

**LEGISLATIVE #**

**171056A**

**ORDINANCE NO. 171056**

**An ordinance of the City of Gainesville, Florida, amending Chapter 6 – *Buildings and Building Regulations* in the City of Gainesville Code of Ordinances and amending Appendix A – *Schedule of Fees, Rates and Charges* of the Code of Ordinances relating to Buildings and Building Regulations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

**WHEREAS**, the Florida Building Codes Act, Chapter 553, Part IV, Florida Statutes, gives local governments the power to inspect all buildings, structures, and facilities pursuant to the adopted statewide Florida Building Code; and

**WHEREAS**, the City of Gainesville has codified its buildings and building regulations in Chapter 6 of the Code of Ordinances; and

**WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

**WHEREAS**, public hearings were held pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:**

**SECTION 1.** Chapter 6 – BUILDINGS AND BUILDING REGULATIONS of the City of Gainesville Code of Ordinances is deleted in its entirety and replaced as follows.

~~Chapter 6 – BUILDINGS AND BUILDING REGULATIONS~~

~~ARTICLE I. – IN GENERAL~~

~~Sec. 6-1. – Recording of orders requiring vacation or demolition of structures.~~

- ~~(a) *Recording of statement.* Whenever, under the provisions of any ordinance or law, the city or any of its officers or agents issues any notice to vacate or notice to demolish any structure within the city and the notice becomes an order following an appeal or in the absence of a timely appeal the city manager shall cause to be recorded in the public records of the county a statement indicating the existence of the order.~~
- ~~(b) *Form of statement.* The recorded statement shall include the name of the owner of the real property upon which the structure is located, as shown on the tax rolls at the time of recording, the tax parcel number and a legal description of the real property, the nature of the outstanding order and what is required to comply with the order, and the possible consequences if the order is not complied with.~~
- ~~(c) *Cancellation of statement.* When an order to vacate or to demolish a structure is no longer effective, because the situation causing the required vacation or demolition has been corrected by the owner, or because a demolition has been accomplished by the property owner, or because the city has corrected the situation or demolished the structure and recorded a lien for the correction or demolition, or for any other reason, the city manager shall enter a notation on the recorded statement that the outstanding order is no longer effective. The notation shall include the date made and the signature and title of the person making same.~~

~~Sec. 6-2. – Violations.~~

~~Except as otherwise provided in this Code of Ordinances, any person violating any of the provisions of this chapter, including the technical codes, shall be subject to the penalties of section 1-9.~~

~~Sec. 6-3. – Administration chapter adopted.~~

- ~~(a) Chapter 1, Administration, of the Florida Building Code, 2004 Edition, as developed by the Florida Building Commission is hereby adopted for use with the Florida Building Code and this Chapter 6 of the City of Gainesville Code of Ordinances, and from the date upon which this section shall take effect, the provisions thereof, except as changed or altered in this article, shall be controlling within the corporate limits of the city.~~

~~(b) The administration chapter adopted above is hereby amended (the succeeding section numbers in this section refer to Chapter 1, Administration, as contained in the Florida Building Code, 2004 Edition, unless otherwise indicated).~~

~~Section 101.2.2 is hereby created and added to read as follows:~~

~~*101.2.2 Scope: 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 court as a warranty of the physical condition of such building, system or plan or their adequacy. Neither the jurisdiction nor any employee thereof shall be liable in 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, unless the employee or jurisdiction is found to have acted in bad faith or with malicious purpose in a manner exhibiting wanton and willful disregard of the safety, health and welfare of the public.~~

~~Section 102.8 is hereby created and added to read as follows:~~

~~*Section 102.8 Wind Line.* 1-75 is hereby established as the physical landmark of the wind speed line for the City of Gainesville. All structures constructed East of the established line shall be designed for 100 MPH. All structures constructed West of the line shall be designed for 110 MPH. Interpolation shall be allowed.~~

~~Section 103 is hereby created and added to read as follows:~~

~~*Section 103. Building Inspection Department*~~

~~*103.1 Establishment.* There is hereby established a department to be called the Building Inspection Department and the person in charge shall be known as the Building Official.~~

~~*103.2 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 as required by law.~~

~~Sections 104.1 through 104.6 are hereby created and added to read as follows:~~

~~*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, the building official shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, the building official 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 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 the 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 his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.~~

~~104.4 Revocation of permits. The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever 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, in case 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 Code of Ordinances.~~

~~104.6 Requirements not covered by code. Any requirements necessary for the strength, stability or proper operation of any 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 other technical codes, shall be determined by the building official.~~

Section 105.1, is hereby amended to read as follows:

~~105.1 When required. Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building or structure, or any outside area being used as part of the building's designated occupancy (single or mixed) or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit for the work.~~

Section 105.2 is hereby amended to read as follows:

~~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:~~

~~1. Permits shall not be required for the following mechanical work:~~

~~1.1 Any portable heating appliance;~~

~~1.2 any portable ventilation equipment;~~

~~1.3 any portable cooling unit;~~

- ~~1.4 any steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.~~
- ~~1.5 replacement of any part which does not alter its approval or make it unsafe;~~
- ~~1.6 any portable evaporative cooler;~~
- ~~1.7 any self contained refrigeration system containing 10 lb (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less; and~~
- ~~1.8 the installation, replacement, removal, or metering of any load management control device.~~

~~2. Permits shall not be required for the following work.~~

- ~~2.1 Pre-engineered and pre-manufactured structures of 100 square feet or less only in single family residential and residential conservation zoning districts; and~~
- ~~2.2 Individual doll houses, play houses, animal or bird houses that are neither to be used for human habitation, i.e., a place of permanent or temporary residence, nor storage as a principal use.~~

~~Section 105.3.2, is hereby amended to read as follows:~~

~~*105.3.2 Time Limitations.* Except as otherwise provided, an application for a permit for any proposed work shall be deemed to have been abandoned, and shall expire by limitation and become null and void 180 consecutive days after the date of filing for the permit, unless before then a permit has been issued. One or more extensions of time for periods of not more than 90 consecutive days each may be allowed by the building official for the application, provided the extension is requested in writing and justifiable cause is demonstrated.~~

~~Section 105.4.1 is hereby created and added to read as follows:~~

~~*105.4.1 Permit limitations.* 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. Except as provided below, every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 consecutive days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 consecutive days after the time the work is commenced. Failure to obtain an approved inspection within 180 consecutive days of the previous approved inspection shall constitute suspension or abandonment. One or more extensions of time, for periods not more than 180 consecutive days each, may be allowed by the building official for the permit, provided the extension is requested in writing and justifiable cause is demonstrated prior to the expiration date. The building official shall record the extension of time granted.~~

Section 105.4.1.2 is hereby created and added to read as follows:

~~105.4.1.2 If a new permit is not obtained within 180 consecutive days from the date the initial permit became null and void, was revoked, or abandoned, 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, was revoked, or abandoned, and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.~~

Section 105.4.1.3 is hereby created and added to read as follows:

~~105.4.1.3. Work shall be considered to be in active progress when the permit has received an approved inspection within 180 consecutive days; however, in all cases a building permit issued for a structure classified as residential, as described in chapter 3 of the Florida Building Code (2004), shall be closed, all work completed, and a certificate of occupancy issued within two and one-half years or 30 consecutive months from the date of initial issuance of the permit. In all cases a building permit issued for a structure classified as other than residential, per chapter 3 of the Florida Building Code (2004), shall be closed, all work completed, and a certificate of occupancy issued within three years or 36 consecutive months from date of initial issuance of the permit. In the event said buildings are not completed, the permit shall expire and be deemed null and void, and no further work shall be permitted under said permit. 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.~~

Section 105.4.1.4 is hereby created and added to read as follows:

~~105.4.1.4 The fee for renewal, re-issuance and extension of a permit shall be set forth in Appendix A to the City of Gainesville Code of Ordinances.~~

Section 105.4.1.5 is hereby created and added to read as follows:

~~105.4.1.5 Except as provided in this section, permits issued for the demolition of a structure shall expire sixty (60) consecutive days from the date of issuance unless work has commenced on the site. In the case of a permit issued for demolition of a structure that has a currently pending notice of violation or order to repair or demolish the structure issued under Chapter 16 of the City of Gainesville Code of Ordinances or an outstanding order of the Code Enforcement Board requiring such, the permit shall expire 14 consecutive days from the date of issuance unless work has commenced on the site. For a justifiable cause, one (1) extension of time for a period not 12 exceeding~~



thirty (30) consecutive days may be allowed. Such request shall be submitted in writing to the building official prior to the expiration of the demolition permit.

Section 105.12 is hereby created and added to read as follows.

~~105.12 Work starting before permit issuance.~~ My person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees or as provided by Appendix A of the City of Gainesville Code of Ordinances. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such causes the required permit(s) must be obtained within three business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit nor preclude the imposition of any other remedy or penalty provided by law. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

Section 105.15 is hereby created and added to read as follows:

~~105.15 Schedule of permit fees.~~ On all buildings, structures, electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application, in accordance with the schedule as established by Appendix A to the City Code.

Section 106.1.2 is hereby created and added to read as follows:

~~106.1.2 Additional data.~~ The building official shall be allowed to require details, computations, stress diagrams, and other data necessary to describe the construction or installation and basis of calculations.

Section 106.1.3 is hereby created and added to read as follows:

~~106.1.3 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 shall be permitted to require a boundary line survey prepared by a qualified surveyor.

Section 106.3.3 is hereby created and added to read as follows:

~~106.3.3 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, 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.~~

Section 109.3 is amended by adding a new subsection entitled "Site Debris" to read as follows:

- ~~1. The contractor and/or owner of any active or inactive construction project shall be responsible for the cleanup and removal of all construction debris or any other miscellaneous discarded articles prior to receiving final inspection approval. 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 consecutive days.~~
- ~~2. All debris shall be kept in such a manner as to prevent it from being spread by any means.~~

Sections 109.7 through 109.9 are hereby created and added to read as follows:

~~*109.7 Existing building inspections.* Before issuing a permit, 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 the occupancy. The building official shall inspect all buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued. The building official shall make a record of every such examination and inspection and of all violations of the technical codes.~~

~~*109.8 Manufacturers and fabricators.* When deemed necessary by the building official, the building official 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.~~

~~109.9 Inspection service.~~ The building official may make, or cause to be made, the inspections required by Section 109. He or 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 Statutes.

Section 110.2 is hereby amended to read as follows.

~~110.2 Issuing Certificate of Occupancy.~~ Upon completion of construction of a building or structure and installation of electrical, gas, mechanical and plumbing systems in accordance with the technical codes, reviewed plans and specifications, and after the final inspection, and after verification that all other permits have received an approved final inspection where applicable, the building official shall issue a Certificate of Occupancy stating:

- ~~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 divisions of occupancy and the use for which the proposed occupancy is classified.~~
- ~~6. The name of the building official.~~
- ~~7. The edition of the code under which the permit was issued.~~
- ~~8. The use and occupancy, in accordance with the provisions of Chapter 3.~~
- ~~9. The type of construction as defined in Chapter 6.~~
- ~~10. The design occupant load.~~
- ~~11. If an automatic sprinkler system is provided, whether the sprinkler system is required.~~
- ~~12. Any special stipulations and conditions of the building permit.~~

Section 112.1 is hereby created and added to read as follows:

~~112.1 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.

~~Sec. 6-4. Exception to Alachua County land development road impact fee.~~

- ~~(a) The city commission finds that the imposition of the Alachua County land development road impact fee in district 3 as described in the Alachua County "Road Impact Fee Administrative Procedures Manual" (district 3) is detrimental to and in conflict with the city's policies and goals relating to economic development, infill and redevelopment of slum and blighted areas, development in enterprise zones, multi-modal traffic access, and industrial/commercial development and redevelopment; and that exempting district 3 of the city from the road impact fee will promote the city's policies and goals and discourage urban sprawl.~~
- ~~(b) The city manager or designee shall issue a building permit or mobile home permit for property within the limits of the city located in district 3 without complying with the requirements imposed by the Alachua County land development road impact fee ordinance.~~
- ~~(c) The city manager or designee shall approve electrical energizing for property within the limits of the city located in district 3 without complying with the requirements imposed by the Alachua County land development road impact fee ordinance.~~
- ~~(d) As of the effective date of this ordinance, the "fee payer", as that term is defined in the Alachua County land development road impact fee ordinance, shall not be required to comply with the Alachua County land development road impact fee ordinance with regard to any land development activity taking place within the boundaries of district 3 in the city.~~
- ~~(e) Neither the city manager or designee nor the "fee payer", as that term is defined in the Alachua County land development road impact fee ordinance, nor any other person owning or developing land within the limits of the city located in district 3 shall be subject to any penalty provided for by the Alachua County land development road impact fee ordinance for acts or omissions in accordance with this section.~~

~~ARTICLE I.5. GAINESVILLE GREEN BUILDING PROGRAM~~

~~Sec. 6-5. Definitions.~~

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.~~

~~*City* means the City of Gainesville, Florida.~~

~~*City commission* means the City Commission of the City of Gainesville, Florida.~~

~~City owned civic or office construction project means city owned buildings providing a public gathering place or office facilities.~~

~~Construction means any project associated with the creation, development, or erection of any building eligible for the program.~~

~~FGBC means the Florida Green Building Coalition.~~

~~GHDS means the Green Home Designation Standard of the Florida Green Building Coalition.~~

~~Green building means generally the resource efficient design, construction, and operation of buildings by employing environmentally sensible construction practices, systems, and materials.~~

~~Independent or independent of the city means not employed by, or acting as agents of, the city.~~

~~L.E.E.D. 2.0 means the Leadership in Energy and Environmental Design Rating System, Version 2.0, of the U.S. Green Building Council.~~

~~Municipal means owned by the city.~~

~~Private means property not owned by the city.~~

~~Program means the city green building program.~~

~~Program certification means the final designation awarded to a program participant for satisfying all requirements associated with the program for a particular project.~~

~~Program participant means any person or entity seeking program certification for a particular project.~~

~~Project means any construction associated with the creation, development, or erection of any building eligible for the program.~~

~~Project application form means the form submitted to the building inspection department indicating that a program participant is interested in participating in the program for a particular project.~~

~~Sub-program means any area of construction covered by the program.~~

~~USGBC means the U.S. Green Building Council.~~

~~Sec. 6-6. Intent and purpose.~~

~~The purpose of the program shall be to provide the city community with a certification-based "green building" program. It is expected that city owned civic or office construction projects will follow the program guidelines, upon review by the city commission. This program will be voluntary for all others. This program will promote sustainable and environmentally friendly practices of construction and design.~~

~~Sec. 6-7. Designation of responsibility for administration and implementation.~~

~~The program shall be jointly administered by the building inspection department and city regional utilities, which shall be responsible for:~~

- ~~(1) Funding the program through annual funds budgeted and appropriated by the city commission;~~
- ~~(2) Marketing the program to the Gainesville community by any reasonably effective means, including but not limited to print advertising, press releases, television advertising, or advertising in monthly mailers;~~
- ~~(3) Developing any appropriate or necessary application procedures, including but not limited to, the program application form;~~
- ~~(4) Providing an incentive award to any program participant who has successfully satisfied the requirements associated with that incentive; and~~
- ~~(5) Resolving disputes that may arise from implementing the program.~~

~~Sec. 6-8. Program.~~

- ~~(a) For all non-city projects, the program shall be voluntary.~~
- ~~(b) For any city owned civic or office construction project, the city is expected to participate in the program unless the city commission determines that the cost (e.g., time, function, or funding) associated with participating in the program significantly outweighs the benefits of participating in the program to the city.~~
- ~~(c) The city manager and the general manager for utilities or their designees shall develop policies and procedures to implement the green building program.~~

~~Sec. 6-9. Scope.~~

~~The program shall be administered on a per unit basis. For the purpose of this section of the program, "per unit" means each unit built, except that any multi-family dwelling or similarly clustered structure may count as one unit, as determined by the city manager or general manager for utilities or their designee(s).~~

~~Sec. 6-10. Coverage.~~

The program shall be comprised of the following sub programs:

- ~~(1) New residential construction;~~
- ~~(2) Residential retrofitting/remodeling;~~
- ~~(3) New commercial/non-city construction, not including any expansions or remodeling;  
and~~
- ~~(4) City owned civic or office construction, not including any expansions or remodeling.~~

~~Sec. 6-11. Standards.~~

~~The program shall be administered using standards developed by the city for certification of retrofitting/remodeling of existing residential units and standards developed by 1) the Florida Green Building Coalition and 2) the U.S. Green Building Council for certification of all other building certifications. These standards shall apply to each sub program as follows:~~

- ~~(1) GHDS. For any program participant seeking program certification for new residential construction the program participant must satisfy all of the requirements associated with the current Green Home Designation Standard of the FGBC, including but not limited to, any monetary or certification requirements. For the purpose of this section of the program, "current" means at the time a program participant submits a project application form with the building inspection department. A set of standards developed by the city will be used for certification of residential retrofitting/remodeling.~~
- ~~(2) L.E.E.D. 2.0. For any program participant seeking program certification for new commercial/non-city construction or new municipal civic or office construction, the program participant must satisfy all of the requirements associated with the L.E.E.D. 2.0, including but not limited to any monetary or certification requirements.~~
- ~~(3) Review. For the purpose of this section of the program, a program participant shall be bound by the standard designated for a particular sub program unless the program participant both requests to be certified under a more current version of a designated standard and the request is approved by the city department responsible for administering the particular program.~~

~~Sec. 6-12. Incentives.~~

~~The program shall consist of incentives designed to encourage the use of the program.~~

- ~~(1) All sub programs. For any program participant seeking program certification for new residential construction, residential retrofitting/remodeling, new commercial/non-city construction, or new city owned civic or office construction, the city's general government shall provide the following incentives:~~

- a. ~~Fast-track permitting for building permits.~~
  - b. ~~Reduced permitting fee, which shall equal 50 percent of the fee required for a non-program participant, subject to availability of funds; if program participant is building in a designated enterprise zone, then the reduced permitting fee shall be 50 percent off the usual permitting fee in the enterprise zone.~~
  - c. ~~For one and two family residential projects, there shall be reduced building permit fee, which shall equal 75 percent of the fee required for a non-program participant.~~
  - d. ~~For all projects other than one and two family residential projects, there shall be a reduced development plan review fee, which shall equal 50 percent of the fee required for a non-program participant.~~
- (2) ~~Sub-program of retrofitting/remodeling. Any program participant meeting program certification criteria for multi-family residential retrofitting/remodeling, shall be eligible for the following incentives provided by GRU.~~
- a. ~~A cash renovation incentive, subject to availability of funds; and~~
  - b. ~~A solar water heater incentive, subject to availability of funds and meeting other solar rebate program requirements.~~
- (3) ~~Marketing for all sub-programs. For any program participant seeking program certification for new residential construction, residential retrofitting/remodeling, new commercial/non-municipal construction, or new city-owned civic or office construction projects, the city's general government shall provide the following marketing incentives, including but not limited to:~~
- a. ~~The erection of building site signs designating a project under the program;~~
  - b. ~~The inclusion of program participants on a city webpage dedicated to the program;~~
  - c. ~~The creation of promotional packages such as a program logo for a program participant's advertisements or brochures;~~
  - d. ~~Press releases; and~~
  - e. ~~Information about available financial programs, including but not limited to, those associated with Fannie Mae/Freddie Mac.~~
- (4) ~~Green building award. For the purpose of publicly recognizing outstanding commitment to "green building," the program shall provide for an award called the "green building award" to be awarded annually by the city's general government to one program participant in each sub-program.~~

~~Sec. 6-13. Certification.~~

~~The program shall be subject to certification by a qualified third party who has been trained and certified as a green building rater. For the purpose of this section of~~



the program, "third party" means any person or entity authorized by the FGBC or the USGBC to verify that a program participant has satisfied any or all of the requirements associated with the standard designated for a particular project.

~~Sec. 6-14. Training.~~

~~The building inspection department in conjunction with FGBC shall conduct at least one training workshop per year for the purpose of educating potential or current program participants about the program.~~

~~Sec. 6-15. Program review.~~

- ~~(a) Staff review. The building inspection department shall initiate a review of the program with the assistance of GRU as necessary to determine the need for changes in the program to increase its effectiveness.~~
- ~~(b) Frequency. The program shall be subject to review one year after the effective date of this ordinance and thereafter at a frequency of no more than once per year.~~
- ~~(c) Purpose. The purpose of reviewing the program includes but is not limited to updating program incentives, recommending program or marketing changes to the city, reviewing suggestions made by program participants, and annually awarding the green building award in accordance with section 6-12(d) of the program.~~

~~ARTICLE II. BUILDING CODE~~

~~Sec. 6-16. Local administrative amendments to the Florida Building Code.~~

~~A new Section 107.6.1 is created and added to the Florida Building Code, Building, as follows:~~

~~*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 CFR Sections 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 Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code*.~~

~~A new Section 117 is created and added to the Florida Building Code, Building, as follows:~~

~~SECTION 117 VARIANCES IN FLOOD HAZARD AREAS~~

~~117.1 Flood hazard areas. Pursuant to Section 553.73(5), F.S., 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.~~

~~Sec. 6 17. Local technical amendments to the Florida Building Code.~~

~~Section R322.2.1 of the Florida Building Code, Residential, is amended as follows:~~

~~R322.2.1 Elevation requirements.~~

- ~~1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.~~
- ~~2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet if a depth number is not specified.~~
- ~~3. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.~~

~~Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.~~

~~Sec. 6 18. Reserved.~~

~~Sec. 6 19. Waiting period for certain demolition permits.~~

- ~~(a) Permits to demolish structures which have a Florida master site file and/or are 45 years of age or older shall not be issued until the expiration of 90 days from the date of the permit application. The purpose of this restriction shall be to enable the historic preservation board to pursue alternatives to demolition and to assemble and document information pertaining to the appearance and history of the structure prior to its demolition. Upon the filing with the city manager or designee of an application to demolish a structure which has a Florida master site file and/or is 45 years of age or older, the city manager or designee shall immediately notify the historic preservation planner.~~
- ~~(b) A demolition permit for a structure that has a Florida master site file and/or is 45 years of age or older may not be issued prior to the expiration of 90 days from the date of the demolition permit application unless the city historic preservation planner finds no cause to refer the permit application to the historic preservation board based on the following standards:~~

- ~~(1) The structure:~~
- ~~a. Is not located in a historic neighborhood as identified by the ERLA Survey, entitled *City of Gainesville Comprehensive Preservation and Conservation Plan*, available in the department of planning and development services; and~~
  - ~~b. Is not, in the opinion of the historic preservation planner, a "landmark" structure in that it is not designed in an architectural "high style" or a recognized vernacular building pattern, and it does not have historic events or persons associated with it;~~
- ~~or~~
- ~~(2) The structure has been substantially burned or damaged by an event not within the landowner's control with more than 50 percent of the structure affected.~~
- ~~(c) If the demolition request does not meet the above standards and the delay is imposed, the application will be referred by the historic preservation planner to the historic preservation board for consideration, and the applicant will be notified by mail of the delay and the date of the next regularly scheduled historic preservation board meeting not less than ten days after the referral, and the process for appeal due to economic hardship. The historic preservation board and its authorized designees shall be permitted access to the premises and to the subject structure during the 90-day period at reasonable times by appointment with the owner or proprietor for the purpose of photographing, measuring, and documenting information concerning the structure or site.~~
- ~~(d) At the next regularly scheduled meeting not less than ten days after the referral is received, the historic preservation board may waive the demolition delay if the applicant can demonstrate economic hardship, with consideration given to the economic impact of the delay on the applicant and the reasonableness of the applicant carrying out the decision of the board.~~
- ~~(1) In the event that economic hardship due to the effect of this section is claimed by an owner, the historic preservation board may require from the property owner any or all of the following information before it makes a decision on the application, as long as such information is relevant for the historic preservation board to decide whether an economic hardship exists:~~
- ~~a. A report from a licensed engineer, contractor or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;~~
  - ~~b. The estimated market value of the property in its current condition, after completion of the proposed demolition, and after redevelopment of the existing property for continued use;~~
  - ~~c. An estimate from an architect, licensed contractor, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;~~

~~d. The amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.~~

~~(2) If the property is income producing, the historic preservation board may also require:~~

~~a. The annual gross income from the property for the previous two years, itemized operating and maintenance expenses for the previous two years, and depreciation deductions and annual cash flow before and after debt service, if any, during the same period;~~

~~b. The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years;~~

~~c. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property;~~

~~d. Any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two years;~~

~~e. The assessed value of the property according to the two most recent assessments;~~

~~f. The real estate taxes for the previous two years;~~

~~g. The form of ownership or operation of the property, whether sole proprietorship, for profit or not for profit corporation, limited partnership, joint venture, or other;~~

~~h. Any other information considered necessary by the preservation board to a determination as to whether the property does yield or may yield a reasonable return to the owners.~~

~~(e) After invoking a demolition delay, the historic preservation planner shall post the subject property with a sign notifying the public of the owner's intent to demolish the structure in order to allow interested parties to come forward and move the structure upon consent of the owner.~~

~~Sec. 6-20. Temporary boarding and sealing of buildings; permit required.~~

~~(a) A permit must be obtained before any building is boarded and sealed. An application for a permit shall be filed in the department designated by the city manager. The permit shall expire one year after it is issued.~~

~~(b) The application for initial permit shall contain the following information:~~

~~(1) Location of building by street address and tax parcel number.~~

~~(2) Name, mailing address and telephone number of owner.~~

~~(3) Name, mailing address and telephone number of individual applying for the permit, if other than owner.~~

~~(4) Reason for boarding and sealing building.~~

- ~~(5) Length of time building is expected to remain boarded and sealed.~~
- ~~(6) Whether utilities will be turned off during the time the building is boarded and sealed.~~
- ~~(c) The individual to whom the permit is issued shall comply with the vacant property standards in section 16-20 within 20 days and shall remain in compliance during the permit period.~~
- ~~(d) Starting October 1, 2000, the city manager or designee shall inspect any building for which a board and seal permit or renewal of permit is being sought. If the city manager or designee finds that a building is so dilapidated or has become so out of repair as to be unsafe or otherwise unfit for human habitation or occupancy, as these terms are defined in chapter 16 of this Code, and that it is unreasonable to repair such building considering the cost to repair and the expected market value of the property after repair, the city manager or designee shall order the owner of the building to demolish and remove such building. No board and seal permit shall be issued or renewed for a building that has been ordered demolished and removed.~~
- ~~(e) Starting October 1, 2000, a fee shall be collected with the application for permit, to cover the costs of inspection of the building.~~

~~Secs. 6-21—6-30. Reserved.~~

### ~~ARTICLE III. ELECTRICAL CODE~~<sup>[a]</sup>

#### ~~DIVISION 1. GENERALLY~~

##### ~~Sec. 6-31. Definitions.~~

~~As used in this article, unless the context clearly indicates otherwise, the following words and terms shall have the meanings ascribed to them in this section:~~

~~*Approved* shall be held to mean acceptable to the authority enforcing this article.~~

~~*Electrical construction* shall include and govern all work and materials used in installing, maintaining, or extending any system of electrical wiring, for light, heat or power, and all apparatus and appurtenances used in connection therewith, inside of or attached to any building, structure, or premises located in the city or served with electricity from the city's distribution system.~~

~~*Electrical inspector* shall mean a person who possess the necessary training and technical knowledge and who has been appointed by the city manager to inspect electrical wiring for the city.~~

##### ~~Sec. 6-32. Enforcement.~~

~~The enforcement of this article shall be under the supervision and control of the city manager.~~

~~Sec. 6-33. Purpose of article.~~

~~For the better protection of life and property and in the interest of public safety, this article is hereby adopted for the sale, installation, use, repair and maintenance of electrical wiring, apparatus or equipment for light, heat and power inside of or attached to buildings within the limits of the city or served by electricity through the distribution system of the city.~~

~~Sec. 6-34. Reserved.~~

~~Sec. 6-35. Temporary connections.~~

~~The electrical inspector may permit the temporary connection of any system of wiring, either during the course of construction or for temporary light, heat or power, provided that no temporary connection shall be for a period of over 30 days or such time as shall be specified in writing by the electrical inspector. All provisions for temporary connections shall be made by a certified electrician.~~

~~Sec. 6-36. Service wires and tubing.~~

~~(a) The various service voltages shall be as follows:~~

- ~~(1) Single phase services 120/240 volts, three wire;~~
- ~~(2) Three phase services 240 volt, three wire;~~
- ~~(3) Three phase services 120/208 volts, four wire;~~
- ~~(4) Three phase services 120/240 volts, four wire.~~

~~All service voltages in excess of those listed shall first be approved by the director of public utilities.~~

~~(b) Service equipment and electrical panels shall not be located in closets, bathrooms, under stairways or in any location which will cause it to be inaccessible, or create a hazard to life or property.~~

~~(c) Service wires, service conduit and service equipment shall be installed by the electrician installing the interior wiring. All underground service conduit shall extend up the pole to within one foot of the secondaries. Wires projecting from the service head shall not be less than three feet in length.~~

~~(d) In residences having an enclosed area in excess of 600 square feet, the service panel shall have spare space for two double pole circuit breakers, or, if fuse panels are used, space for two double pole fuse disconnects.~~

~~Sec. 6-37. Location of service entrance.~~

~~The electrical inspector, together with an authorized representative of the department of public utilities, shall designate the location of the service entrance to the building, and once the point of service entrance to the building has been designated, it shall not be changed without the consent of both. There shall be a minimum of at least ten feet from lowest point of service drop to existing grade level. No more than seven feet of unprotected service entrance conductors shall enter a building.~~

~~Sec. 6-38. Meters and meter loops.~~

~~All meters used by the city for the purpose of measuring electrical energy on the consumer's premises shall be the property of the city and shall be installed by employees of the city. All wiring necessary for the connecting of the meters and/or metering equipment shall be furnished by the owner, lessee or agent and installed by the electrician installing the interior wiring. Meter loop wires for single phase meters shall not be less than 12 inches long measured from the top of a switch box. Meter loop wires for three phase meters shall not be less than 20 inches long, measured from the top of a switch box. Except by special permission from the electrical inspector, all meters for residential buildings shall be outdoor socket type meters; no socket type meter shall be installed less than 5½ feet above the ground; no socket type meter shall be installed more than 6½ feet above the ground. Meters shall not be located in closets, bathrooms, under stairways or in any location which will cause them to be inaccessible or create a hazard to life or property.~~

~~Sec. 6-39. Reserved.~~

~~Sec. 6-40. Unlawful to bridge or tamper with circuit breakers.~~

~~It shall be unlawful for any person or persons to in any manner bridge a rise of an automatic circuit breaker or change it so it will not properly protect the circuit in which it is connected.~~

~~Sec. 6-41. Reserved.~~

~~Sec. 6-42. Installation of wiring by owner.~~

~~Nothing in this Code shall prevent any homeowner from installing electrical wiring within his/her own property boundaries, provided the installation is done by himself/herself, and is used exclusively by him/her or his/her family. Such privilege does not convey the right to violate any of the provisions of this Code, nor is it to be construed as exempting any property owner from obtaining a permit and paying the~~

~~required fees therefor. The wiring shall be approved by the electrical inspector before the electricity is connected to it.~~

~~Secs. 6 43—6 55. Reserved.~~

## ~~DIVISION 2. PERMITS~~

~~Sec. 6 56. Required for electrical construction.~~

~~(a) A permit will be required in all new construction to install, change, alter or repair any existing electrical wiring, apparatus or equipment within the limits of the city or served by electricity through the distribution system of the city, except that permits will not be required for making repairs to existing wiring provided that such repairs will not change or alter the wiring or apparatus connected thereto. Each meter installation shall constitute a separate installation and a separate permit shall be required for each. All repairs to existing meter cans shall be permitted. All permits shall be signed by the electrical inspector. The electrical inspector shall have the authority to reject any application for a permit which does not comply with the provisions of this article. No service will be connected at any location unless a permit as required by the terms of this section has been issued for the installation, alteration or repair of the electrical wiring, apparatus or equipment at such location. A permit shall be required for the installation of all neon lighting and signs, inside or outside of a building.~~

~~(b) Conditions of the permit. A 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 commenced. One extension of time for a period not more than 90 days may be permitted if cause is demonstrated. Such extension shall be made in writing by the building official.~~

~~Sec. 6 57. Issued only to master electricians; exceptions.~~

~~Except as provided in section 6 76, permits shall be issued to master electricians only. Master electricians shall make application for electrical permits at the office of the electrical inspector. The master electrician shall furnish a complete set of plans and specifications on all large and complicated jobs, and such other information as shall be required before the permit is issued. The electrical inspector shall examine all applications for permits to determine if they conform to the provisions of this article.~~

~~Sec. 6 58. Applications to be in writing.~~

~~All applications for permits to install, change, alter or repair electrical wiring, apparatus or equipment shall be in writing and on forms furnished by the city.~~

~~Sec. 6 59. Reserved.~~



~~Secs. 6-60—6-70.—Reserved.~~

~~DIVISION 3.—INSPECTIONS~~

~~Sec. 6-71.—Electrical inspector—Appointment; qualifications.~~

~~The electrical inspector shall be appointed by the city manager. The electrical inspector shall have the necessary training and technical knowledge to enable him/her to carry on the duties of office. The electrical inspector shall not have less than ten years' practical experience at the trade of electrical construction, or, if the electrical inspector is a graduate of an accredited school of electrical engineering, he/she shall have not less than four years' practical experience at the trade of electrical construction.~~

~~Sec. 6-72.—Same—Duties and powers.~~

~~It shall be the duty of the electrical inspector to inspect all buildings, structures or premises in or on which electrical wiring, apparatus or equipment is to be used, in the course of erection or repair, and to enter into and examine any building where electric current is utilized for light, heat or power for the purpose of ascertaining any violation of this article and enforcing compliance therewith. Upon finding any wiring, apparatus or equipment defective or dangerous, the electrical inspector shall deliver a written notice of the violation of this article, or of any regulation of the city commission to the constructing contractor, owner or agent of any building, and direct him/her to promptly remove or repair the defective wiring, apparatus or equipment within a reasonable time. The time allowed for making the repairs shall be stated in the notice and should the responsible party neglect or refuse to remove or repair the defective wiring, apparatus or equipment within the specified time stated in the notice, the party so offending shall be punished as provided in this chapter, and shall cease to use the wiring, apparatus or equipment until after it has been repaired, altered or changed and made to comply with the provisions of this article. The electrical inspector shall have the authority to disconnect the current from any wiring which is immediately dangerous to life or property.~~

~~Sec. 6-73.—Same—To have access to building.~~

~~The electrical inspector shall have the right to enter any building, manhole or subway during any reasonable hour of the day in the discharge of his/her duties, for the purpose of making any tests on the electrical wiring, apparatus or equipment therein contained, and for that purpose he/she shall be given prompt access to all buildings, private and public, and to all manholes and subways, on application to the person owning, or in charge of same. It shall be unlawful for any person to interfere with, or in any manner hinder the electrical inspector, or any of his/her assistants, while in the discharge of his/her duty under the terms of this article.~~

~~Sec. 6-74. Concealing wiring before inspection declared unlawful.~~

~~It shall be unlawful for any person to conceal or enclose any wiring before it has been inspected and approved by the electrical inspector.~~

~~Sec. 6-75. Wiring to be inspected; to conform to provisions of this article.~~

- ~~(a) Except as provided for in section 6-35, no system of electrical wiring shall be connected to the distribution lines of the city and no current shall be supplied through any system of electrical wiring which has not been inspected and approved by the electrical inspector.~~
- ~~(b) No additions or extensions shall be connected to any system of electrical wiring which does not conform to the provisions of this article until after it has been changed or altered and made to conform to the requirements of this article.~~
- ~~(c) Any existing system of electrical wiring, apparatus or equipment which is immediately dangerous to life or property shall be cut off and the electrical service shall not be again reconnected to the distribution lines of the city until after it has been repaired, changed or altered and made to conform to the requirements of this article.~~
- ~~(d) No electrician, owner, lessee or agent shall increase the load on any wiring system without first consulting the electrical inspector.~~

~~Sec. 6-76. Electrician to be responsible for complete installation.~~

~~The electrician installing the interior wiring in any building, structure or premises shall be required to and it shall be his/her duty to see that all equipment is protected from the weather before applying for final inspection. It shall also be his/her duty to see that installation is complete in every detail.~~

~~Sec. 6-77. Inspections; application; notices; reinspections; fee.~~

- ~~(a) Electrical wiring will not be considered ready for inspection until all plumbing, pipe work, and major structural units in which permanent wiring is to be installed are in place. After the wiring is complete and all plumbing and piping in place, the master electrician shall notify the electrical inspector that the wiring is ready for inspection. The electrical inspector shall, as soon as possible thereafter, inspect the wiring, apparatus, equipment or appliance, and should he/she find they have been installed in a satisfactory manner and in accordance with the terms of this article, he/she shall place a notice at the service equipment or some other suitable place stating the electrical wiring and equipment in connection therewith has been inspected and approved. If, after inspecting the wiring or apparatus, the electrical inspector should find that it does not conform to this article, he/she shall notify, the contractor, owner or agent in charge of the property that the wiring, apparatus or equipment has been condemned, and that the same shall not be covered or concealed until after it has been changed to meet the provisions of this article.~~

- ~~(b) The electrical inspector shall reinspect the condemned work only on another notice from the master electrician in charge of the work. Should it become necessary to make a third inspection before the approval of the work, the electrical inspector shall do so only on notice from the master electrician in charge of the work, together with a receipt showing that a reinspection fee has been paid.~~
- ~~(c) All requests for inspection shall be in writing made to the electrical inspector or his/her representative. Applications for morning inspection shall be in the office of the electrical inspector before 5:00 p.m. the preceding day, and for afternoon inspections, before 12:00 noon on the same day.~~
- ~~(d) Twenty four hours will be allowed for the inspector to make inspection and report, Sundays and holidays not included. On large and complicated jobs, the wiring may be inspected in sections.~~

~~Secs. 6-78—6-90. Reserved.~~

#### ~~ARTICLE IV. PLUMBING CODE<sup>f41</sup>~~

~~Sec. 6-91. Definitions.~~

~~As used in this article, unless the context clearly indicates otherwise, the following words and terms shall have the meaning ascribed to them in this section:~~

~~*Approved* shall be held to mean acceptable to the authority enforcing this article.~~

~~*Plumbing* is the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: Sanitary drainage and storm drainage facilities, venting systems and public or private water supply systems within or adjacent to any building, structure or conveyance; also, the practice and materials used in the installation, maintenance, extension or alteration of storm water or liquid waste or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.~~

~~*Plumbing inspector* shall mean a person who possesses the necessary training and technical knowledge as set forth in this article, and who has been appointed by the city manager to inspect plumbing installation for the city.~~

~~Sec. 6-92. Enforcement.~~

~~The enforcement of this article shall be under the supervision and control of the city manager.~~

~~Sec. 6-93. Intent.~~

~~For the better protection of life and property, and in the interest of the public safety, this article is hereby adopted for the sale, installation, use, repair and maintenance of plumbing, plumbing apparatus and equipment inside of or attached to buildings within the limits of the city or served by water through the distribution system of the city. All plumbing installed within the city shall conform to the ordinances and regulations passed by the city commission.~~

~~Sec. 6-94. Plumbing inspector.~~

~~The plumbing inspector shall have at least five (5) years' practical experience and shall not be directly or indirectly engaged in any way with any firm or corporation engaged in business in contracting or installing plumbing, plumbing supplies and fixtures. Duties of the plumbing inspector shall be as follows:~~

- ~~(1) Examine plans and specifications;~~
- ~~(2) Issue permits;~~
- ~~(3) Inspect the installation, alteration or repairs of plumbing, drainage and sanitation;~~
- ~~(4) Keep the records of his/her office and render monthly reports to the city manager.~~

~~Sec. 6-95. Permits required for plumbing construction.~~

~~A permit will be required to install, change, alter or repair any plumbing, plumbing apparatus or equipment within the limits of the city or served by the water, sanitary sewer, or storm sewer through the distribution system of the city, except that permits will not be required for making repairs to existing systems, provided that the repairs will not change or alter the plumbing or apparatus connected thereto. All permits shall be signed by the plumbing inspector. No person shall disturb or remove any public work or materials on any public street, or turn, lift, remove, raise, or tamper with any cover on any manhole, basin, inlet or other appurtenance of any public sewer without a permit from the plumbing inspector which permit shall be kept on the job to be exhibited to the person authorized to examine same. Permits for all rainwater pipes, sewers, sewer plumbing or appurtenances thereto, are given on the condition that the owner, builder or occupant assumes all risk of damage that may result from the installation of same. All permits must be kept on the job and be in the possession of the person having charge of or performing the work. All permits shall be exhibited upon request to do so by any authorized person.~~

~~Sec. 6-96. Reserved.~~

~~Sec. 6-97. Installation of plumbing by owner.~~

~~Nothing in this Code shall prevent any homeowner from installing or maintaining plumbing within his/her own property boundaries, provided the plumbing work is done by himself/herself and is used exclusively by him/her or his/her family. Such privilege does not convey the right to violate any of the provisions of this Code, nor is it to be construed as exempting any such property owner from obtaining a permit and paying the required fees therefor. The plumbing shall be approved by the plumbing inspector before use.~~

~~Sec. 6-98. Reserved.~~

~~Sec. 6-99. Reserved.~~

~~Secs. 6-100 – 6-115. Reserved.~~

#### ~~ARTICLE V. GAS CODE~~

~~Sec. 6-116. Definitions.~~

~~The following definitions along with those contained in the code referred to in section 6-121 are provided for the purpose of interpretation and administration of this article:~~

~~*Certain appliances* means conversion burners, floor furnaces, central heating plants, vented recessed heaters, water heaters and boilers.~~

~~*Certificate of approval* means a document or tag issued and/or attached by the inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the inspector.~~

~~*Gas* means fuel gases such as natural gas, manufactured gas, undiluted liquefied petroleum gas air mixtures, or mixtures of any of these gases.~~

~~*Gas company* means any person or firm distributing gas within the corporate limits of the city or authorized and proposing to so engage.~~

~~*Inspector* means the person appointed as inspector, and shall include each assistant inspector (if any) from time to time acting as such under this article by appointment of the city manager.~~

~~Sec. 6-117. Title; scope.~~

~~(a) This article shall be known as the "Standard Gas Code of the City of Gainesville" and may be cited as such.~~

~~(b) The purpose of this article is to provide minimum standards, provisions and requirements for installation of consumer's gas piping, certain gas appliances, and the storage and handling of gas in order to protect the public health, safety and welfare. All such gas piping and gas appliances installed, replaced, maintained, or repaired, and all gas stored and handled within the corporate limits of the city shall conform to the applicable requirements of this article.~~

~~Sec. 6-118. Permits required to install certain appliances, do certain piping work; exceptions.~~

~~(a) No person shall install a gas conversion burner, floor furnace, central heating plant, vented recessed heater, water heater, boiler, consumers' gas piping, or convert existing piping to utilize natural or liquefied petroleum gases without first obtaining a permit to do such work from the city.~~

~~(b) Permits will not be required for setting or connecting gas appliances other than the ones listed in subsection (a) above, or for the repair of leaks in house piping. Gas companies shall not be required to obtain permits to set meters or to extend, relocate, remove or repair its service lines, mains or other facilities, or for work having to do with its own gas system.~~

~~Sec. 6-119. Inspections.~~

~~Final piping inspection shall be made after all new piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plaster or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test in compliance with the Standard Gas Code adopted in section 6-121.~~

~~Sec. 6-120. Reserved.~~

~~Sec. 6-121. Reserved.~~

~~Sec. 6-122. Reserved.~~

~~Secs. 6-123-6-135. Reserved.~~

## ~~ARTICLE VI. MECHANICAL CODE~~

~~Sec. 6-136. Intent and purpose.~~

~~It is the legislative intent of the city commission by this article to protect persons paying for construction and installation of heating, air conditioning, refrigeration and ventilation facilities in this city from the dangers of dealing with persons holding themselves out to be qualified heating, air conditioning, refrigeration and ventilation contractors who are not reasonably knowledgeable and competent and of good character. This article is declared to be remedial and shall be construed to secure the~~

~~beneficial interest and purpose of providing for the general health, safety, and welfare of the inhabitants of the city by regulating the installation and servicing of heating, air conditioning, refrigeration and ventilation equipment.~~

~~Sec. 6-137. Applicability.~~

~~The provisions of this article shall apply to all installation, maintenance and servicing of heating, air conditioning, refrigeration and ventilation equipment or systems within the city, and to all persons engaging in or holding themselves out to be qualified heating, air conditioning, refrigeration or ventilation contractors within the city.~~

~~Sec. 6-138. Reserved.~~

~~Sec. 6-139. Reserved.~~

~~Sec. 6-140. Reserved.~~

~~Secs. 6-141-6-155. Reserved.~~

## ~~ARTICLE VII. SWIMMING POOLS<sup>(5)</sup>~~

~~Sec. 6-156. Definitions.~~

~~The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:~~

~~*Fences, walls or screening* shall mean suitable fences, walls or screened enclosures so constructed as to not have openings, holes or gaps larger than eight inches in any dimension, except for door and gate openings, or alternatively so as to not have openings, holes or gaps larger than four inches in either the width or height dimension and unlimited in the other of these two dimensions when the fence is built of a rigid and inflexible material. The fences or walls must be constructed of substantial building material such as wood, masonry or steel which will prevent passage. Screen structures designed and built for the purpose of completely enclosing swimming pools and constructed of substantial material shall be acceptable. All fences, walls and screening must be maintained in a condition which sufficiently satisfies the objective and requirements stated in this article. Hedges shall not be acceptable.~~

~~*Private swimming pool* shall include all constructed or prefabricated pools that are used as a swimming pool in connection with a single family residence and available only to the family of the householder and his/her private guests.~~

~~*Swimming pool* shall mean any body of water in an artificial or semiartificial receptacle or other container located outdoors which is constructed in such a manner as~~

~~to permit a water depth of 18 inches or more and is used or intended to be used for swimming.~~

~~Sec. 6-157. Purpose.~~

~~The purpose of this article is to secure fences, walls or screening around swimming pools in order to protect young children and other persons from drowning or other injuries.~~

~~Sec. 6-158. Applicability.~~

- ~~(a) This article shall apply only to a private swimming pool the construction of which was begun after June 16, 1980 and that passed final inspection prior to October 1, 2000. Enclosure of swimming pools as specified in the provisions of this article shall be inspected and approved at the time of final construction inspection by the building official or his/her designated inspector.~~
- ~~(b) All private swimming pools that have not passed final inspection prior to October 1, 2000 must meet the requirements of F.S. ch. 515, (the Preston de Ibern/McKenzie Merriam Residential Swimming Pool Safety Act).~~

~~Sec. 6-159. Enclosure required.~~

- ~~(a) All private swimming pools shall be enclosed with a fence or wall at least four feet in height except pools provided with other structures prohibiting unrestrained admittance to the enclosed area. Any structure used other than a fence or wall shall meet all zoning setbacks as required in chapter 29. A single family dwelling may be enclosed within the fenced area. Any dwelling structure may be used as a part of the enclosure. All gates or doors opening through the enclosure shall be equipped with self-closing and self-latching devices for keeping the gates or doors securely closed at all times when not in actual use, except that the door of any dwelling house which forms a part of the enclosure need not be so equipped. The latching device shall be located on the pool side of the door or gate, except where access to the pool opens into a dwelling or pool house.~~
- ~~(b) No person in control or possession of land within the city, either as owner, purchaser, lessee, tenant or as licensee, upon which a private swimming pool is situated shall fail to provide and maintain such fence or other enclosure as specified by this article.~~

~~Secs. 6-160-6-175. Reserved.~~

~~ARTICLE VIII. CONSTRUCTION TRADES REGULATIONS~~

~~DIVISION 1. GENERALLY~~

~~Sec. 6-176. Definitions.~~



Generally, terms in this article have their ordinary, accepted meanings in the construction industry. The following specific definitions apply:

~~*Apprentice or helper* means a person employed in a trade or craft specified in section 6-185 for the purpose of learning that trade or craft through practical experience under the direction and supervision of certified master or journeyman craftsmen.~~

~~*Contractor* means a person who engages in business, under express or implied contract, in the performance of those construction trades specifically included in section 6-185, or who undertakes or offers to undertake or purports to have the capacity to undertake, or submits a bid to, or does himself/herself, or by or through others, engage in the business of doing such a construction trade. Neither a person who only furnishes material, supplies or equipment without consuming them in the performance of the work of a contractor, nor a person who engages in the activities herein regulated as an employee with wages as his/her sole compensation, is a contractor.~~

~~*Contractor certificate* means a certificate of competency issued by the city prior to August 1, 1995, which certifies that its holder has met this article's requirements to engage in business as a contractor in the category indicated on the certificate. A contractor certificate is not a business tax receipt.~~

~~*Craftsman certificate* means a certificate of competency issued by the city which certifies that its holder has met this article's requirements and is competent to perform the trade or craft indicated on the certificate. A craftsman certificate does not qualify the holder to engage in business as a contractor.~~

~~*Journeyman craftsman* means a person who has been examined by the city and found to have the required skill, knowledge and experience to do the work in the performance of a particular trade or craft and holds a current valid journeyman craftsman certificate issued by the city.~~

~~*Master craftsman* means a person who has been examined by the city and found to have the required skill, knowledge and experience to plan, layout, supervise and do the work of a particular trade or craft and who holds a current valid master craftsman certificate issued by the city.~~

~~*Qualifying agent* means a person who holds a current master craftsman certificate issued by the city and who is employed and designated by a contractor, in writing, to serve as qualifying agent, and who has agreed, in writing, to serve as qualifying agent for that contractor and no other.~~

~~Trade and craft mean occupations in the construction field which require skill, knowledge, manual ability and experience to perform, and include only those specific occupations provided in section 6-185.~~

~~Sec. 6-177. Purpose.~~

~~In order to protect the public health, safety and welfare, it is declared necessary to establish regulations to ensure that persons engaged in the contracting for a performance of certain trades, construction, equipping and installations of and in buildings and structures are competent to perform their work and possess the experience, education, skill and financial capability to adequately produce construction, equipment and installation which are safe to persons and property.~~

~~Sec. 6-178. Scope.~~

~~This article includes the work of craftsmen and contractors as provided in section 6-185 on private and public property, except:~~

- ~~(1) Utilities. Work performed by the employees or contractors of a public utility, including railroads, and communications utilities, on equipment, rights of way, easements and operating facilities of the utility and which is not, by reason of that special use, normally or usually performed by craftsmen or contractors regulated by this article;~~
- ~~(2) Certain equipment and machinery. Work on ships, aircraft, automotive, mine and industrial process equipment and operating machinery;~~
- ~~(3) Conflict with state or federal law. Work upon a site or project where federal or state law supersedes this article; and~~
- ~~(4) Registration and certification under state law. Work performed by contractors in the various construction trades who do not hold a contractor certificate issued by the city and who are certified or registered as provided by state statutes, except as provided in section 6-196.~~

~~Sec. 6-179. Contractor certificate—Required to engage in business.~~

- ~~(a) Generally. It is unlawful for any person to engage within the city in the business or act in the capacity of a contractor as provided in section 6-185 without a valid contractor certificate as provided in this article.~~
- ~~(b) Bidding on city projects. Any person who bids or proffers a bid to the city on any public works project within the scope of this article shall, at the time the bid or proffer of bid, hold a valid contractor certificate issued by the city qualifying him/her to perform the work proposed by the bid and contract documents.~~
- ~~(c) Sunsetting city certification program. As of August 1, 1995, the City of Gainesville will no longer test or certify construction contractors for local licenses. Any contractor not~~

~~certified by the city prior to August 1, 1995, and desiring to work in the city on or after August 1, 1995, must be certified by the State of Florida as provided in F.S. Ch. 489.~~

- ~~(d) Grandfathering current certificate holders. Any construction contractor who has a valid active certificate from the construction trades advisory board of the city as of August 1, 1995, may continue to perform the work for which certified provided the certificate is renewed as provided in section 6 193.~~

~~Sec. 6 180. Same Application.~~

~~The applicant for a craftsman certificate shall apply on a form prescribed by the building official. The building official shall retain the application and all supporting papers as a permanent record as long as the certificate issued thereon is valid and then in accordance with records retention requirements.~~

~~Sec. 6 181. Bond and insurance requirements of contractors.~~

~~Every contractor, except contractors holding a current state certification of competency, shall file with the building official a surety bond payable to the city in the amounts indicated below, executed by a surety company authorized to do business in the state with the following conditions:~~

- ~~(1) The contractor shall protect the city and the owner of premises on which the contractor does any work against all loss or damage occasioned by the negligence of the contractor in failing to promptly execute and protect all work done by him/her or his/her employees, or done under his/her direction or supervision, and against all loss or damage occasioned by or arising in any manner from any such work which is not caused by the negligence of the city, its agents or employees. If a person shall hold a contractor's certificate in more than one craft then a bond must be provided for each craft.~~
- ~~(2) The contractor shall comply with all ordinances in force from time to time in the city relating in any way to the work done by him/her.~~
- ~~(3) The bond is for the benefit of all persons injured or aggrieved by any violation of or neglect or observe the laws of the state and ordinances of the city related to work done by the contractor or to the rules and regulations established under the authority of those laws and ordinances.~~
- ~~(4) The city shall receive thirty days' written notice by certified mail to the building official before cancellation or any material change becomes effective. The bond and renewals thereof shall be approved by the legal division as to form. Bond renewals shall be filed as necessary to keep the required coverage in force.~~
- ~~(5) Bond amounts are as follows:
  - ~~a. Building contractor, \$10,000.00;~~
  - ~~b. Master craftsman, \$10,000.00;~~~~

~~e. Specialty craftsman, to include any other building or construction trades not otherwise covered, including but not limited to roofers, siding, service drains and cleaning, plasters, cement finishers, brick or block masons and similar trades, \$5,000.00;~~

~~d. Consumer gas piper, \$1,000.00.~~

~~(6) Liability insurance.~~

~~a. Every contractor shall furnish the building official evidence that the contractor has in full force and effect a policy of public liability insurance with respect to such contractor's business, trade or occupation issued by an insurance company authorized to do business in the State of Florida. The amounts of the policy shall be at least equal to but not limited to those amounts required by the State of Florida.~~

~~b. If such insurance expires or is at any time canceled, then the certification or registration of such person shall be immediately and automatically suspended; and it shall be unlawful thereafter for the person to engage in such business until the certification or registration is reinstated.~~

~~c. Worker's compensation insurance. Except as exempted by law, every contractor shall maintain worker's compensation insurance issued by an insurance company authorized to do business in this state as required by law. Evidence of such insurance shall be filed with the building official.~~

~~Sec. 6 182. Qualifications for obtaining permits.~~

~~Except as otherwise provided by law, application for a permit to perform work within the scope of this article will be accepted only from a contractor holding a current contractor certificate and business tax receipt required by law and ordinance, against whom no revocation or suspension of any of the required certificates or licenses is pending. An application for a permit shall be signed by the qualifying agent of the contractor where required.~~

~~Sec. 6 183. Persons without certificates representing themselves as contractors.~~

~~It is unlawful for a person required to possess a current contractor certificate, not possessing such a certificate:~~

~~(1) To advertise to the public in a newspaper, airwave transmission, or telephone directory, or otherwise, that the person is a contractor, or is qualified to engage in business as a contractor, or~~

~~(2) To hold himself/herself out as a contractor as plaintiff or defendant in any court of this state.~~

~~Sec. 6 184. Contractor identification.~~

~~(a) *Vehicles.* Every contractor doing business in the city shall identify all of his/her vehicles used to transport materials and equipment to a job site, by placing thereon, his/her identification, by name or symbol, and his/her contractor certificate number, each in at least two (2) locations in at least two inch letters.~~

~~(b) *Advertising.* Every contractor doing business in the city shall include his/her contractor certificate number in any advertising to the public in a newspaper, airwave transmission, telephone directory, or otherwise.~~

~~Sec. 6 185. Trades, crafts and contractors.~~

~~(a) *Generally.* Except as otherwise provided by law, it is unlawful for any person to engage in contracting, trade or craft as specified in this section without a certificate issued by the city for the particular construction, trade or craft engaged in. But a worker, helper or apprentice who is not so certified may work at such a trade or craft if he/she is employed by a contractor qualified in the trade or craft and he/she is working under the direct supervision of a certified craftsman on the job site as provided in section 6 186(b). It is the employing contractor's responsibility to provide certified craftsmen on each job site, and failure to do so is a violation of this article. It is also unlawful and a violation of this article for any person not possessing a valid craftsman certificate issued by the city to represent himself/herself as holding one, or to do any work requiring one except under the direct supervision of a certified craftsman. This article applies only to the trades, crafts and contractors specifically provided for in this section.~~

~~(b) *Electrical construction:*~~

~~(1) *Scope.* For purposes of this article, "electrical construction" means the practice, materials and equipment used in the installation, maintenance, extension and alterations of a system of electrical wiring for light, heat, fire alarm systems, burglar alarm systems or power and all appurtenances thereto, and all apparatus and equipment used in connection therewith, within or adjacent to any building or structure, excluding:~~

~~a. A wiring and electrical system in an elevator installation located beyond the elevator disconnect switch;~~

~~b. Wiring and equipment in a signaling, public address or communications system located beyond the branch circuit serving the equipment;~~

~~c. Low voltage control wiring and an electrical system within an air conditioning or heating system and similar equipment, which wiring or system constituted the original equipment installed by the manufacturer.~~

~~(2) *Certificate of competency required.* It is unlawful for any person required by subsection (a) to have a craftsman certificate to engage in the trade of electrician or to do electrical construction for others unless he/she holds a valid craftsman certificate issued by the city or state as a master, residential journeyman or journeyman electrician. It is unlawful for any person to engage in the business of electrical~~

contractor unless he/she holds a valid contractor certificate in that category issued by the city or by the state.

~~(c) Plumbing:~~

~~(1) Scope. For purposes of this article, "plumbing" means the practice, materials and equipment used in the installation, repair, maintenance, extension and alteration of all piping, fixtures, appliance and appurtenances in connection with a sanitary or storm drainage facility, venting of a sewerage system, a liquid waste and a sewage disposal system, and a water supply system, within or adjacent to any building or structure, excluding:~~

- ~~a. The extension or installation of collector and distribution lines (not including lateral lines or lines serving only individual buildings or structures) of a sanitary or storm drainage system and a water supply system;~~
- ~~b. Piping and water circulation equipment in a swimming pool, exclusive of the connections to a public water supply or sewerage system;~~
- ~~c. Fire sprinkler piping, fire hose cabinets and standpipes for fire protection purposes only.~~

~~(2) Certificate of competency required. It is unlawful for any person required by subsection (a) to have a craftsman certificate to engage in the trade of plumber or to do plumbing work for others unless he/she holds a valid craftsman certificate, issued by the city, as a master or journeyman plumber. It is unlawful for any person to engage in the business of plumbing contractor who does not hold a valid contractor certificate in that category issued by the city or the state.~~

~~(3) Drain and sewer cleaner contractor. Notwithstanding other provisions of this section, the building official shall:~~

- ~~a. Establish a certificate of competency classification to be known as drain and sewer cleaner contractor and certify persons in such classification as qualified to perform the work required for the cleaning, unstopping and rodding out of drains and sewers, provided the work is done through established cleanout plugs or vents and does not involve breaking into pipes, removal of fixtures or other disturbance to the drainage piping and system;~~
- ~~b. Adopt rules to regulate the issuance, suspension and revocation of certificates of competency, including the requirement for an examination, the payment of reasonable fees not to exceed those applicable to journeyman craftsmen, the issuance of temporary certificates, and other regulations found necessary by the building official to administer this subsection (c)(3);~~
- ~~c. Issue temporary certificates of competency for plumbing journeyman, provided applications for the certificates shall be endorsed by the qualifying agent of a certified plumbing contractor who shall be responsible for all work done under the temporary certificate and the person to whom the certificate is issued has applied for the next regular examination for plumbing journeyman. Temporary certificates~~

~~of competency for plumbing journeyman shall only be valid while the holder thereof is in the employ of the sponsoring plumbing contractor and until the next examination in such category.~~

~~(d) Heating, air conditioning, refrigeration and ventilation:~~

~~(1) Scope. For the purpose of this article, "heating, air conditioning, refrigeration and ventilation," to be noted herein as HARV, shall include the practice, materials and equipment used in the installation, repair, maintenance, extension and alteration of all appliances and appurtenances in connection with a heating, air conditioning, refrigeration and ventilation system, within or adjacent to any building or structure excluding:~~

- ~~a. Factory built appliances such as window air conditioners, prefab fireplaces, wood stoves, domestic refrigerators, kitchen ranges, space heaters, portable fans and other apparatus which is not normally included in the permanent construction of a dwelling;~~
- ~~b. Electrical radiant heating systems, electrical household appliances, electrical construction beyond the point of connection of HARV machinery to the electrical disconnect;~~
- ~~c. Any part of a plumbing system beyond the point of connection of HARV machinery to a water supply outlet or the discharge of HARV machinery drainage into an indirect waste disposal outlet;~~
- ~~d. Water heaters unless such water heater and all hot water or steam lines connected thereto are a part of the heating system and are not for domestic use;~~
- ~~e. Fire sprinkler and all piping of any fire protection system;~~
- ~~f. Gas piping not within a HARV system;~~
- ~~g. Any construction or installations included with the scope of electrical contractor or plumbing contractor as provided in subsections (b) and (c).~~

~~(2) Trade classifications. The following classifications of HARV are established:~~

- ~~a. Class A air conditioning contractor shall mean any person whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to perform the following: Installing, maintaining, repairing, fabricating, altering, extending or designing, when not prohibited by law, central air conditioning, refrigeration, heating, and ventilation, including duct work in connection with a complete system only to the extent the ductwork performed by the contractor is necessary to make complete an air distribution system, boiler and unfired pressure vessel systems, and all appurtenances, apparatus, or equipment used in connection therewith; also piping, insulation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, and installation of a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in~~

~~such a manner as to comply with all plans, specifications, codes, laws, and regulations applicable thereto. The scope of work for the contractor shall also include any excavation incidental thereto but shall not include any work on lines such as liquefied petroleum or natural gas fuel lines within buildings, potable water lines, or connections thereto, sanitary sewer lines, swimming pool piping and filters, and electrical power wiring.~~

- ~~b. *Class B air conditioning contractor* shall mean any person whose services are limited to twenty five (25) tons cooling and five hundred thousand (500,000) Btu heating (in any one system) in the execution of contracts requiring the experience, knowledge, and skill to perform the following: Installing, maintaining and repairing, fabricating, altering, extending or designing when not prohibited by law, central air conditioning, refrigeration, heating and ventilating, including duct work in connection with a complete system only to the extent such duct work performed by the contractor's necessary to make complete an air distribution system being installed under this classification; also piping, insulation of pipes, vessels and ducts, and installation of a condensate drain from an air conditioning unit to an existing safe disposal or other approved manner of disposal as to comply with all plans, specifications, codes, laws, and regulations applicable thereto.~~
- ~~c. *Class C air conditioning contractor* shall mean any person whose business is limited to the servicing of air conditioning, heating, or refrigeration systems, including duct alterations in connection with those systems being serviced.~~
- ~~d. *Mechanical contractor* shall mean any person whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to perform the following: Installing, maintaining, repairing, fabricating, altering, extending or designing, when not prohibited by law, central air conditioning, refrigeration, heating and ventilating, including duct work in connection with a complete system only to the extent the duct work performed by the contractor is necessary to make complete an air distribution system, boiler and unfired pressure vessel systems, lift station equipment and piping and all appurtenances, apparatus, or equipment used in connection therewith; also piping, insulation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, gasoline tanks and pump installation and piping for same, fire sprinkling systems and standpipes, air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines, and installation of a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner as to comply with all plans, specifications, codes, laws, and regulations applicable thereto. The scope of work for the contractor shall also include any excavation work incidental thereto, but shall not include any work on lines such as liquefied petroleum or natural gas fuel lines within buildings, potable water lines or connection thereto, sanitary sewer lines, swimming pool piping and filters, and electrical power wiring.~~



~~(3) *Certificate of competency required.* It is unlawful for any person required by subsection (a) to have a craftsman certificate to engage in the trade of a HARV mechanic or to do HARV work for others unless he/she holds a valid craftsman certificate, issued by the city, as a master or journeyman HARV mechanic in the appropriate classification. It is unlawful for any person to engage in the business of a HARV contractor who does not hold a valid contractor certificate in the category and classification issued by the city or by the state.~~

~~(e) *Contractor.*~~

~~(1) *Scope.* For the purpose of this article, the construction and home improvement industries are significant industries. Such industries may pose significant harm to the public when incompetent or dishonest contractors provide unsafe, unstable, or short-lived products or services. Therefore, it is necessary in the interest of the public health, safety and welfare to regulate the construction industry which shall include:~~

~~a. *General contractor,* whose services are unlimited as to the type of work which he/she may do, except by other types of certification by state.~~

~~b. *Building contractor,* which means a contractor whose services are limited to construction of commercial building and single dwelling or multiple dwelling, residential buildings, which commercial or residential buildings do not exceed three stories in height and accessory use structures in connection therewith, or a contractor whose services are limited to remodeling, repair, or improvement of any size building if the services do not affect the structural members of the building.~~

~~c. *Residential contractor,* which means a contractor whose services are limited to construction, remodeling, repair or improvement of one family, two family or three family residences not exceeding two stories in height and accessory use structures in connection therewith.~~

~~(2) *Certificate of competency required.* It is unlawful for any person required by subsection (a) to have a craftsman certificate to engage in the trade of construction or to do construction work for others unless he/she holds a valid contractor certificate, issued by the city or state. It is unlawful for any person to engage in the business of construction unless he/she holds a valid contractor certificate in that category issued by the city or by the state.~~

~~Sec. 6-186. Responsibilities of certified craftsman.~~

~~(a) *Disallow use of name to obtain permit for unlawful work.* It is unlawful for any contractor or master craftsman to allow his/her name to be used to obtain permits for work:~~

~~(1) Which is to be done by anyone who is not a bona fide employee of the contractor or master craftsman or of the entity for which the contractor or master craftsman works full time; or~~

~~(2) Which is not done under the supervision of the contractor or master craftsman.~~

- ~~(b) *Lawful work by lawful craftsman.* It is the responsibility of the contractor or master craftsman obtaining a permit under his/her name to ensure that:~~
- ~~(1) Work done under the permit complies with the law and regulations related to the work;~~
  - ~~(2) The work is done by craftsmen holding valid certificates where required; for this purpose, a certified craftsman is deemed to do the work if he/she is in direct charge of the work, is continuously present on the site where the work is being done, and is assisted by no more than four helpers.~~
- ~~(c) *Performance of work under improper or no permit declared unlawful.* It is unlawful for any contractor, master or journeyman craftsman:~~
- ~~(1) To do or assist in work for which a permit has been issued to any owner;~~
  - ~~(2) To do work for which no permit has been issued where required.~~
- ~~(d) *Registration of employer.* Each contractor and master craftsman serving as a qualifying agent shall register with the building official the name and place of business of his/her full-time employer. No contractor or master craftsman serving as a qualifying agent shall serve in that capacity more than one employer at a time. No master craftsman shall serve as qualifying agent for more than two contractors in any 12-month period.~~
- ~~(e) *Notification of change in employment.* Each contractor or master craftsman serving as a qualifying agent shall promptly notify the building official of a change in employment. If a contractor has obtained a permit for work to be done under the supervision of a master craftsman who later leaves the contractor's employ, work authorized by the permit may be done by qualified journeyman craftsmen, notwithstanding the lack of supervision by a master craftsman, but only as provided in section 6-190(b).~~
- ~~(f) *Qualifying agent generally.* Where a master craftsman has notified the building official, by endorsement of an application for a contractor's certificate or otherwise, that he/she is serving a contractor as qualifying agent, the master craftsman shall be held responsible under this Code for ensuring that all work done by the contractor is in compliance with all provisions of this Code applicable thereto. A qualifying agent is required to keep himself/herself informed of the status of work being performed by his/her employing contractor and to carry out the responsibilities delineated by this section. It is the express intent of these regulations that a master craftsman serving as a qualifying agent will be physically capable of carrying out his/her responsibilities at all times while employed in that capacity.~~

~~Sec. 6-187. Certificates for journeymen.~~

~~A certificate for a journeyman, may be obtained in the following manner:~~

- ~~(1) *Application.* The applicant shall apply on a form prescribed by the building official. The supporting papers shall be maintained as a permanent record as long as the certificate issued thereon is valid.~~

- ~~(2) *Journeyman certificate.* To be eligible for a journeyman certificate, the applicant shall have and shall include in his/her application evidence of at least three years of practical experience as an apprentice or helper in the trade or craft concerned.~~
- ~~(3) *Time of application.* To be eligible for a particular examination, an applicant must file his/her application with the building official at least 30 days before the date of the examination.~~
- ~~(4) *Fee.* Each application for a certificate shall be accompanied by a receipt evidencing payment of an application processing fee as provided in Appendix A. Fees are not refundable.~~
- ~~(5) *Examination.* Except as provided in subsection (7) for temporary certificates, each applicant shall successfully pass an examination as provided in section 6-188.~~
- ~~(6) *Reciprocation of certificate.*~~
- ~~a. The building official shall recognize certificates of competency for journeymen issued by another county or municipality when the applicant:
    - ~~1. Submits an application for reciprocation of the certificate and pays the application fee as provided in Appendix A.~~
    - ~~2. Meets the same requirements as an applicant for examination; and~~
    - ~~3. Files a copy of the applicant's original application to the government agent administering the examination.~~~~
  - ~~b. The building official shall verify with the testing agency that the applicant has been tested, graded and proctored by the professional testing and grading firm.~~
  - ~~c. The building official shall issue a certificate to all craftsmen that have been issued a state certification.~~
- ~~(7) *Temporary certificate.* The building official may issue a temporary certificate authorizing work in the capacity of a journeyman to a person who:~~
- ~~a. Has applied for the next examination for journeyman and such examination is scheduled 45 or more days from the date application for the temporary certificate is filed with the board; and~~
  - ~~b. Possesses a current license or certificate as a journeyman which:
    - ~~1. Is issued by any state, county or city in the United States; and~~
    - ~~2. Certifies that the holder has passed a comparable examination and has been found competent to perform the work of a journeyman; and~~~~
  - ~~c. Files with the building official a written request for a temporary certificate, made by the applicant's employing contractor.~~

~~Failure to take or pass the examination applied for automatically terminates a temporary certificate. The employing contractor shall promptly return terminated temporary certificates to the building official.~~

~~Sec. 6 188. Examination of journeymen.~~

- ~~(a) *Required schedule.* The building official shall post a schedule of examinations in the office of the building codes and standards division.~~
- ~~(b) *Testing agency.* The building official shall employ consultants or professional testing agencies experienced in the administration of similar examinations to prepare, conduct and grade examinations. Prior to administration of an examination, the level of competency and type of examination shall be approved by the building official.~~
- ~~(c) *Type.* Each applicant shall be examined by an objective written test. All examinations given in any category at the same time shall be identical and graded on the same point system.~~
- ~~(d) *Passing grade.* The total passing grade for every examination is at least 75 percent. An applicant taking an examination for the second time and scoring less than 50 percent is not eligible for the next regular examination in the same category, but may apply for any succeeding examination.~~
- ~~(e) *Subjects.* All examinations shall test knowledge of such portions of the Code and other laws, rules and principles as are relevant to the trade or craft concerned. Journeyman examinations shall be practical and elementary, but sufficiently strict to test the applicant's ability to install, erect and perform the work necessary to make a safe, complete and adequate installation of the type of construction or installation done by the trade or craft concerned.~~
- ~~(f) *Format.* The written portion of the journeyman's examination shall be multiple-choice, fill-in or true-false character, or may include, or consist of, diagrams, plans or sketches upon or in connection with which the applicant is required to demonstrate his/her knowledge of circuits, installation or the like by answering the true-false, multiple-choice or one word fill-in questions keyed to the diagrams, plans or sketches. If an open book testing technique is used, questions may provide for multiple-choice, true-false, matching, completion, or mathematical responses, or may require the completion of plans, sketches or diagrams.~~
- ~~(g) *Identity of applicant to grader.* Each test paper shall identify the applicant only by a number assigned by the building official. The building official shall ensure that the grader has no knowledge of any applicant's identity.~~

~~Sec. 6 189. Correction of errors in certificate issuing process.~~

- ~~(a) *Error resulting in issuance.* If the building official determines that a contractor or craftsman certificate has been issued or is outstanding because of error of law or of fact, or because of administrative error, the building official may revoke or correct the certificate, after written notice to the certificate holder and a reasonable opportunity for him/her to be heard, but without charges, findings or other formal requirements. Failure to return a revoked certificate or to deliver a certificate for correction to the building official upon demand is an offense against the city.~~

~~(b) *Error resulting in denial.* The building official may correct an error of law or of fact, or an administrative error, which resulted in the denial of an application for a craftsman certificate.~~

~~Sec. 6-190. Contractor certificate holders maintaining qualifications; revocation or suspension upon failure to maintain.~~

~~(a) *Generally.* Except as provided in subsection (b), whenever the holder of a contractor certificate fails to maintain one or more of the qualifications required for the issuance of a certificate, he/she shall within five days report his/her lack of qualifications to the building official. The certificate is automatically suspended from the date on which the holder first failed to maintain all of the required qualifications until he/she reestablishes his/her qualifications. In lieu of suspension and on request of the holder, the building official may declare the certificate inactive for a stated period of time. Suspended certificates under this section become invalid after one year and shall not thereafter be renewed.~~

~~(b) *Failure to have a qualifying agent.* If a contractor fails to have a required qualifying agent for a period of 30 consecutive days, his/her contractor certificate is automatically suspended. During the 30-day period, the contractor may complete any work for which all permits have been issued prior to the loss of the agent, but he/she may not obtain any new permits or contract for new work. Upon suspension, the contractor shall cease all work. Until a suspended certificate becomes invalid under subsection (a), but not thereafter, suspension automatically terminates when the contractor again acquires a qualifying agent.~~

~~(c) *Termination of bond.* If the surety bond required by section 6-181 is terminated for any reason, the contractor certificate is suspended as of effective date of termination. The contractor shall cease all work upon suspension. Until a suspended certificate becomes invalid under subsection (a) but not thereafter, suspension automatically terminates when the contractor again files evidence of bond with the building official.~~

~~Sec. 6-191. Revocation or suspension of certificate of competency.~~

~~(a) *Grounds.* The city manager or designee may suspend or revoke the certificate of competency of a contractor or craftsman who is found guilty by the city manager or designee of any of the following:~~

~~(1) Willful violation of this article or any ordinance or regulation of the city related to work included under the certificate;~~

~~(2) Fraud or deceit in the obtaining or renewal of a license or certificate of competency;~~

~~(3) Negligence, incompetency or misconduct in the trade or craft covered by the certificate; or~~

~~(4) Misapplication of funds or property received for prosecution or completion of specific work if as a result the certificate holder is unable to fulfill the terms of his/her obligation for the work.~~

- ~~(b) *Public hearing.* Any interested party may file with the city manager or designee written charges against a certificate holder alleging a ground for disciplinary action listed in subsection (a). If the charges state a proper basis for inquiry, the city manager or designee shall hold a public hearing to inquire into the facts upon which the charges are based. The public hearing shall be held only after at least ten days' written notice of the time and place of the hearing to the certificate holder against whom the charges are made and to the person filing the charges. Notice to the certificate holder shall be given by certified mail to his/her last address known to the city manager or designee and shall include a brief description of the charges.~~
- ~~(c) *Record of hearing.* The administrative hearing of charges shall be open to the public. The city manager or designee shall keep a record of those testifying, but need not record the testimony given. All proceedings and testimony at the hearing may be recorded by any party at his/her own expense.~~
- ~~(d) *Evidence.* The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if the city manager or designee finds it competent and reliable, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible in civil actions. The rules of privilege shall be effective to the same extent that they are then recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.~~
- ~~(e) *Right of parties.* Each party shall have the following rights: To call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called the witness to testify; and to rebut the evidence against the witness.~~
- ~~(f) *Decision.* The city manager or designee shall render a decision during open hearing and shall within five days after the close of the hearing provide a written decision to the certificate holder and the party filing the charges. The decision may be:~~
- ~~(1) Not guilty;~~
  - ~~(2) Suspension of the certificate, stating conditions prescribed for lifting suspension or date of expiration of suspension; the decision to revoke or suspend a master craftsman certificate shall include a decision to issue or not issue a journeyman craftsman certificate to replace the revoked or suspended certificate;~~
  - ~~(3) Revocation of the certificate, stating the effective date; or~~
  - ~~(4) Official letter or reprimand, to become a part of the certificate for three years.~~
- ~~(g) *Return of certificate.* Failure to return a revoked or suspended certificate to the building official upon demand is an offense against the city.~~

~~Sec. 6 192. Enforcement, interpretation, appeals and judicial review.~~

~~(a) *Enforcement and interpretation.* It shall be the duty of the building official of the building codes and standards division to interpret and enforce the provisions of this article as related to the activities of contractors and craftsmen regulated herein.~~

~~(b) *Appeal to the board.* Where it is alleged there is error in any order, requirement, decision or determination made by the building official in the interpretation or enforcement of this article, an appeal may be made to the city manager or designee who shall conduct a hearing into the matter in the same manner as provided in section 6-191 for other hearings. Following the hearing, the city manager or designee shall notify the applicant and the building official of the decision.~~

~~(c) *Judicial review.* Judicial review shall be as provided by law.~~

~~Sec. 6-193. Certificates nontransferable; renewal.~~

~~(a) Contractor certificates and craftsman certificates are nontransferable and expire on the last day of September of either even or odd numbered years depending on last name, as set out in Appendix A. The building official shall renew certificates upon request and payment of the applicable renewal fee in accordance with the schedule set out in Appendix A.~~

~~(b) The payment of a certificate renewal fee is required in addition to and is wholly unrelated to any business tax receipt fee required by another ordinance of the city.~~

~~Sec. 6-193.1. Late renewal.~~

~~Certificates of competency shall be renewed annually within 90 days of the expiration date contained thereon. Certificates not renewed within the 90-day period may be renewed as follows:~~

~~(1) *Renewal within one year.* Certificates may be renewed by the building official after the 90-day period provided:~~

~~a. Application for renewal is made to the building official within one year after the expiration date;~~

~~b. The building official, upon review of the applicant finds good cause for the failure to renew;~~

~~c. The certificate holder pays the renewal fee and the late renewal fee.~~

~~Should the building official refuse to renew the certificate, it shall not be renewed without examination. The applicant before examination may appeal the matter within 30 days to the building official to review the application and recommend appropriate action.~~

~~(2) *Renewal after one year.* Contractor certificates expired longer than one year shall not be renewed. Persons with such certificates must obtain the appropriate license from the state prior to working in the city.~~

~~Sec. 6-194. Reserved.~~

~~Sec. 6-195. Violations; penalties.~~

~~It is unlawful for any person to violate a provision of this article or fail to comply therewith. The proprietor, all partners, and all directors of any firm or corporation are responsible for the acts of their respective agents and employees, and it shall be an offense against the city for any such proprietor, partner or director to cause, or to knowingly suffer or permit, his/her agent or employee to violate a provision of this article or fail to comply therewith.~~

~~Sec. 6-196. Reserved.~~

~~Secs. 6-197-6-210. Reserved.~~

~~DIVISION 2. RESERVED~~

## ~~ARTICLE IX. DOWNTOWN MINIMUM PROPERTY STANDARDS~~

~~Sec. 6-231. Title.~~

~~The provisions of this article shall be known and cited as the "Downtown Minimum Property Standards Ordinance."~~

~~Sec. 6-232. Purpose.~~

~~The purpose of this article is to promote the general health, safety and welfare of citizens through elimination of slum and blighted conditions, improvement of the aesthetic characteristics, and enhancement of the public accessibility, use, and awareness of the Central City District. This article governs the maintenance and upkeep of vacant lots and exterior building surfaces, the cleanliness of public rights-of-way, the repair or improvement of existing structures, and new construction. The provisions of this article are in addition to any other applicable building construction and maintenance standards.~~

~~Sec. 6-233. Application.~~

~~The downtown minimum property standards ordinance applies to all properties zoned Central City District (CCD) in accordance with section 30-66 of the Land Development Code.~~

~~All detached single family dwellings within the Central City District shall be exempt from the provisions of this article.~~



~~Sec. 6-234. Standards for public rights-of-way and sidewalks.~~

- ~~(a) The owner of each lot or parcel adjoining public sidewalks shall maintain the sidewalks free of litter and debris.~~
- ~~(b) Establishments permitting the consumption or sale of alcoholic beverages shall maintain the sidewalks, curbs, and gutters free of litter and debris within 100 linear feet of the establishment's entrance(s) or exit(s) customarily used by the public.~~

~~Sec. 6-235. Standards for private parking lots.~~

- ~~(a) Private parking lots shall be maintained free of litter and debris; appurtenant lights and fences shall be maintained in good repair and in good working order.~~
- ~~(b) Any structure which covers parking spaces or lots shall be maintained in a secure and safe condition. Deteriorated or rusted metal coverings shall be repaired or replaced to render same in a secure and safe condition.~~

~~Sec. 6-236. Standards for yards and landscaped areas.~~

- ~~(a) All unimproved areas not covered by a building, structure, or otherwise devoted to parking, service drive, or walkways shall be landscaped with grass, ground cover, shrubbery, trees, and/or other living plants.~~
- ~~(b) Any portion of an area which is landscaped, unpaved, or unimproved shall be maintained free of litter, debris, trash, or infestation of pests. Any grass or ground cover shall be regularly mowed so that it does not exceed 12 inches in height at ground level. All shrubs and plants shall be regularly trimmed so that they do not obstruct pedestrian or vehicular traffic ways.~~

~~Sec. 6-237. Standards for exterior building walls.~~

~~Building walls shall be maintained in a secure and safe manner as follows:~~

- ~~(1) All defective structural and decorative elements of such building facades shall be removed, replaced, or repaired;~~
- ~~(2) All exterior walls shall have all loose material removed, and patching and resurfacing shall match the existing or adjacent surfaces as to materials, color, bond and joinings;~~
- ~~(3) All cornices, trim, and window frames that are damaged, sagging, or otherwise deteriorated shall be removed, repaired, or replaced so that they are structurally sound and secure;~~
- ~~(4) All exposed materials shall be painted, stained, or otherwise treated to protect them from the elements.~~

~~Sec. 6-238. Standards for door and window openings.~~

- ~~(a) All window and door openings shall be safe and secure. Sashes with rotten wood, broken joints, or deteriorated mullions or muttons shall be removed, repaired or replaced.~~

- ~~(b) All exterior doors and windows shall be maintained in an unbroken and secure condition. No door or window shall be removed and enclosed, covered, or boarded up unless treated as an integral part of the building facade, compatible with the design, material, and finish of the adjoining walls of which the opening is a part. This paragraph shall not apply to the temporary short term covering or boarding up of windows or doors while undergoing replacement or repair. However, all damaged or broken doors and windows shall be restored, repaired, or replaced within 60 days following breakage or damage.~~
- ~~(c) The interior of a display window visible from the public right of way shall be free of trash and debris and shall not be used for the regular storage of materials, goods or supplies.~~

~~Sec. 6-239. Standards for roofs.~~

~~All roofs shall be maintained in a secure, safe and watertight condition. Any new or replaced mechanical equipment placed on a roof shall be located and/or screened so as to minimize the view of the equipment from public rights of way and the ground floor of adjoining properties. The roof shall be maintained free of trash, debris, or other elements which are not a permanent part of the building. Any such trash, debris, or other elements visible from the public right of way shall be removed within ten days of notification by a code enforcement official.~~

~~Sec. 6-240. Standards for accessory and appurtenant structures.~~

- ~~(a) Chimneys, elevator shafts, mechanical and electrical equipment devices shall be maintained in a safe state of repair and the exterior finish of such structures shall consist of the same material, or be enclosed by screening material which is the same as the exterior side of the building, or be treated as an integral part of the building facade and compatible with the design, material, and finish of the adjoining walls.~~
- ~~(b) Signs, awnings, canopies, freestanding walls, and fences shall be maintained in good repair and condition. Deteriorated signs, torn or unsecured awnings or canopies, and any dilapidated freestanding wall or fence shall be removed, repaired, or replaced.~~

~~Sec. 6-241. Compliance period.~~

~~Any other provision of this Code of Ordinances notwithstanding, corrective action ordered by a code enforcement official shall be commenced within 30 days and shall be completed within 90 days from the date of written notice of noncompliance, except where a lesser period of time is provided in this article. Where a time for completion of corrective action of 30 days or less is provided, the violation may be enforced using the civil citation process. In addition, all violations of this article may be enforced by the code enforcement board process. For violations where more than 30 days are provided for completion of corrective action, the code enforcement official may stay enforcement for a further period of time, not exceeding six months from initial notice, if the property owner demonstrates with tangible evidence that he/she is taking~~

~~affirmative action to abate the violation and requires additional time to accomplish the abatement.~~

~~Sec. 6-242. Reserved.~~

~~Sec. 6-243. City commission review of article.~~

~~The provisions of this article shall be reviewed by the city commission in consultation with the downtown redevelopment agency and the downtown owners and tenants association, not for profit corporation, within 540 days of final adoption of this article. The purpose of the review is to determine whether the article is accomplishing its stated purpose. Upon completion of such review the provisions of this article may be retained, amended, or repealed. The failure of the city commission to comply strictly with this section shall not invalidate this article.~~

~~Sec. 6-244. Penalty.~~

~~Any person who shall fail to comply with this article shall be subject to penalties provided in section 1-9 or this Code of Ordinances.~~

#### ~~APPENDIX A. BUILDING AND FIRE CODE REGULATIONS FOR HISTORIC BUILDINGS~~

~~Sec. 100. General.~~

~~100.1. Purpose. The purpose of this standard is to:~~

- ~~(a) Provide alternative building regulations for preserving restoring or rehabilitating historic buildings or structures.~~
- ~~(b) Facilitate the restoration or rehabilitation of historic buildings so as to preserve their original or restored architectural elements and features;~~
- ~~(c) Permit a cost-effective approach to historic preservation, restoration, and rehabilitation;~~
- ~~(d) Provide for the health safety and welfare of occupants and visitors in qualified historic buildings;~~
- ~~(e) Provide a reasonable means of access to historic buildings for people with physical disabilities.~~

~~100.2. Scope. The provisions of this standard are not retroactive.~~

- ~~(a) Qualified buildings. This standard applies solely to qualified historic buildings:
  - ~~(1) Listed on the National Register of Historic Places;~~
  - ~~(2) Listed on the Local Register of Historic Places as designated by local ordinance;~~~~

~~(3) Included in a district which is listed on a local or national register of historic places, and which has been determined by the City of Gainesville to contribute to the historic significance of the district.~~

~~(b) *Non-qualified buildings.* This standard does not apply to the following:~~

~~(1) New buildings constructed in a historic district;~~

~~(2) New additions to historic buildings;~~

~~(3) Buildings that are reconstructed;~~

~~(4) Institutional occupancies such as hospitals, nursing homes, mental hospitals, detoxification facilities, jails, correctional institutions.~~

### ~~100.3. Definitions.~~

~~(1) "Code official" means the official or other designated authority, or their duly authorized representative, charged with the administration and enforcement of the prevailing building code(s).~~

~~(2) "Preservation" is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work may include preliminary measures to protect and stabilize the property, but generally focuses upon the ongoing maintenance and repair of historic materials. Extensive change in the form of alterations and additions is not within the scope of this treatment.~~

~~(3) "Prevailing code" means the building code as adopted and amended in this chapter, and/or the fire prevention and fire safety codes adopted in chapter 10 of this Code.~~

~~(4) "Qualified historic building" means a building which is:~~

~~(a) Listed on the National Register of Historic Places;~~

~~(b) Listed on a local register of historic places as designated by local ordinance; or~~

~~(c) Included in a district which is listed on a municipal or national register of historic property, and which had been determined by the Local Historic Preservation Authority to contribute to the historic significance of the district.~~

~~(5) "Reconstruction" is defined as the act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving building, site, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.~~

~~(6) "Rehabilitation" is defined as the act or process of returning a property to a state of utility, through repair or alterations, which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical and cultural values.~~

~~(7) "Restoration" is the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of later work and/or by the replacement of missing earlier work.~~

~~(8) "Test of time" means to withstand the combined effect of service loads and environmental stresses imposed over a long period of time without serious deterioration.~~

#### ~~Sec. 101. Compliance.~~

~~101.1. *General.* Repairs, alterations, additions, and changes in occupancy classification to qualified historic buildings that are re-evaluated in accordance with this standard compliance may be accepted by the code official as an alternate method of construction.~~

~~101.2. *Hazards.* Where the code official determines that an unsafe condition, building, or hazard exists, as provided for in the prevailing code, such unsafe conditions shall be abated in accordance with the prevailing code.~~

#### ~~Sec. 102. Applicability.~~

~~102.1. *General.* The provisions in sections 102.1.1 through 102.1.5 shall apply to qualified historic buildings.~~

~~102.1.1. *Change in occupancy classification.* Where the occupancy classification of a qualified historic building is changed to a new occupancy classification, the provisions of this standard for the new classification shall be used to determine compliance with this standard.~~

~~102.1.2. *Partial change in occupancy classification.* Where part of the qualified historic building is changed to a new occupancy classification, the provisions of this standard shall be applied in the same manner as the provisions for partial change of occupancy classification that are applied in the prevailing code.~~

~~102.1.3. *Additions.* Additions to qualified historic buildings shall comply with all the requirements of the prevailing code for new construction. The combined height and area of the qualified historic building and the new addition shall not exceed the height and area requirements of the prevailing code.~~

~~102.1.4. *Alterations and repairs.* A qualified historic building or portion thereof which does not comply with the requirements of the prevailing code for new construction shall not be altered or repaired in such a manner that results in the historic qualified building being less safe or sanitary than its current condition.~~

~~102.1.5. *Accessibility requirements.* Alterations or changes in occupancy to a qualified historic building or facility shall comply with the prevailing accessibility standard. If compliance would threaten or destroy the historic significance of the building or facility, compliance alternatives may be used, upon approval from the state and/or federal authority having jurisdiction.~~

#### ~~Sec. 103. Implementation.~~

~~103.1. Investigation and evaluation. For all proposed work covered by this standard, the building owner shall cause the qualified historic building to be investigated and evaluated in accordance with the provisions of this standard.~~

~~103.1.1. Structural analysis. The owner shall have a structural analysis of the qualified historic building made by an appropriately registered engineer in the State of Florida to determine adequacy of all structural systems for the proposed alteration, addition or change in occupancy classification. The existing building shall be capable of supporting the minimum required loads, including the wind load requirements of Section 1606 of the currently adopted edition of the standard building code.~~

~~103.1.2. Posting. If the actual live load capability is less than the required live load specified in the prevailing code, the actual live load capability shall be conspicuously posted and no greater load may be imposed upon the building.~~

~~103.1.3. Test of time standard. Where no change of loading will occur, the test of time standard may be applied in lieu of meeting the design load requirements for roof dead load and live load as specified in the prevailing code, providing:~~

~~(a) The qualified building has been determined to support the imposed floor loads; and~~

~~(b) The building has stood for more than 20 years with no visible signs of deterioration.~~

~~103.2. Submittal. The results of the investigation and evaluation required in section 103.1, along with all proposed compliance alternatives, shall be submitted to the code official.~~

~~103.3. Determination of compliance. The code official shall determine whether the existing building, with the proposed additions, alterations or change in occupancy classification, complies with the provisions of this standard in accordance with the evaluation process in sections 104.1 through 104.17.~~

#### ~~Sec. 104. Evaluation.~~

~~104.1. General. The evaluation shall be comprised of three evaluation categories: fire safety, means of egress and general safety, as defined in sections 104.1.1 through 104.1.3, and the prescriptive requirements of sections 106, Plumbing and 107, Electrical.~~

~~104.1.1. Fire safety. The category of fire safety includes the building safety parameters affecting the structural fire resistance, detection, alarm and extinguishing features of a qualified historic building.~~

~~104.1.2. Means of egress. The category of means of egress includes those building safety parameters of a qualified historic building affecting safe evacuation.~~

~~104.1.3. General safety. The category of general safety includes the fire safety parameters and the means of egress parameters.~~

~~104.2. Evaluation process. The evaluation process specified herein shall be followed in its entirety to evaluate a qualified historic building. The evaluation process analyzes a~~

qualified historic building in accordance with the building safety parameters specified in this section and compares them against the prevailing code to determine a numerical value of safety provided in the qualified historic building.

Compliance with the prevailing code is given a "0" value under each safety parameter. Any additional safety offered receives a positive value. A summation of the values in each column for Table 105.0 must equal a "0" score or better for each column in order to demonstrate an equivalent degree of safety to the prevailing code. A building score that is less than "0" for any column necessitates additional safety features in order to meet the "0" baseline requirement for equivalency for that category (column).

~~104.2.1. *Number of stories.* The value for the number of stories shall be determined by Table 104.2.1 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 1, Number of Stories, for fire safety, means of egress and general safety.~~

~~(a) The classification of the type of construction of the qualified historic building shall be determined by comparing the actual building elements to those specified in the prevailing code. The type of construction shall be based on that which most closely represents one of the specified types of construction.~~

~~(b) Buildings with different types of construction shall be separated by a rated wall assembly in accordance with prevailing code unless the lesser type of construction is used as the basis for the evaluation.~~

Table 104.2.1. Number of Stories

Number of Stories	Value (per Story)
Each Story above the maximum number of stories allowed	-5
Complies with prevailing code	0
Each Story Below the maximum number of stories	+5(Max) +10

~~104.2.2. *Building area.* The value for building area shall be determined from Table 104.2.2 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 2, Building Area, for fire safety, means of egress and general safety.~~

- ~~(a) The allowable building area of a qualified historic building shall be determined using the allowable requirements for the type of construction and occupancy as specified in the prevailing code.~~
- ~~(b) If the qualified historic building has more stories than permitted by the prevailing code, the maximum number of stories allowed for that type of construction in the prevailing code shall be used to determine the maximum allowable area requirements for the building.~~
- ~~(c) When the entire building is protected by an approved automatic sprinkler system complying with the prevailing code, the allowable building area may be increased as specified in the prevailing code.~~

Table 104.2.2. Building Area

Building Area Value	Value
Greater than 150% of the allowed area	-5
Greater than 130% up to and including 150% of allowed area	-4
Greater than 120% up to and including 130% of allowed area	-3
Greater than 110% up to and including 120% of allowed area	-2
Greater than 90% up to and including 110% of allowed area, or where code does not have area limitations	0
Greater than 79% up to and including 90% of allowed area	+2
Greater than 69% up to and including 79% of allowed area	+3
50% up to and including 69% of allowed area	+4
Less than 50% of area allowed	+5

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~~104.2.3. Distance to property line. A single value shall be determined from Table 104.2.3 using the worst case condition and the numerical value and its sign, either positive or~~



~~negative, shall be entered in Table 105 under Safety Parameter 3, Property Line Distance, for fire safety and general safety.~~

- ~~(a) The property line distance shall be compared with those specified in the type of construction provisions in the prevailing code.~~

Table 104.2.3. Property Line Distance

Property Line Distance	Value
Closer than allowed under the prevailing code	-2
Complies with prevailing code	0
Greater than the prevailing code	+2

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~~104.2.4. Attic compartmentation. A single value shall be determined from Table 104.2.4 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 4, Attic Compartmentation, for fire safety and general safety.~~

- ~~(a) The attic area of a qualified historic building shall be evaluated against the compartmentation or draftstopping requirements specified in the prevailing code.~~
- ~~(b) If the total attic area is less than 3,000 square feet, the numerical value is zero.~~
- ~~(c) All existing or proposed building features used or considered under this subsection shall be shown or indicated on the plans submitted for review. It is assumed by the code official that features not shown or indicated do not exist and will not be provided, and no credit under this subsection may be taken.~~

Table 104.2.4. Attic Compartmentation

Attic Compartmentation	Value
Attic compartmentation into areas greater than 3,000 square feet	-5
Complies with prevailing code (3,000 square feet)	-3
Attic Compartmentation into 1000 square feet areas	0

Attic compartmentation into areas less than 1000 square feet	+3
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~~104.2.5. *Fire stopping.* A single value shall be determined from Table 104.2.4 for the entire building based on the worst case condition and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 5, Fire Stopping, for fire safety and general safety.~~

- ~~(a) The fire stopping characteristics of a qualified historic building shall be evaluated in accordance with the fire stopping requirements specified in the prevailing code.~~
- ~~(b) If the existing wall material is removed and the wall cavity is exposed, fire stopping shall be provided in accordance with the prevailing code.~~

Table 104.2.5. Fire Stopping

Fire stopping	Value
No fire stopping or verification of fire stopping	-5
Fire stopping provided at basement and attic levels and wherever accessible	-3
Complies with prevailing code	0

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~~104.2.6. *Mixed occupancies.* A single value shall be determined from Table 104.2.6 based on the worst case condition and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 6, Mixed occupancies, for fire safety and general safety.~~

- ~~(a) Occupancy separations in a qualified historic building shall be evaluated as required under the occupancy separation requirements of the prevailing code.~~

Table 104.2.6. Mixed Occupancies

Mixed Occupancies	Value
No separation provided, but required	-5
Provided, but 2 hours or more less than required	-4

<del>Provided, but 1 hour up to 2 hours less than required</del>	<del>-2</del>
<del>Complies with prevailing code for fire resistance ratings or no separation if required</del>	<del>0</del>
<del>Provided and 1 or more hours greater than required</del>	<del>+2</del>
<b>Note 1:</b> See Section 110, Compliance Alternatives for evaluation methods for fire resistance ratings of archaic materials.	

~~104.2.7. Vertical openings. Single values shall be determined in accordance with Table 104.2.7 based on the worst case condition and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 7, Vertical Openings, for fire safety, means of egress and general safety.~~

- ~~(a) The fire resistance rating of enclosures of stairway exits, hoistways, escalator openings and other shafts within a qualified historic building or openings between two or more floors shall be evaluated in accordance with the vertical opening enclosure requirements of the prevailing code.~~
- ~~(b) Atriums shall not be considered in the evaluation of vertical openings when in compliance with the atrium provisions of the prevailing code.~~
- ~~(c) Where assembly halls are located in buildings with other occupancies, the required exits shall comply with the prevailing code.~~

Table 104.2.7. Vertical Openings

Vertical Openings	Value
No enclosure: Number of stories connected	<del>-5</del> <del>(per story)</del>
Enclosure with no rating number of stories connected	<del>-4</del> <del>(per story)</del>
Enclosure provided but 1 hour below the required protection level	<del>-3</del>
Complies with prevailing code	<del>0</del>

1 hour or more over required rating	+1
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~~104.2.8. Heating, ventilating, and air conditioning (HVAC) systems. A single value shall be determined from Table 104.2.8 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 8, HVAC Systems, for fire safety, means of egress, and general safety.~~

~~(a) The number of floors in a qualified historic building served by an individual HVAC system shall be evaluated in accordance with the prevailing code.~~

Table 104.2.8. Heating, Ventilation and Air Conditioning Systems

HVAC	Value
Each floor level served by undampened duct system	<del>-3 per floor</del>
Complies with prevailing code or provided with fire dampers	0
Multi-level buildings having 1 floor level HVAC system or central system with no ducts serving other floor levels	+5

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~~104.2.9. Smoke detection. A single value shall be determined from Table 104.2.9 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 9, Smoke Detection, for fire safety, means of egress and general safety.~~

~~(a) A qualified historic building shall be evaluated for the building's ability to detect smoke from a fire, based on the location and operation of smoke detectors that are in addition to the smoke detectors required by the applicable detection and alarm provisions of the prevailing code.~~

Table 104.2.9. Smoke Detection

Smoke Detection	Value
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Smoke detection required but not provided	-5
Complies with prevailing code	0
Elevator lobby only and not required	+1
HVAC return only and not required	+2
HVAC return and elevator lobby and not required	+3
All corridors including elevator lobbies, rooms and common areas, and not required	+4
Total space with interconnection of smoke detectors and building fire alarm system and not required	+5

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~~104.2.10. Fire alarms. A single value shall be determined from Table 104.2.10 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 10, Fire Alarms, for fire safety, means of egress and general safety.~~

~~(a) The fire alarm system shall be evaluated in accordance with the prevailing code.~~

Table 104.2.10. Fire Alarms

Fire Alarms	Value
Manual fire alarm system required, but not provided	-5
Complies with the prevailing code	0
Manual fire alarm system provided, but required (note 1)	+1
Manual fire arm and voice alarm or manual fire alarm with public address system provided, but not required (note 2)	+3
Central control station (note 3,4)	+4

Central control station and interconnected to a remote control station which is permanently monitored (note 3,4)	+5
<b>Note 1:</b> If a numerical value of (+5) is taken under 104.2.9, Smoke Detection, the numerical value for this section is zero.	
<b>Note 2:</b> Voice alarm and public address systems shall be activated from a location which is occupied by a properly trained employee during all periods of building occupancy.	
<b>Note 3:</b> The central control station for fire department operations shall be provided in a location approved by the fire department. The central control station shall contain: the voice alarm system panels; the fire department communications panel; the fire detection and alarm system annunciator panels; and annunciator which visually indicated the floor location of elevators and where they are operational; status indicators and controls for air handling systems; controls for unlocking all stairway doors simultaneously; sprinkler valve and water flow detector display panels; emergency and standby power; status indicators and a telephone for fire department use with controlled access to the public telephone system.	
<b>Note 4:</b> Fire department may require systems to be interconnected with the fire department.	

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~~104.2.11. Smoke control. A single value shall be determined from Table 104.2.11 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 11, Smoke Control, for fire safety, means of egress and general safety.~~

~~(a) The ability to control the movement of smoke from a fire by natural or mechanical venting, exhaust or pressurization systems in a qualified historic building shall be evaluated in accordance with the prevailing code for the entire building based on the worst case condition.~~

Table 104.2.11. Smoke Control

Smoke Control	Value
Does not comply with prevailing code	-5
Complies with prevailing code	0

<del>Operable windows, that are operable without special keys or tools, are provided throughout the entire building, but not required</del>	<del>+2</del>
<del>Automatic smoke vents provided throughout entire building, but not required</del>	<del>+3</del>
<del>One smoke proof stair enclosure provided and building has operable windows, but neither required</del>	<del>+5</del>
<del>Pressurized stairs (all stairs) provided, but not required</del>	<del>+7</del>
<del>Engineered smoke control and removal system provided that covers the entire building, but not required</del>	<del>+10</del>

~~104.2.12. Exit capacity. A single value shall be determined from Table 104.2.12 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 12, Exit Capacity, for fire safety, means of egress and general safety.~~

- ~~(a) The means of egress by number of exits, location of exits, occupant load and capacity of exits in a qualified historic building shall be evaluated in accordance with the existing requirements of the prevailing code.~~
- ~~(b) The minimum number of exits shall be provided as specified in the prevailing code for the applicable occupancy chapter.~~
- ~~(c) If exit capacity differs on various floor levels, the worst case floor shall be evaluated.~~
- ~~(d) Exit or exit access doors shall be placed a distance apart as specified in the prevailing code.~~

Table 104.2.12. Exit Capacity

Exit Capacity	Value
Exit capacity does not comply with prevailing code	-5
Complies with prevailing code	0

<del>Horizontal exits are provided in addition to the required exits (note 1)</del>	<del>+2</del>
<del>Exits to grade or enclosed stairs exceed the minimum number of exits (note 2)</del>	<del>+3</del>
<del>Eliminate a fire escape exit and provide a code-complying enclosed stairway exit serving all levels</del>	<del>+5</del>
<del><b>Note 1:</b> No more than one-half the exits may be horizontal exits.</del>	
<del><b>Note 2:</b> Exits shall be as remote as is practicable.</del>	

~~104.2.13. *Dead ends.* A single value shall be determined for Table 104.2.13 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 13, Dead ends, for means of egress and general safety.~~

~~(a) The length of the travel path in which the building occupants are confined to a single direction of egress shall be evaluated in accordance with the prevailing code.~~

~~(b) The creation of new dead end corridors is prohibited.~~

Table 104.2.13. Dead Ends

Dead Ends	Value
<del>Dead ends more than 20 feet</del>	<del>-5</del>
<del>Complies with prevailing code</del>	<del>0</del>

~~104.2.14. *Maximum travel distance to an exit.* A single value shall be determined from Table 104.2.14 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 14, Maximum Travel Distance, for means of egress and general safety.~~

~~(a) The length of travel to a required exit in a qualified historic building shall be evaluated in accordance with the prevailing code.~~



- ~~(b) The minimum number of exits shall be provided as specified in the prevailing code.~~
- ~~(c) If exiting differs on various floor levels, the worst case floor shall be evaluated.~~

Table 104.2.14. Maximum Travel Distance

Maximum Travel Distance	Value
Greater than 110% up to and including 125% of limit allowed	-5
Greater than 89% up to and including 110% of prevailing code limit	0
50% – 89% of limit allowed (note 1)	+3
Less than 50 % of limit allowed (note 1)	+5
<b>Note 1:</b> For residential occupancies, no credit may be taken for reduced exit distance.	

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~~104.2.15. Interior finishes. A single value shall be determined from Table 104.2.15 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 14, Interior Finishes, for fire safety and general safety.~~

- ~~(a) Requirements for interior finishes of the exposed interior surfaces of a qualified historic building shall be provided as specified in the prevailing code.~~

Table 104.2.15. Interior Finishes

Interior Finishes	Value
Corridors and other exit components do not comply with prevailing code	-5
General building area finishes do not comply with prevailing code	-3
All interior finishes comply with prevailing code	0

~~104.2.16. Fire rating of exit and exit access corridors. A single value shall be determined from Table 104.2.16 and the numerical value and its sign, either positive or negative,~~

shall be entered in Table 105 under Safety Parameter 16, Fire Rating of Exits, for fire safety, means of egress and general safety.

- (a) ~~The fire rating for exit and exit access corridors for a qualified historic building shall be as specified in the prevailing code.~~

Table 104.2.16. Fire Rating of Exit and Exit Access Corridors

Fire Rating	Value
Does not comply with the prevailing code	-5
Complies with the prevailing code	0

~~104.2.17. — Emergency power. A single value shall be determined from Table 104.2.17 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 17, Emergency Power, for fire safety, means of egress and general safety.~~

- (a) ~~The availability of emergency power for emergency lighting in a qualified historic building shall be evaluated in accordance with the prevailing code.~~

Table 104.2.17. Emergency Power

Emergency Power	Value
Emergency power required, but not provided	-5
Complies with prevailing code	0
Emergency power provided, but not required	+2

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~~104.2.18. Elevator control. A single value shall be determined from Table 104.2.18 and the numerical value and its sign, wither positive or negative, shall be entered in Table 105 under Safety Parameter 18, Elevator Control for fire safety, means of egress and general safety.~~

- (a) ~~The elevator equipment and controls that can be used by the fire department in a qualified historic building to rescue building occupants from upper floors during a fire when installed shall be evaluated in accordance with the prevailing code.~~

Table 104.2.18. Elevator Control

Elevator Control	Value
No elevator in buildings 3 stories or more in height	-3
No elevator in buildings 2 stories or less in height	0
Existing elevator with a current state certificate of operation	0
Elevator with fire department control in buildings 3 stories or more in height	+1
Elevator with automatic recall in buildings 3 stories or more in height	+3
Elevator with fire department control and automatic recall in buildings 3 stories or more in height	+4

~~104.2.19. Fire sprinklers. A single value shall be determined from Table 104.2.19 and the numerical value and its sign, either positive or negative, shall be entered in Table 105 under Safety Parameter 19, Fire Sprinklers, for fire safety, means of egress and general safety.~~

- ~~(a) The fire sprinkler system provided in a qualified historic building shall be evaluated in accordance with the prevailing code.~~
- ~~(b) If the building area evaluation was based on fire sprinkler protection s allowed by section 104.2.2(c), the numerical value under this section is zero.~~
- ~~(c) Fire sprinklers shall be monitored and supervised by a listed alarm monitoring facility.~~

Table 104.2.19. Fire Sprinklers

Fire Sprinklers	Value
System required but not provided (note 1)	-10
Sprinkler system is not required and not provided	0
Sprinkler system required and provided in accordance with the prevailing code	0

Sprinklers provided in hazardous areas but not required	+5
Sprinklers provided in exit passageways but not required	+5
Sprinkler system required, and regular sprinkler heads are replaced with quick response heads	+3
Complete sprinkler system provided throughout entire building but not required	+5
Complete sprinkler system complying with NFPA 13 for quick response heads is provided throughout the entire building, but not required (note 2)	+10
<b>Note 1:</b> If -5 was entered under section 104.2.2, numerical value is -5.	
<b>Note 2:</b> If 5 was entered under section 104.2.2, numerical value is +5.	

~~Sec. 105. Building score.~~

~~105.1. General. After determining the appropriate data from section 104, enter that data in Table 105 and total the building score.~~

~~Table 105. Summary Sheet—Building Score~~

Safety Parameters (Note 1)	Fire Safety	Means of Egress	General Safety
<del>1. Number of Stories</del>			
<del>2. Building Area</del>			
<del>3. Property Line Distance</del>		NA	
<del>4. Attic Compartmentation</del>		NA	
<del>5. Fire Stopping</del>		NA	
<del>6. Mixed Occupancies</del>		NA	

7. Vertical Openings			
8. HVAC Systems			
9. Smoke Detection			
10. Fire Alarms			
11. Smoke Control			
12. Exit Capacity			
13. Dead Ends	NA		
14. Maximum Travel Distance	NA		
15. Interior Finishes		NA	
16. Fire Rating of Exits			
17. Emergency Power			
18. Elevator Control			
19. Fire Sprinklers			
Building Score (Note 2)			
<b>Note 1:</b> Indicate the reason for the score in each parameter, and attach this information to the summary sheet.			
<b>Note 2:</b> See the Qualification Criteria for determination of building compliance.			

**Qualification Criteria**

If the building score under each column is equal to or greater than zero, the qualified historic building is considered to be a code-complying building and may be

used for the proposed occupancy, provided the prescriptive requirements of sections 106, Plumbing, and 107, Electrical are also met.

If the building score of any one of the columns related to fire safety, means of egress or general safety is less than zero, additional safety measures shall be provided to bring the total numerical score of that column to a value which is equal to or greater than zero.

~~Sec. 106. Plumbing.~~

~~106.1. General. The provisions in sections 106.1.1 through 106.1.10 shall apply to qualified historic building whenever the existing plumbing system is repaired, altered, or enlarged.~~

~~106.1.1. Where an existing plumbing fixture is replaced, a replacement fixture other than a water conservation fixture may be used whenever it has a direct relationship to the historical period of the building.~~

~~106.1.2. Water conservation replacement parts shall be used to repair and upgrade existing fixtures unless the replacement part does not match distinctive features of the existing fixture, or does not have a negative effect on the operation of the fixture or plumbing system.~~

~~106.1.3. New plumbing fixtures shall be of the water conserving type unless these fixtures do not match the distinctive features of the other existing fixtures, that are of historical significance.~~

~~106.1.4. Existing drainage, waste, vent and sewer lines may be reused when, in the opinion of the code official, they are found to be safe and in good working order.~~

~~106.1.5. All new plumbing drainage, waste and vent systems shall be installed in accordance with the currently adopted edition of the Standard Plumbing Code, unless otherwise approved by the code official.~~

~~106.1.6. Water and sewer services may remain as long as they are properly functioning. Materials shall comply with current standards and the required cleanouts shall be properly installed.~~

~~106.1.7. Minimum facilities requirements and backflow prevention requirements shall be met.~~

~~106.1.8. Water conservation fixtures are required to be in compliance with the Plumbing Code adopted by the city commission as specified in chapter 6 of the Code of Ordinances.~~

~~106.1.9. The entire system shall operate properly.~~

~~106.1.10. Any condition that is deemed to be a health or safety hazard shall be abated.~~

~~Sec. 107. Electrical.~~

~~107.1. General. The provisions of 107.1.1 through 107.1.6 shall apply to qualified historic buildings wherever the existing electrical system is repaired, altered or enlarged.~~

~~107.1.1. Changeouts of existing service panels and electric meters shall comply with the currently adopted edition of the National Electrical Code.~~

~~107.1.2. Existing wiring with a grounding conductor, 14 gauge or larger, may remain as long as the overcurrent protection is properly sized for the wire gauge and the wiring does not pose any electrical safety hazard.~~

~~107.1.3. All wiring covered by insulation shall be rated at 90 degrees C (194 degrees F).~~

~~107.1.4. Underground electrical systems shall be grounded by use of a grounding conductor, or replaced with a grounded system.~~

~~107.1.5. All new receptacles, lights switches and other devices shall meet the requirements of the currently adopted edition of the National Electric Code.~~

~~107.1.6. All new conductors for power, heat, or light shall be installed in an approved raceway, unless otherwise approved by the code official.~~

~~Sec. 108. Preserved buildings used as historical exhibits.~~

~~108.1. General. This section establishes alternative standards for a qualified historic building that is open to the public and used solely as a historical exhibit. Repairs may be made without conformity to the prevailing code to restore the building to the original condition.~~

~~108.1. Historical exhibits.~~

~~(1) Except as specified in subsection 108.1(2), a qualified historic building used as a historical exhibit is exempt from complying with the requirements of the prevailing code or other sections of Chapter 100.~~

~~(2) Minimum safety requirements: The following minimum safety requirements shall be complied with:~~

~~(a) The qualified historic building is open to the public only under the supervision of a tour guide properly trained in fire safety.~~

~~(b) The historic building is not lived in, slept in or worked in except for the purpose of demonstrating to the public how people lived in a particular era.~~

~~(c) No smoking is allowed in the building.~~

~~(d) No open flame equipment is installed in the building, other than fireplaces and original equipment for exhibit purposes only.~~

~~(e) Fire extinguishers are provided, but may be located in a non conspicuous location on the premises.~~

~~(f) At least one smoke detector is provided for each 1,000 square feet of area with a minimum of one detector per floor level. The smoke detectors shall be connected to the electrical power whenever practicable. Where no electrical~~

~~power is available, the smoke detector may be of a battery type. Smoke detectors shall be tested weekly and a log maintained.~~

~~(g) Access for the disabled is provided in accordance with section 102.1.5.~~

~~(h) The capacity of the floor system shall be determined by a registered architect or engineer and any changes that are necessary shall be made prior to the building being open to the public.~~

~~(i) Historic buildings provided with only one exit shall be restricted to a total capacity of 25 persons of which not more than ten persons may be located above the first floor at any one time.~~

~~(j) Signs shall be posted in the building identifying and warning of stairs and headroom clearance that do not conform to the prevailing code.~~

~~(k) Exit signs shall be provided in accordance with the prevailing code.~~

~~Sec. 109. Secretary of the interior's standards.~~

~~The Secretary of the Interior's Standards for Rehabilitation, as they may be amended from time to time, are to be used to evaluate the impact of rehabilitation work on historic features and the resulting need to apply historic building standards.~~

~~Sec. 110. Compliance alternatives.~~

~~110.1. General. Alternative methods of compliance derived from the data found within documents listed below may be submitted to the code official for his approval.~~

~~(1) "Rehabilitation Guidelines 1980, Topic #8 — Guidelines for Fire Ratings of Archaic Materials and Assemblies."~~

~~(2) NFPA 101M "Manual on Alternative approaches to Life Safety."~~



## Chapter 6 – BUILDINGS AND BUILDING REGULATIONS

### ARTICLE I. BUILDING CODE

#### **Section 6-1. Purpose.**

This chapter governs the administration and enforcement of the Florida Building Code. The purpose of this chapter is to safeguard the public health, safety, and general welfare through structural strength, means of ingress and egress, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment.

#### **Section 6-2. Florida Building Code Incorporated by Reference.**

The Florida Building Code, as adopted and amended from time to time by rule of the Florida Building Commission pursuant to Chapter 553, Florida Statutes, is adopted and incorporated by reference. The Florida Building Code will be used in the administration and enforcement of this chapter, except as otherwise modified in this chapter.

#### **Section 6-3. Administration and Enforcement.**

The administration provisions of the Florida Building Code will be used for the administration and enforcement of this chapter, except as otherwise modified in this chapter.

- A. *Enforcing officials.* The City Manager or designee shall designate a Building Official to administer and enforce the provisions of this chapter. The Building Official may render interpretations of this chapter and may adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures must be in compliance with the purpose of this chapter, and may not have the effect of waiving requirements specifically provided for in this chapter. The Building Official may determine any requirements necessary for the strength, stability, or proper operation of any existing or proposed building, structure, electrical, gas, mechanical, or plumbing system, or for the public safety, health, or general welfare, not specifically covered by this chapter or other technical codes.
- B. *Required.* Unless specifically exempted by the Florida Building Code, an owner or owner's authorized agent shall apply to the Building Official and obtain the required permit prior to undertaking any of the following: 1) constructing, enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure; 2) erecting, installing, enlarging, altering, repairing, removing, converting, or replacing any electrical, gas, mechanical, or plumbing system or site construction, the installation of which is regulated by this chapter; or 3) causing any such work to be performed.
- C. *Permit fees.* Fees for any permit applied for under this chapter are established in this chapter and must be paid at the time of filing an application.

1. Work starting before permit issuance. Any person who commences any work before obtaining the necessary permits will be subject to permit fees that are double the amount as provided in this chapter. This provision does not apply to emergency work when delay would clearly have placed life or property in imminent danger. This provision does not preclude any prosecution for commencing work without first obtaining a permit, nor preclude the imposition of any other remedy or penalty provided by law.
- D. Right of entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or violation that 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 or to perform any duty imposed upon the Building Official by this chapter. If such building or premises are occupied, the Building Official shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control to request entry. If entry is refused, the Building Official has recourse to every remedy provided by law to secure entry. When the Building Official has 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 may fail or neglect, after proper request is made as provided, to promptly permit entry by the Building Official for the purpose of inspection and examination pursuant to this chapter.
- E. Liability. The inspection or permitting of any building, system, or plan by the city under the requirements of this chapter may not be construed in any court as a warranty of the physical condition of such building, system, or plan. The city and its employees are not liable in tort for damages for any defect, hazardous condition, illegal condition, inadequacy, or component failure in such building, system, or plan that may occur subsequent to inspection or permitting.
- F. Violations. The provisions of this chapter are deemed to be necessary for the protection of the public health, safety, and welfare, and any violation of the terms of this chapter is declared by the City Commission to constitute a public nuisance. The city may employ enforcement powers and seek penalties and remedies as provided by Florida law or the City of Gainesville Code of Ordinances, including as provided by Section 1-9, for violations of this chapter or related provisions.
- G. Revocation of permits. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this chapter whenever: 1) 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 chapter; 2) 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; or 3) 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 chapter or the Florida Building Code.

- H. Appeals. The Building Official's final decision or order may be appealed to the Florida Building Commission pursuant to Florida Statutes.

#### **Section 6-4. Tiny Houses.**

- A. Scope. This section is applicable to tiny houses used as single dwelling units. Tiny houses must comply with the Florida Building Code except as otherwise stated in this section.

- B. Definitions. The following words and terms, for the purposes of this section, have the meanings shown herein. Refer to the Florida Building Code for general definitions.

**Egress roof access window** means a skylight or roof window designed and installed to satisfy the emergency and rescue opening requirements of Section R310.2.

**Landing platform** means a landing provided as the top step of a stairway accessing a loft.

**Loft** means a floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

**Tiny house** means a dwelling that is 400 square feet (37 square meters) or less in floor area excluding lofts.

- C. Minimum ceiling height. Habitable space and hallways in tiny houses must have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, and kitchens must have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including but not limited to beams, girders, ducts, and lighting, must not extend below these minimum ceiling heights.

1. Exception. Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

- D. Lofts.

1. Minimum loft area and dimensions. Lofts used as a sleeping or living space must meet the following minimum area and dimension requirements:

- a. Minimum area. Lofts must have a floor area of not less than 35 square feet (3.25 square meters).

- b. Minimum dimensions. Lofts must be not less than 5 feet (1524 mm) in any horizontal dimension.

- c. Height effect on loft area. Portions of a loft with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling may not be considered as contributing to the minimum required area for the loft.

- i. Exception. Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a loft with a sloped ceiling measuring

less than 16 inches (406 mm) from the finished floor to the finished ceiling may not be considered as contributing to the minimum required area for the loft.

2. Loft access. The access to and primary egress from lofts may be any of the following types:

a. Stairways. Stairways accessing lofts must comply with the Florida Building Code or with the following:

- i. Width. Stairways accessing a loft may not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail may not be less than 20 inches (508 mm).
- ii. Headroom. The headroom in stairways accessing a loft may not be less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.
- iii. Treads and risers. Risers for stairs accessing a loft may not be less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height must be calculated in accordance with one of the following formulas: 1) the tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height; or 2) the riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.
- iv. Landing platforms. The top tread and riser of stairways accessing lofts must be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the loft. The landing platform must be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor.
- v. Handrails. Handrails must comply with Section R311.7.8.
- vi. Stairway guards. Guards at open sides of stairways must comply with Section R312.1.

b. Ladders. Ladders accessing lofts must comply with the above regulations for stairways and with the following:

- i. Size and capacity. Ladders accessing lofts must have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders must be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing must be uniform within 3/8 inch (9.5 mm).
- ii. Incline. Ladders must be installed at 70 to 80 degrees from horizontal.

c. Alternating tread devices. Alternating tread devices accessing lofts must comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails must be not less than 20 inches (508 mm).

- d. Ships ladders. Ships ladders accessing lofts must comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails must be not less than 20 inches (508 mm).
  - e. Loft guards. Loft guards must be located along the open side of lofts. Loft guards must be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.
- E. Emergency escape and rescue openings. Tiny houses must meet the requirements of Section R310 for emergency escape and rescue openings.
- 1. Exception. Egress roof access windows in lofts used as sleeping rooms are deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

#### **Section 6-5. Temporary Boarding and Sealing of Buildings.**

- A. Permit required. A permit must be obtained before any building is boarded and sealed. The permit will expire one year after it is issued. An exception may be granted by the Building Official under emergency conditions to protect life and property.
- B. Application. The application for initial permit must contain the following information:
- 1. Location of building by street address and tax parcel number.
  - 2. Name, mailing address, and telephone number of owner.
  - 3. Name, mailing address, and telephone number of individual applying for the permit, if other than owner.
  - 4. Reason for boarding and sealing building.
  - 5. Length of time building is expected to remain boarded and sealed.
  - 6. Whether utilities will be turned off during the time the building is boarded and sealed.
- C. The individual to whom the permit is issued shall comply with the vacant property standards in the City of Gainesville's Code of Ordinances within 30 calendar days and shall remain in compliance during the permit period.
- D. The City Manager or designee shall inspect any building for which a board and seal permit or renewal of permit is being sought. If the City Manager or designee finds that a building is so dilapidated or has become so out of repair as to be unsafe or otherwise unfit for human habitation or occupancy, as these terms are defined in the City of Gainesville Code of Ordinances, and that it is unreasonable to repair such building considering the cost to repair and the expected market value of the property after repair, the City Manager or designee shall order the owner of the building to demolish and remove such building. No board and seal permit will be issued or renewed for a building that has been ordered demolished and removed.

- E. A fee must be collected with the application for permit, to cover the costs of processing the permit and inspections of the building.

## **Section 6-6. Demolition of Structures.**

### A. Demolition or vacation of structures.

1. Recording of statement. Whenever the city or any of its officers or agents issues, under the provisions of any ordinance or law, any notice to vacate or notice to demolish any structure within the city and the notice becomes an order following an appeal or the absence of a timely appeal, the City Manager or designee shall cause to be recorded in the public records of the county a statement indicating the existence of the order.
2. Form of statement. The recorded statement must include the name of the owner of the real property upon which the structure is located as shown on the tax rolls at the time of recording, the tax parcel number, a legal description of the real property, the nature of the outstanding order and what is required to comply with the order, and the possible consequences if the order is not complied with.
3. Record of satisfaction. When an order to vacate or to demolish a structure is no longer effective, because the situation causing the required vacation or demolition has been corrected by the owner, or because a demolition has been accomplished by the property owner, or because the city has corrected the situation or demolished the structure and recorded a lien for the correction or demolition, or for any other reason, the City Manager or designee shall enter a record of satisfaction stating that the outstanding order is no longer effective.

### B. Waiting period for certain demolition permits. If the city's Historic Preservation Planner determines that a structure meets all of the following criteria, a demolition permit may not be issued until the expiration of 90 calendar days from the date of the permit application:

1. The structure has a Florida master site file or is 45 years of age or older;
2. The structure is either: a) located in a historic neighborhood as identified by the ERLA Survey, titled *City of Gainesville Comprehensive Preservation and Conservation Plan*, on file with the city, or b) a "landmark" structure in that it is designed in an architectural "high style" or a recognized vernacular building pattern or has historic events or persons associated with it; and
3. The structure has not been substantially burned or damaged by an event not within the landowner's control with more than 50% of the structure affected.

### C. Posted sign. After invoking a demolition delay, the Historic Preservation Planner shall post the subject property with a sign notifying the public of the owner's intent to demolish the structure in order to allow interested parties to come forward and move the structure upon consent of the owner.

### D. Historic Preservation Board. After invoking a demolition delay, the Historic Preservation Planner shall schedule the item for the next regularly scheduled meeting of the Historic Preservation Board that is not less than 10 calendar days after the date of demolition delay.

The purpose of this hearing is: 1) to allow the Historic Preservation Board to consider potential alternatives to demolition and to document information regarding the structure prior to demolition; and 2) to allow the property owner to request a waiving of the demolition delay due to economic hardship. The Historic Preservation Planner shall notify the owner by mail of the demolition delay and the date of the subject Historic Preservation Board meeting, including the process for appeal due to economic hardship. The Historic Preservation Board and its authorized designees must be permitted access to the premises and to the subject structure during the 90-day period at reasonable times by appointment with the owner or proprietor for the purpose of photographing, measuring, and documenting information concerning the structure or site.

1. *Alternatives and information.* At the subject meeting of the Historic Preservation Board, the board may pursue alternatives to demolition and may assemble and document information pertaining to the appearance and history of the subject structure prior to demolition.
2. *Economic hardship.* If requested by the property owner, the Historic Preservation Board shall hold a quasi-judicial hearing pursuant to Section 30-3.5 and the board's adopted rules to consider economic hardship to the property owner as a result of the demolition delay. The Historic Preservation Board shall waive the demolition delay if the owner demonstrates economic hardship due to the demolition delay. The Historic Preservation Board may require from the property owner any or all of the following information before it makes a decision on the application as long as such information is relevant, and the Historic Preservation Board may hire an independent third-party to perform an analysis of the economic feasibility of rehabilitation or reuse of the existing structure.
  - a. A report from a licensed engineer, contractor, or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
  - b. An estimate from an architect, licensed contractor, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.
  - c. If the property is income-producing, the Historic Preservation Board may also require:
    - i. The annual gross income from the property for the previous two years, itemized operating and maintenance expenses for the previous two years, and depreciation deductions and annual cash flow before and after debt service, if any, during the same period.
    - ii. The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years.
    - iii. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.

- iv. Any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two years.
- v. The assessed value of the property according to the two most recent assessments.
- vi. The real estate taxes for the previous two years.
- vii. The form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.
- viii. Any other information considered necessary by the board to a determination as to whether the property does yield or may yield a reasonable return to the owners.

**Section 6-7. Schedule of Fees.**

<b>Building Permit Fees</b>		
	<u>Type</u>	<u>Fee</u>
<b>1) New Buildings</b>		
	<u>Nonresidential:</u>	<u>Building value multiplied by 0.008, but in no case less than \$60.</u>  <u><b>Building value</b> means the greater of the following: 1) latest published Building Valuation Data compiled by the International Code Council (ICC) multiplied by 0.75; or 2) contract price submitted by the applicant.</u>
	<u>Residential:</u>	<u>Building value multiplied by 0.006, but in no case less than \$60.</u>  <u><b>Building value</b> means the greater of the following: 1) latest published Building Valuation Data compiled by the International Code Council (ICC) multiplied by 0.75; or 2) contract price submitted by the applicant.</u>
<b>2) All Other Construction</b>		
		<u>Contract price multiplied by 0.008, but in no case less than \$60.</u>  <u>If no contract available, the owner shall submit a sworn affidavit of the cost of the project with supporting backup provided.</u>
<b>3) Electrical/Plumbing/Gas/Mechanical</b>		
	<u>Each permit:</u>	<u>\$60</u>
	<u>Additional inspection:</u>	<u>\$60</u>
<b>4) Administrative Fees</b>		
	<u>Building plan review:</u>	<u>20% of permit cost.</u>



	<u>Revisions to plans (each item):</u>	<u>\$12</u>
	<u>Duplicate plans reproduction:</u>	<u>\$56</u>
	<u>Duplicate permit card:</u>	<u>\$12</u>
	<u>Letter of Reciprocation:</u>	<u>\$50</u>
	<u>Plans search/location:</u>	<u>\$50</u>
<b>5) Special Inspections</b>		
	<u>Reinspections:</u>	<u>\$70 each reinspection.</u>  <u>Charged when the project was not ready for the inspection requested; when a reinspection is required because the necessary corrections have not been made; or when requested. The fee must be paid prior to scheduling any additional inspections for that project.</u>
	<u>Inspections after working hours:</u>	<u>\$180 each inspection.</u>
	<u>Special project inspections:</u>  <u>* Required for projects that meet any of following: 1) contract price greater than \$10,000,000; 2) total gross square feet greater than 50,000; or 3) meets state law definition of Threshold Building. Upon request for other projects based on availability.</u>	<u>\$53 per hour; \$9,100 per 30-day period for on-site, full-time inspector.</u>
<b>6) Flat Rate Permit Fees</b>		
	<u>Board and seal permit:</u>	<u>\$83</u>
	<u>Demolitions:</u>	<u>\$70</u>
	<u>Manufactured and mobile homes:</u>	<u>\$70</u>
	<u>Pre-manufactured storage buildings greater than 100 square feet:</u>	<u>\$60</u>
	<u>Tent permit:</u>	<u>\$60</u>
	<u>Christmas tree sales lot, includes structure, temporary pole, lights, and signs:</u>	<u>\$60</u>
	<u>Change of use, no construction:</u>	<u>\$60</u>
	<u>Electrical service changes, upgrades only, all service sizes:</u>	<u>\$60</u>

## ARTICLE II. GAINESVILLE GREEN BUILDING PROGRAM

### **Section 6-8. Definitions.**

When used in this article, the following words, terms, and phrases have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**City** means the City of Gainesville, Florida.

**City Commission** means the City Commission of the City of Gainesville, Florida.

**City-owned civic or office construction project** means city-owned buildings providing a public gathering place or office facilities.

**Construction** means any project associated with the creation, development, or erection of any building eligible for the program.

**FGBC** means the Florida Green Building Coalition.

**GHDS** means the Green Home Designation Standard of the Florida Green Building Coalition.

**Green building** means generally the resource efficient design, construction, and operation of buildings by employing environmentally sensible construction practices, systems, and materials.

**Independent or independent of the city** means not employed by, or acting as agents of, the city.

**L.E.E.D.** means the Leadership in Energy and Environmental Design Rating System of the U.S. Green Building Council.

**Municipal** means owned by the city.

**Private** means property not owned by the city.

**Program** means the city green building program.

**Program certification** means the final designation awarded to a program participant for satisfying all requirements associated with the program for a particular project.

**Program participant** means any person or entity seeking program certification for a particular project.

**Project** means any construction associated with the creation, development, or erection of any building eligible for the program.

**Project application form** means the form submitted to the Building Inspection Department indicating that a program participant is interested in participating in the program for a particular project.

**Sub-program** means any area of construction covered by the program.

**USGBC** means the U.S. Green Building Council.

#### **Section 6-9. Purpose.**

The Gainesville Green Building Program is a voluntary program that seeks to incentivize and promote sustainable and environmentally-friendly practices of construction and design. City-owned construction projects must follow the program guidelines when feasible, upon review by the City Commission.

#### **Section 6-10. Administration.**

The program will be jointly administered by the Building Inspection Department and Gainesville Regional Utilities, which together are responsible for:

- A. Funding the program through annual funds budgeted and appropriated by the City Commission;
- B. Marketing the program to the community by any reasonably effective means, including but not limited to print advertising, press releases, television advertising, or advertising in monthly mailers;
- C. Developing any appropriate or necessary application procedures, including but not limited to the program application form;
- D. Providing an incentive award to any program participant who has successfully satisfied the requirements associated with that incentive; and
- E. Resolving disputes that may arise from implementing the program.

#### **Section 6-11. Scope.**

- A. The program is voluntary for all non-city projects.
- B. For any city-owned construction project, the city must participate in the program unless the City Commission determines that the cost (e.g., time, function, or funding) associated with participating in the program significantly outweighs the benefits.
- C. The program shall be administered on a per-unit basis. For the purpose of this section of the program, "per-unit" means each unit built, except that any multi-family dwelling or similarly clustered structure may count as one unit, as determined by the City Manager or General Manager for Utilities or their designees.

#### **Section 6-12. Standards.**

The program will be administered using current standards developed by the U.S. Green Building Council, the Florida Green Building Coalition (FGBC), the Florida Home Builders Association, or any other standard approved by the city. For the purpose of this section, "current" means at the time a program participant submits a project application form with the Building Inspection Department. These standards apply as follows:

- A. *Residential construction.* For new residential construction, the project must satisfy all of the requirements of the current Green Home Designation Standard (GHDS) of the FGBC, including but not limited to any monetary or certification requirements. For residential retrofitting or remodeling, the project must satisfy all of the requirements of the current and applicable LEED rating program, including but not limited to any monetary or certification requirements. In addition, all projects must satisfy all of the requirements of the current and applicable Florida Water Star Standards established by the Florida Home Builders Association certified ratings program.
- B. *Nonresidential construction.* For nonresidential construction, the project must satisfy all of the requirements associated with the current and applicable LEED rating program, including but not limited to any monetary or certification requirements. In addition, the project must satisfy all of the requirements of the current and applicable Florida Water Star Standards established by the Florida Home Builders Association certified ratings program.

### **Section 6-13. Incentives.**

The city shall provide the following incentives to encourage the use of this program:

- A. Expedited process for building permits.
- B. Reduced permitting fee, subject to availability of funds. The discounted fee shall equal 50% of the otherwise required permitting fee; if the project is located in a designated enterprise zone, then the reduced permitting fee shall equal 50% of the applicable enterprise zone permit fee.
- C. For all projects other than one and two-family residential projects, there shall be a reduced development plan review fee, which shall equal 50% of the otherwise required development plan review fee.
- D. For multi-family residential retrofitting or remodeling, projects shall be eligible for the following incentives provided by GRU:
  - 1. A cash renovation incentive, subject to availability of funds; and
  - 2. A solar water heater incentive, subject to availability of funds and meeting other solar rebate program requirements.
- E. Marketing incentives, including but not limited to:
  - 1. The erection of building site signs designating a project under the program;
  - 2. Educational information for building owners and the general public demonstrating the benefits of green building;
  - 3. The inclusion of program participants on a city webpage dedicated to the program;
  - 4. The creation of promotional packages such as a program logo for a program participant's advertisements or brochures;
  - 5. Press releases; and
  - 6. City endorsement of program participants to a certified green builder list developed by the city.
- F. Green building award. The city shall annually award one project that demonstrates an outstanding commitment to green building with the "Green Building Award."
- G. Other incentives. Other incentives as may be approved by the City Commission.

### **Section 6-14. Certification.**

The program is subject to certification by a qualified third party who has been trained and certified as a green building rater. For the purpose of this section, "third party" means any person or entity authorized by the FGBC or the USGBC to verify that a program participant has satisfied any or all of the requirements associated with the standard designated for a particular project.

### **Section 6-15. Training.**

The Building Inspection Department in conjunction with FGBC shall conduct at least one training workshop per year for the purpose of educating potential or current program participants about the program.

#### **Section 6-16. Program Review.**

The Building Inspection Department and GRU shall jointly review the program as necessary in order to make the program more effective, including but not limited to potentially updating program incentives, recommending program or marketing changes to the City Commission, reviewing suggestions made by program participants, and annually awarding the Green Building Award in accordance with the program.

### ARTICLE III. CONSTRUCTION TRADES REGULATIONS

#### **Section 6-17. Definitions.**

When used in this article, the following words, terms, and phrases have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***Apprentice or helper*** means a person employed in a trade or craft specified in this article for the purpose of learning that trade or craft through practical experience under the direction and supervision of certified master or journeyman craftsmen.

***Contractor*** means a contractor as defined in Section 489.105, Florida Statutes, and means a person who engages in business, under express or implied contract, in the performance of those construction trades regulated by this chapter of the Code of Ordinances, or who undertakes or offers to undertake or purports to have the capacity to undertake, or submits a bid to, or does himself or herself, or by or through others, engage in the business of doing such a construction trade. A contractor does not include either a person who only furnishes material, supplies, or equipment without consuming them in the performance of the work of a contractor, or a person who engages in the activities herein regulated as an employee with wages as his or her sole compensation.

***Contractor certificate*** means a certificate of competency issued by the city that certifies that its holder has met this article's requirements to engage in business as a contractor in the category indicated on the certificate. A contractor certificate is not a business tax receipt.

***Journeyman craftsman (electrician only)*** means a person who has been examined by the city and found to have the required skill, knowledge, and experience to do the work in the performance of a particular trade or craft and holds a current valid journeyman craftsman certificate issued by the city.

***Master craftsman (electrician only)*** means a person who has been examined by the city and found to have the required skill, knowledge, and experience to plan, layout, supervise, and do the work of a particular trade or craft and who holds a current valid master craftsman certificate issued by the city.

***Trade*** and ***craft*** mean occupations in the construction field that require skill, knowledge, manual ability, and experience to perform.

#### **Section 6-18. Purpose.**

In order to protect the public health, safety, and welfare, it is declared necessary to establish regulations to ensure that persons engaged in the contracting for a performance of certain trades, construction, equipping, and installations of and in buildings and structures are competent to perform their work and possess the experience, education, skill, and financial capability to adequately perform such work in a manner that is safe to persons and property.

#### **Section 6-19. Scope.**

This article includes the work of contractors and craftsmen as provided in this article on private and public property, except:

- A. *Utilities.* Work performed by the employees or contractors of a public utility, including railroads and communications utilities, on equipment, rights-of-way, easements, and operating facilities of the utility and which is not, by reason of that special use, normally or usually performed by craftsmen or contractors regulated by this article.
- B. *Certain equipment and machinery.* Work on ships, aircraft, automotive, mine, and industrial process equipment and operating machinery.
- C. *Conflict with state or federal law.* Work upon a site or project where federal or state law supersedes this article.
- D. *Registration and certification under state law.* Work performed by contractors in the various construction trades who do not hold a contractor certificate issued by the city and who are certified as provided by state statutes.

#### **Section 6-20. Contractor Certificate.**

- A. *Required.* Except as otherwise provided by law, applications for a permit to perform work within the scope of this article will be accepted only from a contractor holding a current contractor certificate and business tax receipt. It is unlawful for any person to engage within the city in the business or act in the capacity of a contractor as provided in this article without a valid contractor certificate issued by the city.
- B. *Bidding on city projects.* Any person who bids or proffers a bid to the city on any public works project within the scope of this article shall, at the time the bid or proffer of bid, hold a valid contractor certificate issued by the city qualifying him or her to perform the work proposed by the bid and contract documents.
- C. *Grandfathering current certificate holders.* Any construction contractor who has a valid active certificate from the Construction Trades Advisory Board of the city as of August 1, 1995, may continue to perform the work for which certified, provided the certificate is renewed as provided in this article.
- D. *Application.* The applicant shall apply on a form prescribed by the Building Official and provide a receipt evidencing payment of any applicable application processing fee as

provided in this Code of Ordinances. The supporting papers must be maintained as a permanent record as long as the certificate issued thereon is valid.

#### **Section 6-21. Insurance Requirements for Contractors.**

- A. Liability insurance. Contractors shall provide evidence to the Building Official that the contractor has in full force and effect a policy of public liability insurance with respect to such contractor's business, trade, or occupation issued by an insurance company authorized to do business in the State of Florida. The amounts of the policy must be at least equal to but not limited to those amounts required by the State of Florida.
- B. Worker's compensation insurance. Except as exempted by law, contractors shall maintain worker's compensation insurance issued by an insurance company authorized to do business in the State of Florida as required by law. Evidence of such insurance must be filed with the Building Official.
- C. If the insurance required under this section expires or is at any time canceled, then the certification or registration of the person will be immediately and automatically suspended and it will be unlawful for the person to engage in such business until the certification or registration is reinstated.

#### **Section 6-22. Journeyman Certificate.**

A certificate for a journeyman may be obtained in the following manner:

- A. Application. The applicant shall apply on a form prescribed by the Building Official. The supporting papers must be maintained as a permanent record as long as the certificate issued thereon is valid.
- B. Experience. To be eligible for a journeyman certificate, the applicant must have and shall include in his or her application evidence of at least three years of practical experience as an apprentice or helper in the trade or craft concerned.
- C. Fee. Each application for a certificate must be accompanied by a receipt evidencing payment of an application processing fee as provided in this Code of Ordinances. Fees are not refundable.
- D. Examination. Each applicant must successfully pass an examination as provided by the Building Inspection Department. To be eligible for a particular examination, an applicant must file his or her application with the Building Official at least 30 calendar days before the date of the examination.

#### **Section 6-23. Responsibilities of Contractors and Craftsmen.**

- A. Prohibited. It is unlawful for any contractor or master craftsman to do work for which no permit has been issued where required or to allow his or her name to be used to obtain permits for work:
  - 1. That is to be done by anyone who is not a bona fide employee of the contractor or master craftsman or of the entity for which the contractor or master craftsman works full-time; or

2. That is not done under the supervision of the contractor or master craftsman.
- B. Lawful work. It is the responsibility of the contractor or master craftsman obtaining a permit under his or her name to ensure that:
1. Work done under the permit complies with the law and regulations related to the work; and
  2. The work is done by craftsmen holding valid certificates where required; for this purpose, a certified craftsman is deemed to do the work if he or she is in direct charge of the work, is continuously present on the site where the work is being done, and is assisted by no more than four helpers.
- C. Registration of employer. Each contractor and master craftsman serving as a qualifying agent shall register with the Building Official the name and place of business of his or her full-time employer. No contractor or master craftsman serving as a qualifying agent shall serve in that capacity for more than one employer at a time. No master craftsman shall serve as qualifying agent for more than two contractors in any 12-month period.
- D. Notification of change in employment. Each contractor or master craftsman serving as a qualifying agent shall promptly notify the Building Official of a change in employment. If a contractor has obtained a permit for work to be done under the supervision of a master craftsman who later leaves the contractor's employment, work authorized by the permit may be done by qualified journeyman craftsmen, notwithstanding the lack of supervision by a master craftsman, but only as provided in this article.
- E. Qualifying agent generally. Where a master craftsman has notified the Building Official, by endorsement of an application for a contractor's certificate or otherwise, that he or she is serving a contractor as qualifying agent, the master craftsman shall be held responsible under this Code of Ordinances for ensuring that all work done by the contractor is in compliance with all provisions of this Code of Ordinances applicable thereto. A qualifying agent is required to keep himself or herself informed of the status of work being performed by his or her employing contractor and to carry out the responsibilities delineated by this section. It is the express intent of these regulations that a master craftsman serving as a qualifying agent will be physically capable of carrying out his or her responsibilities at all times while employed in that capacity.

#### **Section 6-24. Violations.**

It is unlawful for any person to violate or fail to comply with any applicable provision of this article. The proprietor, all partners, and all directors of any firm or corporation are responsible for the acts of their respective agents and employees, and it is an offense against the city for any such proprietor, partner, or director to cause, or to knowingly suffer or permit, his or her agent or employee to violate or fail to comply with any applicable provision of this article. The city may employ enforcement powers and seek penalties and remedies as provided by Florida law or the City of Gainesville Code of Ordinances, including as provided by Section 1-9, for violations of this chapter or related provisions.



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**SECTION 2.** The section titled *Buildings and Building Regulations* in Appendix A – *Schedule of Fees, Rates and Charges* of the City of Gainesville Code of Ordinances is deleted in its entirety as follows. Except as amended herein, the remainder of Appendix A remains in full force and effect.

**BUILDINGS AND BUILDING REGULATIONS:**

~~(1) Building permit fees (§ 6-3(108.2 of the Florida Building Code, 2004 ed.)): See subsection (6) for all new construction, addition and renovation permit fees for one- and two-family residential (i.e. dwelling). For multifamily residential projects (those designated as type R2 under section 310.1 of the Florida Building Code, 2004 ed.), there shall be one building permit issued for each multifamily building.~~

~~a. The permit fee for all new construction and additions shall be calculated based on the cost per square foot table and estimated valuation taken from the table below or the contract price, whichever is greater. The permit fee for all renovations shall be calculated based on the contract price. If the owner builder is obtaining the permit and there is no contract, the owner must submit a sworn affidavit of the cost of the project with backup provided for the materials cost. The cost shown on the affidavit will be used in lieu of the contract price to calculate the permit fee.~~

~~1. Where the valuation does not exceed \$1,000.00 ..... 100.00~~

~~2. Where the valuation is over \$1,000.00:~~

~~(i) First \$1,000.00 ..... 100.00~~

~~(ii) Each additional \$1,000.00 or fractional part up to \$250,000.00 ..... 6.75~~

~~3. Where the valuation is over \$250,000.00:~~

~~(i) First \$250,000.00 ..... 1,780.75~~

~~(ii) Each additional \$1,000.00 or fractional part up to \$1,000,000.00 ..... 3.50~~

~~4. Where the valuation is over \$1,000,000.00:~~

~~(i) First \$1,000,000.00 ..... 4,405.75~~

~~(ii) Each additional \$1,000.00 or fractional part thereafter ..... 3.50~~

~~5. Site work only: Valuation to calculate permit fee shall be based on the cost of excavation, paving and landscaping.~~

~~b. Moving buildings or structures, each story ..... 82.75~~

~~c. Paving of all driveways and parking lots other than public, single family and duplex use:~~

- 31           1. First 1,000 square feet ..... 27.75
- 32           2. Each additional 1,000 square feet or fractional part thereafter ..... 11.25
- 33           d. Fences and/or walls wood frame construction (where required):
- 34           1. First 300 lineal feet or fractional part ..... 55.25
- 35           2. Each 100 lineal feet thereafter ..... 16.75
- 36           (Masonry walls shall be calculated the same as a new building permit)
- 37           e. Demolition of buildings, per floor ..... 55.25
- 38           f. Mobile home sites and/or tie-down fees, for each location ..... 55.25
- 39           g. Notice of commencement form, except where exempted by F.S. Ch. 713 ..... 5.75
- 40           h. Reinspection fees shall be charged under the following conditions:
- 41           1. The project is not ready for the inspection requested.
- 42           2. Upon any reinspection, all the prior corrections have not been made.
- 43           The reinspection fee shall be \$110.00 each. This fee shall be paid prior to scheduling any
- 44           additional inspections for that project.
- 45           i. There shall be a double fee for all work for which a permit is required and work has commenced
- 46           before a permit is applied for.
- 47           j. For multifamily residential projects, each inspection after the first of that type per building, when
- 48           requested by the contractor ..... 60.00
- 49           k. Building plan review fee: 20% of the permit cost.
- 50           l. Fire plan review fee (R3 Exempt): 20% of the permit cost.
- 51           Any inspection for which no fee is specified for actual time spent inspecting ..... 60.00
- 52           Re-roofing permits shall be calculated at a base fee of \$60.00 plus \$3.00/square, or contract price using
- 53           the building valuation, whichever is greater.
- 54           Valuation estimates shall be based on the cost per square foot of total floor area as published in
- 55           the International Code Council Building Safety Journal in February and August each year.

Occupancy	Types of Construction 3									
	I-A	I-B	IV	II		III		V		
				II-A 1-HR	II-B UNP	III-A 1-HR	III-B UNP	V-A 1-HR	V-B UNP	

Assembly:									
Auditorium	<del>139.30</del>	<del>133.62</del>	<del>117.26</del>	<del>128.35</del>	<del>122.44</del>	<del>109.81</del>	<del>110.09</del>	<del>98.65</del>	<del>94.55</del>
Church	<del>163.60</del>	<del>157.92</del>	<del>141.56</del>	<del>153.66</del>	<del>146.75</del>	<del>135.13</del>	<del>134.40</del>	<del>123.97</del>	<del>118.86</del>
Gymnasium	<del>136.70</del>	<del>132.48</del>	<del>119.68</del>	<del>128.10</del>	<del>124.03</del>	<del>114.08</del>	<del>114.77</del>	<del>104.71</del>	<del>102.11</del>
Restaurant	<del>136.70</del>	<del>132.48</del>	<del>119.68</del>	<del>128.10</del>	<del>124.03</del>	<del>114.08</del>	<del>114.77</del>	<del>104.71</del>	<del>102.11</del>
Theater with stage	<del>176.90</del>	<del>171.15</del>	<del>154.79</del>	<del>166.88</del>	<del>159.97</del>	<del>148.38</del>	<del>147.66</del>	<del>137.22</del>	<del>132.12</del>
Business:									
Office	<del>140.00</del>	<del>134.95</del>	<del>117.26</del>	<del>130.65</del>	<del>124.54</del>	<del>111.53</del>	<del>110.82</del>	<del>99.60</del>	<del>95.75</del>
Research/Eng	<del>140.00</del>	<del>134.95</del>	<del>119.78</del>	<del>130.65</del>	<del>124.54</del>	<del>111.53</del>	<del>110.82</del>	<del>99.60</del>	<del>95.75</del>
Service Station	<del>140.00</del>	<del>134.95</del>	<del>119.78</del>	<del>130.65</del>	<del>124.54</del>	<del>111.53</del>	<del>110.82</del>	<del>99.60</del>	<del>95.75</del>
Educational:									
School	<del>149.10</del>	<del>144.06</del>	<del>129.32</del>	<del>139.93</del>	<del>133.69</del>	<del>123.37</del>	<del>120.45</del>	<del>110.19</del>	<del>106.00</del>
Factory Industrial:									
Light-Mfg.	<del>85.02</del>	<del>81.11</del>	<del>70.93</del>	<del>76.36</del>	<del>73.93</del>	<del>63.99</del>	<del>64.99</del>	<del>54.77</del>	<del>51.74</del>
Hazardous (Sprinkler System Included) 3 :									
Hazardous	<del>140.00</del>	<del>134.95</del>	<del>119.78</del>	<del>130.65</del>	<del>124.54</del>	<del>111.53</del>	<del>110.82</del>	<del>99.60</del>	<del>95.75</del>
Institutional:									
Convalescent Hospital	<del>138.30</del>	<del>133.59</del>	<del>123.94</del>	<del>130.04</del>	<del>124.80</del>	<del>114.52</del>	<del>123.94</del>	<del>105.39</del>	<del>101.21</del>
Hospital	<del>138.30</del>	<del>133.59</del>	<del>123.94</del>	<del>130.04</del>	<del>124.80</del>	<del>114.56</del>	<del>114.52</del>	<del>105.39</del>	<del>101.21</del>
Mercantile:									
Department Stores	<del>102.60</del>	<del>98.32</del>	<del>85.52</del>	<del>93.94</del>	<del>89.97</del>	<del>80.45</del>	<del>81.15</del>	<del>71.08</del>	<del>68.48</del>

Occupancy	Types of Construction 3											
	I-A		I-B		IV		II		III		V	
					II-A 1 HR	II-B UNP	III-A 1 HR	III-B UNP			V-A 1 HR	V-B UNP
Mall Stores	102.60	98.32			85.52	93.94	89.87	80.45	81.15	71.08	68.48	
Mall Concourse	102.60	98.32			85.52	93.94	89.87	80.45	81.15	71.08	68.48	
Retail Stores	102.60	98.32			85.52	93.94	89.87	80.45	81.15	71.08	68.48	
Residential:												
Apartments	116.30	111.63			102.18	108.08	102.84	92.80	92.76	83.63	79.45	
Dormitories	116.30	111.63			102.18	108.08	102.84	92.80	92.76	83.63	79.45	
Assisted Living Bldgs.	138.30	133.59			123.94	130.04	124.80	114.56	114.52	105.39	101.21	
Hotel	138.70	133.98			124.42	130.43	125.19	115.04	115.00	105.87	101.68	
Motel	138.70	133.98			124.42	130.43	125.19	115.04	115.00	105.87	101.68	
Single Family Residence	111.50	108.46			101.12	105.79	102.87	98.15	97.91	93.50	88.03	
Storage:												
Parking Garage	77.75	73.84			63.66	70.09	66.68	57.88	57.88	48.46	44.63	
Private Garage	77.75	73.74			63.66	70.09	66.68	57.88	63.66	48.46	44.63	
Repair Garage	78.75	74.84			64.66	70.09	67.68	57.88	58.88	48.46	45.63	
Warehouse	78.75	73.84			63.66	70.09	66.68	57.88	57.88	48.46	44.63	

56 -

57 1 For sprinkled buildings other than hazardous occupancies add \$175/sq. ft.

58 ~~(2) Electrical permit fees (§ 6-3(108.2 of the Florida Building Code, 2004 ed.)): See subsection (6) for all~~  
59 ~~new construction, addition and renovation permit fees for one- and two-family residential (i.e.~~  
60 ~~dwelling).~~

61 ~~a. Electrical permit, each ..... 60.00~~

62 ~~b. Inspection fee per inspection ..... 60.00~~

63 ~~c. Reinspection fees shall be charged under the following conditions:~~

64 ~~1. The project is not ready for the inspection requested.~~

65 ~~2. Upon any reinspection, all the prior corrections have not been made.~~

66 ~~The reinspection fee shall be \$110.00 each. This fee shall be paid prior to scheduling any~~  
67 ~~additional inspections for that project.~~

68 ~~d. A fee of double the above amounts shall be charged for any work commenced before a permit is~~  
69 ~~applied for. If work is performed on an emergency basis, the master electrician shall obtain the~~  
70 ~~necessary permit within forty-eight (48) hours or a double fee will be charged.~~

71 ~~e. Request for inspection to be done after working hours ..... 180.00~~

72 ~~(3) Plumbing permit fees (§ 6-2(108.2 of the Florida Building Code, 2004 ed.)): See subsection (6) for all~~  
73 ~~new construction, addition and renovation permit fees for one- and two-family residential (i.e.~~  
74 ~~dwelling).~~

75 ~~a. Permit fee ..... 60.00~~

76 ~~b. Inspection fee per inspection ..... 60.00~~

77 ~~c. Reinspection fees shall be charged under the following conditions:~~

78 ~~1. The project is not ready for the inspection requested.~~

79 ~~2. Upon any reinspection, all the prior corrections have not been made.~~

80 ~~The reinspection fee shall be \$110.00 each. This fee shall be paid prior to scheduling any~~  
81 ~~additional inspections for that project.~~

82 ~~d. Double the amount of the permit shall be charged for any work commenced before the permit~~  
83 ~~has been applied for. If work is performed on an emergency basis, the plumbing contractor shall~~  
84 ~~obtain the necessary permit within forty-eight (48) hours of the next working day or a double fee~~  
85 ~~shall be charged.~~

86 ~~e. Request for inspection to be done after normal working hours ..... 180.00~~

87 ~~(4) Gas permit and inspection fees (§ 6-2(108.2 of the Florida Building Code, 2004 ed.)): See subsection~~  
88 ~~(6) for all new construction,2 addition and renovation permit fees for one- and two-family residential~~  
89 ~~(i.e. dwelling).~~

90 ~~a. Permit fee ..... 60.00~~

- 91        ~~b. Inspection fee per inspection ..... 60.00~~
- 92        ~~c. Reinspection fees shall be charged under the following conditions:~~
- 93            ~~1. The project is not ready for the inspection requested.~~
- 94            ~~2. Upon any reinspection, all the prior corrections have not been made.~~
- 95            ~~The reinspection fee shall be \$110.00 each. This fee shall be paid prior to scheduling any~~
- 96            ~~additional inspections for that project.~~
- 97        ~~d. Double the amount of the permit shall be charged for work commenced before a permit is~~
- 98        ~~applied for. If work is performed on an emergency basis, the master craftsman shall obtain the~~
- 99        ~~necessary permit within forty-eight (48) hours of the next working day, or a double fee shall be~~
- 100        ~~charged.~~
- 101        ~~e. Request for inspection to be done after normal working hours ..... 180.00~~

102        ~~(5) Mechanical permit fees (§ 6-2(108.2 of the Florida Building Code, 2004 ed.)): See subsection (6) for~~

103        ~~all new construction, addition and renovation permit fees for one and two family residential (i.e.~~

104        ~~dwelling).~~

- 105        ~~a. Permit fee ..... 60.00~~
- 106        ~~b. Inspection fee per inspection ..... 60.00~~
- 107        ~~c. Reinspection fees shall be charged under the following conditions:~~
- 108            ~~1. The project is not ready for the inspection requested.~~
- 109            ~~2. Upon any reinspection, all the prior corrections have not been made.~~
- 110            ~~Reinspection fee shall be \$110.00 each. This fee shall be paid prior to scheduling any~~
- 111            ~~additional inspections for that project.~~
- 112        ~~d. A double fee of the amount of the permit shall be charged for work commenced before a permit~~
- 113        ~~is applied for. If work is performed on an emergency basis, the master craftsman shall obtain the~~
- 114        ~~necessary permit within forty-eight (48) hours of the next working day, or a double fee shall be~~
- 115        ~~charged.~~
- 116        ~~e. Request for inspection after normal working hours ..... 180.00~~

117        ~~(6) Permit fee for new construction, additions and renovations of one and two family residential (i.e.~~

118        ~~dwelling, section R101.2.1 of the Florida Residential Code):~~

- 119        ~~a. The permit fee for all new construction and additions shall be calculated based on the cost per~~
- 120        ~~square foot and the valuation table or the contract price, whichever is greater. The permit fee for all~~
- 121        ~~renovations shall be calculated based on the contract price. If the owner builder is obtaining the~~
- 122        ~~permit and there is no contract, the owner builder must submit a sworn affidavit of the cost of the~~
- 123        ~~project with backup provided for the materials cost. The cost shown on the affidavit will be used in~~
- 124        ~~lieu of the contract price to calculate the permit fee.~~

- 125           1. Where the valuation does not exceed \$1,000.00 ..... 100.00
- 126           2. Where the valuation is over \$1,000.00:
- 127               (i) First \$1,000.00 ..... 100.00
- 128               (ii) Each additional \$1,000.00 or fractional part up to \$250,000.00 ..... 6.75
- 129           3. Where the valuation is over \$250,000.00:
- 130               (i) First \$250,000.00 ..... 1,780.75
- 131               (ii) Each additional \$1,000.00 or fractional part up to \$1,000,000.00 ..... 3.50
- 132           4. Where the valuation is over \$1,000,000.00:
- 133               (i) First \$1,000,000.00 ..... 4,405.75
- 134               (ii) Each additional \$1,000.00 or fractional part thereafter ..... 3.50
- 135           5. Site work only: Valuation to calculate permit fee shall be based on the cost of excavation,  
136           paving and landscaping.
- 137           b. There shall be a double fee for all work for which a permit is required and work has commenced  
138           before a permit is applied for.
- 139           c. At least one working day prior to the first inspection of the work, the person to whom the permit  
140           was issued shall notify the building official or his/her designee and provide a list of all the licensed  
141           craftsmen who are or will be performing work under the permit. If any substitutions or additions to  
142           such list occur during the course of the work, the building official shall be notified immediately. No  
143           inspection of any work under the permit shall be conducted unless and until such list is up to date  
144           and complete at least one (1) day prior to any requested inspection.
- 145           d. If, as described above, the person to whom the permit is issued is not performing all the work to  
146           be performed under the permit, such person shall procure affidavits from the licensed craftsman  
147           performing such other work stating that such work was performed by them in accordance with the  
148           code and shall present such affidavits to the inspector prior to any inspection of such other work.
- 149           e. Reinspection fees shall be charged under the following conditions:
- 150               1. The project is not ready for the inspection requested.
- 151               2. Upon any reinspection, all the prior corrections have not been made.
- 152               Reinspection fees shall be \$110.00 each. This fee shall be paid prior to scheduling any  
153               additional inspections for that project.
- 154           f. For each request for inspection or reinspection to be done after hours there shall be an additional  
155           charge of \$180.00.
- 156           (7) [Journeyman test fees ]
- 157           a. Application processing fee for journeyman test (§ 6-187): ..... 33.25

- 158        b. Certificate for journeyman—Application fee (~~§ 6-187~~) ..... 26.25
- 159        c. Reciprocation of certification for journeyman—Application fee (~~§ 6-187~~) ..... 105.00
- 160        ~~(8) Contractor and craftsman certificates, annual renewal (~~§ 6-193~~):~~
- 161            Beginning September 30, 2000, Contractor and Craftsman Certificates shall be renewed every two
- 162            years according to the following schedule:
- 163            Year 2000 and subsequent even-numbered years: Last Name beginning with A through M.
- 164            Year 2001 and subsequent odd-numbered years: Last Name beginning with N through Z.
- 165            a. Contractor and master certificates ..... 55.25
- 166            b. Journeyman craftsman certificates ..... 55.25
- 167            c. Late renewal, all classes of certificates ..... 110.25
- 168        ~~(9) Administrative fees:~~
- 169            a. Duplicate plans provided by the customer ..... 27.75
- 170            b. Duplicate permit card ..... 11.25
- 171            c. Revisions to plans (each item changed) ..... 11.25
- 172            d. Letters of reciprocation ..... 27.75
- 173            e. Plans search (locating) ..... 27.75
- 174            f. Local fax application surcharge ..... 1.25
- 175            g. Long distance fax application surcharge ..... 2.25
- 176            h. Duplicate plans lost by the customer prior to the certificate of occupancy, and made available by
- 177            the city, plus reproduction fees ..... 55.25
- 178        ~~(10) Special services:~~
- 179            a. Pre-plan review, one-half building permit fee. Valuation is based on cost per square foot and type
- 180            of construction. This fee will be applied to the building permit application.
- 181            b. After hours inspection ..... 180.00
- 182            c. Fast track surcharge; equal to permit fee, not to exceed ..... 500.00
- 183            d. Special inspections:
- 184                1. Multi-family and mixed use buildings:
- 185                When a building or project meets any of the following parameters, special inspections are
- 186                required based on the fee in 3. below.



- 187 (i) Contract price of \$10,000,000 or greater; or
- 188 (ii) 50,000 or greater total gross square feet; or
- 189 (iii) Meets the definition of a Threshold Building as defined in F.S. § 553.71(7).

190 2. Single family dwelling developments:

191 Upon the written request of a developer or contractor of a single family dwelling development  
192 in excess of 75 dwelling units and upon written approval by the building official, special  
193 inspections shall be provided to the developer or contractor of said single family dwelling  
194 development.

195 Requests for special inspections must be completed by the developer/contractor in writing and  
196 will be approved by the building official in writing prior to developer or contractor filing the first  
197 application for permitting. The fees shall be due and payable on the date the first application for  
198 permitting is filed with the city. Subsequent requests to continue the special inspection service  
199 for additional 30-day periods must be received by the city in written form two weeks prior to  
200 the expiration of the current 30-day period and shall be submitted along with the special service  
201 monthly fee. All fees are nonrefundable.

202 The city reserves the right to suspend such special inspections in the event of impossibility or in  
203 times of natural disaster. Any fees previously paid to the city will be held in abeyance pending  
204 resumption of special inspections.

205 3. Fee per hour ..... 52.50

206 4. Special inspection service charge for on-site, full-time inspector ..... 9,100.00  
207 per 30-day period

208 (11) Flat rate permit fees:

209 a. Pre-manufactured storage buildings greater than 100 square feet ..... 60.00

210 b. Tent permit ..... 60.00

211 c. Christmas tree sales lot, includes structure, and temporary pole, lights and signs ..... 60.00

212 d. Change of use—no construction ..... 60.00

213 e. Electrical service changes, upgrades only; all service sizes ..... 60.00

214 (12) Board and seal permit fee (§ 6-20(e)) ..... 82.75

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216

217 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2 of this  
218 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,

219 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or  
220 relettered in order to accomplish such intent.

221 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
222 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
223 finding will not affect the other provisions or applications of this ordinance that can be given  
224 effect without the invalid or unconstitutional provision or application, and to this end the  
225 provisions of this ordinance are declared severable.

226 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
227 conflict hereby repealed.

228 **SECTION 6.** This ordinance will become effective immediately upon adoption.

229

230 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

Attest:

Approved as to form and legality:

\_\_\_\_\_  
OMICHELE D. GAINNEY  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

245 This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

246 This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2018.