

CHAPTER 1

# FLORIDA BUILDING CODE LEON COUNTY

## ADMINISTRATIVE AMENDMENTS

**101.3.3 Permitting and inspection.** The inspection or permitting of any building, system or plan by the jurisdiction under the requirements of this code shall not be construed in any way court as a warranty of the physical condition of such building, system or plan or their adequacy. No jurisdiction nor any employee thereof shall be liable in the tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

## **SECTION 102** **BUILDING DEPARTMENT**

**102.1 Establishment.** There is hereby established a department to be call the building department and the person in charge shall be known as the building official.

### **102.2 Employee qualifications**

**102.2.1 Building official qualifications.** The building official shall have at least ten years experience or equivalent, as an architect, engineer, inspector, contractor, or superintendent of construction, or any combination of these, five years of which shall have been in responsible charge of work. The building official should be certified as a building official through a recognized certification program. The building official shall be appointed or hired by the applicable governing authority and shall not be removed from office except for cause after full opportunity has been given to be heard on specific charges before such appropriate trade. They shall not removed from office except for cause after full opportunity has been give to be heard on specific charges before each applicable governing authority.

### **102.2.2 Chief inspector qualifications.** The building

official, with the approval of the applicable governing authority, may designate chief inspectors to administer the provision of the Building, Electrical, Gas, Mechanical and Plumbing Codes. Each chief inspector shall have at least ten years or equivalent, as an architect, engineer, inspector, contractor, or superintendent of construction, or any combination of these, five years which shall have been in responsible charge of the work. They should be certified through a recognized certification program for the appropriate trade. They shall not be removed from office except for caus after full opportunity has been given to be heard on specific charges before each applicable governing authority.

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

**102.2.4 Deputy building official qualifications.** The building official may designate as his deputy an employee in the department who shall, during the absence or disability of the building official, exercise all the powers of the building official. The deputy building official should have the same qualifications as listed in 102.2.2.

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

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

**102.5 Liability.** Any officer or employee, or member of the Board of Adjustment and Appeals, charged with the enforcement of this code, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provision of this code shall be defended by the department of law unit the final termination of the proceeding.

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

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

**103.2 Right to entry**

**103.2.1** Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that the exists in any building or upon any premises any conditions or code violation which make 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 time 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 a request entry. If entry is refused, the building official shall have recourse to every remedy provide by law to secure entry.

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

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

**103.4 Revocation of permits**

**103.4.1 Misrepresentation of application.** The building official may revoke a permit or approval, issued under the provisions of this

code, in case there has been any false statement or misrepresentation as to the material fact in the application or plans which the permit or approval was based.

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

**103.5 Unsafe building or systems.** All buildings, structures electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, which constitute a fire hazard, 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 system are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Standard Unsafe Building abatement Code.

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

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

**104.2.4 Site drawings.** Drawings shall show the location of the proposed building or structure and of every existing building or structure on the site or lot. The building official may require a boundary line survey prepared by a qualified surveyor.

**104.2.5 Hazardous occupancies.** The building official may require the following:

1. General site plan. 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. Building floor plan. 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, exists fire rated assemblies with their hourly rating, locations of liquidtight 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.

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

application at the office of director of public works for the lines of the public street on which he proposes to build, erect or locate said building; and it shall be the duty of the building official to see that the street lines are not encroached upon except as provided for in Chapter 32.

#### **104.6.6 Building permit**

valuations. If, in the opinion of the building official, the valuation of building, alternations, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor.

## **SECTION 105** **INSPECTION**

their qualifications and reliability.

**105.1 Existing building inspections.** See Chapter 34. Before issuing a permitted, the building official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install or change occupancy. He shall inspect all building, structures, electrical, gas, mechanical, and plumbing systems, from time to time, during and upon completion of the work for which a permit is issued. He shall make a record of any such examination and inspection and of all violations of the technical codes.

**105.2 Manufactures 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 such examination and inspection and of all violations of the technical codes.

**105.3 Inspection services.** The building official may make, or cause to be made, the inspections required by 105. He may accept reports of inspectors of recognized inspection services, provided that after investigations he is satisfied as to

## **SECTION 107** **TESTS**

The building official may require  
tests or 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.

## **SECTION 108** **SEVERABILITY**

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

## **SECTION 109** **VIOLATION PENALTIES**

Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, constructed, altered, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, in violation of a detail statement or drawing submitted and permitted thereunder, shall be guilty of a misdemeanor.

Each such person shall be considered guilty of a separate offence for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued, and upon condition of any such violation such person shall be punished within the limits and as provided by state laws.