

**TEMPLE TERRACE CODE
CHAPTER 8 – BUILDING AND CONSTRUCTION**

ARTICLE I.

Section 8.800 GENERAL.

The provisions of this Chapter shall govern the administration and enforcement of the building, gas, mechanical, electrical, swimming pool and plumbing codes which establish the technical standards that shall apply to buildings, structures, equipment, appliances, fixtures, fittings or appurtenances used, as well as to the method of construction, installation, alteration, repair, removal, replacement, or connection to any system and the equipment usage, occupancy, locating, maintenance and demolition of every building or structure and any appurtenances or systems connected or attached to such buildings or structures in the City of Temple Terrace, hereinafter known as the “City.”

Section 8.805 TITLE.

The provisions of this Chapter and the incorporated references shall constitute and be known and be cited as the “City of Temple Terrace Construction Code,” hereinafter known as the “Code.”

Section 8.810 CODE REMEDIAL.

(a) **General.** The Code is hereby declared to be remedial and shall be construed to be the minimum standards necessary to secure the beneficial interests and purposes thereof, which are public safety, health, and general welfare through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures, or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems.

(b) **Quality Control.** Quality control of materials and workmanship is not within the purview of the Code except as it relates to the purposes stated herein.

(c) **Permitting and Inspection.** The inspection or permitting of any building, system or plan, under the requirements of the 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 City 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.

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Section 8.815 APPLICABILITY.

(a) **General.** Where, in any specific case, different sections of the Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(b) **Building.** The provisions of the Florida Building Code, as set forth in Part IV of Chapter 553, Florida Statutes, including all subparts of the Florida Building Code, as adopted by the Florida Building Commission and all subsequent amendments, are incorporated by reference and shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every building or structure or any appurtenances connected or attached to such buildings or structures.

(c) **Federal and State Authority.** The provisions of the Code shall not be held to deprive any Federal or State agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of the Code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law. Where code requirements promulgated by separate agencies of government conflict, the more stringent standard shall be enforced unless prohibited by law.

(d) **Referenced Standards.** The provisions of Ordinance No. 987, and referenced appendices as listed below, are considered an integral part of the City of Temple Terrace Code. If specific portions of a standard are denoted by code text, only those portions of the standard shall be enforced. Where code provisions conflict with a standard, the code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

The International Building Code, 2006 Edition, and the International Residential Code, 2006 Edition, and all applicable Appendices.

(Ord. No. 1008, 11-16-99; Ord. No. 1228, 5-20-08)

Section 8.820 DEPARTMENT OF COMMUNITY DEVELOPMENT.

(a) **Establishment.** The Code shall be administered and enforced by the Department of Community Development, referred to herein as the “Department.” The City Manager or designee shall designate a “Building Official” and that person’s duly authorized representatives shall act as building officials. *(Ord. No. 1161, 2-21-06; Ord. No. 1252, 8-04-09)*

(b) **Employee Qualifications.**

(1) **Building Official.** The Building Official shall have such qualifications as deemed appropriate by the City Manager. The Building Official shall be certified as a Code Administrator in compliance with Chapter 468, Florida Statutes. Failure to maintain such certification shall be grounds for dismissal as Building Official.

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- (2) **Inspector.** The Building Official, with the approval of the applicable governing authority, may appoint or hire such number of inspectors as shall be authorized from time to time. All inspectors shall be certified as inspectors in their field of responsibility and in compliance with Chapter 468, Florida Statutes, when the inspection category is regulated by that Statute. Failure to maintain such certification shall be grounds for dismissal as an Inspector.
- (3) **Other Employees.** Any employees functioning in other capacities requiring certification for compliance with Chapter 468, Florida Statutes, must obtain and retain such certification. Failure to maintain such certification shall be grounds for dismissal.

(c) **Restrictions on Employees.** An employee of the department shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he is the owner of such. Those employees shall not engage in any other work which is inconsistent with their duties or conflicts with the interests of the department.

(d) **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.

(e) **Liability.** Any employees charged with the enforcement of the Code, acting for the applicable governing authority in the discharge of his duties, shall not hereby render themselves personally liable, and are hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of their duties. Any suit brought against any employees or members because of such act performed by that employee in the enforcement of any provision of the Code shall be defended by the City until the final termination of the proceedings.

Section 8.825 POWERS AND DUTIES OF THE BUILDING OFFICIAL.

(a) **General.** The Building Official is hereby authorized and directed to enforce the provisions of the Code. The Building Official is further authorized to render interpretations of the Code, which are consistent with its spirit and purpose.

(b) **Right of Entry.**

- (1) **Inspections.** Whenever necessary to make an inspection to enforce any of the provisions of the Code, or whenever a 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 the 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, except when a building permit has been issued for such, in which case the permit shall imply a right of entry has been granted. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.
- (2) **Warrants.** When a 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 the Code.

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(c) **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 the Code, being done without benefit of permit or in violation of any city ordinance shall immediately cease. The building official is authorized to post a dated notice to stop work on any site on which work is being performed. A person shall be guilty of an offense punishable as provided by State laws if the person:

- (1) Continues to perform work with actual or constructive knowledge that the work site has been posted by such notice, which notice has not been withdrawn by a signed order or removal by the building official.
- (2) Removes, defaces, conceals or alters such notice to stop work, without signed authority of the building official.

Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, a building official shall not be required to give a written notice prior to stopping the work.

(d) **Revocation of Permits.**

- (1) **Misrepresentation of Application.** The building official may revoke a permit or approval, issued under the provisions of the Code, in cases where there has been any false statement or misrepresentation as to the material facts in the application or plans on which the permit or approval was based.
- (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 the Code.

(e) **Unsafe, Unfit and Dangerous 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. The building official shall determine that a dwelling is unfit, unsafe and/or dangerous for human habitation if it is found that any of the following conditions exist:

- (1) Interior walls or other vertical structural members which list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
- (2) Supporting members show a 33 percent or more of damage or deterioration, or non-supporting walls or coverings which show a 50 percent or more damage or deterioration.
- (3) Floors and roofs which have improperly distributed loads, which are overloaded, or which have insufficient strength to be reasonably safe for the intended use.
- (4) Such damage by fire, wind or other cause as endangers the life, safety or welfare of the occupants or other people in the city.
- (5) Dilapidation, decay, insanitation or disrepair which is likely to cause sickness, disease or work injury to the occupants or other people in the city.

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- (6) Inadequate facilities for egress in the event of fire or panic.
- (7) Lack of adequate ventilation, light, heating or sanitary facilities that endangers the health, safety and welfare of its occupants or other people within the city.
- (8) Violations of any provision of building regulations or fire prevention laws or ordinances of the city.

Minimum Facilities. A dwelling shall be construed by the building official to be unfit for human habitation or a dangerous building, if the building does not have minimum facilities consisting of the following:

- (1) Inside running water and an installed kitchen sink.
- (2) Inside bathing facilities consisting of an installed tub or shower.
- (3) A properly installed water closet.
- (4) Screens to effectively provide covering of outside openings to prevent the entrance of pests.

All such unsafe buildings, structures or service systems are hereby declared illegal and shall be condemned by the building official. A written notice of such condemnation shall be issued to the owner, agent, occupant and/or tenant and the notice shall state the:

- (1) Unsafe conditions,
- (2) Date by which abatement of the unsafe condition by repair and rehabilitation or by demolition must be completed.

If, in the opinion of the building official, conditions are so dangerous as to constitute an immediate threat to life or property, the owner, agent, occupant, tenant and/or supplier shall be so notified and directed to disconnect and/or shut-off all gas and/or electrical service immediately. The conditions causing the immediate threat shall be repaired, replaced and/or removed. Prior to reconnecting or turn-on of gas and/or electrical service an inspection will be required at the normal inspection fee schedule. The building official shall notify the office of the Fire Marshal as to any violations of the fire codes which have been discovered.

(f) **Requirements Not Covered by Code.** Any requirements necessary for the strength, stability or proper operation of an 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 the other technical codes, shall be determined by the building official. This determination may be appealed to the appropriate Board of Adjustment, Appeals and Examiners and such appeal shall be heard within 30 days of the receipt of the written request for appeal by the building official.

(g) **Alternate Materials and Methods.** The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by them, provided any such alternate has been reviewed by a building official. The building official shall approve any such alternate, provided the building official finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the technical codes, in quality, strength, effectiveness, fire resistance, durability and safety. The building official shall require sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate. The building official's denial of a request for such alternate may be appealed to the appropriate Board of Adjustment, Appeals and Examiners and such appeal shall be heard within thirty (30) days of the receipt of the written request for appeal by the building official.

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Section 8.830

PERMITS.

(a) **Permit Application.**

- (1) **When Required.** Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, 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 Department and obtain the required permit for the work.

EXCEPTION: Permits shall not be required for work involving:

- a. Roofing, recovering, re-roofing or repairing of an existing roof involving less than 100 square feet. (*Ord. No. 1228, 5-20-08*)
- b. Application of stucco or siding involving less than 501 square feet of coverage.
- c. Installation of soffit or fascia coverings involving less 101 linear feet.
- d. Placement or moving of any pre-manufactured accessory building or structure involving less than 151 square feet of ground coverage. (*Ord. No. 1228, 5-20-08*)
- e. Non-structural slabs less than 100 square feet. (*Ord. No. 1228, 5-20-08*)
- f. Work of a non-structural nature, which does not involve electrical, gas, mechanical, plumbing, a change in usage of the building or structure, or an increase in the total interior area of a building, and in which the aggregate fair market contract price for labor, materials and all other items will or would be less than one thousand dollars (\$1,000), provided the work is not part of a larger overall operation segmented to evade normal permitting requirements.
- g. Ordinary minor repairs and maintenance to a one and two family residence or farm building under the supervision of the owner.
- h. Any portable heating appliance.
- i. Any portable ventilation equipment.
- j. Any portable cooling unit.
- k. Any steam, hot or chilled water piping within any heating or cooling equipment regulated by the Code.
- l. Replacement of equipment parts which do not alter equipment approval or make it unsafe.
- m. Any portable evaporative cooler.
- n. Any self-contained refrigeration system containing 10 lb. (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746W) or less.
- o. Any activity specifically exempted by Federal or State of Florida law.

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The waiving of building permit requirements under these exceptions shall not be deemed to be a waiver of any other requirements of the Code, including but not limited to certification requirements, or of any permit requirements set forth by any other jurisdiction or agency with the power to enforce building code regulations.

- (2) **Temporary Structures.** A special building permit shall be obtained before the erection of temporary structures such as, but not limited to, construction sheds, seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands. Such temporary permits shall be limited to a time period appropriate to the permitted usage, but shall not exceed one (1) year. Such structures shall be completely removed upon the expiration of the time limit stated in the permit.
 - (3) **Work Authorized.** A building, electrical, gas, mechanical or plumbing permit shall carry with it the right to construct or install the work, provided the same are shown on the drawings and set forth in the specifications filed with the application for the permit. Where these are not shown on the drawings and covered by the specifications submitted with the application, separate permits shall be required.
 - (4) **Minor Repairs.** Ordinary minor repairs and maintenance may be made by an owner or maintenance employee, without a permit, provided that the repairs shall not violate any of the provisions of the technical codes, and all the following conditions are met:
 - a. The repairs or regular maintenance will cost less than one thousand dollars (\$1,000).
 - b. The structure or system involved is or is part of a commercial, industrial, educational, or institutional occupancy or is a residential occupancy containing more than two dwelling units.
 - c. The building official shall determine whether the repair or maintenance is minor in nature and exempt from permitting.
 - (5) **Information Required.** Each application for a permit, with any required fees, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner, a contractor certified by the State or City to practice in the area of work proposed, or an authorized agent of either. The building permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information as may be required by the building official.
 - (6) **Time Limitations.** An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of first completed plans review, unless before then a permit has been issued.
- (b) **Drawing and Specifications.**
- (1) **Requirements.** When required by the building official, two or more copies of specifications, and of drawings drawn to a scale of at least ¼ inch to the foot with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part nor shall the terms “to code,” “legal” or their equivalents be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

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- (2) **Additional Data.** The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by design professionals shall be dated, affixed with their official seal and signed.
- (3) **Design Professional.** The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his or her official seal to said drawings, specifications and accompanying data, for the following:
- a. All new construction not exempted by other provisions of the Code.
 - b. All renovation of Group A, E, and I occupancies.

For all claims of exemption from these requirements, the submittal shall bear the certification of the applicant that a specific legal exception permits its preparation by a person not so registered.

- (4) **Structural and Fire Resistance Integrity.** Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems and also indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls.
- (5) **Site Drawings.** Drawings shall show the locations of all recorded easements, the proposed building or structure and of every existing building or structure on the site or lot. The drawing shall also show the proposed foundation elevation and lot grading.

The building official may require a boundary line survey prepared by a qualified surveyor.

- (6) **Hazardous Occupancies.** The building official may require the following:
- a. 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.
 - b. 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 material storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.

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(c) **Examination of Documents.**

- (1) **Plan Review.** The building official shall examine or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, computations and additional data, and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the technical codes and all other pertinent laws or ordinances.
- (2) **Affidavits.** The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical, or plumbing systems, a certification that the structure, electrical, gas, mechanical, or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances and provide the building official with a signed and sealed statement to this effect prior to the issuance of a certificate of occupancy or certificate of completion.

(d) **Issuing Permits.**

- (1) **Action on Permits.** The building official shall act upon an application for a permit without unreasonable or unnecessary delay. If the building official is satisfied that the work described in an application for a permit and the accompanying documents filed therewith conform to the requirements of the technical codes and other pertinent laws and ordinances, he shall issue a permit to the applicant.
- (2) **Refusal to Issue Permit.** If the application for a permit and the accompanying documents describing the work do not conform to the requirements of the technical codes or other pertinent laws or ordinances, the building official shall not issue a permit, but shall return the documents to the applicant. Such refusal shall be in writing and shall contain the reason for refusal.
- (3) **Special Permits.** When application for permit to erect or enlarge a building or for interior work under an existing roof has been filed and pending issuance of such permit, the building official may, at his discretion, issue a special structural permit for the foundation only or an early start. Electrical, gas, mechanical and plumbing permits entailing work under or through the foundation or associated with the interior work may be issued based on the existence of a special permit. The holder of any such special permit is proceeding at his own risk and without assurance that a permit for the remainder of the work will be granted nor that corrections will not be required in order to meet provisions of the technical codes.
- (4) **Public Right-of-Way.** A permit shall not be given by the building official for the construction or movement of any building over a right-of-way, easement, or conservation area unless the applicant has obtained the required authorization from the appropriate regulatory body.

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- (5) **Contractor's Responsibilities.** It shall be the duty of every contractor who shall make contracts for the installation or repairs of building, structure, electrical, gas, mechanical or plumbing systems, for which a permit is required, to comply with State and/or local rules and regulations concerning licensing which the applicable governing authority may have adopted and to properly supervise the work permitted. When work involving the electrical, plumbing, gas or mechanical systems is being performed, a certified contractor appropriate to the category of work being performed must be on site.
- (e) **Conditions of the Permit.**
- (1) **Permit Intent.** A permit issued shall be construed to be a license to proceed with the work detailed in the approved plans and specifications 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 the Code. Every permit issued shall become invalid unless the work authorized by such permit is commenced and an inspection conducted within six months after its issuance, or if the work authorized by such permit goes without an inspection for any period of six months exclusive of an extension or if the work authorized demonstrates no progress between requested inspections. One extension of time, for a period not more than ninety days, may be allowed for the permit. The extension shall be requested in writing and justifiable cause demonstrated.
- (2) **Permit Issued on Basis of an Affidavit.** Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the building official, are hazardous or complex, the building official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity with the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the building official written affidavit that the work has been done in conformity with the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed and approved by the building official.
- (3) **Plans.** When the building official issues a permit, he shall endorse, in writing or by stamp, any associated plans "Reviewed for Building Code Compliance." One set of drawings so reviewed shall be retained by the building official and all other sets shall be returned to the applicant. One set of approved drawings shall be kept at the site of work and shall be open to inspection by the building official or his authorized representative.
- (4) **Work Performed by Owner-Occupants.** A building permit may be issued to the owner-occupant of real property to construct or cause to be constructed, while the owner-occupant is present on site, a one- or two-family residential structure for his own use and not offered for sale or lease or to repair the structure without being required to be a qualified contractor himself in accordance with licensing laws. The owner-occupant may not construct or repair or cause the construction or repair of more than one such structure during any one-year period.
- (f) **Fees.**
- (1) **Prescribed Fees.** A permit application shall not be accepted or a permit issued until the fees prescribed by the City are paid. Nor shall an amendment to a permit be released until the additional fees, if any, due to the amendment or an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical, or gas systems, are paid.

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- (2) **Work Commencing Before Permit Issuance.** In the event that any work for which a permit is required is commenced or is in process prior to the issuance of a permit by the building department, the building official may impose a penalty fee to the specified permit fees. The payment of a penalty fee shall not relieve any person from fully complying with the requirements of any applicable code or ordinance. The fee for work commenced without a permit shall be a minimum of \$250.00 per discipline (building, electrical, mechanical, plumbing, etc.) if the value of the work (labor and materials) is found by the building official to exceed \$1,000.
- (3) **Accounting.** The building official shall keep a permanent and accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, along with the date and amount thereof.
- (4) **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 obtaining the permit or submitting the application, as appropriate and in accordance with the schedule as established by the City.
- (5) **Building Permit Valuations.** If, in the opinion of the building official, the valuation of building based on the most current "Building Valuation Data" published by the SBCCI, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor.

Section 8.835 INSPECTIONS.

(a) **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. He 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. He shall make a record of every such examination and inspection and of all violations of the technical codes.

(b) **Manufacturers and Fabricators.** When deemed necessary by the building official, he 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.

(c) **Inspection Service.** The building official may make, or cause to be made, the inspections required by the Code. He may accept reports of State of Florida certified inspectors not employed by the City, provided that after investigation he is satisfied as to their qualifications and reliability. A certificate called for by any provision of the technical codes shall not be based on the report of a registered inspector unless the same are in writing and certified by that inspector.

(d) **Inspections Prior to Issuance of Certificate of Occupancy or Completion.** The building official shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the Certificate of Occupancy or Completion.

(e) **Posting of Permit.** Work requiring a permit shall not commence until the permit holder, or the holder's agent, posts the permit card in a conspicuous place near the front of the premises. The permit shall be protected from the weather and located in such position as to permit the building official or representative to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit

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holder until the Certificate of Occupancy, Certificate of Completion or final inspection approval is received, when the work will not result in a Certificate of Occupancy or Completion, from the building official. Property addresses corresponding to the permit address shall be posted in a readily visible location from an adjacent public street throughout the term of the work in no less than 4-inch characters.

(f) **Required Inspections.** The building official upon notification from the permit holder or his agent shall make the following minimum inspections, when applicable, and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or his agent of any violations which must be corrected in order to comply with technical codes:

(1) **Building Inspections.**

- a. **Foundation Inspection:** To be made after trenches are excavated and forms erected and prior to the placement of concrete.
- b. **Slab Inspection:** To be made after reinforcement is in place and prior to placement of concrete.
- c. **Lintel Inspection:** To be made after the walls are in place and prior to the start of framing.
- d. **Sheathing Inspection:** To be made after the roof sheathing is in place and prior to the start of roof covering installation.
- e. **Frame Inspection:** To be made after the roof, all framing, fire blocking, and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and prior to the installation of insulation.
- f. **Insulation Inspection:** To be made after the frame inspection is completed and insulation is in place.
- g. **Final Inspection:** To be made after the building is completed and ready for occupancy and prior to the issuance of a Certificate of Occupancy.

(2) **Electrical Inspections.**

- a. **Underground Inspection:** To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
- b. **Rough-In Inspection:** To be made after the roof, framing, fire blocking and bracing are in place and all wiring and other components to be concealed are in place and prior to the installation of wall or ceiling membranes.
- c. **Final Inspection:** To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

(3) **Plumbing Inspections.**

- a. **Underground Inspection:** To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
- b. **Rough-In Inspection:** To be made after the roof, framing, fire blocking and bracing are in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes.

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- c. **Final Inspection:** To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

(4) **Mechanical Inspections.**

- a. **Underground Inspection:** To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
- b. **Rough-In Inspection:** To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
- c. **Final Inspection:** To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

(5) **Gas Inspections.**

- a. **Rough Piping Inspection:** To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.
- b. **Final Piping Inspection:** To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
- c. **Final Inspection:** To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of the Code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

(g) **Re-inspection.** Failure to be found in compliance during any requested inspection may result in a re-inspection and associated fee of \$50.00 for each inspection type disapproved because of a violation of the technical codes observed. Within ten days of its imposition, a person may appeal a re-inspection fee in a written submission to the building official. The building official shall investigate all matters relating to the appeal, and shall provide a reasonable basis in either sustaining or denying the appeal. Payment of any re-inspection fee shall be made before the building official will approve any further inspections relating to the permit.

(h) **Written Release.** Work shall not be done on any part of a building, structure, electrical, gas, mechanical, or plumbing system beyond the point indicated in each successive inspection without first obtaining a written release from the building official. Such written release shall be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the foregoing inspections.

(i) **Reinforcing Steel and Structural Frames.** Reinforcing steel or structural frame work of any part of any building or structure shall not be covered or concealed without first obtaining a release from the building official.

(j) **Plaster Fire Protection.** In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the building official after all lathing and backing is in place. Plaster shall not be applied until the release from the building official has been received.

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Section 8.840 CERTIFICATES.

(a) **Certificate of Occupancy.**

- (1) **Building Occupancy.** A new building shall not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the building official has issued a certificate of occupancy. Said certificate shall not be issued until all required electrical, gas mechanical, plumbing and fire protection systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the building official.
- (2) **Issuing Certificate of Occupancy.** Upon satisfactory 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 payment of any outstanding fees due the City, the building official shall issue a certificate of occupancy stating the nature of the occupancy permitted.
- (3) **Temporary/Partial Occupancy.** A temporary/partial certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building.

(b) **Certificate of Completion.**

Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a certificate of completion may be issued. This certificate is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a certificate of occupancy.

(c) **Service Utilities.**

- (1) **Connection of Service Utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system which is regulated by the technical codes for which a permit is required, or to any devices and appliances to be used in connection with any carnival or show, or in any place, tent or building to be used as a temporary place of assembly, until such connection has been released by the building official.
- (2) **Temporary Connection.** The building official may authorize the temporary connection of the building system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy.
- (3) **Authority to Disconnect Service Utilities.** The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the technical codes, in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

(d) **Posting Floor Loads.**

- (1) **Occupancy.** An existing or new building shall not be occupied for any purpose which will cause the floors thereof to be loaded beyond their safe capacity. The building official may permit occupancy of a building for mercantile, commercial or industrial purposes, by a specific business, when he is satisfied that such capacity will not thereby be exceeded.

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- (2) **Storage and Factory-Industrial Occupancies.** It shall be the responsibility of the owner, agent, proprietor or occupant of storage and factory-industrial occupancies, or any occupancy where excessive floor loading is likely to occur, to employ a competent architect or engineer in computing the safe load capacity. All such computations shall be accompanied by an affidavit from the architect or engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and affidavit shall be filed as a permanent record of the building department.
- (3) **Signs Required.** In every building or part of a building used for storage, industrial or hazardous purposes, the safe floor loads, as reviewed by the building official on the plan, shall be marked on plates of approved design which shall be supplied and securely affixed by the owner of the building in a conspicuous place in each story to which they relate. Such plates shall not be removed or defaced, and if lost, removed, or defaced, shall be replaced by the owner of the building.

Section 8.845 TESTS.

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. Copies of test reports or the results of such tests shall be kept on file in the Department. The building official may also require such testing as necessary to ensure the integrity of installed components or systems and that such testing will be conducted in the presence of a building official. The equipment, material, power and labor necessary for any test required by the building official shall be furnished by the owner or his agent.

Section 8.850 BOARD OF ADJUSTMENT, APPEALS AND EXAMINERS.

The City will utilize the Hillsborough County Board of Adjustment, Appeals and Examiners under the terms of an Interlocal Agreement entered into by the County and the City. The purpose of this Board under this Chapter is to hear appeals of decisions and interpretations of the building official and to consider variances to the technical codes and violations committed by contractors.

Section 8.855 VIOLATIONS AND PENALTIES.

(a) **General.** Any person, firm, corporation or agent who shall violate a provision of the Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building structure, electrical, gas mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of a misdemeanor. Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Code is committed or continued and upon conviction of any such violation such person shall be punished within the limits and as provided by State laws.

(b) **Civil Action.**

- (1) **Penalties.** The building official may issue a code enforcement citation to any person, firm or corporation believed to be in violation of any provision of the Code. The activity and/or condition for which a citation is issued shall cease and/or be rectified upon receipt of the citation. A person, firm or corporation cited for a code violation is deemed to be charged with a non-criminal infraction of the Code. Non-criminal infractions of the Code carry the following civil penalties:
 - a. A fine of \$150.00 for the first violation of Code cited within any one year period.

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- b. A fine of \$250.00 for a second violation of Code cited within any one year period.
- c. A fine of \$500.00 for a third and any subsequent violation of Code cited within any one year period.

The cited party shall pay the appropriate civil penalty within ten (10) working days. The building official shall notify the appropriate Board of Adjustment, Appeals and Examiners in writing when a code violator has failed to take action on a citation within the time set. In such cases the Board of Adjustment, Appeals and Examiners may then enter an Order ordering the violator to pay the civil penalty set on the citation, without further hearing. Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer commits a misdemeanor of the second degree, punishable as provided in Chapter 775.082, Florida Statutes.

- (2) **Challenges.** The validity of the citation may be appealed by submitting a written request to appear before the appropriate Board of Adjustment, Appeals and Examiners to challenge the citation. A written request to appear before the appropriate Board must be received at the Department within ten (10) working days from the date on which the citation was issued. If the Board finds that a violation exists, the Board may order the violator to pay a civil penalty of not more than \$500.00 per day for each violation of the Code.
- (3) **Liens.** A civil penalty imposed by a Board of Adjustment, Appeals and Examiners shall continue to accrue until the violator comes into compliance, until such other point established by the Board Order, or until judgment is rendered in a suit to foreclose on a lien filed pursuant to the Board Order, whichever occurs first. If any such lien which remains unpaid for a period of three months, the Hillsborough County Board of County Commissioners may authorize its attorney to foreclose on the lien. No lien created pursuant to the provisions of this code may be foreclosed on real property which is a homestead under Section 4, Article X of the State Constitution.

ARTICLE II – CERTIFICATION.

All persons desiring to engage in the business of contracting or act in the capacity of any type of contractor or subcontractor shall maintain a Certificate of Competency and be registered with the State of Florida, in accordance with Chapter 489, Florida Statutes and/or Chapter 320, Florida Statutes. Specific building trade areas requiring certification, and the qualifications and allowed scope of work for those trade areas, shall be as delineated in the Interlocal Agreement between Hillsborough County and the City of Temple Terrace and any subsequent amendments to that agreement.

ARTICLE III – MODIFICATIONS TO TECHNICAL CODES.

BUILDING CODE – Reserved.

PLUMBING CODE – Reserved.

MECHANICAL CODE – Reserved.

NATIONAL ELECTRICAL CODE, 2002 EDITION

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Definitions.

The terms “master electrician” as used in The National Electrical Code shall be held to mean a person who possesses the necessary qualifications, training, and technical knowledge to plan, lay out and supervise the installation of electrical wiring, apparatus or equipment for light, heat or power and who is also qualified under the provisions of the Code.

The term “journeyman electrician” as used in The National Electrical Code shall be held to mean a person who possesses the necessary qualifications, training and technical knowledge to install electrical wiring, apparatus or equipment for light, heat or power.

The term “electrical contractor” as used in The National Electrical Code shall be held to mean a person, firm or corporation engaging in the business of electrical contracting.

The term “electrical construction” shall be held to include and govern all work and material used in installing, maintaining and/or extending electrical wiring for light, heat or power, and all appurtenances, apparatus or equipment used in connection outside, inside or attached to any building or structure.

Section 250-94 of The National Electrical Code is hereby amended by adding the following:

For the purpose of providing adequate lightning protection in the Temple Terrace/Hillsborough County area, a lightning or surge arrester shall be installed on all service entrances on the load side of the meter and the service grounding electrode conductor shall be a minimum of no. 4 copper.

GAS CODE – Reserved.

(Ord.. No. 987, 9-29-98; Ord. No. 1008, 11-16-99; Ord. No. 1128, 10-19-04)

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