



Alternate Plans Reviews and Inspections Requirements

Florida Statute 553.791

FLORIDA STATUTE 553.791 (15)(B) AUTHORIZES THE BUILDING OFFICIAL TO ADOPT A SYSTEM OF REGISTRATION.

General Information:

The use of a Private Provider is authorized by Florida Statute 553.791 under “Alternate Plans Reviews and Inspections”. The City of Hallandale Beach requires that only the forms in this packet be used (**no substitutions will be accepted, unless authorized by the State of Florida Building Commission or The Broward County, Board of Rules and Appeals**) for the application process. All forms must be **fully** completed prior to the acceptance of the application of any permit.

Note 1: Applications for permit by a Private Provider will not be accepted until approval and permits are issued by all outside and the City of Hallandale Beach agencies or other agencies as per the Building Official’s knowledge as per the Florida Building Code, Broward County Administrative Provisions (FBC), section 105.2.3.

Note 2: All Private Provider firms must be registered with the City of Hallandale Beach Business Tax Receipt Division prior to the application permit submittal.

Note 3: If you have any questions, please contact the Building Inspections Division, Building Official by phone at 954-457-1385 or email at srjackson@cohb.org, for detailed registration requirements.

Documentation to be submitted for evaluation with the City of Hallandale Beach in original and are to be presented in a three-ring binder to the Building Official.

1. Letter of Acceptance from Private Provider stating the services provided to fee owner (Private Provider shall not be the Designer or Engineer of Record (EOR), the Duly Authorized Representative (DAR) or the Contractor for the project as per FS 553.791(3).
2. Private Provider registration
3. Employment affidavit for Duly Authorized Representatives (DAR)
4. Private Provider Agreement
5. DBPR Certificate of Authorization for the firm.
6. A copy of the Professional Licenses for each of the DAR personnel regulated by Florida Statutes chapter 481 (Architects), chapter 471 (engineers), and chapter 486, Part XII (Building Code Administrators and Inspectors).
7. Certificate of professional liability insurance as required by FS 553.791(16) naming City of Hallandale Beach as Certificate Holder (this could be a copy after registration with the BTR Division).
8. A Blank Original of the actual inspection report form to be used on the project for inspection by the DAR. Normally this would be a three or a four part form (white on top with a yellow, pink and blue copy behind it).
9. Private Provider’s list of requested inspections (All trades), in a private provider letterhead, and shall be signed and sealed by the Private Provider and signed by the Duly Authorized Representative (DAR), in addition both shall be notarized.
10. Private Provider shall submit the signed and sealed construction drawings and accompanied by the “Plan Compliance Affidavit” as required by the FS 553.791(6).



To be submitted with the initial permit application:

1. **Notice to Building Official.**

This is the principal document required for the official election to use a Private Provider and will specify if the Private Provider will perform the services of inspections only or whether the services will include plans reviews and inspections. This document must be accompanied by the Personnel Directory and Qualifications Statement (Form B) and the certificate of insurance (Item 1), both listed below. (Note: If a Private Provider performs the plans reviews, it then will be required that a Private Provider also perform the required inspections.)

2. **Personnel Directory & Qualifications Statement.**

This document identifies all of the Private Providers Duly Authorized Representatives (DAR) that will be utilized on the specific project that is being requested for issuance of this type of a permit. It shall contain the numbers of the current licenses that they hold to perform their specified type of work on the project, their contact phone number, email address, the responsibility that the DAR will have for the specific project and a Qualification Statement and a current resume for each DAR. This form is filled out for each of the DAR of the Private Provider. This form is only for the Building Official to keep as reference. Another similar form (Private Provider Jobsite Identification Form) will be kept at the job site. Every DAR (Inspector or Plans Examiner) shall be certified by the State of Florida.

3. **Certificate of Insurance.**

This certificate is provided by the **Private Provider Insurance Carrier**, and must be submitted with each permit application. It is also submitted at the time of the initial registration with the City of Hallandale Beach BTR Division. It must show coverage in the statutory amounts pursuant to F.S. 553.791(16), and must include the City of Hallandale Beach as the certificate holder.

The following is to be submitted as a PREREQUISITE to the building permit if Private Provider will do the plans reviews:

4. **Plan Compliance Affidavit.**

This form is required for submittal of plans to the City of Hallandale Beach after the Private Provider has performed the required plans reviews and has approved those plans for code compliance under the scope allowed by F.S. 553.791(6). (This form will not be required for jobs where the Private Provider is only going to perform Inspections only).

Note: The Building Official may require, at his or her discretion, the private provider to be used for both services (Plans Review and Jobsite Inspections) pursuant to Section 553.791(2)(a) Florida Statute.

The following is a required Jobsite documentation:

1. **Private Provider Job Site Identification Form**

This is to identify each individual Duly Authorized Representative (DAR) that is going to be involved at the work site or for the plan reviewers involved for the pertaining plans. A set of this forms must be provided when the plans are submitted so they can be perforated/stamped and then returned to the jobsite log book. This Form for each DAR will be kept on the jobsite in a log and will be updated and kept current by the Private Provider. The City of Hallandale Beach, Building Inspections Division personnel will perform periodic jobsite visits at their discretion as per the FS 553.791(9) and this form entries will be compared to inspections reports. Any new entries to the worksite log will need to be approved first by the Building Official. The inspection reports that will be submitted to the Building Official every two days, in



accordance to FS 553.791(10) and at the final inspection, they must be written only by those previously vetted inspectors.

Note: The Building Official or designee may visit the building site as often as necessary to verify that the “Private Provider” is performing all required inspections pursuant to Section 553.791(9) Florida Statute.

2. Inspection Reports.

The Private Provider shall submit to the Building Official for approval before the start of the project, the exact form that will be supplied by the Private Provider to the DAR that will be using it for recording and logging the inspections in the jobsite log. If the Building Official approves the form, then, the inspection form provided to the Building Official will be the form that is used for the inspections of the project. The inspection reports must provide at a minimum, a space for the following information, and when completed will state: the date the inspection was performed, the permit number for the inspection, the job address, the project name, the Private Providers company contact information, the inspectors name, the inspectors license number, the inspectors signature, the inspection comments (what the inspection result was based on, and the location/area that the inspection was for), the inspection results (Approved, Partial Approval, or Rejected), the corrections required (if corrections or further action is required).

To be submitted before any approval for Certificate of Completion or Certificate of Occupancy is issued:

1. Official Log for all Completed Inspections.

The official log will include all inspections reports (Item 2) performed by each Duly Authorized Representative (DAR), and will be organized by discipline (Building, Mechanical, Electrical, Electrical Low Voltage, Plumbing, Roofing, etc.) and contain all inspections reports for inspections done whether approved or rejected. The log will also include the “Private Provider Job site Identification Form” for all inspectors and any closing documents that pertains to the job. Examples of closing documents: Building: Architects Compliance Letter, Engineers Compliance Letter, Elevator certificate, Contractors Affidavit of Construction, Final Survey, Elevation Certificate, Termite Treatment certificates (initial treatments and final treatments), Soil compactions reports, Engineers soil statement of designed bearing capacity, Waterproofing certificate for above ground, Water proofing below grade certificate, Test and Balance Reports, Certification for back flow preventer, Sound Proofing certificates, Insulation Certificates, Roofing Warranty, Light Weight Pull Test (official/formal/final), Roofing Tile uplift test, Lawn Sprinkler Certification, Fire Penetration Affidavits from each trade Mechanical, Electrical, Plumbing, and Building, for all penetrations, unless if a single Fire Stopping Contractor is used (then just from the F.S. Contractor) and that affidavit must state that all penetrations were protected including those from each trade: the Building, the Mechanical the Electrical and Plumbing must be stated, Fire penetrations certificate of completion in areas between floor decks and envelope and throughout, sprinkler and fire suppression systems final certification, concrete testing breaks, pile logs, in addition:

- If requesting a TCO: the TCO inspection report with pending items for a final approval listed for each permitted trade, Inspections reports or approval letter from the Fire Prevention Division indicating each floor or all floors were approved (as per the Florida Building Code, Broward County Administrative Provisions (FBC), section 111.3).
- If requesting Final: the final inspection report for each trade, and all outside agencies as per the FBC, section 111.1.
- If there are threshold or specialty inspections performed; Logs for threshold inspections, Final Threshold and building envelope Completion/Acceptance letter for the structure from the



threshold inspecting company, Threshold Inspection Final Approval Letter from the Private Provider, Logs from special inspectors, Shoring and reshoring reports, Welders Certifications, Specialty Inspector Inspection Final Approval Letter from specialty inspection company, Acceptance for the Specialty Inspections Final Letter from the Private Provider, Affidavit for TCO/CO from private provider for each trade, see “**Certificate of Compliance from the Private Provider**”.

2. **Certificate of Compliance from the Private Provider.**

This form shall be provided by the Private Provider and will be signed and sealed by the Professional in Charge of the Duly Authorized Representatives (DAR) as outlined in F.F. 553.791(11). The inspections that were required to be performed as per Code requirements and as per Official Construction Documents will be affirmed by the designated Professional in Charge for the Private Provider company DAR’s.

**ACKNOWLEDMENT OF RECEIPT OF THE PRIVATE PROVIDER
PROCEDURES & REQUIREMENTS**

Date: _____

Registration or License No. (Architect or Engineer): _____

Name of Private Provider Firm: _____

Name of Private Provider: _____

Seal / Signature / Date



NOTICE TO BUILDING OFFICIAL TO USE PRIVATE PROVIDER

Florida Statutes §553.791(4)

Folio #: _____

Project Name: _____

Services to be Provided: Plans Review: _____ Inspections: _____

Note: If the notice applies to either private plan review or private inspection services the Building Official may require, at his or her discretion, the private provider be used for both services pursuant to Section 553.791(2) Florida Statute.

I _____, the fee owner, affirm I have entered into a contract with the Private Provider indicated below to conduct the services indicated above.

Table with 6 rows: Private Provider Firm, Private Provider, Address, Telephone, Fax, Email Address, Florida License, Registration or Certificate #.

I have elected to use one or more private providers to provide building code plans review and/ or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791. Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/ or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

I understand the Building Official retains authority to review plans, make required inspections, and enforce the applicable codes within his or her charge pursuant to the standards established by 553.791. Florida Statutes. If I make any changes to the listed private providers or the services to be provided by those private providers. I shall, within 1 business day after any change, update this notice to reflect such changes. The building plans review and/or inspection services provided by the private provider is limited to building code compliance and does not include review for fire code, land use, environmental or other codes.



The following attachments are provided as required:

1. Alternate Plans Reviews and Inspections Requirements
2. Private Provider Registration.
3. Private Provider Agreement.
4. Private Provider Personnel Identification.
5. Private Provider Duly Authorized Representative (DAR) Employment Affidavit.
6. Private Provider Jobsite Directory
7. Private Provider Plan Compliance Affidavit
8. Other forms as required above.
9. All required approval from outside Agencies (Local, County, State, and Federal), as required per FBC-BCAP 105.2.3

Print Name of Corporation or Partnership: _____
(If applicable) By: _____

(Signature of individual, or on behalf of the state corporation, or a partnership) Print Name:

Address: _____

Telephone Number: _____

SWORN AND SUBSCRIBED before me by _____ being personally known to me _____ OR having produced as identification _____ and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: _____

Print Name: _____ Date: _____

Notary Public Stamp:

My Commission Expires:



PRIVATE PROVIDER AGREEMENT

Private Provider will agree to work under these four constraints which will result in disciplinary action by the COHB Building Inspections Division, if not adhered.

Constraints under which the Private Provider will be allowed for the construction to proceed:

1. The construction documents used on a project must have prior approval from the Private Provider and each page must bear the Private Provider stamp and reviewer initials and submitted to the Building Inspections Division.
2. No work shall be allowed to continue beyond the scope defined on the approved construction drawing(s) or the scope that was provided and stated under the issued permit.
3. The duly authorized representative (DAR) that performs inspections must do so using the approved documents and shall not allow any work to commence on any portion of construction that does not have preapproved (reviewed and accepted) documents as described in item #1.
4. If any work requires revision to construction drawings, those construction documents must be reviewed and approved by the Private Provider DAR and shall have an audit review by the plan reviewers of the City of Hallandale Beach (COHB) before work is allowed to commence on that portion of the project.

First Noncompliance/Stop work order:

- The COHB Building Inspections Division will red tag a jobsite and shall stop the progress on any portion/all construction work that does not comply with the four constraints stated above.
- If the Private Provider fails to comply with the constraints noted above, and depending on the severity of the non-compliance, at the discretion of the Building Official, the Private Provider will be placed on notice.

Second Noncompliance/Stop work order:

- The stated actions on the First Noncompliance/Stop Work Order will be issued.
- If the Private Provider repeats noncompliance to any of the constraints that are noted above on the same jobsite or on a different jobsite within a period of (2) two years from the time any stop work order is issued, depending on the severity of the noncompliance and at the discretion of the Building Official, the Private Provider will be placed on suspension from the Private Provider program for a period of (1) one year. In that year, no new applications for performing work as a Private Provider will be approved by COHB Building Inspections Division.

Third Noncompliance/Stop work order:

- The stated actions on the First Noncompliance/Stop Work Order will be issued.
- If the Private Provider is noncompliant with the constraints that are noted above for a third time, within a 2 year period, depending on the severity of the offense and at the discretion of the Building Official, the Private Provider will be removed from the list of registered Private Providers on file at COHB Building Inspections Division and cannot submit for registration again to the City of Hallandale Beach for (2) two years. The Building Official will also notify the State of Florida Department of Business and Professional Regulations or the Private Provider/DAR appropriate board, which may impose additional disciplinary actions on the individual DAR and on the Private Provider Company.

Fourth Noncompliance/Stop work order:

- If a fourth disciplinary actions is issued, then the Private Provider will no longer be able to continue their services to the project and owner must open any areas for inspections by the Building Inspections Division, in as needed basis.



The individual that signs this agreement must be listed on the SunBiz.org Division of Corporations website <http://dos.myflorida.com/sunbiz/search/> as a company authorized/registered agent.

Private Provider Company Name: _____

Authorized Agent for Private Provider Company (Print Name): _____

Authorized Agent for Private Provider Company (Title): _____

SWORN AND SUBSCRIBED before me by _____ being personally known to me _____ OR having produced as identification _____ and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: _____ Print Name: _____ Date: _____

Notary Public Stamp:

My Commission Expires:



PRIVATE PROVIDER JOB SITE DIRECTORY
 Florida Statutes §553.791(4)(b)

Project Name: _____
 Project Address: _____
 Permit Number: _____

Florida Statute §553.791(4) requires that this form be posted at the job site for all projects involving private providers for plan review or inspections.

PRIVATE PROVIDER JOB SITE DIRECTORY

Florida Statute §553.791(4) requires that this form be posted at the job site for all projects involving private providers for plan review and/or inspections.

Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			

Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			

Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			



Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			

Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			

Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			

Private Provider or Duly Authorized Representative (DAR):			
Email:			
Telephone:		Fax:	
State of Florida Professional License(s):			
Private Provider Company:			
Private Provider / Address:			
Type of Service Provided:			
Insurance Policy:			

Note: If additional space is needed additional copies of this form must be attached.



PRIVATE PROVIDER CERTIFICATE OF COMPLIANCE

(Request for Certificate of Occupancy)

Florida Statutes §553.791(11)

To the Building Official for City of Hallandale Beach, Building Inspections Division; 400 South Federal Highway, Hallandale Beach, FL 33009.

Project Name / Address: _____

Permit number: _____ Folio number: _____

Private Provider Firm: _____

Business Address: _____

Telephone: _____ Fax: _____

Email: _____

I HEREBY ATTEST that to the best of my knowledge, belief and professional judgment, the building components and site improvements captioned above have been inspected under my authority, as indicated in the accompanying log of completed inspections, and have been completed in substantial compliance with the approved documents, plans, revisions, As-Built plans, and all applicable adopted codes; and,

I FURTHER ATTEST that to the best of my knowledge, belief and professional judgment, there are no known issues relating to life-safety which would preclude the issuance of the following:

- Certificate of Occupancy
- Certificate of Completion
- Temporary Certificate of Occupancy (TCO)
- Partial Certificate of Occupancy (PCO)

Respectfully Submitted,

Private Provider Firm: _____

Private Provider Qualifier: _____

Private Provider Qualifier Name: _____

Private Provider Qualifier License Number: _____

Seal / Signature / Date

State of FLORIDA)

County of _____)

SWORN AND SUBSCRIBED before me by _____, being personally known to me _____ or having produced as identification _____, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary

Print Name

Date

Notary Public: NOTARY PUBLIC STAMP BELOW

My Commission Expires _____



PRIVATE PROVIDER PLAN COMPLIANCE AFFIDAVIT

Florida Statutes §553.791(6)

Project Name: _____
 Project Address: _____
 Plan number: _____ Folio number: _____

Construction Documents Revisions Shop Drawings As-Built Other

If "other" is marked, please clarify: _____
 Master permit number: _____

Private Provider Firm: _____
 Private Provider Address: _____
 Telephone: _____ Fax: _____
 Email: _____

I HEREBY CERTIFY that to the best of my knowledge and belief, the documents submitted for the above referenced project were reviewed according to, and are in compliance with, the Florida Building Code and all local amendments thereto, either by myself or by the affiant identified below, who is duly authorized to perform plans review pursuant to Section 553.791, Florida Statutes, and holds the appropriate license or certificate:

Private Provider: _____
 Florida License No. _____

Seal/Signature/Date

Name of person reviewing the plans (if applicable): _____
 Florida License/Registration/Certification numbers: _____
 Discipline and Plan Sheets covered by this affidavit: _____

Signature of reviewer: _____ Date: _____

SWORN AND SUBSCRIBED before me by _____, being personally known to me () or having produced as identification _____, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: _____ Print Name: _____ Date: _____

Notary Public: NOTARY PUBLIC STAMP BELOW My Commission Expires: _____



PRIVATE PROVIDERS PERFORMING INSPECTIONS ON BUILDING PERMITS

Inspection process:

1. Private Providers performing inspections must schedule the inspections with the City, **PRIOR** to performing them. The Citizen Self Service (CSS) portal is the preferred method for scheduling inspections and is located online at...
<https://hallandalefl-energovpub.tylerhost.net/Apps/SelfService#/home>
If you need assistance you can contact the call center at 954-457-2220 Option #2.
 2. Inspection reports must be uploaded within two business days of the inspection. The reports are to be uploaded to the CSS portal under the "Field Reports and Closeouts Documents". You may also attach photographic evidence of the inspection performed.
-

NOTE:

Inspection reports uploaded on permits where inspections were not requested first will not be accepted and **will** trigger an audit of the project.

At the end of the inspection process the Private Provider must submit a Certificate of Inspection Compliance. The Building Official and/or his designate will review the permit for approval of Certification of Completion or Occupancy.



FIRE-RATED JOINT AND PENETRATION(S) AFFIDAVIT

Permit No:
Project Name:
Project Address:

I, _____, the qualifying agent for the company noted below, HEREBY CERTIFY that all penetrations through walls, ceilings, floors and other barriers resulting from the passage of pipes, conduits, bus ducts, cables, wires, air ducts, pneumatic ducts and penetrations from similar building service equipment installed in connection with the above permit have been protected by approved fire rated materials or assemblies meeting the acceptance criteria of AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) E814, or UNDERWRITERS' LABORATORIES (UL) 1479, or other approved testing standard, and have been installed by qualified persons in accordance with the manufacturer's specifications, and are in compliance with the Florida Building Code and Plans Reviewed by the City of Hallandale Beach.

I FURTHER CERTIFY that all joints installed in or between fire-resistance rated walls, floor or floor/ceiling assemblies and roofs or roof/ceiling assemblies have been protected by an approved fire-resistant joint system meeting the acceptance criteria of ASTM E1966, or UL 2079, or other approved testing standard.

Print Name	Title	Signature	Date
Company	Telephone	Email	
WITNESS:			
Print Name		Signature	
WITNESS:			
Print Name		Signature	

SWORN AND SUBSCRIBED before me by _____ being personally known to me _____ OR having produced as identification _____ and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: _____ Print Name: _____
 Date: _____

Notary Public Stamp:

My Commission Expires:



INSULATION CERTIFICATE

Permit No:
Project Name:
Project Address:

STATEMENT OF COMPLIANCE

We, the undersigned, hereby certify that the THERMAL INSULATION installed in the above referenced project is in compliance with the latest edition of the FLORIDA BUILDING CODE, the APPROVED ENERGY CALCULATIONS and Plans, and is in accordance with good construction practice. The insulation furnished and installed has the characteristics shown below: (Circle the applicable items).

- Exterior CBS Walls Insulation:** R-_____ (Min.) Material: _____
 Thickness: _____ inch(es) Density: _____ lb/ft Mfr: _____
- Exterior Frame/Metal Stud Walls:** R-_____ (Min.) Material: _____
 Thickness: _____ inch(es) Density: _____ lb/ft Mfr: _____
- Exterior solid concrete walls:** R- _____ (Min.) Material: _____
 Thickness: _____ inch(es) Density: _____ lb/ft Mfr: _____
- Interior walls separating A/C from non A/C spaces insulation:** R- _____ (Min.) Material: _____
 Thickness: _____ inch(es) Density: _____ lb/ft Mfr: _____
- MULTI-FAMILY RESIDENTIAL CONSTRUCTION ONLY:** The COMMON (Party) walls to two separate conditioned tenancies shall be insulated to a minimum of R-11 for frame walls, and to R-6 on both sides of mass common walls. See *FLORIDA BUILDING CODE 5th Edition (2014) — Energy Conservation, Section R402.2.13*. These “minimum levels of insulation”, are not included in the Energy Calculations, but shall be installed in the field.
- Ceiling insulation:** R- _____ (Min.); Material: _____
 Thickness: _____ inch(es): Density: _____ lb/ft: Mfr: _____

Note: Do not use this form for lightweight Insulating concrete.

Insulation Contractor		General Contractor / Builder	
Company Name	Corporation No.	Company Name	Corporation No.
Qualifiers Name	License No:	Qualifiers Name	License No:
Signature	Date	Signature	Date



CITY OF HALLANDALE BEACH

BUILDING INSPECTIONS DIVISION 400

South Federal Highway

Hallandale Beach, FL 33009

Office 954-457-2220 ● Fax 954-457-1312

SWORN AND SUBSCRIBED before me by _____ being personally known to me _____ OR having produced as identification _____ and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: _____ Print Name: _____

Date: _____

Notary Public Stamp:

My Commission Expires:

Select Year:

The 2019 Florida Statutes

[Title XXXIII](#)
REGULATION OF TRADE, COMMERCE,
INVESTMENTS, AND SOLICITATIONS

[Chapter 553](#)
BUILDING CONSTRUCTION
STANDARDS

[View Entire
Chapter](#)

553.791 Alternative plans review and inspection.—

(1) As used in this section, the term:

(a) “Applicable codes” means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and firesafety codes adopted pursuant to chapter 633.

(b) “Audit” means the process to confirm that the building code inspection services have been performed by the private provider, including ensuring that the required affidavit for the plan review has been properly completed and affixed to the permit documents and that the minimum mandatory inspections required under the building code have been performed and properly recorded. The local building official may not replicate the plan review or inspection being performed by the private provider, unless expressly authorized by this section.

(c) “Building” means any construction, erection, alteration, demolition, or improvement of, or addition to, any structure or site work for which permitting by a local enforcement agency is required.

(d) “Building code inspection services” means those services described in s. [468.603](#)(5) and (8) involving the review of building plans as well as those services involving the review of site plans and site work engineering plans or their functional equivalent, to determine compliance with applicable codes and those inspections required by law of each phase of construction for which permitting by a local enforcement agency is required to determine compliance with applicable codes.

(e) “Duly authorized representative” means an agent of the private provider identified in the permit application who reviews plans or performs inspections as provided by this section and who is licensed as an engineer under chapter 471 or as an architect under chapter 481 or who holds a standard certificate under part XII of chapter 468.

(f) “Immediate threat to public safety and welfare” means a building code violation that, if allowed to persist, constitutes an immediate hazard that could result in death, serious bodily injury, or significant property damage. This paragraph does not limit the authority of the local building official to issue a Notice of Corrective Action at any time during the construction of a building project or any portion of such project if the official determines that a condition of the building or portion thereof may constitute a hazard when the building is put into use following completion as long as the condition cited is shown to be in violation of the building code or approved plans.

(g) “Local building official” means the individual within the governing jurisdiction responsible for direct regulatory administration or supervision of plans review, enforcement, and inspection of any construction, erection, alteration, demolition, or substantial improvement of, or addition to, any structure for which permitting is required to indicate compliance with applicable codes and includes any duly authorized designee of such person.

(h) “Permit application” means a properly completed and submitted application for the requested building or construction permit, including:

1. The plans reviewed by the private provider.
2. The affidavit from the private provider required under subsection (6).
3. Any applicable fees.
4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

(i) “Plans” means building plans, site engineering plans, or site plans, or their functional equivalent, submitted by a fee owner or fee owner’s contractor to a private provider or duly authorized representative for review.

(j) “Private provider” means a person licensed as a building code administrator under part XII of chapter 468, as an engineer under chapter 471, or as an architect under chapter 481. For purposes of performing inspections under this section for additions and alterations that are limited to 1,000 square feet or less to residential buildings, the term “private provider” also includes a person who holds a standard certificate under part XII of chapter 468.

(k) “Request for certificate of occupancy or certificate of completion” means a properly completed and executed application for:

1. A certificate of occupancy or certificate of completion.
2. A certificate of compliance from the private provider required under subsection (11).
3. Any applicable fees.
4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

(l) “Site work” means the portion of a construction project that is not part of the building structure, including, but not limited to, grading, excavation, landscape irrigation, and installation of driveways.

(m) “Stop-work order” means the issuance of any written statement, written directive, or written order which states the reason for the order and the conditions under which the cited work will be permitted to resume.

(2)(a) Notwithstanding any other law or local government ordinance or local policy, the fee owner of a building or structure, or the fee owner’s contractor upon written authorization from the fee owner, may choose to use a private provider to provide building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services. All such services shall be the subject of a written contract between the private provider, or the private provider’s firm, and the fee owner or the fee owner’s contractor, upon written authorization of the fee owner. The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner’s contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies of the local enforcement agency, may require the fee owner or the fee owner’s contractor to use a private provider to also provide required building inspections.

(b) It is the intent of the Legislature that owners and contractors pay reduced fees related to building permitting requirements when hiring a private provider for plans review and building inspections. A local jurisdiction must calculate the cost savings to the local enforcement agency, based on a fee owner or contractor hiring a private provider to perform plans reviews and building inspections in lieu of the local building official, and reduce the permit fees accordingly. The local jurisdiction may not charge fees for building inspections if the fee owner or contractor hires a private provider; however, the local jurisdiction may charge a reasonable administrative fee.

(3) A private provider and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification under chapter 468, chapter 471, or chapter 481. A private provider may not provide building code inspection services pursuant to this section upon any building designed or constructed by the private provider or the private provider's firm.

(4) A fee owner or the fee owner's contractor using a private provider to provide building code inspection services shall notify the local building official at the time of permit application, or by 2 p.m. local time, 2 business days before the first scheduled inspection by the local building official or building code enforcement agency for a private provider performing required inspections of construction under this section, on a form to be adopted by the commission. This notice shall include the following information:

(a) The services to be performed by the private provider.

(b) The name, firm, address, telephone number, and facsimile number of each private provider who is performing or will perform such services, his or her professional license or certification number, qualification statements or resumes, and, if required by the local building official, a certificate of insurance demonstrating that professional liability insurance coverage is in place for the private provider's firm, the private provider, and any duly authorized representative in the amounts required by this section.

(c) An acknowledgment from the fee owner in substantially the following form:

I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 1 business day after any change, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change. In addition, the fee owner or the fee owner's contractor shall post at the project site, before the commencement of construction and updated within 1 business day after any change, on a form to be adopted by the commission, the name, firm, address, telephone number, and facsimile number of each private provider who is performing or will perform building code inspection services, the type of service being performed, and similar information for the primary contact of the private provider on the project.

(5) After construction has commenced and if the local building official is unable to provide inspection services in a timely manner, the fee owner or the fee owner's contractor may elect to use a private provider to provide inspection services by notifying the local building official of the owner's or contractor's intention to do so by 2 p.m. local time, 2 business days before the next scheduled inspection using the notice provided for in paragraphs (4)(a)-(c).

(6) A private provider performing plans review under this section shall review the plans to determine compliance with the applicable codes. Upon determining that the plans reviewed comply with the applicable codes, the private provider shall prepare an affidavit or affidavits on a form reasonably acceptable to the commission certifying, under oath, that the following is true and correct to the best of the private provider's knowledge and belief:

(a) The plans were reviewed by the affiant, who is duly authorized to perform plans review pursuant to this section and holds the appropriate license or certificate.

(b) The plans comply with the applicable codes.

(7)(a) No more than 20 business days after receipt of a permit application and the affidavit from the private provider required pursuant to subsection (6), the local building official shall issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections. If the local building official does not provide a written notice of the plan deficiencies within the prescribed 20-day period, the permit application shall be deemed approved as a matter of law, and the permit shall be issued by the local building official on the next business day.

(b) If the local building official provides a written notice of plan deficiencies to the permit applicant within the prescribed 20-day period, the 20-day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to subsection (13) or to submit revisions to correct the deficiencies.

(c) If the permit applicant submits revisions, the local building official has the remainder of the tolled 20-day period plus 5 business days from the date of resubmittal to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections. Any subsequent review by the local building official is limited to the deficiencies cited in the written notice. If the local building official does not provide the second written notice within the prescribed time period, the permit shall be deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(d) If the local building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to subsection (13) or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the local building official has an additional 5 business days from the date of resubmittal to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections.

(8) A private provider performing required inspections under this section shall inspect each phase of construction as required by the applicable codes. The private provider shall be permitted to send a duly authorized representative to the building site to perform the required inspections, provided all required reports are prepared by and bear the signature of the private provider or the private provider's duly authorized representative. The duly authorized representative must be an employee of the private

provider entitled to receive reemployment assistance benefits under chapter 443. The contractor's contractual or legal obligations are not relieved by any action of the private provider.

(9) A private provider performing required inspections under this section shall provide notice to the local building official of the date and approximate time of any such inspection no later than the prior business day by 2 p.m. local time or by any later time permitted by the local building official in that jurisdiction. The local building official may not prohibit the private provider from performing any inspection outside the local building official's normal operating hours, including after hours, weekends, or holidays. The local building official may visit the building site as often as necessary to verify that the private provider is performing all required inspections. A deficiency notice must be posted at the job site by the private provider, the duly authorized representative of the private provider, or the building department whenever a noncomplying item related to the building code or the permitted documents is found. After corrections are made, the item must be reinspected by the private provider or representative before being concealed. Reinspection or reaudit fees shall not be charged by the local jurisdiction as a result of the local jurisdiction's audit inspection occurring before the performance of the private provider's inspection or for any other administrative matter not involving the detection of a violation of the building code or a permit requirement.

(10) Upon completing the required inspections at each applicable phase of construction, the private provider shall record such inspections on a form acceptable to the local building official. The form must be signed by the provider or the provider's duly authorized representative. These inspection records shall reflect those inspections required by the applicable codes of each phase of construction for which permitting by a local enforcement agency is required. The private provider, before leaving the project site, shall post each completed inspection record, indicating pass or fail, at the site and provide the record to the local building official within 2 business days. The local building official may waive the requirement to provide a record of each inspection within 2 business days if the record is posted at the project site and all such inspection records are submitted with the certificate of compliance. Records of all required and completed inspections shall be maintained at the building site at all times and made available for review by the local building official. The private provider shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.

(11) Upon completion of all required inspections, the private provider shall prepare a certificate of compliance, on a form acceptable to the local building official, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that, to the best of the private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes. The statement required of the private provider shall be substantially in the following form and shall be signed and sealed by a private provider as established in subsection (1):

To the best of my knowledge and belief, the building components and site improvements outlined herein and inspected under my authority have been completed in conformance with the approved plans and the applicable codes.

(12) No more than 2 business days after receipt of a request for a certificate of occupancy or certificate of completion and the applicant's presentation of a certificate of compliance and approval of all other government approvals required by law, the local building official shall issue the certificate of occupancy or certificate of completion or provide a notice to the applicant identifying the specific deficiencies, as well as the specific code chapters and sections. If the local building official does not provide notice of the deficiencies within the prescribed 2-day period, the request for a certificate of

occupancy or certificate of completion shall be deemed granted and the certificate of occupancy or certificate of completion shall be issued by the local building official on the next business day. To resolve any identified deficiencies, the applicant may elect to dispute the deficiencies pursuant to subsection (13) or to submit a corrected request for a certificate of occupancy or certificate of completion.

(13) If the local building official determines that the building construction or plans do not comply with the applicable codes, the official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, if the official determines that the noncompliance poses an immediate threat to public safety and welfare, subject to the following:

(a) The local building official shall be available to meet with the private provider within 2 business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion.

(b) If the local building official and private provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, if one exists, which shall consider the matter at its next scheduled meeting or sooner. Any decisions by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter.

(c) Notwithstanding any provision of this section, any decisions regarding the issuance of a building permit, certificate of occupancy, or certificate of completion may be reviewed by the local enforcement agency's board of appeals, if one exists. Any decision by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter, which shall consider the matter at the commission's next scheduled meeting.

(14) For the purposes of this section, any notice to be provided by the local building official shall be deemed to be provided to the person or entity when successfully transmitted to the facsimile number listed for that person or entity in the permit application or revised permit application, or, if no facsimile number is stated, when actually received by that person or entity.

(15)(a) A local enforcement agency, local building official, or local government may not adopt or enforce any laws, rules, procedures, policies, qualifications, or standards more stringent than those prescribed by this section.

(b) A local enforcement agency, local building official, or local government may establish, for private providers and duly authorized representatives working within that jurisdiction, a system of registration to verify compliance with the licensure requirements of ¹paragraph (1)(i) and the insurance requirements of subsection (16).

(c) This section does not limit the authority of the local building official to issue a stop-work order for a building project or any portion of the project, as provided by law, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

(16) A private provider may perform building code inspection services on a building project under this section only if the private provider maintains insurance for professional liability covering all services performed as a private provider. Such insurance shall have minimum policy limits of \$1 million per occurrence and \$2 million in the aggregate for any project with a construction cost of \$5 million or less and \$2 million per occurrence and \$4 million in the aggregate for any project with a construction cost of over \$5 million. Nothing in this section limits the ability of a fee owner to require additional insurance or higher policy limits. For these purposes, the term "construction cost" means the total cost of building construction as stated in the building permit application. If the private provider chooses to secure

claims-made coverage to fulfill this requirement, the private provider must also maintain coverage for a minimum of 5 years subsequent to the performance of building code inspection services. The insurance required under this subsection shall be written only by insurers authorized to do business in this state with a minimum A.M. Best's rating of A. Before providing building code inspection services within a local building official's jurisdiction, a private provider must provide to the local building official a certificate of insurance evidencing that the coverages required under this subsection are in force.

(17) When performing building code inspection services, a private provider is subject to the disciplinary guidelines of the applicable professional board with jurisdiction over his or her license or certification under chapter 468, chapter 471, or chapter 481. All private providers shall be subject to the disciplinary guidelines of s. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of a private provider's performance of building code inspection services shall be conducted by the applicable professional board.

(18) Each local building code enforcement agency may audit the performance of building code inspection services by private providers operating within the local jurisdiction. However, the same private provider may not be audited more than four times in a calendar year unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare. Work on a building or structure may proceed after inspection and approval by a private provider if the provider has given notice of the inspection pursuant to subsection (9) and, subsequent to such inspection and approval, the work shall not be delayed for completion of an inspection audit by the local building code enforcement agency.

(19) The local government, the local building official, and their building code enforcement personnel shall be immune from liability to any person or party for any action or inaction by a fee owner of a building, or by a private provider or its duly authorized representative, in connection with building code inspection services as authorized in this act.

History.—s. 17, ch. 2002-293; s. 106, ch. 2005-2; s. 11, ch. 2005-147; s. 1, ch. 2005-216; s. 6, ch. 2006-65; s. 6, ch. 2007-187; s. 141, ch. 2008-4; s. 77, ch. 2012-30; s. 7, ch. 2017-149; s. 12, ch. 2019-86; s. 14, ch. 2019-165.

¹**Note.**—Redesignated as paragraph (1)(j) by s. 14, ch. 2019-165.