

7/11/09

257 (PPF)  
DCA09-DEC275 REVISED

FILING AND ACKNOWLEDGEMENT  
FILED, on this date, with the designated  
Clerk, receipt of which is hereby  
acknowledged.

*Paula P. Ford* 7/13/09  
Paula P. Ford Date  
Commission Clerk

Petition for Declaratory Statement before the Florida Building Commission *Amendment*

We are a State Certified Specialty Electrical Contractor. Certified as: Limited Energy Systems Spec. We currently have a variety of low voltage electrical wiring systems jobs we will be starting and was looking at Florida building codes 101.4.1, 105.1. as well as an informal interpretation (report # 2987), which seem to indicate the requirement for permitting.

Question: For the level of work I am performing, is a permit required for low voltage electrical systems (phone/ data/ security/ CCTV (closed circuit TV) / CATV/ fire / security alarm systems / page & music-speaker systems / fiber optics) wiring?

My research has shown me that the State of Florida has adopted the NEC code. The NEC code states in article 90.1 scope

- (1) The inspections of electrical installations as covered by article 90.2. This code states in article 90.2 scope
  - (A) Covered – this code covers the installation of electrical conductors, electrical equipment, signaling & communications conductors & equipment, and fiber optic cables for the following.
    - (1) – Public and private premises, including buildings, structures, mobile homes, recreational vehicles, and floating buildings.

As Well

Florida Building Code – Chapter 1 (administration)

Section 101.4.1 electrical. The provisions of chapter 27 of the FBC, building shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

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, remove, convert or replace any required 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.

Section 105.2 Work exempt from permit

105.2.2 minor repairs, ordinary minor repairs shall not include addition to, alteration of, replacement or relocation of any electrical wiring system.

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There is a Florida Building Code Informal Interpretation that pertains to the above question.

Report Date: 4/29/2004  
Report #: 2987  
Code: Building  
Section: FBC104.1.1, FBC101.4.2, FS553.79

Answer on interpretation: All of the referenced sections infer authority of enforcing agencies to issue permits as are required by the Florida Building Code and the agencies themselves.

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How these codes affect me.

I was informed in 2005 by the county I live & own a business in that the state per Florida Statute 489.503 requires that I be licensed in order to do the job I have done for 27 years. I was more than happy to endure the States 1 year process of applications, insurances, & testing. Once licensed, I discovered that both county's & most general contractors were unaware that a license was required and frankly most didn't really care. I found that a majority of the jobs I bid are also bid by unlicensed contractors. When known, I report to the DBPR but over the past 3 years I don't know of any unlicensed contractor that has been sited or stopped. I have talked to various local building officials on this problem & have indicated that permitting would stem the tide of unlicensed phone/ data / TV/ speaker wiring contractors as well as increase the probability that the job will meet NEC code. Although they have the ability within there county to institute permitting (some have, about 5), some are going to wait until there is a formal decision from the Florida Building Commission.

Last year alone due to unlicensed contractors I have lost an estimated \$400,000.00 and needed to lay off staff – these were jobs that were contracted & completed by unlicensed contractors. We find that there are 149 licensed state certified Specialty Electrical Contractors listed in Central Florida from Tampa to Daytona, but there are an estimated 1500+ unlicensed contractors working in the counties that don't require permitting.