CITY OF RIVIERA BEACH

BUILDING DEPARTMENT
600 WEST BLUE HERON BLVD. RIVIERA BEACH, FLORIDA 33404
(561) 845-4020 FAX (561) 840-4027

April 29, 2019

Deirdre Jabobs
Interim City Manager
1481 W 15th Street,
Riviera Beach Fl. 33404

City Manager,

Over the course of the past few weeks, Acting Director of Development Services, Jeff Gagnon has personally revoked two separate permits on Singer Island and given one of my staff members an illegal directive to do the same. The first was permit number 19-00746 for a dock located at 5281 N. Ocean Drive. He noted the permit was issued in error. It was not. The second permit Mr. Gagnon personally revoked is for permit number 19-01026, a fence permit for HALO LLC, located at 4601 N. Ocean Drive. Mr. Gagnon made inquiry with front end staff prior to unlawfully issuing the notice to void the permit and was advised that Martin Fence does in fact have a valid county license. He proceeded to forward a communication to the property owner advising the permit was to be voided all or in part due to inactive or expired licensure. While I understand and adhere to the administrative authority Mr. Gagnon possesses as the Acting Director of Development Services, I have also made him aware of the role, duties, and responsibilities of the Building Official and the related Florida Statute and the independent nature building officials are expected to perform under. This delineation of authority has gone unheeded.

> ***FS 468.604 Responsibilities of building code administrators, plans examiners, and inspectors.—***
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> ***(1) It is the responsibility of the building code administrator or building official to administrate, supervise, direct, enforce, or perform the permitting and inspection of construction, alteration, repair, remodeling, or demolition of structures and the installation of building systems within the boundaries of their governmental jurisdiction, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The building code administrator or building official shall faithfully perform these responsibilities without interference from any person.***

As we are all painfully aware, acting as Building Official without the appropriate authority to do so is a crime. The revoking of the above referenced permits unilaterally by Mr. Gagnon has placed him in legal jeopardy for violation of this statute. I am advising and asserting under the authorities extended to me by the State of Florida, Department of Business and Professional Regulation, and Florida Building Commission the aforementioned permits are valid. The authority to issue, void, or rescind permits rest exclusively with the Building Code Administrator also referred to as the Building Official. I am formally requesting that Mr. Gagnon be censured for his illegal activity and that he be made to issue an official statement to the permit applicants correcting the record. Finally, I am requesting that future consideration

Defendant's Exhibit
DX- 094

be made for how the Building Division is to handle Mr. Gagnon's perceived overlap in his administrative authorities over the Building Official and his inability to interfere with the faithful performance of my duties as the Building Official. My sole objective is to ensure the Florida Statute is upheld and the City is absolved of any legal liabilities associated with granting permits based on political will as opposed to conformance with construction building code and law.

Sincerely,

Ladi March-Goldwire,BU2021
Certified Building Official

CC: Department file, D.Wynn, M.Cunningham