

## Building Code Administration Program

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### Purpose

Florida law and regulations require that all new buildings constructed, as well as modifications to existing buildings, be reviewed and inspected for compliance with building codes and standards. To meet this mandate, the College has established a Building Code Administration Program. The code inspection and enforcement program is based on the most recently adopted version of the Florida Building Code and the Building Officials Association of Florida (BOAF) Model Administrative Code, 2006. While the intent of the Florida Building Code is well known and needs no further explanation, the BOAF Model Administrative Code intent is not so well known. The BOAF Model Administrative Code was developed as the industry recognized tool that facilitates the uniform and consistent application of administrative provisions within the Florida Building Code.

Therefore, based on the Florida Statutes, which are implemented through the Florida Building Code and BOAF Model Administrative Code, no renovation, remodeling, or construction can begin until appropriate building permits are issued. This policy ensures that New College of Florida will meet the necessary mandates under Florida law and regulation. Therefore, all plans and specifications for construction and renovations on College property must be submitted at least two weeks in advance of the expected construction commencement date for review by the Building Code Administrator (BCA). Under these guidelines, *permits will be required for all projects regardless of scope or cost*, with the exception of routine maintenance (such as painting, carpet replacement, and minor equipment repairs performed by qualified College employees.)

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### Definitions

**Building Code Administrator** – Individual charged with the responsibility for direct regulatory administration or supervision of plan review, enforcement, or inspection of building construction, erection, repair, addition, remodeling, demolition, or alteration projects that require permitting indicating compliance with building, plumbing, mechanical, electrical, gas, fire prevention, energy, accessibility, and other construction codes as required by state law or municipal or county ordinance. Synonymous with CBO or Building Official.

**Building Inspector** - any of those employees of local governments or state agencies with building construction regulation responsibilities who themselves conduct inspections of building construction, erection, repair, addition, or alteration projects that require permitting indicating compliance with building, plumbing, mechanical, electrical, gas, fire prevention, energy,

accessibility, and other construction codes as required by state law or municipal or county ordinance.

Plans Examiner - person who is qualified to determine that plans submitted for purposes of obtaining building and other permits comply with the applicable building, plumbing, mechanical, electrical, gas, fire prevention, energy, accessibility, and other applicable construction codes. A person may be qualified in building, mechanical, gas, electrical, or a combination of the four.

Employee – means any person engaged in any employment under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed and includes, but is not limited to, aliens and minors.

Contractor- An independent contractor means a person whose conduct is not subject to an employer's control and direction. Contractors licensed to do business in the State of Florida are defined as described in F.S. Chapter 489.105(3).

Building Permit- A Legal document issued by the Building Official allowing building construction, erection, repair, addition, or alteration projects to commence.

Annual Facility Maintenance Permit- A Building Permit issued on a periodic basis, up to one year, that allows employees of New College to perform minor maintenance and repairs, not to exceed \$200,000 with minimal recordkeeping.

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## Responsibilities

Program Operation – According to Florida statutes, school districts, community colleges, and the university system may choose to operate their own building code inspection program using personnel licensed in accordance with Florida Statutes, Chapter 468 Part XII. New College of Florida may thereby operate an internal Code Enforcement Program or contract these services as deemed appropriate.

The BCA (or a certified designee) shall have the overall responsibility for reviewing all plans and specifications for compliance with adopted codes and standards. The Certified Building Official program is a regulatory code enforcement program designed to focus on compliance with Florida Statutes by enforcement of the adopted technical codes. It is not a professional design services agency, but may assist in the resolution of code deficiencies. Once the review is completed, the Building Code Administrator (BCA) will return appropriate documents and references for corrections, if necessary, or issue a permit. If corrections are necessary, the College or contractor personnel must make corrections and provide a finalized copy of all project documents to the Building Code Administrator (BCA) before a permit will be issued.

College employees performing maintenance work within the scope of their employment do not have to be licensed in order to obtain a permit. However, they are still required to fill out and maintain appropriate logs, and obtain the necessary permits and inspections as required by statute. College employees may use the annual facility maintenance permit to facilitate routine maintenance, emergency repairs, building refurbishment, and minor renovations of systems or equipment, however, any work undertaken that results in a change of floor plan or involves a potentially significant hazard as determined by the Building Code Administrator, will require a separate permit. All work must be designed, installed, and constructed in compliance with applicable Florida Statutes and Code governing such work. In the case of College employees working without the necessary permits, the employee(s) will be asked to stop work, employee's managers will be notified, and appropriate permits must be obtained before continuing of work.

Contractors: All other contracted individuals and tradesmen contractors working on College construction projects are required to obtain the necessary permits. In addition, contractors must be licensed, registered, and insured in accordance with Florida law. There is no exception. Prior to receiving a permit, contractors are required to provide plans, specifications, and construction documents, as well as proof of their state, county, and/or city registration or licensing, general liability and worker's compensation insurances to the Building Code Administrator. This includes all trade disciplines from the general contractor, as well as individual contractors for building, electrical, mechanical, plumbing, fire suppression, and irrigation that may be responsible for obtaining permits. This also includes general contractors, who hire sub-contractors to work on construction projects. The general contractor has the overall responsibility to ensure his subcontractors can meet and comply with the College permitting requirements.

It is incumbent upon all contractors to schedule inspections, as a minimum as outlined in Chapter 1 of the Florida Building Code, and the Building Officials Association of Florida (BOAF) Model Administrative Code, or as directed by the College Certified Building Official. Inspectors have the authority to perform any additional inspections, as they deem necessary to insure compliance with code requirements and project documents. This includes all permits as well as the final Certificates of Occupancy or Completion. Prior to issuing a CO, the State Fire Marshal shall issue an authorization to occupy based on compliance with State Fire Codes. Additionally, contractors shall not receive substantial or final payment from the College until a Certificate of Occupancy or a Certificate of Completion has been issued.

Environmental Health and Safety shall have the program over site of the BCA program.

Facilities Planning and Physical Plant shall be responsible for compliance with the program, initiating appropriate review of plans and inspections, and coordination with contractors to insure that they are in compliance with the BCA program and Florida Statutes related to construction and renovation projects.

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## Program

### **Building Code Administrator**

The Building Code Administrator (BCA) shall employ or contract qualified inspectors to conduct plans review and code inspections as required by the building inspection program.

The BCA will have the overall responsibility in reviewing plans and specifications for compliance with adopted codes and standards. After reviewing the documents, comments will be returned with appropriate references.

The BCA will issue permits to contractors upon satisfactory completion of the application process and receipt and review of all necessary documents.

The BCA, in conjunction with the general contractor or construction manager, will develop an inspection schedule to facilitate appropriate inspections to coincide with the project construction schedule. The BCA shall initiate construction inspections in accordance with the established inspection schedule at times requested by the appropriate contractor(s). Inspectors shall be granted permission to perform any additional inspections, as they deem necessary to insure compliance with code requirements and project documents.

Upon completion of a new building, the BCA shall issue a **Certificate of Occupancy (CO)**. The certificate of occupancy will state the building is complete, constructed in accordance with the plans and specifications, and meets the minimum code requirements at the time of issuance of the building permit. The State Fire Marshal and other College entities must inspect

and certify the building is substantially complete prior to the BCA issuance of a Certificate of Occupancy and approved occupancy of the structure.

At the completion of a renovated building, The BCA shall issue a **Certificate of Completion (CC)**. The Certificate of Completion will state the renovated portions of the building are complete, constructed in accordance with the plans and specifications, and meets the minimum code requirements at the time of issuance of the building permit. The State Fire Marshal and other College entities must inspect and certify the renovated portions of the building are substantially complete prior to the BCA issuance of a Certificate of Occupancy and approved occupancy of the structure.

A Conditional Certificate of Occupancy (CCO) or Conditional Certificate of Completion (CCC) may be issued by the Building Official at his/her discretion for a period not to exceed 60 days. If items have not been completed after the 60 day conditional occupancy, the General Contractor may be subject to additional inspection fees assessed by the Building Official.

### **Design Professionals**

Design professionals shall be responsible for the design of the project in accordance with the appropriate adopted codes and standards. The BCA shall review the design documents at the following times for major projects: schematic design, advanced design, 50%, 100%, and final bid construction documents. A major project shall be defined as a project with a construction cost greater than \$1,000,000. All other projects shall be reviewed at the 50%, 100% and final bid construction documents. The design professional shall provide four sets of signed and sealed construction documents and specifications, to the BCA. One set of these drawings will be issued to the General Contractor or Construction Manager, two sets will go to New College Facilities Management, and the fourth set will be maintained by the BCA in accordance with Florida Statutes. Two additional sets of signed and sealed drawings and specifications shall be submitted to the Office of the State Fire Marshal, Plans Review Section with the applicable fee included. If required, signed and sealed copies will also be provided to DEP or Department of Health.

***If the level of work requires the involvement of a design professional as described in Chapter 471 and Chapter 481 of the Florida Statutes, the construction documents and specifications must be signed and sealed by the architect and engineers of record.***

### **Contractor/Construction Manager**

The general contractor/construction manager (GC/CM) shall apply for the permit. At the time of application for a permit, the GC/CM shall provide a completed permit application as provide by the BCA, list of subcontractors and a letter of authorization as necessary. A building permit will be issued after these items, along with the plans and specifications have been reviewed and approved by the Building Code Administrator. One of the submitted sets of plans and specifications will be returned with the building permit and shall be stamped by the BCA stating "Reviewed for Code Compliance". This set of documents shall be kept on site for use by the inspectors.

The GC/CM shall meet with the Building Code Administrator, or designee, to develop a building inspection plan. The GC/CM shall be responsible for scheduling all required inspections in accordance with the plan developed. Subsequent construction may not proceed until the previous inspection has been completed and approved. When the GC/CM believes the project is complete, the GC/CM shall request a *Certificate of Completion* or *Certificate of Occupancy* be issued.

### **BCA Standard Operating Procedures**

1. Architects, engineers, and College design professionals shall prepare documents in accordance with the requirements of the Florida Building and Technical Codes and the Life Safety Codes. In the case of conflicts, the most stringent shall apply.
2. The A/E or Facilities Design office, as appropriate, shall forward the construction documents to the BCA for review.
3. The BCA shall review the construction documents for code compliance. The BCA will return comments to the submitting agency.
4. The GC/CM or department shall apply for the building permit.
5. The BCA will review the building permit application and issue the permit if all information supplied is acceptable and complete.
6. The BCA and the GC/CM shall develop an inspection plan.
7. The GC/CM shall call and request an inspection in accordance with the inspection plan. The BCA shall perform inspections at the request of the appropriate contractor.
8. The Office of the State Fire Marshal shall be required to inspect all renovation and constructions at the 50%, 100%, and additionally as the type of work requires. In addition, inspections may also be required by the Florida Department of Environmental Protection (DEP), the Department of Health, or local jurisdictions.
9. After the building is substantially complete and all required inspections have been performed, including final inspection by the Office of the State Fire Marshal, the building official will issue the appropriate certificate of completion or certificate of occupancy.

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### **Disputes and Resolutions**

For the first offense, contractors, which include both the general contractors and subcontractors, found working without permits or proper licensing will be asked to stop working in that area and obtain the necessary documentation and permit. On the second offense, the general contractor or subcontractor will be dismissed by the Building Code Administrator, or designee, from the job site until the contractors takes the necessary corrective action and obtains a permit. In addition, the contractor may be subjected to an additional permitting fee equal to 100% of the original permit fee. On the third offense, the contractor will be dismissed, an additional permit fee equal to 100% of the original fee may be charged, and a complaint maybe filed with the Construction Industry Licensing Board.

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### **Board of Appeals**

In the event of conflict with interpretations of the local BCA, plans reviewers and inspectors, a contractor may appeal to the BCA's established Board of Appeals. Their decision will be considered final and binding all parties. However, if it is necessary to appeal the board's

decision, it may be appealed through the Florida Building Commission, pursuant to section 120.569 Florida Statutes regarding the local government actions.

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## **Fees**

Permitting fees shall be borne by the appropriate New College construction or maintenance PECO, CIF, or Bonded Accounts. These accounts will be billed or assessed fees as appropriate to cover the cost of program operation. Other accounts (E&G, Auxiliary, Grant, etc.) and projects shall be charged permitting fees based on an established fee structure or other appropriate means. Fees for work without permits will be billed directly to the contractor.

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## **References**

Florida Statutes, Section 1013.371; 553.80(6); 553.79; 468.604; 471.003; 481.229; BOAF Model Administrative Code, 2006; Florida Building Codes.

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