occupancy buildings shall have access to their main electrical service disconnect.

Exception: Not required if building management staff is on the premises at all times. Ref: NEC sec. 240.24B and 230.72C.

103.1.4 Low voltage lighting:

All exterior and interior low voltage lighting shall be permitted and installed by a properly licensed contractor.

103.1.5 Reach distance to switches:

Switches shall be located so that they cannot be reached from any bath tub or shower.

103.1.6 Cable sheathing:

Non-metallic cable sheathing shall not be used for electrical power systems in buildings over three (3) stories in height above parking.

NOTE: Including but not limited to parking garages and commercial buildings.

103.1.7 Aluminum wiring:

All lighting and receptacle circuits located in rooms that are being repaired or altered shall be replaced with code-approved copper wire.

103.1.8 Hard wired:

When building permits are required, then water heaters and air handlers shall be hard wired to an approved electrical disconnect device.

103.1.9 Protection during construction:

103.1.9.1 Interior electrical work shall not start prior to the structure being dried-in. Both components and fasteners shall be protected against the elements.

103.1.9.2 Any components that are rusted or corroded shall be replaced.

103.1.9.3 Holes around boxes or holes made to accommodate pipes or wires shall be sealed with an approved filler.

103.2 Additional site requirements.

All areas that are disturbed by construction activity shall be re-graded and satisfactorily ground covered prior to the final inspection. No final inspections or work complete inspections will pass inspection until the site is completely cleaned up and all work has been completed.

103.2.1 All new houses shall be built and graded to convey storm water to areas within their own property that will not negatively impact neighboring properties.

103.2.2 There shall be a 3 foot setback from the back side of the seawall for concrete decks. Concrete decks shall not be constructed in this setback to accommodate the function and maintenance of the French Drain. Walkways to access docks and boat lifts shall be allowed at a rate of one four foot wide walkway for every 50' of seawall, or two per lot, whichever is greater. Other coverings shall be removable for maintenance and shall not impede the function of the French Drain.

103.3 Additional plumbing requirements.

Waste pipes that are located below structures that are located on lots that require pilings shall be a minimum of schedule 40 PVC, and supported by hangers at ~~6'-0"~~ 4'0" intervals and at each riser as it passes through the above floor.

103.4 Additional mechanical requirements.

During the replacement of Mechanical Equipment, every effort should be made to accommodate the clearances needed to provide the required open air space around new equipment. These clearances are set forth by the manufacturer to maximize the energy efficiency and overall performance of the equipment.

1. If the equipment cannot be rearranged to provide the required clearances, the pads/platforms may have to be expanded to accommodate the new larger units, provided it is not technically infeasible to do so.
2. A letter from the manufacturer shall state the minimum allowable clearances for the equipment to be installed. If these clearances cannot be achieved, the Building Official shall determine if the pad/platform needs to be expanded to accommodate any new equipment or future installations.
3. If the pad/platform is located on common property and was originally constructed to accommodate small equipment with no room for expansion, and small units are not available, it shall be the responsibility of the owner of the common property, to arrange to have the pad/platform expanded at its expense, to reasonably accommodate new units. The cost of relocation of the line sets and disconnects shall be included in the installation of the new equipment.

103.5 Additional building requirements.

103.5.1 Minimum slab reinforcement.

All concrete slabs supported by pilings shall be a minimum 5" thick and be reinforced by #3 rebar @ 12" o.c. or 2 layers of heavy gauge (2.4 to 2.9 minimum) Woven Wire Fabric (WWF). Ancillary slabs, such as driveways, walkways, and sidewalks may use rolled wire or fiber-mesh.

103.5.2 Slabs for non-waterfront houses shall be reinforced with (2.4 to 2.9 minimum) (W.W.F.) A.K.A. roadmesh or rebar and meet ACI-318 standards.

103.5.3 All new waterfront houses and pools shall be pile supported. This includes concrete stairs and elevated air-conditioner condenser pads. Cantilevering or other acceptable Engineering solutions will be acceptable. Other sound Engineered solutions will be considered if accompanied by a geo-technical soil boring report and a detailed customized foundation signed and sealed by a Design Professional, the Design Professional will supervise the layering of replacement fill and certify the foundation has been constructed as intended and meets the requirements of his/her design.

103.5.4 Additions and concrete slabs that depend on edge support, where the load path does not return to the foundation, dowels shall be spaced not greater than 18" on center and secured by epoxy into solid masonry or tied to the existing structure by concrete filling voids in the block or other methods that will support the new slab.

103.5.5 Corner bars shall be required on top and bottom bars located on the outside of each corner and shall be a minimum of 40 bar diameters.

103.5.6 No permanent structures shall be constructed within 15 (fifteen) feet of the seawall. However, in rare cases structures could be built within the 15 feet if a new seawall is constructed with a deadman system that does not require the deadmen to be located under the structure or undermine the foundation in any way.

103.5.7 Lot pre-inspection for new Single Family and Seawall permits.

Pre-inspection of the lot(s) is required, prior to the issuance of any permit, for any new Construction project, major addition project, seawall replacement, or seawall maintenance project. The inspection will verify the current condition of the adjoining properties. It will proactively identify and storm-water drainage issues. Findings will be submitted to the permit applicant as a review comment or as a condition of the permit, at the Building Official's discretion.

103.5.8 Prohibited Materials.

Materials that have the potential to become wind driven missiles shall be prohibited.

Example: Aggregate such as that found on tar and gravel roofs, or gravel used as ballast on roofs. This includes roofing, re-roofing and any material that is likely to be misplaced and propelled by strong winds.

103.6 Additional requirements - General.

103.6.1 Weathered materials.

103.6.1.1 Materials shall be protected against the weather and insects prior to and during construction. Materials that could be damaged shall be protected from the time they are delivered until completion of the final inspection. Materials that have been adversely affected by the elements shall be replaced.

103.6.1.2 Trusses must be elevated off the ground and be erected within twenty-five (25) days of delivery. Trusses of questionable integrity shall be replaced.

NOTE: Every effort should be made to protect the end product from the adverse effects of water. Plywood buckling, delaminating, and excessive microbiological growth (fungus) can be prevented without extraordinary effort. Coordinating truss deliveries, house wrap, window installation, and dry-in procedures will greatly reduce premature weathering.

103.6.2 Restricted hours on certain activities.

Pile driving and demolition activities are only allowed between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday. No pile driving or demolition activities may take place on Sundays or City observed holidays.

SECTION 104
DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The Building Official is hereby authorized and directed to enforce the provisions of this code. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code, 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 are 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 persons having charge or control of such and request entry. If entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

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 Reserved.

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 or the technical Codes, in cases where 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 of the International Property Maintenance Code or other local ordinance.

104.6 Reserved

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

104.8 Liability.
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 occur 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 provision of this code shall be defended by the City Attorney 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.

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 Requirements not covered by code.

104.10.1 Any requirement 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.

104.10.2 Wherever there are practical difficulties involved in carrying out the provisions of this code, the *Building Official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *Building Official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.11 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.
Alternate 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.

104.12 Restrictions on employees.
An employee connected with the enforcement of this code, except on whose only connection is as a member of the board established by this Code, shall not be financially interested in the furnishing of labor, material or appliances for the construction, alteration or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he is the owner of such. No such employee shall engage in any other work that is inconsistent with his duties or is in conflict with the interests of the department.

104.13 Records.

The Building Official shall keep, or cause to be kept, a record of the business of the department. Except as may be otherwise specified by Florida Statutes, including the Public Records Law, all records of the department shall be open to public inspection.

104.14 Reports.
The Building Official shall submit annually a report covering the work of the preceding year. He/she shall incorporate in said report a summary of the decisions of the Board of Adjustments and Appeals during said year.

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

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

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

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

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code. *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 that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. The installation, replacement, removal or metering of any load management control device.

Plumbing:

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

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

105.2.2. Minor repairs. Ordinary minor repairs or installation of replacement parts may be made with the prior approval of the Building Official without a permit, provided the repairs do Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or

similar piping, electric wiring systems or mechanical 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. Prohibited activities prior to permit issuance.
A building permit (or other written site specific work authorization such as for excavation, tree removal, well construction, approved site development plan, filling, re-vegetation, etc.) shall have been issued prior to the commencement of work at the site. Activities prohibited prior to permit issuance shall include, but are not limited to, excavation, pile driving (excluding test piling), well drilling, formwork, placement of building materials, equipment or accessory structures and disturbance or removal of protected species or habitat. Where minor clearing of underbrush can be accomplished without protected habitat or species disturbance, permitting is not required.

Where test piles are required to establish bearing capacity for design purposes of a project, prior to the issuance of a building permit, a test pile permit shall be obtained before any piles are driven. All test pilings must be driven within the footprint of the building and applicable fees shall be charged for the permit. At the time of applying for the test piling permit the contractor shall provide, a bond, letter of credit or certified check equal to 125% of the estimated cost of removing the test piling and grading the site back to the condition it was in prior to the test piling in the event construction does not commence. If the project does not proceed and the test piles need to be removed, then they shall be removed to a minimum of 2 ft. below natural grade. In any event, the test piles are only allowed to remain exposed for a maximum of six (6) months.

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 comply with the requirements of Florida Statutes Section 713.135(5) and (6). 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 latest edition of *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 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. Properties in violation of code or with outstanding unresolved issued, or expired permits, shall be required to

satisfactorily resolve the issues and close outstanding permits, prior to any new permits being issued to improve the property.

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

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

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than $125,000.

2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. ~~A Contractor I, Contractor II, or Contractor IV, certified under~~ Personnel as authorized by chapter 633 *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 $125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one, two, three or four-family structure.

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

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

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

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

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

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*.

6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, 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, becoming null and void, 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *Building Official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

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

105.3.5 Liability insurance. Identification of minimum premium policy. Except as otherwise provided in Chapter 440, *Florida Statutes*, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has

secured compensation for its employees as provided in Section 440.10 and 440.38, *Florida Statutes*.

105.3.6 Asbestos removal.

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

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

105.3.7 Refusal to issue permit.

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

105.3.8 Licensed contractor/Designated agent.

All construction within the city limits shall be performed through and supervised by a licensed general contractor. A licensed contractor shall sign the application but may designate an employee or permitting service to submit and/or receive a building permit, such designation shall be by power of attorney, and a separate power of attorney shall be required for each specific project or permit request. The power of attorney shall remain in effect for a period of one (1) year and it is the contractor's responsibility to notify the Building Department of any change in status of the designee.

105.3.9 Owner-builder contractor.

A permit may be issued by the Building Department to an owner-builder to build a single-family residence for self-occupancy. If the owner-builder utilizes this provision, no additional permits, other than accessory and/or remodeling within the same structure, will be issued to this individual for a period of one year from the issuance of a certificate of occupancy. All owners constructing their own residence shall carry public liability insurance equal to that as required for general contractors, and shall file a Certificate of Insurance with the Building Department.

105.3.10 Permit transfers.

A building permit issued to a licensed contractor by the Building Department may be transferred to the subject property owner as an owner-builder contractor to complete construction of a single-family residence. Prior to the actual transfer of the building permit from the licensed contractor to the owner-builder contractor either of the following must occur:

1. The licensed contractor shall execute and submit to the Building Department a sworn affidavit consenting to the full and complete release and transfer of the building permit from the contractor's control to the owner-builder contractor to complete construction of the single-family residence; or

2. In the event the licensed contractor will not execute the aforementioned affidavit of release and transfer, the owner-builder shall enter into an agreement with the City addressing the following to the satisfaction of the Building Official:

a) That the owner-builder has requested that the licensed contractor provide an affidavit of release and transfer, and that the licensed contractor has refused;
b) That the owner has requested that the City transfer the building permit from the licensed contractor to the owner-builder to complete the construction of a single-family residence;
c) That the owner-builder contractor will comply fully with the terms and conditions of Section 105.3.9 and will complete all applicable Building Department applications prior to permit release and transfer;
d) That the owner-builder is responsible for fully complying with all requirements of Chapter 173, Florida Statutes; and
e) That in consideration for the release and transfer of the building permit by the Building Department, the owner-builder agrees to indemnify and hold the City of Marco Island harmless from any and all liability, losses, penalties, damages, and professional fees, including attorney fees and all costs of litigation and judgments associated with the release and transfer of the building permit.

105.3.11 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion.

However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.4 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 six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

105.4.1.1 Permit timeframes.
The permit application and the plans shall be reviewed, approved and ready for issuance within a reasonable time from the date of application. Permits shall be issued to the permittee and notified that the permit has been approved. The review process includes responses from the permit applicant when the permit cannot be approved. When the applicant is advised of deficiencies and does not respond within six (6) months with corrected plans or an appeal to the Board of Zoning Appeals, the permit application will be canceled. The cancellation process includes disposal of the application and plans.

a) Building permits shall expire and become null and void if the construction authorized by such permit is not commenced within one hundred and eighty (180) days from the date of the issuance of the permit. Date of issuance is the date of permit pickup. Additionally, the building permit shall expire if the work authorized by such permit is not completed within 18 months from the date of issuance of the permit, unless prior to the issuance of the building permit a time schedule has been submitted to and approved by the Building Official or his designee predicted upon customary time for construction of like buildings indicating completion of construction in excess of 18 months. In the event a time schedule has been submitted by the permittee, the building permit shall expire 30 days after the date of completion set forth in the approved time schedule. For purposes of this section, the construction authorized by such permit shall not be deemed to have commenced unless and until all foundation inspections have been requested and satisfactorily completed.

b) The Building Official or his designee may authorize one or more extensions of time, for periods not more than 90 days each, upon payment by the permittee of a filing fee for each extension. The extension shall be requested in writing and justifiable cause demonstrated. As a condition to granting a permit extension, the Building Official may require a building schedule from the permittee setting forth the date of completion. The filing fee for each permit extension shall be as stated in Section 108.2.26. The filing fee is intended to cover the cost of reviewing existing or amended building plans to determine and verify code compliance. No further extension may be granted by the Building Official and the permit shall expire and become null and void.

c) If construction has commenced within one hundred and eighty (180) days from the date of issuance of the permit and is subsequently abandoned or suspended as determined by the Building Official, the permit shall expire and become null and void. Permit abandonment shall be deemed to have occurred if a required inspection has not been requested or satisfactorily completed within a six (6) month period. Once construction has commenced on a building project, it shall be prima facie evidence of abandonment or suspension of the project if the permittee during any six (6) month period fails to actively engage in construction and fails to complete at least sixty percent (60%) of the construction that would be considered average for the industry for that six (6) month time period predicated upon a customary time for construction of like buildings. Such project shall not be considered abandoned or suspended if the permittee furnishes the Building Official satisfactory evidence, in writing, that the delay is occasioned due to unavailability of construction supplies or materials, and every effort has been made to obtain substitute materials equal to those called for in the specifications, or due to delay in delivery of construction supplies or materials, or due to fire, weather conditions, civil commotion or strike. Increased cost of building materials or supplies or financial hardship shall not be considered by the Building Official as evidence that the project has not been abandoned or suspended.

d) All final inspections shall be made within a 30 day period, unless additional time is granted by the Building Official. The Building Official may grant additional time for final inspections provided the permit holder makes the request in writing and shows justifiable cause.

e) In the event that the Building Official declares a permit to be null and void as the result of abandonment or suspension of the project, the permittee shall be so notified, in writing, at his usual place of business. Within 15 days after receipt of the Building Official's decision, the permittee may appeal the decision of the Building Official to City Council or a duly authorized Board. The permittee shall have the burden of establishing that the project has not been abandoned or suspended upon which City Council or a duly authorized Board may reverse the decision of the Building Official.

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

105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil

commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

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

105.4.1.5 Expiration of demolition permits. Permits issued for the demolition of a structure shall expire sixty (60) days from the date of issuance. For a justifiable cause, one (1) extension of time for a period not exceeding thirty (30) days may be allowed. The extension shall be requested in writing and justifiable cause demonstrated.

105.5 Stop work order.

105.5.1 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.

105.5.2 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. Where an emergency exists, the Building Official shall not be required to give a written notice prior to stopping the work.

105.5.3 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.

105.6 ~~Reserved~~ **Denial or revocation.** Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

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

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

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

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

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

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

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

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

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

Exception: Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the *Florida Building Code.*

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 ~~building~~ site built single-family detached residential structure that is located in the wind borne debris region as defined in this Code and that has an insured value of $750,000 or more, or, if the ~~building~~ 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.

105.16 Inspection of existing residential building not impacted by construction.

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

(b) This subsection does not apply to a building permit sought for:

1. A substantial improvement as defined in Section 161.54, *Florida Statutes* or as defined in the *Florida Building Code.*

2. A change of occupancy as defined in the *Florida Building Code.*

3. A conversion from residential to nonresidential or mixed use pursuant to Section 553.507(2)(a), Florida Statutes or as defined in the *Florida Building Code.*

4. A historic building as defined in the *Florida Building Code.*

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

1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).

2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).

3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).

4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20 through 933.30, *Florida Statutes*.

105.17 Streamlined low-voltage alarm system installation permitting.—

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

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

(b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, Florida Statutes, operating at low voltage, as defined in the National Electrical Code Standard 70, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.

(2) Notwithstanding any provision of this Code, this section applies to low-voltage alarm system projects for which a permit is required by a local enforcement agency.

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

(4) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, *Florida Statutes*.

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

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

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

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

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

(8) A low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

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

(10) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

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

~~105.16~~ 105.18 Safety

~~105.16.1~~ 105.18.1 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 uses, constitutes 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.

~~105.16.2~~ 105.18.2 Pool barrier protection.

Where pool construction commences prior to occupancy certification of a one or two family dwelling unit on the same property, the fence or enclosure required shall be in place at the time of final building inspection. The final pool inspection shall be satisfactorily completed prior to issuance of the dwelling unit's Certificate of Occupancy.

Where pool construction is commenced after occupancy certification of a one or two family dwelling unit on the same property, the fence or enclosure required shall be in place prior to filling of the pool unless during the period commencing with filling of the pool and ending with completion of the required fence or enclosure, temporary fencing or an approved substitute shall be in place. Failure to call for a final pool inspection within thirty (30) days of filling the pool shall result in an inspection rejection. No swimming pools shall be placed into service, occupied, or used in any way prior to passing the final swimming pool inspection.

~~105.17~~ 105.19 Waste materials management.

Inert waste materials may be buried on-site provided that such disposal is in conformance with federal, state, and local laws and regulations. Inert waste materials as used herein are specifically limited to brick, block, concrete, rock, stone, earth and sand that is free from contamination and of other types of waste, and that is capable of serving as fill material without environmental harm to, or pollution of, ground waters or surface waters. All other wastes, including garbage, hazardous waste, rubbish, refuse, paper products, containers, cloth, wood and wood products, sweepings, liquids other than water, sludge, tree limbs and trunks, undergrowth, and material produced by clearing and grubbing, and other horticultural wastes, shall not be buried on-site but shall be otherwise lawfully disposed of.

~~105.18~~ 105.20 Dust control.

Adequate dust control measures shall be employed by the permittee to prevent complaints arising from unhealthy, unsafe, or damaging conditions. Failure to utilize adequate dust control procedures shall be sufficient cause to order cessation of the work causing such dust and to decline inspection requests.

~~105.19~~ 105.21 Noise control.

Construction activities are permitted in accordance with the City of Marco Island Noise Control Ordinance.

~~105.20~~ 105.22 Tenant improvements.

The general contractor of record for the building shell permit will be allowed to apply for a permit for tenant improvements before the shell has been given a Certificate of Occupancy. Only the general contractor of the building shell will be able to obtain a permit for a tenant improvement prior to the shell being given a Certificate of Occupancy. Each tenant space (i.e., unit, suite, etc.) that is not finished under the original building contract will require its own permit for improvements. Revisions to the original scope of work will not be considered for complete tenant improvements after the original permit is issued. No tenant spaces will receive a

Certificate of Occupancy until after the shell has been given a Certificate of Completion. Exceptions will be considered and reviewed by the Building Official, or his/her designee. Final decision will be made based upon life, health and safety issues. The shell permit will be referenced on the tenant improvement permit.

SECTION 106
FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m2), such design live loads shall be conspicuously posted by the owner 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 DOCUMENT

107.1 ~~Submittal documents.~~
~~Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a design professional where required by the statutes. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a design professional.~~

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered 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 *registered design professional.*

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

If the design professional is an architect or engineer legally registered under the laws of this state regulating the practice of architecture as provided for in FS Chapter 481, Part II, or engineering as provided for in FS Chapter 471 & 61G15 Florida Administrative Code, then he/she shall affix

his/her official seal, original signature and date to said drawings, specifications and accompanying data, as required by Florida Statute. If the design professional is a landscape architect registered under the laws of this state regulating the practice of landscape architecture as provided for in FS Chapter 481, Part II, then he/she shall affix his/her seal, original signature and date to said drawings as defined in §481.303(6)(a)(b)(c)(d), FS. & 61G1 Florida Administrative Code.

107.1.1 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).

107.1.1.1 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.

107.1.1.2 Roof Assemblies.

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.

107.1.2 Additional document requirements.

1. Drawings to scale, minimum scale is 1/8".

2. A site plan which, shows the location of the proposed building or structure and every existing building or structure on the site or lot.

3. The first sheet of the Architectural Plans shall provide an information block with the following details:

a) Occupancy classification(s). If the building contains more than one (1) occupancy classification and/or tenant use areas, list each separately with the individual square footages.
b) Establish the required live load for the intended use of each floor and/or mezzanine area.
c) Building area (sq. ft.) for each floor and mezzanine area.
d) Grade elevation of first floor _+_____ NAVD
e) Applicable Flood zone.
f) Elevation of first habitable floor _+_____ NAVD
g) Height of building in feet above grade.

h) Building height in stories.
i) Type of construction.
j) Designed for applicable wind load.
k) Parking summary for occupancy classification(s) consistent with the calculation and supporting documentation from the approved final site development plan.

4. The permit documents (blueprint drawings) should be no larger than 24" when rolled up and blueprint plans with more than 3 sheets will be rolled, not folded.

5. Specification manuals may be submitted in electronic format provide one copy is in print. The print copy will be used as the job site copy.

6. Pre-manufactured building components.

a) Building components designed by specialty engineers (i.e. roof trusses, floor trusses, precast floor slabs, etc.) are required to be submitted at time of permit application. Extra loading of the trusses, beams or girders with hot water heaters, air handlers, compressors or other loads not specifically considered in the specialty design will not be allowed without engineered sealed drawings acknowledging such extra loads.
b) The specialty engineer shall acknowledge that additional loading has been considered in the design and the type of roof covering shall be designated on the truss plans.
c) There will be no jobsite modifications of product allowed without an approved design by the specialty engineer.
d) During the design, process of roof trusses, floor trusses, or precast floor slabs, consideration must be given to the possibility that point loading (i.e. girders and columns) may dictate redesign of bearing footing. This shall be coordinated by the design professional.
e) The design professional shall make a statement on his plan that he has considered and coordinated the truss layout plans, anchor details, uplift loads and reaction loads into his architectural plans by naming the truss manufacturer, their job number, and the date of the truss manufacturers plans on his architectural plans.
f) Provide the truss layout plans and details by the truss manufacturer to include the profiles for all special trusses that have reaction loads over 5000# and uplift loads over 1000#. These special reaction and uplift connections shall be keyed into a schedule that coordinates with the truss layout plan by a highlighted indication on the truss layout plan for quick reference. The truss manufacturer or the design professional shall provide the recommended anchor for each special connection in the required schedule. The engineered cut sheets for all trusses shall be available at the job site prior to the required inspection.
g) Provide an anchor bolt plan, fastener schedule and shop drawings as furnished by the steel building manufacturer. Special Inspectors will be required to inspect the fasteners, bolts, tension cables, and torqueing required to properly construct a metal building.
h) Product approval is required, all exterior doors, windows, skylights, vents, etc. shall be verified with a certification sticker, by an approved testing laboratory and applied to the product by the manufacturer.

i) Engineered drawings shall be submitted with a signature and raised seal for all miscellaneous structures such as awnings, shutters, screen enclosures, swimming pools, spas, and seawalls. **NOTE:** Job specific engineering is required for aluminum structures. Screen Enclosures and carport drawings shall include the requirements set forth in the Aluminum Structures minimum requirements checklist, attached to the Screen Enclosure Application.

j) All signs and electric light standards shall meet structural and other standards regarding sign and light pole construction, erection, electrical wiring, etc. set forth in the building code. Plans for any pole or ground sign exceeding 32 square feet in area and/or eight (8) feet in height or light pole exceeding 8 ft. in height shall be accompanied by foundation drawings signed and sealed by a licensed architect or engineer or the manufacturers recommendations as published by their representative engineer.

k) The Florida State certified architect or engineer of record shall sign and seal all submitted documents that were prepared under his/her license for the structural and functional components of the structure. The architect or engineer of record shall also indicate their company name, his/her legal name and State of Florida license number, address and phone number in the title block.

l) For products not covered under the statewide product evaluation and approval system, the Building Official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner, or his agent, by an approved testing laboratory or other approved agency.

7. Lot drainage.

A lot drainage plan shall be submitted by the permittee at time of application for a building permit. Lot drainage shall comply with the approved lot drainage at time of Certificate of Occupancy inspection. Ground elevation shall be gradually sloped away from the building to effectively drain water away and to be managed onsite through roof guttering or earth grading. No significant stormwater run-off is permitted to flow from the subject premises onto abutting properties.

8. Structures located in a SFHZ-AE

Structures located in a SFHZ-AE where BFE is greater than one (1) foot above natural grade of the site or the lowest adjacent grade of an exterior wall, will require spread footings or grade beam with a maximum elevation of 6 Feet NAVD.

9. Lowest finished floor.

Plans shall show that construction of the lowest floor and lowest living floor (in NAVD) meets the elevation criteria listed below or engineered property to a site specific design and is certified by an architect or engineer, when conflicts exist between the FIRM elevation and others, the higher elevation shall be required:

a) FIRM elevation – the elevation that has been established by the Flood Insurance Rate Maps (FIRM). These are the approved maps adopted by the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP), for both Marco Island and Collier County, Florida.

b) Paved Road – a minimum of 18 inches above the crown of the nearest street or interior roadway system if finished with paving; or
c) Graded or Unfinished Road – 24 inches above the crown if graded or otherwise unfinished; or
d) 9 Feet NAVD; or
e) <u>One (1) foot above base flood elevation (BFE): or</u>
f) Water Management Design
    a. Buildings within projects which have water management routing and storage facilities designed and built for a 25-year, three (3) day storm event in accordance with South Florida Water Management District's criteria may use a finish floor elevation in accordance with the project's water management designed 100 year zero discharge elevation or the FIRM elevation, whichever is higher.
    b. Buildings which are not within projects having a water management storage facility designed and built for a 25-year, three (3) day storm event in accordance with South Florida Water Management District's criteria shall use a finish floor elevation of 18 inches above the adjacent roadway crown elevation or the FIRM elevation, whichever is higher.

10. Grading.

On parcels where unusual topographic conditions exist and the above standards conditions cannot be reasonably applied, the Building Official will consider requests to decrease the finished-floor elevation. All requests will require an analysis by a Florida registered professional engineer of the 25-year, three(3) day storm event and the 100 year, three (3) day storm event, using zero discharge for the entire drainage basin in which the proposed structure is located. Reductions may be allowed on the basis of the analysis, but in no case shall the finished floor be less than the FIRM.]

NOTE: Slabs for garages, carports, screen enclosures, etc., must be at least equal in elevation to the crown of the nearest street, or at least six (6) inches above grade.

11. Boundary survey.

Building permits that require a foundation inspection or floor elevation inspection shall be submit a current survey with the permit application.

12. Fire damage.

For fire damage issues, a Design professional shall review and a written report shall be submitted concerning the components to be salvaged or repaired and all structural systems shall be certified by an architect or engineer. These documents will be required before issuing a permit for reconstruction of as fire-damaged structure.

107.2 ~~Additional data.~~ Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.8.

107.2.1 <u>Information on construction documents.</u>

<u>*Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *Building Official.*</u>

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*.

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

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

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

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

107.2.5 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and *design flood* elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *Building Official* is authorized to waive or modify the requirement for a site plan when the application for *permit* is for *alteration* or repair or when otherwise warranted.

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

~~107.2.1~~ 107.2.6 **Additional details.**
The Building Official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the Building Official to be prepared by an architect or engineer shall be affixed with their official seal, signature and date as state law requires.

~~107.2.2~~ 107.2.7 **Quality of building plans.**
The Building Official may establish through departmental policy, standards for plans and specifications, in order to provide conformity to its record retention program. This policy may include such requirements related to minimum size, shape, contrast, clarity, or other items related to records management, such as Building plans shall be drawn to a minimum 1/8 inch scale upon substantial paper, or other acceptable medium. The standard size paper shall be used whenever possible or reasonable.

~~107.2.3~~ 107.2.8 **Hazardous occupancies.**
The Building Official may require the following:
1. A general site plan drawn at a legible scale which shall include, but not be limited to, the location of all buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stored.
2. A building floor plan drawn to a legible scale, which shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes. Each hazardous materials storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.

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

Exceptions:

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

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

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

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

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

107.3.4 ~~Certifications~~ Design professional in responsible charge. Reserved.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the *Building Official* within a specified period.

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

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *Building Official* with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been *approved* by the *Building Official*.

~~107.3.4.~~ 107.3.4.2 Certifications.

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

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

Commercial Buildings:
Building

1. Site requirements:
Parking
Fire access
Vehicle loading
Driving/turning radius
Fire hydrant/water supply/post indicator valve (PIV)
Set back/separation (assumed property lines)
Location of specific tanks, water lines and sewer lines
Flood hazard areas, flood zones, and design flood elevations

2. Occupancy group and special occupancy requirements shall be determined.
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
Flood proofing
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. Electrical:
Wiring
Services
Feeders and branch circuits
Overcurrent protection
Grounding and bonding
Wiring methods and materials
GFCIs
Arc-fault protection
2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems

6. Low voltage
7. Load calculations
8. Riser Diagram
9. 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:

Clothes dryer exhaust
Kitchen equipment exhaust
Specialty exhaust systems

3. Equipment
4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers.
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. Design flood elevation

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)

1. Site requirements

Set back/separation (assumed property lines)

Location of septic tanks

2. Fire-resistant construction (if required)
3. Fire
4. Smoke detector locations
5. Egress

Egress window size and location stairs construction requirements

6. Structural requirements shall include:

Wall section from foundation through roof, including assembly and materials, connector tables.

Termite protection

Design loads

Wind requirements

Building envelope

Structural calculations (if required)

Foundation

Wall systems

Floor systems

Roof systems

Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials

7. Accessibility requirements: show/identify accessible bath
8. Impact resistant coverings or systems

Manufactured / Mobile Homes

1. Site requirements:

Setback/separation (assumed property lines)

Location of septic tanks (if applicable)

2. Structural:

Wind zone

Anchoring

Blocking

3. Plumbing:
   List potable water source and meter size (if applicable)
4. Mechanical:
   Exhaust systems
   Clothes dryer exhaust
   Kitchen equipment exhaust
5. Electrical:
   Exterior disconnect location

Exemptions.

Plans examination by the Building Official shall not be required for the following work:

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. Minor electrical, plumbing and mechanical repairs
3. Annual maintenance permits
4. Prototype plans

Except for local site adaptions, siding, foundations and/or modifications.

Except for structures that require waiver.

5. Manufactured buildings plan except for foundations and modifications of buildings on site.
6. Re-roofs.

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. Parts 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code.*

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 ~~Chapter 27 of the Florida Building Code, Building~~ NFPA 70.

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

SECTION 109
FEES

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

Florida Statute 553.80(7) provides that the governing bodies of local governments may provide a schedule of reasonable fees, as authorized by Florida Statutes 125.56(2) or 166.222 and this section, for enforcing this part. These fees, and any fines or investment earnings related to the fees, shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances shall be carried forward to future years for allowable activities or shall be refunded at the discretion of the local government. The basis for a fee structure for allowable activities shall relate to the level of service provided by the local government and shall include consideration for refunding fees

due to reduced services based on services provided as prescribed by FS 553.791, but not provided by the local government. Fees charged shall be consistently applied.

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 City of Marco Island Resolution 11-09, amending the fee schedule contained in the City of Marco Island Code of Ordinances, Chapter 6, Building and Building Regulations.

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

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* shall be subject to a fee established by the *Building Official* that shall be in addition to the required *permit* fees.

109.5 Related fees. Reserved

109.6 Refunds. Reserved

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. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the *Building Official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Partial building inspections.

Partial inspections for structural, plumbing, mechanical and electrical will be made as requested, providing the request meets one or more of the following guidelines;

a) Submit an inspection plan.
b) There are more than seven (7) units on one (1) floor.

c) Stepped construction (discontinuous floor levels).
d) Outside perimeter walls to allow for start of insulation on large commercial jobs.
e) Underground electric, sewer or water piping where cave-in is of concern.
f) Under slab work.
g) Buildings with three (3) or more floors for fire rating of ceilings.
h) All other partial inspections may be arranged after submittal of an approved specific inspection plan, satisfactory to the Building Official.
i) Payment of Partial Inspection Fee as indicated in Section 108.2.2(6).

NOTE: Failure to follow an approved inspection plan may result in the removal of the completed work that was accomplished after the last approved inspection.

NOTE: When an inspection is incomplete due to phased nature of work, a partial inspection will be recorded and the applicable Partial Inspection Fee will apply.

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

110.1.3 Inspection service.
The Building Official may make, or cause to be made, the inspections required by section 109. He/she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the Building Official. The Building Official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statues.

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

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

Building

1. Foundation inspection.
   To be made after trenches are excavated 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

- Slab Inspection to be made after the reinforcement is in place, all concealed conduit, piping, ducts and vents are installed and the electrical, plumbing and mechanical work is complete. Slab shall not be poured until all required inspections have been made and passed. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 *Florida Building Code*, shall be submitted to the Building Official.

2. Framing inspection. To be made after the roof, all framing, fireblocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved* and shall at a minimum include the following building components:

- Window/door framing and installation
- Vertical cells/columns
- Lintel/tie beams
- Framing/trusses/bracing/connectors (including Truss layout & Engineered drawings)
- Draft stopping/fire blocking
- Curtain wall framing
- Energy insulation
- Accessibility
- Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place.
- Gypsum board nailing inspection
- Screw inspection, cementitious board.

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

- Roof sheathing
- Wall sheathing
- Sheathing fasteners
- Roof/wall dry-in.
- Sheathing/cladding inspection
- Window/door buck attachment

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

4. Roofing inspections.
To be made as two or more inspections and shall at a minimum include the following building components:

- Dry-in
- Flashing
- Insulation
- Roof coverings (including In Progress)
- Mitigation Inspections

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

5.1. **Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the *Building Official.*

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 shell.
- Underground electric inspection.
- Underground plumbing inspection including a pressure test.
- Deck inspection to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place.
- 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 §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 453.27.20 of this code).

9. Impact Resistance Inspection.

Where impact resistant coverings or impact resistant systems are installed, the Building Official shall schedule adequate inspections of impact resistant coverings or impact resistant systems to determine the following:

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

Electrical

1. Underground inspection (including bonding and grounding) to be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

2. Rough-in inspection to be made after the roof, framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.

3. Final inspection to be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place. Waste pipes that are located below structures that are located on lots that require pilings shall be a minimum of schedule 40 PVC, and supported by hangers at ~~6'~~ 4'- 0" intervals and at each riser as it passes through the above floor.

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 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.

Site debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles prior to receiving final inspection approval.

2. Construction job sites must be kept clean, such that accumulation of construction debris must not remain on the property for a period of time exceeding 14 days.

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

110.3.1 Reserved

110.3.2 Building as-built survey.
It is the duty of the permit holder to submit to the Building Official, within 10 calendar days of an inspection, a location survey depicting the building foundation. The location of the building and the finished floor shall be precisely dimensioned in relation to each and every

lot line as established by the zoning district or as established by conditions attached to the development permit, and is applicable to the permitted structure and the property upon which said structure is being constructed. The As Built Survey shall be prepared by or under the direct supervision of a Florida registered land surveyor and certified by same. Any work done prior to the survey required hereby shall be at the permit holder's risk. The Building Official shall review the location survey and approve same if all setback requirements are met. Deficiencies or encroachments detected by such review shall be corrected by the permit holder forthwith and prior to further work. Failure to submit the survey required hereby or failure to make said corrections shall be cause to issue a Stop-Work Order for the project.

Exception: Elevated finish floors will have the survey submitted within 10 days of completion of the floor.

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

110.3.4 Reserved

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

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

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

110.3.7 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 inspections. In addition to the inspections specified 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 inspection. The final inspection shall be made after all work required by the building *permit* is completed.

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

~~**110.3.4**~~ **110.3.11 Termites.** Building components and building surroundings required to be protected from termite damage in accordance with Section ~~1503.6~~ 1503.7, Section ~~2304.11~~ 2304.13 or Section ~~2304.11.6.1~~ 2304.11.6, specifically required to be inspected for termites in accordance with Section ~~2116~~ 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 coverings or systems. Where impact resistant coverings or systems are installed to meet requirements of this code, the Building Official shall schedule adequate inspections of impact resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.

2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

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

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

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

~~**113.3.5**~~ **110.7 Shoring.** For threshold buildings, shoring and associated form-work or false-work 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.

~~**110.3.5**~~ **110.8 Threshold building.**

~~**110.3.6.1**~~ **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.

~~110.3.6.2~~ **110.8.2** The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the *Florida Building Code*.

~~110.3.6.3~~ **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.

~~110.3.6.4~~ **110.8.4** Each enforcement agency shall require that, on every threshold building:

> ~~110.3.6.4.1~~ **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."
>
> ~~110.3.6.4.2~~ **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.
>
> ~~110.3.6.4.3~~ **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.

~~110.3.6.4.4~~ **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.*

~~110.3.6.5~~ **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.

~~110.3.6.6~~ **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
CERTIFICATE 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 therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

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

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

1. The building *permit* number.

2. The address of the structure.

3. The name and address of the owner.

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

~~6~~7 . The name of the *Building Official*.

~~7~~8. The edition of the code under which the *permit* was issued.

~~8~~9. The use and occupancy, in accordance with the provisions of Chapter 3.

~~9~~10. The type of construction as defined in Chapter 6.

~~10~~11. The design *occupant load.*

~~11~~12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.

~~12~~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 Existing Building Certificate of Occupancy.

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 codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. 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.

~~**111.5**~~ **111.6 Certificate of Completion**. A Certificate of Completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a

utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a Certificate of Occupancy.

SECTION 112
SERVICE UTILITIES

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

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

112.3 Authority to disconnect service utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. 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

SECTION 113 Construction Board of Appeals.
For regulations regarding the Construction Board of Adjustment and Appeals, see Marco Island Code of Ordinances, Chapter 6, Article II. In the event that there is no current board, the Marco Island City Council shall act as the duly authorized board,

VIOLATIONS

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

SECTION 114 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 RESERVED

SECTION 117
VARIANCES IN FLOOD HAZARD AREAS

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

SECTION 3. Inclusion in the Code of Ordinances.

It is the intention of the City Council and it is hereby ordained that the amendments to the City of Marco Island Code of Ordinances made by this Ordinance shall become part of the City of Marco Island Code of Ordinances, that the sections of this Ordinance may be renumbered and relettered as necessary, and that the word "Ordinance" may be changed to "Section, "Article" or other appropriate word.

SECTION 4. **Repeal.**

That all sections or parts of the Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflicts.

SECTION 5. **Conflicts.**

All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. **Severability.**

If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. **Effective Date.**

This Ordinance shall be effective immediately upon passage by the City Council on second reading, and enforceable on and after June 30, 2015, at 12:01 a.m.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND ON THIS 15TH DAY OF JUNE 2015.

ATTEST:

Laura M. Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY: Larry Sacher, Chairman

Approved as to form and legal sufficiency:

Alan L. Gabriel, City Attorney