

# Existing Building Inspections for Recertification

Department of Regulatory and Economic Resources  
Jaime D. Gascon, Board and Code Administration Division

# Purpose of Presentation

This presentation is intended to outline the new laws and procedures for the building recertification program in Miami-Dade County.

The presentation covers how the integration of the new state law with the updated County ordinance impacts the building recertification program in Miami-Dade County.

This presentation covers the protocols set for all jurisdictions in Miami-Dade County.

# Introduction to Changes in the Law

- New state law created by SB 4-D (eff: May 26, 2022)
  - The new state law is a minimum, which through a local ordinance can enhance those minimum requirements
  - There is no indication of state preemption in the law
  - The new law creates an inspection requirement for coastal buildings with an initial recertification cycle of 25 years and 10 year thereafter
    - Coastal buildings only include condominium and cooperative associations 3-stories or taller within 3-miles of the coastline
    - Coastline is defined by statute 376.031
  - All other buildings are on a 30-year cycle, that includes all buildings within the coastal region that are not condominium or cooperative associations

# Introduction to Changes in the Law

- New state law created by SB 4-D (Continued)
  - Transition buildings are due by December 31, 2024
    - Coastal buildings built between 1983 and 1997
    - All other buildings built between 1983 and 1992
- Updated Miami-Dade County Chapter 8 Ordinance (eff: June 1, 2022)
  - Changed recertification cycle from 40 to 30 years
  - Created an advance noticing requirement
  - Mandates the use of structural and electrical engineers on threshold buildings
    - This provision of the ordinance takes affect starting with the 2023 recertification cases, since 2022YR notices were already sent

# Introduction to Changes in the Law

- Updated Miami-Dade County Chapter 8 Ordinance (Continued)
  - Handling time extension requests
  - Duty to report
  - Action on utility disconnect
  - Revocation of issued building recertification
  - Recertify up to 2 years early

# Mapping the Dataset

- The changes in the law has impacted the use of the Property Appraiser's data.
  - Property Appraiser's database cannot be used on all buildings going forward
  - Does not identify coastal buildings
- Need to identify the coastal buildings
  - Condominium and cooperative associations only
  - 3-stories or taller
  - Within 3-miles of the coastline
  - Need to map the coastline as defined in statute
    - 376.031 FS

# Mapping the Dataset

Dataset 2: 15 years coastal transition

Dataset 2: 10 years all other transition

Starting January 2023

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
25	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
30						1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
35															1987	1988
40	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
45															1977	1978
50	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973
55															1967	1968
60	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963
65															1957	1958
70	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953

Dataset 1: Existing 40/50 Buildings

Starting January 2023

Dataset 3: New 25-year coastal buildings

Dataset 3: New 30-year all other buildings

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038
1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984
1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979
1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969

Transition buildings all due by December 31, 2024

# Mapping the Dataset

- Dataset 1: Existing 40/50 recertified buildings
  - All buildings built on or before 1982 that have already had an initial recertification inspection through Miami-Dade's 40 Year program will continue to have a subsequent recertification inspection every 10 years after the initial inspection regardless of the building location (inland or coastal).
  - This group of buildings is not affected by the changes.



# Mapping the Dataset

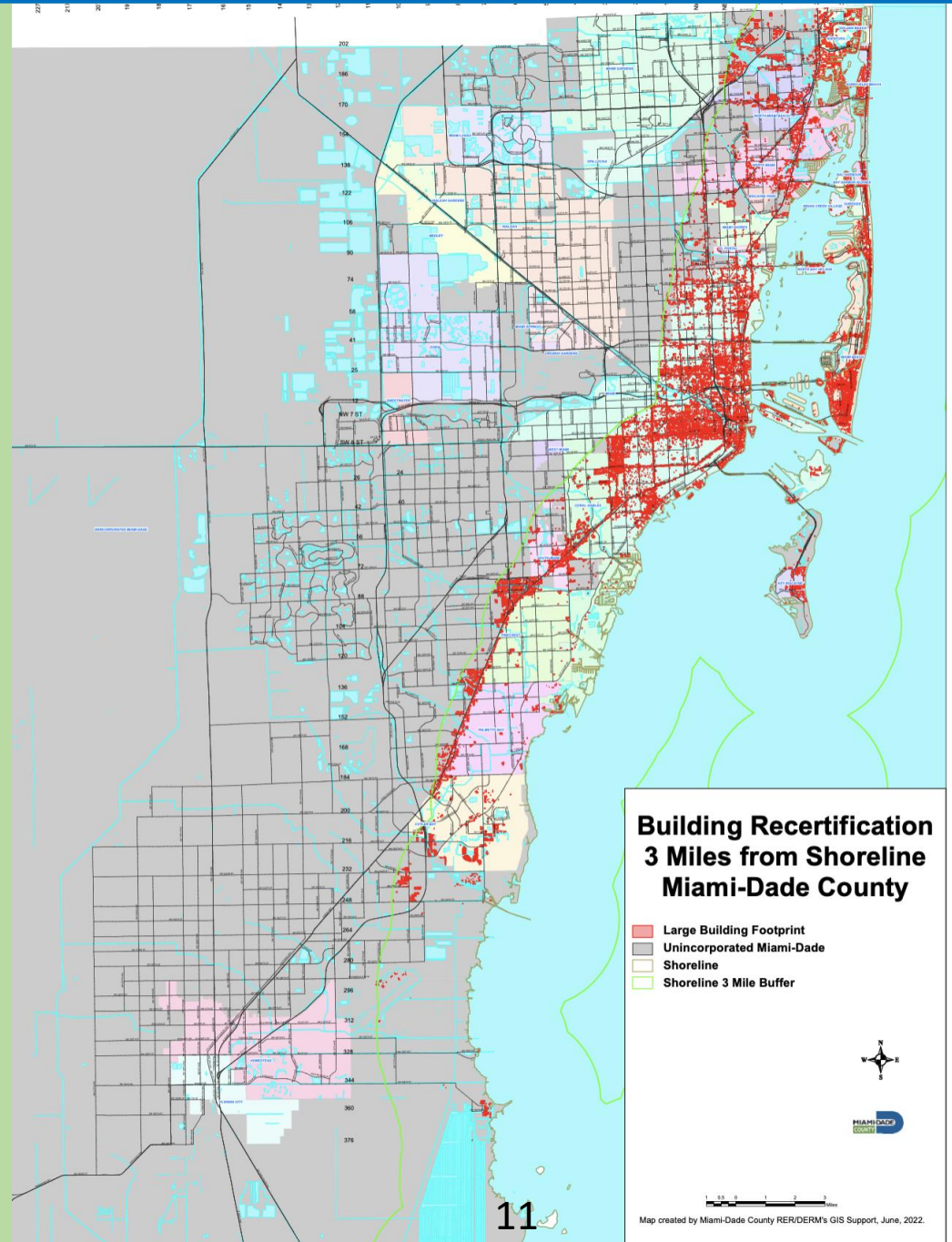
- Dataset 2: Transition year buildings
  - This is a group of buildings that need to get caught up with the shift to new recertification cycles
  - All coastal condominium and cooperative buildings three stories or taller built between 1983 and 1997 and located within three miles of the coastline must have a recertification inspection by December 31, 2024, and every 10-years thereafter
  - All other buildings built between 1983 and 1992 must have a recertification inspection by December 31, 2024, and every 10-years thereafter

# Mapping the Dataset

- Dataset 3: New timeline recertification buildings
  - This group of buildings starting in 2023 have not had an initial recertification
  - All condominium and cooperative association buildings that are three stories or taller located within three miles of the coastline built on or after 1998 must have a building recertification inspection when the building age reaches 25 years, and every 10 years thereafter
  - All other buildings built on or after 1993 must have a recertification inspection when the building age reaches 30 years, and every 10 years thereafter

# Mapping the Dataset

- Coastal map
  - Entire County
  - Municipalities identified
  - Red dots identify building over 30 feet tall using Lidar information
  - Must be verified for condos & coops
  - Landward green line indicates the 3-mile limit
- Mapping in progress (not final)



# Advance Noticing

- The County ordinance now requires all municipalities to send advance notices of upcoming recertifications at 2-years out, 1-year out, and the 90-day official notice
- Jurisdictions need to create letter templates for this notification

# Early Notifications

- The Miami-Dade County ordinance allows early recertifications up to 2-years because of the requirement of the 2-year advance notification
- Recertifying a building early does not reset the recertification cycle (year built)

# Extensions of Time

- The Miami-Dade County ordinance outlines how to handle extensions of time
- Prior to report submittal or obtaining a permit
  - 60-day extension
  - Must provide a structural and electrical affidavit stating that the building can continue to be occupied while undergoing recertification or waiting for a permit
- Who can request extensions?
  - Ordinance states from an engineer or architect

# Extensions of Time

- After obtaining a repair permit
  - Based on the timeline of the building code
  - 180-day extensions
  - Provide a structural and electrical affidavit stating the building can continue to be occupied while repairs are ongoing
  - Need an affidavit every 180-days until permit is finalized
    - The ordinance states that this affidavit must come from the responsible engineer or architect who performed the recertification inspection

# Extensions of Time

- Extension requests or affidavits are not required when submitting reports and performing the repairs with the 2-year advance noticing
  - Only required once reports are past due



# Updated BORA Guidelines

- New categories
  - Structural Glazing
    - This topic has been a requirement of the Miami-Dade County ordinance and the building code
    - Structural glazing is not part of the building recertification program, it is simply a reference to the latest glazing inspection, if applicable
  - Building Façade
    - Now includes possible exterior wall cladding materials, appliques, appurtenances, etc. on threshold buildings only

# Updated BORA Guidelines

- New categories (Continued)
  - Historical documents and permitting section
    - An attempt is to be made to review historical documents from public records
      - Purpose is to understand the original design of the structural and electrical systems
    - Review recorded violations for impact on the outcome of the building recertification inspection
      - Additions without permit, unsafe structure declaration, etc.
  - Clarifications
    - Indication that repairs should not commence until a permit is obtained
      - Do not withhold submittal of the recertification reports while trying to satisfy the need for repairs prior to obtaining a permit

# Updated BORA Guidelines

- New categories
  - Clarifications (Continued)
    - Report templates provided by the jurisdiction must be used; design professional's proprietary report forms will not be accepted.
    - Photo documentation of applicable components must be provided
    - Buildings being recertified do not need to meet current codes
    - Infrared thermography required on buildings with electrical service operating at 400 amps or more

# Condominium or Cooperative Units

- Are condominium unit interiors part of the building recertification inspection?
  - BORA interpretation from September 24, 2015, clarified that it is at the discretion of the inspecting professional to include unit interiors
  - The updated BORA guidelines specifically indicate that the unit's electrical panel does not require a thermographic inspection

# Report Template Forms

- Structural Report Template highlights
  - Identifies a threshold building
  - Qualifications of the inspecting professional, especially for threshold buildings
    - A self-qualification letter indicating the experience equivalent to the building being inspected and accompanied by proof of DBPR structural specialization
  - Affirmative question for repairs required
  - Providing photos

# Report Template Forms

- Electrical Report Template highlights
  - Qualifications of the inspecting professional, especially for threshold buildings
  - Affirmative question for repairs required
  - Providing photos
  - Thermography inspection report and results

# Cover Letter

- Is there a requirement for a cover letter?
  - Although not specifically called out in the guidelines or included with the inspection report forms, a cover letter is necessary to provide the evaluation statement contained at the bottom of page two of the guidelines stating that the building is safe for continued occupancy.
  - The cover letter also contains the disclaimer for the limit of liability suggested within the guidelines.

# Revoking a Recertification

- The Miami-Dade County ordinance now states that a Building Official may revoke an issued recertification due to any inconsistency or misrepresentation



# Duty to Report

- Included within Miami-Dade County Section 8-11(e), which does not only apply to building recertifications
- Any engineer or architect who performs an inspection of an existing building or structure has a duty to report to the Building Official any findings within ten days or within 24-hours if there is an immediate danger of the failure or collapse of a building or structure

# Utility Disconnect

- An electrical disconnect may be ordered
  - If building fails to recertify or seek an extension
  - The Building Official must provide notice via certified mail and post the building using a placard in substantial conformance with the language provided in the ordinance
  - In multi-family buildings, management must notify unit owners or tenants in writing
    - Management must confirm to the Building Official within 3 business days
  - Building Official must provide no less than 5 business days from posting before disconnecting
  - Cannot disconnect if a potential health or medical condition exists
  - Forego disconnection if building owner provides a statement from an engineer or architect that building is safe to occupy while undergoing recertification

# Miami-Dade County Resources

- Ordinances:
  - [Municode MDCC Sec. 8-11\(f\) Recertification of buildings and components](#)
  - [Revisions after Champlain and SB 4-D: Ordinance 22-57](#)
- [New Guidelines and Report Templates](#)
- Interpretations:
  - [Recertification Inspections in All Building Units](#)
  - [Electrical Recertification Thermography Inspector Requirements](#)



Thank you!