

CHAPTER 88 – BUILDING REGULATIONS

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SECTION 1. IN GENERAL

1.1. Scope of Chapter

- A. Generally.** The City of Venice has the authority to adopt building regulations to provide for the safe regulation of the construction, alteration, repair, equipment, use, occupancy, location, maintenance, removal or demolition of every building or structure or any appurtenances connected or attached to such buildings or structures within the City. This Chapter may be referred to as the building regulations, code, or Chapter.

1.2. Building Official

- A. General Duties and Responsibilities.** The Building Official (or designee) is an administrative official that leads the City's building department. The Building Official is authorized to act through aides and assistants and is responsible for the processing of building permits, in accordance with Florida law. The Building Official may request the assistance of any appropriate officer, board, or agency of the City.
- B. Specific Review Authority.** The Building Official shall also have the authority to administer and coordinate the City's building review processes with other applicable agencies and departments.
1. Duties; scope of authority.
 - a. The building official shall be charged with the inspection of buildings and the enforcement of this chapter.
 - b. The building official shall require that the intent of this chapter be observed in all matters affecting structures not especially set forth in this chapter, and order such reconstruction as may be deemed necessary for safety.
 - c. The building official shall have no power to amend this chapter or the regulations of the building code. The building official shall not give engineering advice on plans and specifications submitted.
 - d. Right of entry. The building official, including designees and all inspectors, so far as it may be necessary for the performance of duties, shall have the right, upon showing credentials of office, to enter any new or unoccupied building, or any building under construction, repair or alteration, or being moved, or being moved through or into the city, or any building alleged to be unsafe or a menace to life, limb or property.

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1.2. Violations; Jurisdiction of Code Enforcement Board

- A. Generally.** Any person, firm, corporation or agent who violates a provision of this Chapter, or fails to comply therewith, shall be guilty of a violation of this Chapter. Each such person, firm, corporation or agent 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 this Chapter 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. Enforcement.** The City may enforce this Chapter through the Code Enforcement Board or Special Magistrate in addition to any county or circuit court proceedings. In enforcing this Chapter, the Code Enforcement Board or Special Magistrate shall have the authority to levy such fines and penalties as are provided in the Code of Ordinances City of Venice, Florida, Chapter 2 - Administration, article VI.

1.3. Interfering with Enforcement

- A. Generally.** It shall be unlawful for any person to hinder or interfere with the rules, regulations, and duties under this Chapter.

1.4. Addressing of Properties

- A. Generally.** To ensure the safety of the residents of the City, all residences, places of business and public buildings in the City, located on any established street, road, avenue or other thoroughfare in the City are required to have numbered, numerical addresses.
 - 1. Residential Addresses.** Addresses shall be numerals no less than three inches in height in residentially zoned districts or buildings with a residential use.
 - 2. Nonresidential Addresses.** Addresses shall be numerals no less than six inches in height in nonresidential or mixed-use zone districts.
 - 3. Standards for Addresses.** Address numerals shall:
 - a.** Be made of a durable material;
 - b.** Attached or painted to or above the primary door entrance of such building that is clearly visible from and facing the roadway;
 - c.** Have the building number painted in the middle of the building entrance driveway or curb area nearest the entrance or above the garage overhead door when in plane with front façade and facing the roadway.
 - d.** Include a numerical address.
 - e.** Comply with the requirements of Chapter 87, Section 5.3: Signs.

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- 4. Rear Addresses.** All multifamily housing complexes, and places of business which receive deliveries from an alley or any private driveway, shall attach or paint the numbers for the building on the rear door of such building or housing complex to conform with the number on the front door. All such numbers shall be conspicuously displayed at such designated places in accordance with plans adopted by the City Council for the systematic numbering of all such buildings. The owners of all such buildings which may be hereafter erected in the City shall, before becoming entitled to a certificate of occupancy as provided by this Chapter, comply with the terms and provisions of this Chapter. Such numbers shall be maintained in perpetuity, or, if replaced, replaced in conformance with this Chapter.

1.5. Construction Site Maintenance

- A. Generally.** Construction sites, defined as any property for which a permit has been issued pursuant to Florida Building Code, shall comply with the following minimum standards.
- B. Hours of Operation.** Engines, pile drivers, motors and other noisy equipment for the use of builders may be installed subject to the following restrictions as to the length of time and hours during which the equipment shall be used. Except in emergencies, and under a special permit therefor, such equipment shall not be operated between the hours of 8:00 p.m. and 6:00 a.m. upon any weekday or Saturday, and not at any time upon any legal holiday or Sunday. The special permit shall be on a form designated by the City and shall be reviewed by the Building Official. Such equipment shall be on the lot on which the building is being erected, or on public space immediately adjacent to such lot, and shall be used for and in connection with such building only.
- C. Construction and Demolition.** Operating or causing the operation of any tools used in construction, drilling, repair, alteration or demolition work shall be prohibited between the hours of 9:00 p.m. and 6:00 a.m. on weekdays, or between 9:00 p.m. and 9:00 a.m. on weekends or holidays, in or within 50 yards of any residential area or noise-sensitive zone, except for emergency work by public service utilities or by other variance approved by a board or commission of the City Council empowered to grant variances. The use of domestic power tools shall be as specified in Chapter 34, Section 34-35(11) of the City Code.
- D. Trash and Site Debris.** All outdoor trash and debris shall be stored in an approved manner. The permit holder of any active or inactive construction project shall clean up and remove all construction debris or any other miscellaneous discarded articles prior to receiving final inspection approval. Construction job sites shall be kept clean, such that accumulation of construction debris must not remain on the property for a period of time exceeding 14 days. All debris shall be contained in such a manner as to prevent it from being spread on the property or adjacent property by any means. Trash and/or debris shall not be buried on site. Air born

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particles leaving a construction site shall be mitigated. Necessary measures to abate/minimize air borne particles produced from concrete cutting and/or other dust creating tools and processes shall be taken.

- E. **Hurricane Preparation.** It shall be unlawful for any person to allow construction related materials to remain unsecured at a construction site from 24 hours after a hurricane watch has been issued until the hurricane watch or warning has been lifted. All such materials shall be either removed from the construction site or secured in such a manner as to minimize the danger of such materials causing damage to persons or property from high winds. Any person who violates this Chapter shall be guilty of a second-degree misdemeanor and subject to a fine of up to \$500.00 or imprisonment for a term not to exceed 60 days.
- F. **Sanitary Facilities.** A minimum of one restroom facility shall be located on all construction sites. The facility shall be as far as reasonably possible from any residential uses.

1.6. Codes Adopted

- A. **Generally.** The Florida Building Codes, with the editions and associated technical codes as mandated by the state and in particular F.S. ch. 553, are hereby adopted by the City for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures and systems in the City. Each and all of the regulations, provisions, conditions and terms of such codes are hereby referred to, adopted and made a part of this Chapter as if fully set out in this Chapter; subject, however, to all provisions of this Chapter, and to all modifications to such codes contained in this Chapter.
- B. **National Electrical Code.** The National Electrical Code (NEC), with the edition as mandated by the state and in particular F.S. ch. 553, is hereby adopted by the City for regulating the electrical work in the construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use and maintenance of all buildings and structures and systems in the City. Each and all of the regulations, provisions, conditions and terms of the National Electrical Code, are hereby referred to, adopted and made a part of this Chapter as if fully set out in this Chapter; subject, however, to all provisions of this Chapter and all modifications to such code contained in this Chapter.

1.7 Supplements to the Florida Building Codes; Housing

- A. The Florida Building Codes adopted in Section 1.6 are hereby supplemented in the following particulars:

1. Upon state law mandating the adoption of a new Florida Housing Code and/or a new Florida Unsafe Building and Abatement Code and subsequent editions, such codes shall become law in the City on the date mandated by the state without any further amendment to this Chapter.

1.8. Enforcement of Work

- A. It will be the duty of the appropriate licensed inspector(s) under the direction of the Building Official, to enforce the provisions of this Chapter and the Florida Building Code.

1.9. Other Amendments to the Florida Building Code

A. Administrative Amendments.

Florida Building Code, Building.

The following amendments to the Florida Building Code, Building are hereby adopted: Add a new Section 107, subsection 107.3.5 as follows:

Section 104, *subsection 104.10.1 Florida Building Code, Building.*

Add a new section 104, subsection 104.10.1 as follows:

Reserved.

107.3.5 Minimum plan review criteria for buildings.

Commercial Buildings:

Buildings:

8. Structural requirements shall include:

Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, declaration of land restriction (nonconversion agreement), flood damage resistant materials.

Residential (one and two family):

6. Structural requirements shall include:

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Special flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, declaration of land restriction (nonconversion agreement), equipment, and flood damage resistant materials.

Section 107, subsection 107.6.1, Florida Building Code, Building.

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Add a new Section 107, subsection 107.6.1 as follows:

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105, subsection 105.14 and Section 107, subsection 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

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Section 117, Florida Building Code, Building.

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Add a new Section 117 as follows:

117 VARIANCES IN SPECIAL FLOOD HAZARD AREAS.

117.1 Flood hazard areas. Pursuant to F.S. § 553.73(5), the variance procedures adopted in the local floodplain management Section shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612 and subsection 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of Section R322 of the Florida Building Code, Residential. This Section shall not apply to Section 3109 of the Florida Building Code, Building.

B. Technical Amendments.

Florida Building Code, Building.

The following amendments to the Florida Building Code are hereby adopted:

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Section 1612, subsection 1612.2, Florida Building Code, Building.

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Modify a definition as follows: *Substantial improvement*. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first improvement or repair of that building or structure subsequent to July 11, 1972. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the Building Official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Florida Building Code, Existing.

Section 202, Florida Building Code, Existing Building.

Modify a definition as follows:

Substantial improvement. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first improvement or repair of that building or structure subsequent to July 11, 1972. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the Building Official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

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Florida Building Code, Residential.

Section 322, subsection 322.2, Florida Building Code, Residential.

Add new Section R322, subsection R322.2.1 and renumber and modify the subsequent Section, as follows:

R322.2.1 Coastal A Zones. Buildings and structures in special flood hazard areas designated as Coastal A Zones shall be designed and constructed in accordance with Section R322.3.

R322.2.2 Elevation requirements.

1. Buildings and structures in special flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the design flood elevation.
2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM, or at least two feet (610 mm) if a depth number is not specified.
3. Basement floors that are below grade on all sides shall be elevated to or above the design flood elevation. Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

Section 322, subsection 322.3.4, Florida Building Code, Residential.

Modify Section R322, subsection R322.3.4 as follows:

R322.3.4 Walls below design flood elevation. Walls and partitions are permitted below the elevated floor, provided that such walls and partitions are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
2. Are constructed with insect screening or open lattice; or

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3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than ten (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:
 - 4.1. The walls and partitions below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
 - 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.
5. If located in special flood hazard areas designated as Coastal A Zones, the walls are provided with flood openings that meet the criteria in Section R322.2.2.

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SECTION 2. ADMINISTRATION

2.1. Appeals and Variances

- A. Conditions for Appeals.** The owner of a building, structure or service system, or their duly authorized agent, may appeal a decision of the Building Official to the Florida Building Commission, per F.S. § 553.775, whenever any one of the following conditions are claimed to exist:
1. The Building Official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.
 2. The provisions of this Chapter do not apply to this specific case.
 3. An equally good or more desirable form of installation can be employed in any specific case.
 4. The true intent and meaning of this Chapter or any of the regulations thereunder have been misconstrued or incorrectly interpreted.
- B. Variances.**
1. The Special Magistrate, when so appealed to and after a hearing, may vary the application of any provision of this Chapter to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Chapter or the technical codes or the public interest, and also finds all of the following:
 - a. Special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
 - b. The special conditions and circumstances do not result from the action or inaction of the applicant.
 - c. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other buildings, structures or service systems.
 - d. The variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
 - e. The grant of the variance will be in harmony with the general intent and purpose of this Chapter and will not be detrimental to the public health, safety and general welfare.
 2. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this Chapter. Violation of the conditions of a variance shall be deemed a violation of this Chapter.

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- C. Notice of Appeal.** Notice of appeal shall be in writing and filed within 30 calendar days after the decision is rendered by the Building Official. Appeals shall be in a form acceptable to the Building Official.
- D. Unsafe or Dangerous Buildings or Service Systems.** In the case of a building, structure or service system which, in the opinion of the Building Official, is unsafe, unsanitary or dangerous, the Building Official may, in their order, limit the time for such appeals to a shorter period.

2.2. Permits and Fees

2.2.1. Generally

- A. Permits Required.** It shall be unlawful to proceed with any work of any nature for which permits are required pursuant to F.S. § 553.79(1) until such permit has been duly issued by the City. Any person who intends to erect a structure, alter an existing structure, construct or demolish any structure, or change the occupancy of a building or structure, shall make application for a permit to the building division before the work is begun. This requirement includes any type of work which is regulated by the technical codes enforced by the City. The Building Official may approve minor repair work without the requirement of a permit provided such approval is not in violation of the technical codes.
- B. Schedule of Permit Fees.** For all permits, fees shall be paid as required in this Chapter at the time of issuance of the permit. The fees listed in this Section may be changed by resolution of the City Council; however, the fees shall be subject to adjustment at the end of each fiscal year based on fluctuations in the revised Consumer Price Index without further action by City Council. Bi-annual adjustments may also be made, in accordance with the recommendations of the fee and cost allotment study. Permit fees shall be posted in the office of the Building Official and on file in the office of the City Clerk.
 - 1. Building permit fees. All building permit fees shall be pursuant to the latest fee schedule set by the City.
 - 2. Surcharge. A surcharge of 0.015 percent of the permit value is to be used for the education of staff who directly make decisions on permits and inspections. This surcharge shall be deposited into an educational fund established for this purpose.
 - 3. Moving of a building or structure. For the moving of any building or structure, the fee shall be based on the value.
 - 4. Demolition of a building or structure. For the demolition of any building or structure, the fee shall be based on the value.
 - 5. Valuation of cost and labor. For valuation of cost and labor for all improvements to be used to determine permit costs, construction costs shall be based on the International Code

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Council's Building Value Data (BVD) table. A copy of the construction contract shall be submitted, and the Building Official shall use the contract to set the value. When there is any doubt as to the value, the Building Official may ask for any verification needed.

6. Fire department fees. All fire department fees shall be pursuant to the latest fee schedule as set by the City.

2.2.2. *Changes in Plans*

- A. No change in plans or construction shall be made until the permit therefor has been amended to conform to the change or a new permit has been obtained, and the fees paid to cover the amendment or the new permit.

2.2.3. *Plot Plan Required*

- A. No building permit shall be issued for any building in the City unless there is attached to the application for the building permit a plot plan showing the location of driveways, sidewalks and parking strips.

2.2.4. *Minimum Floor Elevation (Not in Special Flood Hazard Area; FIRM Zone X)*

- A. No building permit shall be issued unless the plans show that the finished floor is a minimum of 15 inches above the average crown of the finished street, unless allowed in writing by the Building Official.
- B. After completion of the lowest finished floor of the living space, the owner or their duly authorized agent shall deliver to the building division a finished floor elevation survey by a licensed surveyor of the state, which clearly shows that the floor has been built a minimum of 15 inches above the average crown of the finished street.
- C. The control of stormwater runoff during and after construction shall conform to Section 74-265 of the City Code.

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SECTION 3. PROPERTY MAINTENANCE STANDARDS

3.1. Responsibility for Property Maintenance

- A. Every owner of real property within the City of Venice is required to maintain such property in a manner so as not to violate the provisions of this Chapter, and such owner remains liable for violations thereof regardless of any contract or agreement with any third party regarding such property.
 - 1. Property maintenance standards shall not apply to that which the FBC applies, such as construction, alteration repair, change of occupancy or use, removal and demolition of commercial and residential structures.
 - 2. A separation between that to which the FBC applies, and post construction regulation, shall be maintained. Refer to F.S. 553.71 (3) Housing Code.
 - 3. If buildings are on the Local or National Register, are a contributing structure to a local or National Historic District, or are deemed eligible for listing on the local or National register, the standards of Chapter 87, Section 9, shall also apply.
 - 4. For both residential and nonresidential properties, wherever a permitted construction site is inactive and an approved building permit has expired, all partial construction shall be removed from the site and the site shall be restored to pre-construction condition.
- B. Properties and improvements existing as of the effective date of this code and maintained in accordance with prior permits shall not be deemed in violation of this Section.

3.2. Responsibilities for Residential Properties: Properties, Structures, Vacant Buildings, Vacant Structures, and Vacant or Unimproved Lots

- A. All dwellings units (i.e. residential structures) whether occupied or unoccupied, shall comply with the requirements of this Section.
- B. **Sanitary Facilities Required.** Every dwelling unit shall contain not less than one (1) kitchen sink, one (1) lavatory basin, one (1) tub or shower, and one (1) commode, all in good working condition and properly connected to an approved water and sanitary sewer system as permitted by City of Venice or applicable utility provider. Every plumbing fixture and water and wastewater pipe connection shall be properly installed in accordance with the Plumbing Code and maintained in good sanitary working condition, free from defects, leaks and obstructions. Every plumbing fixture shall be located within the dwelling unit, and be accessible to the occupants of the dwelling unit.

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- C. **Hot and Cold Water Supply.** Every dwelling, or dwelling unit, shall have connected to the kitchen sink, lavatory basin, tub or shower an adequate supply of both hot and cold water, all in good working condition.
- D. **Water Heating Facilities.** Every dwelling unit shall have water heating facilities which are properly installed and maintained in a safe and good working condition.
- E. **Garbage Disposal Facilities.** Every dwelling unit shall have adequate garbage or rubbish disposal facilities or garbage or rubbish storage containers.
- F. **Bathroom.** Every bathroom of a dwelling unit shall comply with the minimum light and ventilation requirements for habitable rooms.
- G. **Electric Lights and Outlets.** Every dwelling unit shall be wired for electric lights and convenience outlets.
- H. **Electrical Systems.** All fixtures, convenience receptacles, equipment and wiring of a dwelling or dwelling unit shall be installed, maintained, and connected to the source of electrical power.
- I. **Exterior and Interior Structures of Dwelling Units.** All the following components of a dwelling unit shall be maintained in good condition in accordance with the building codes in effect at the time of construction.
 - 1. **Foundation.** The building foundation walls or other structural elements shall be maintained in a safe manner and be capable of supporting the load which normal use may place thereon
 - 2. **Exterior Walls.** The exterior walls shall be maintained free from holes, breaks and loose or rotting material. Such exterior walls shall also be substantially weather tight and weatherproof, and surfaces properly coated as needed to prevent infestation and deterioration. Any graffiti shall be removed or repainted to match existing surfaces.
 - 3. **Roofs and Drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Tarp use for weather protection may not exceed 60 days unless there is an active building permit for roof repair or replacement. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.
 - 4. **Means of Ingress/Egress.** The dwelling or dwelling unit shall have a safe, unobstructed means of ingress/egress in accordance with the Building and Fire Code.
 - 5. **Stairs, Porches, and Appurtenances.** Every inside and outside stairway, stair, porch, and any appurtenance thereto, shall be maintained in a safe condition, capable of supporting a load that normal use may place thereon, and in accordance with the Florida Building Code.

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6. **Protective/Guard Railings.** Protective/guard railings shall be maintained in good condition and be capable of bearing normally imposed loads.
 7. **Handrails.** Handrails shall be maintained in good working condition.
 8. **Windows and Exterior Doors.** Every window and exterior door, shall be properly fitted within its frame, provided with lockable hardware, and shall be weather-tight and weatherproof, and maintained in good repair. Every window required for light and ventilation for habitable rooms shall be capable of being opened easily and secured in a position by window hardware. Windowpanes or approved substitutes shall be maintained without cracks or holes. Boarding of windows and doors shall be consistent with Section 3.6.
 9. **Screens.** Screens for openings shall be maintained in good condition without holes or tears in the screens.
 10. **Protective Treatment.** All exterior surfaces other than decay-resistant woods shall be protected from the elements by painting or other protective covering according to manufacturer's specifications.
 11. **Accessory Structure.** All accessory structures shall be maintained and kept in good repair and sound structural condition.
 12. **Interior Doors.** Every interior door shall be properly fitted within its frame.
 13. **Interior Floor, Walls and Ceiling.** Every floor and interior wall shall be free from infestation and maintained in good repair to prevent deterioration and shall be capable of supporting the load which normal use may cause to be placed thereon.
 14. **Structural Supports.** Every structural element of a dwelling unit shall be maintained in good repair and show no evidence of deterioration which would render it incapable of carrying loads which normal use may cause to be placed thereon.
 15. **Gutters and Downspouts.** Gutters and downspouts shall be maintained in good repair.
- J. **Pool, Maintenance, Private.** All swimming pools, spas and architectural pools, ponds or other decorative bodies of water, not otherwise regulated by the Health Department, shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or become polluted. All pools shall be free from unsightly appearance, including but not limited to, free of mold, litter and debris. A child safety barrier (i.e. fence) around existing pools constructed prior to adoption of pool safety codes within the FBC is required.
- K. **Dangerous Fences and Structures.** All premises within the City shall be maintained free of any fence or other structure which is in a sagging, leaning, fallen, decayed or otherwise dilapidated, unmaintained, or in an unsafe condition.

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3.3. Responsibilities for Nonresidential: Properties, Structures, Vacant Buildings, Vacant Structures, and Vacant or Unimproved Lots.

- A. All owners of nonresidential structures, vacant buildings, vacant structures and vacant or unimproved lots shall comply with the following requirements of this Section. Structures, attached or unattached to the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the notice of such condition.
- B. **Nonresidential Structures:**
 1. All nonresidential structures shall be watertight, weather-tight, insect-proof and in good repair.
 2. Every foundation, exterior wall and roof shall be reasonably watertight, weather-tight and rodent-proof, shall adequately support the building at all times, and shall be in a workmanlike state of maintenance and repair.
 3. Every interior partition, wall, floor and ceiling shall be reasonably tight and maintained in a workmanlike state of repair and in a clean and sanitary condition
 4. Every window and exterior door shall be reasonably weather-tight, watertight, rodent-proof and shall be maintained in sound condition and repair, and secured with proper hardware.
 5. Every inside and outside stairway, every porch, and every appurtenance thereto shall be constructed to be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be maintained in sound condition and repair.
 6. Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in sanitary working condition, free from defect, leaks, and obstruction.
 7. Every toilet, restroom and bathroom floor shall be constructed and maintained so as to be reasonably impervious to water, and such floors shall be kept in a clean and sanitary condition.
 8. Every supplied facility, piece of equipment or utility which is required under this Chapter shall be so constructed and installed that it will function safely, and effectively, and shall be maintained in good working condition.
 9. All exterior surfaces shall be protected from decay by painting or other protective covering or treatment. Substantial evidence of molding or chipping of the exterior surface will be required to be treated, repainted or both. All siding shall be weather-resistant and watertight.

10. Exterior Lighting. All outdoor lighting shall ensure that non-vehicular light sources that shine into the eye of drivers of vehicles or pedestrians which could impair safe traverse are prohibited; and all lighting shall be shielded and aimed at owner's premises or sidewalk and shall not create an adverse effect on adjacent properties.
11. Accessory Structures. Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition. Maintenance of accessory structures shall comply with the following:
 - a. The exterior of the building and premises to include but not be limited to parking areas and landscaping areas shall be maintained in a sound, clean and neat condition.
12. Signs shall be maintained in good condition. Where the sign structure remains, the sign faces are to be placed with black panels (permit required).
13. All nonresidential and commercial properties must provide parking facilities in accordance with the City of Venice Land Development Code or as previously permitted. Such facilities must be maintained in good condition. Parking shall be limited to designated areas (striped parking spaces) as permitted, and said areas must be clearly marked. At no time should the rights-of-way be utilized for storage or parking of customer, employee or company vehicles parking, nor shall any item(s) be placed, abandoned or allowed to remain in any right-of-way unless otherwise permitted.

C. Vacant Buildings and Unimproved Lots:

1. Every owner of a vacant building, structure or lot, shall keep the premises in clean and sanitary condition, including yards, lawn, courts and driveways. Any dead or dying landscaping must be replaced and maintained. Uneven or damaged surfaces with or without holes must be repaired
2. Exterior premises shall be kept free from the excessive growth of weeds, grass and other flora.
3. Every owner of a building, structure or lot, previously improved or occupied, shall grade and maintain the exterior premises so as to prevent the accumulation of stagnant water thereon, except for permitted storm water management detention/retention purposes.
4. Unauthorized motor vehicles are prohibited from parking on or driving across any portions of a vacant lot, except for areas designated for such use by the City through an approved site and development plan or other applicable permit.
5. Every owner of a building, structure or lot shall keep the premises reasonably free from rodents, insects and vermin.
6. The roof of every building or structure shall be well drained of rainwater.

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7. All exterior surfaces shall be properly maintained and protected from the elements by paint or other approved protective coating applied in a workmanlike fashion.
8. Every owner of a building, structure or lot, shall be responsible for removing any unauthorized obsolete, non-complying or any deteriorated signs, posters and graffiti from the building's exterior.
9. All signs must be maintained and comply with the provisions of the Land Development Code. Should a wall sign be removed, the wall surface must be painted in a workmanlike fashion in the same color as the adjacent exterior walls of the building to remove any shadowing created by the removed sign.
10. All materials used to board or secure a vacant building against entry shall be in accordance with Section 3.6.
11. Every owner of a building or structure that is vacant and unsecured shall secure and maintain in secure condition all entrances and all other openings of such building or structure including, but not limited to, windows, doorways, and swimming pool areas.
12. Ground floor windows of a vacant commercial storefront shall not have shattered, cracked, missing or broken, glass or other visible material degradation.

3.4. Standards for the Repair or Demolition of Hazardous Building by the City.

- A. **Repair or Demolition.** If the owner fails to repair the hazardous condition within thirty (30) days of service of the notice that a hazardous condition exists, or within fifteen (15) days of the final determination by the Code Enforcement Board or Special Magistrate that a hazardous condition exists, then the Building Official shall, in ordering the repair or demolition of the dangerous building, be guided by the following:
 1. Whether the interior walls or other vertical structure members list, lean or buckle to the extent that plumb line passing through its center of gravity falls outside of the middle third of its base; or
 2. Whether the non-supporting, enclosing, or outside walls or covering, exclusive of the foundation, evidence 33% or greater damage to or deterioration; or
 3. Whether a structure exists in violation of any provision of this Chapter, or any other ordinance of the City. If the building is unoccupied and it is deemed that demolition is not feasible, the building should be secured in accordance with this Chapter.
- B. **Assessment of Costs to Owner When Abatement Executed by City.** If the owner fails to remedy the hazardous condition, the City shall remedy the hazardous condition and notify the owner of the expense incurred by certified mail, return receipt requested at the address of the owner as

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listed in the tax collector's office for tax notices. The Building Official shall then certify to the Code Enforcement Board or Special Magistrate the expense incurred in remedying the violation, whereupon such expense shall become payable within thirty (30) days. If the owner fails to pay the expense incurred within the prescribed time limit, the Code Enforcement Board or Special Magistrate shall assess a lien and charge upon the property which shall be payable with interest at the legal rate as of the date of certification by the Building Official. If the owner feels that the expense certified by the Building Official for correcting the hazardous condition is excessive, he may appeal the amount assessed by filing a written notice of appeal Code Enforcement Board or Special Magistrate, with a copy to the Building Official, within ten (10) working days after the notice of assessment. The owner may then appear before the Code Enforcement Board or Special Magistrate and present facts supporting his position. Thereafter, the decision of the Code Enforcement Board or Special Magistrate shall be final. The City shall keep complete records relating to the amount payable for liens, and the amount of such liens.

- C. Notice for the Vacation of Hazardous Buildings.** If a dangerous or hazardous building exists, to the extent that it causes danger of imminent peril to life and health, the Building Official, Code Enforcement Board or Special Magistrate may order the building to be vacated.

3.5. Unsafe Buildings

- A.** All buildings or structures which are unsafe, unsanitary, fail to provide proper egress or fire protection, and/or fail to meet the standards of this Chapter, are declared to be unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and illegal and may be abated by repair and rehabilitation or by demolition in accordance with the following procedure:
- 1.** Whenever the Building Official shall find any building or structure or portion thereof to be unsafe, as defined in this Chapter, the Building Official shall notify Community Resources Unit and the owner of such structure of the finding. This notice shall require the owner within a stated period of time to either complete specified repairs or improvements, or to demolish and remove the building or structure or portion thereof to remedy the unsafe determination.
 - 2.** If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the specified repairs and improvements are completed, inspected and approved by the Building Official or their designee. The Building Official or designee shall cause to be posted at each entrance to such building a notice stating: "THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY IS PROHIBITED BY THE BUILDING OFFICIAL." Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person or their agents, employees or

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other servants to remove such notice without written permission of the Building Official or for any person to enter the building or structure except for the purpose of making the required repairs or demolishing the building or structure. Determination of structural capacity or soundness shall be determined by a professional Florida licensed architect or engineer, which services shall be retained by the property owner.

3. The owner, agent or person in control shall have the right to appeal from the decision of the Building Official as provided in this Chapter, and to appear before the special magistrate at a specified time and place to show cause why he should not comply with the notice for decisions and interpretations of the Building Official in enforcement of the FBC. Any action for appeal under this Section (Property Maintenance Standards) shall be presented to the Code Enforcement Board of Special Magistrate.
4. If the owner, agent or person in control of any unsafe building or structure shall fail, neglect or refuse to comply with the notice to repair, rehabilitate, or demolish and remove the building or structure or portion thereof within the stated time limit, the City shall be authorized to obtain equitable or legal relief from any court of competent jurisdiction to abate the public nuisance through demolition or other appropriate means. In such proceedings where the City is the prevailing party, the City shall be entitled to recover its costs, including administrative cost, cost of demolition, court costs, and reasonable attorney's fees for trial and appellate services. Such costs and fees shall, upon recordation of a certified copy of a judgment in the county public records, become a lien upon the real property upon which the unsafe building or structure was located, and shall bear interest at the rate permitted by law for judgments. The City shall also be entitled to recover costs and reasonable attorney's fees for trial and appellate services in foreclosing any such liens.
5. In the event of an emergency, the Building Official or designee may reduce a notice provision or, in cases of extraordinary danger, after notice to the owner, enter the property and cause such repairs as may be necessary to protect the public. The costs of such emergency repairs shall be the responsibility of the owner. Determination of structural capacity or soundness shall be determined by a professional Florida licensed architect or engineer.

3.6. Registration Required for Boarding Building

- A. **Certificate of Boarding.** A registration of boarding is required for all buildings that are boarded for longer than five days. A fee for registration of boarding may be established by resolution of the City Council. Unless exempt, no person shall erect, install, place, or maintain boards over the doors, windows, or other openings of any building or structure or otherwise secure such openings by a means other than the conventional method used in the original construction and design of the

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building or structure for a period of longer than five days without receiving a boarding registration by the City.

B. Exemptions:

1. A certificate of boarding is not required during a declared state of emergency by the City.
2. A certificate of boarding is not required during hurricane season.
3. Temporary boarding to secure structures not to exceed five days.

Temporary covering of windows of non-residential windows (see Section 3.7 for additional standards).

C. Boarding Registration. The written registration for boarding shall be submitted to the Planning and Zoning Division on the appropriate City of Venice form. Upon submittal of all required registration materials and applicable fee in compliance with this Section, a registration for boarding may be issued a period of no greater than six months from the date of the issuance.

D. Renewal of Boarding Registration. A property owner or their representative or contractor seeking renewal of the boarding registration must file the written request no later than ten business days prior to the expiration of the original registration. The issuance of a renewal boarding registration shall be subject to all of the following conditions:

1. The boarding or other method of securing the building or structure has been done in compliance with this Section.
2. The owner or their authorized representative or contractor has submitted to the City, 10 days prior to the expiration of the original certificate, a detailed plan for correction, repair, or rehabilitation of violations of state or local building and housing standards and for the securing of the doors, windows, and other openings by the conventional method used in the original construction and design of the building or structure or, alternatively, a detailed plan for sale of the property to another person or entity with provision in the sale for correction, repair, or rehabilitation.
3. The renewal may be revoked by the City if the owner fails to comply with the plan for such work or fails to adhere to the submitted timeline.

E. For the Renewal of Boarding Certificate. A boarding registration may not be extended beyond the renewal period except upon demonstration that good cause for further renewal exists. Good cause shall require a showing by the owner that the certificate renewal is made necessary by conditions or events beyond the owner's control, such as inability to obtain financing for repair or rehabilitation, unanticipated delays in construction or rehabilitation, or unanticipated damage to the property. In addition, where appropriate, good cause shall also require a showing by the owner that the owner has exercised reasonable and due diligence in attempting to complete the needed correction, repair, or rehabilitation, or is attempting to sell the property. If the Code Enforcement Board or Special

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Magistrate determines that there exists good cause to further renew the certificate, the certificate may be renewed by the Code Enforcement Board or the Special Magistrate for a period of up to, but not more than, an additional six months, subject to all of the same conditions imposed on the original renewal certificate.

- F. Boarding Period.** No occupied building shall be permitted to be boarded for a period greater than 60 days.

3.7. Temporary Covering of Non-Residential Windows and Doors

- A.** The purpose of this section is to require the temporary covering of certain windows in non-residential buildings and structures within the city to screen the interior from view while the property is unoccupied due to vacancy, abandonment, or renovation.
- B.** For purposes of this section, windows shall include, but not be limited to, individual panes and glass in display windows, exterior doors and transoms.
- C.** This section shall only apply to non-residential buildings and structures, or portions thereof, that are unoccupied for 30 days or more.
- D.** Temporary window coverings are only required on those windows that are ground level and front or abut a public right-of-way or publicly accessible road or sidewalk.
- E.** Temporary window coverings shall be one or more of the following materials:
 - 1. Printed vinyl or similar material, with or without a decorative design. Any proposed decorative design is subject to review and approval by the city manager or his designee. Any vinyl graphics shall be of the same type or style in all windows of the building or structure, the intent being uniformity in style and appearance.
 - 2. Sheet plywood painted to match the primary color of the building or structure.
 - 3. Paper, either white or a uniform shade of brown/tan, affixed neatly and securely to the inside of a window or door and trimmed to match the width and height of the window or door.
- F.** Temporary window covers shall not be comprised of any of the following:
 - 1. Blank or incomplete painters' canvas;
 - 2. Plastic garbage bags or other plastic sheets or coverings;
 - 3. Tarps;
 - 4. Hand-written signage;
 - 5. Real estate signage;
 - 6. Soap solution;
 - 7. Paint;
 - 8. Newspapers;

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- 9. Torn construction paper and masking tape;
 - 10. Clear plastic or fabric drop cloths.
- G. Temporary window coverings under this section shall not be considered signs.
 - H. Exceptions. Any provision of this section may be waived or modified due to hardship or unique circumstances at the discretion of the city manager or his designee.
 - I. Violations of this section shall be subject to the code enforcement provisions and procedures provided in section 1-14 and chapter 2, article VI of this Code.

3.8. Defects and Maintenance Standards

- A. It is declared unlawful and a public nuisance for any owner of any property in the City to allow any vacant and unoccupied building to have doors, windows, or other openings broken or missing, allowing access to the interior, on their property which is not secured in compliance with this Chapter.

3.9. Standards for Securing Building

- A. **Compliance with City Specifications.** Securing a building structure through boarding of the doors, windows, or other openings, or any other means of securing, other than by the conventional method used in the original construction and design of the building or structure, shall comply with the specifications as required in Section 3.6 or as otherwise required by Building or Fire Code.

SECTION 4. CONTRACTORS

4.1. Generally

4.1.1. Classifications

- A. For purposes of this Chapter, the classifications for contractor shall be as those listed in F.S. § 489.105(3), and the actual scope and duties shall conform to those classifications in F.S. § 489.113(3) and are meant to include all those certifications contained therein. The provisions of this Chapter do not apply to an authorized representative of the United States government, the State, the county, the City, or any political corporation or subdivision thereof, if the operation of a trade is done by its own salaried employees nor to anyone exempt pursuant to State or federal law.

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4.1.2. *Unlawful Acts*

- A. It shall be unlawful for any contractor operating within the City, whether licensed individually or as a firm and through its officers, directors or qualified representatives, to commit any one or more of the following acts or omissions:
 - 1. To perform work outside the scope of operations in which a contractor is licensed for;
 - 2. To depart from approved plans;
 - 3. To misrepresent any material fact;
 - 4. To commit any willful or fraudulent act; or
 - 5. To have negligence, incompetence or misconduct in the practice of contracting within this Chapter

4.1.3. *Responsibilities of Licensed Contractors*

- A. **Responsibilities.** Every contractor licensed or registered by the City shall have all of the following responsibilities with respect to any work within the City done by the contractor or under the contractor's direction or by the contractor's employees or subcontractors:
 - 1. To see that all such work shall fully conform to the requirements of the applicable provisions of this Code and other ordinances of the City pertaining or relating to such work, including but not limited to the Florida Building Code and all associated technical codes, the National Electrical Code, now or hereafter adopted by the City.
 - 2. To see that all such work is done in full conformity with the plans and specifications covering the work.
 - 3. To see that all progressive or other payments made by or for the owner on account of any such work are properly applied in payment of labor and material bills in accordance with the Florida Mechanics' Lien Law, F.S. ch. 713.
 - 4. To see that all workers are covered by workers' compensation insurance at all times when and to the extent required by law.
 - 5. To see that no alternate materials are substituted for those called for by the plans or specifications, without the prior written consent of the City Building Official or designee concerned with such work.
- B. **Personal Attendance.** The personal attendance and presence on the job of the contractor or their designated agent is required from time to time, and for such length of time, as to ensure the proper fulfillment of such responsibilities.
- C. **Authority of License.** The fact that the building permit or other permit for a particular job or part of a job is issued to the owner or other third party shall not be deemed to diminish the responsibilities of any contractor as set out in this Chapter where the work is being done by the contractor or the contractor's employees or under the authority of the license.

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- D. Partnership.** Where any contractor does business as a partnership, at least one partner shall be certified as a contractor's employee or under the authority of a contractor's partnership, and at least one general partner shall be certified as a contractor. Where any contractor is incorporated, at least one of the chief executive officers of the corporation shall be certified as a contractor.

4.2. Contractor Registration

4.2.1. Required; Eligibility for Permits

- A.** Every person desiring to engage in the business of a general contractor, building contractor, residential contractor, electrical contractor, plumbing contractor, mechanical contractor, air conditioning contractor (classes A, B and C), roofing contractor, commercial pool contractor or residential pool contractor, and all specialty contractors within the City, shall, before so doing, obtain a contractor registration from the Building Division.
- B.** Before a contractor shall be issued a permit, the contractor shall be required to be registered with the City for the class appropriate to include the structure for which such building permit is sought. It shall be unlawful for any contractor to undertake any work not within the permitted scope of the category or certification the contractor holds. Permits will only be issued to those contractors referred to in Section 4.1.

4.2.2. Application; Liability Insurance

- A.** Every person required to have a contractor registration by this Chapter shall first make application to the Building Official or their designee on a form to be provided by the official. Every such application shall contain the applicant's full name and current business address and such other information as may reasonably be required to carry out the intent of this Chapter.
- B.** Where application for a contractor registration is made by any person doing business under a trade or fictitious name, the application shall show the name, residence and mailing address of each person owning any interest in the business being conducted under the trade or fictitious name. If the applicant is a corporation doing business under a name different from the corporate name, the application shall contain the name and principal place of business of the corporation applicant.
- C.** Every application for a contractor registration shall be accompanied by proof of liability insurance in amounts of no less than \$100,000.00/\$300,000.00 for personal injury and in the amount of no less than \$10,000.00 for property damage.

4.2.3. Registration Fee; Exemption for State Certified Contractors

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4.2.4. *Issuance of Citations for Unlicensed Contracting and/or Unpermitted Work*

- A. Violations of State Law Incorporated by Reference.** Any person(s) who violates F.S. §§ 489.127, 489.132(1), or 489.531, as may be amended from time to time, shall also be in violation of this Section.
- B. Enforcement Officers.** The City Building Official, City Community Resource Unit officers and any other persons designated by the City Building Official as enforcement officers are authorized to issue citations for violations of this Section when the enforcement officer has reasonable and probable grounds to believe that a violation has occurred.
- C. Contents of Citations.** A citation issued by an enforcement officer shall state:
 - 1. The time and date of issuance.
 - 2. The name and address of the person to whom the citation is issued.
 - 3. The time and date of the violation.
 - 4. A brief description of the violation and the facts constituting reasonable cause.
 - 5. The name of the enforcement officer.
 - 6. The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
 - 7. The applicable civil penalty if the person elects not to contest the citation.
- D. Civil Penalties.** The civil penalties for violation of this Section shall be as adopted by resolution of the City Council. A person cited for a violation of this Section is deemed to be charged with a noncriminal infraction and must pay a civil penalty of not less than the amount set forth in the citation but not more than \$2,000.00. Each day a willful, knowing violation continues shall constitute a separate offense under the provisions of this Section. Monies collected pursuant to this Section shall be retained and set aside in a specific fund to support future enforcement activities against unlicensed contractors.
- E. Administrative Remedies.** The person charged with the violation shall elect either to correct the violation and pay the civil penalty in the manner indicated on the citation or, within ten days of receipt of the citation, exclusive of weekends and legal holidays, request an administrative hearing before the Special Magistrate (SM) to appeal the issuance of the citation by the enforcement officer.
- F. Conduct.** Hearings shall be conducted in the following manner:
 - 1. Hearings shall be held before the SM and shall be conducted pursuant to the requirements of F.S. §§ 162.07 and 162.08.
 - 2. Failure of a violator to appeal the citation within the time period set forth above shall constitute a waiver of the violator's rights to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly.

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3. If the person issued the citation, or his designated representative, shows that the citation is invalid or that the violation has been corrected prior to appearing before the SM, the SM may dismiss the citation unless the violation is irreparable or irreversible.
4. If the SM finds that a violation exists, the SM may order the violator to pay a civil penalty of not less than the amount set forth in the citation, but not more than \$2,500.00 per day for each violation. Monies collected pursuant to this Section shall be retained and set aside in a specific fund to support future enforcement activities against unlicensed contractors. In determining the amount of the penalty, the SM shall consider the following factors:
 - a. The gravity of the violation;
 - b. Any actions taken by the violator to correct the violation; and
 - c. Any previous violations committed by the violator.
- G. **Failure to Contest the Citation.** Upon written notification from the enforcement officer that a violator has not contested the citation or paid the civil penalty within the time frame allowed in the citation, the SM shall enter an order ordering the violator to pay the civil penalty set forth on the citation. A hearing shall not be necessary for the issuance of such order.
- H. **Order Imposing Fine.** A certified copy of an order imposing a civil penalty pursuant to this Section may be recorded in the public records and thereafter shall constitute a lien against any real or personal property owned by the violator in the county of recordation. Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by the sheriffs of this state, including a levy against personal property. A civil penalty imposed hereunder shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on such lien, whichever occurs first. After three months from the filing of any such lien which remains unpaid, the City attorney is authorized to foreclose on the lien. No such lien may be foreclosed on real property which is a homestead under Section 4, article X of the state Constitution.
- I. **Appeal.** An aggrieved party, including the City, may appeal a final administrative order of the SM to the circuit court pursuant to F.S. ch. 162. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.
- J. **Notice Procedures.** All notices required by this Section shall be provided to the alleged violator in the same manner as provided for in F.S. ch. 162.
- K. **Refusal to Sign Citation.** Pursuant to F.S. §§ 489.127(4)(m) and 489.531(4)(n), any person who willfully refuses to sign and accept a citation issued by an enforcement officer commits a misdemeanor of the second degree, punishable as provided in F.S. §§ 775.082 or 775.083.

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4.2.5. Certificate Required Prior to Issuance of Occupational License

- A. No occupational license shall be issued to any contractor unless the contractor holds a current contractor registration issued by the building Chapter.

4.2.6. Appeals

- A. Any applicant for a contractor registration under this Chapter who is denied such registration by the Building Official may appeal the decision to the SM; provided, however, that such appeal shall be filed in writing with the building division within 15 days of receipt of notification in writing of the denial of the contractor registration. The appeal procedure shall be substantially the same as is set forth in Section 2.1.8.

4.2.7. Use of Certificate By Persons Employed By City

- A. It shall be unlawful for the holder of a certificate of registration pursuant to this Chapter to use or allow the use of any such certificate during the period of time that such holder is an employee of the City with the Building Division on a full-time basis as an inspector or otherwise employed by the City in a capacity using the skills for which the holder is certified or registered.

4.2.9. Reciprocity

- A. Any general contractor, electrical contractor, plumbing contractor or mechanical contractor who has been examined and is licensed by any incorporated municipality or county of the state, where such municipality or county has adopted and is administering building, plumbing, electrical and mechanical codes which are equal to the standards set forth in the codes adopted by the City, as now exist or may hereafter be amended, and where such municipality or county enters into an interlocal agreement with the City as to general, electrical, plumbing or mechanical contractors duly licensed by that jurisdiction, shall be eligible to apply to the Building Division for a contractor registration.

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SECTION 5. ELECTRICAL, PLUMBING, GAS, MECHANICAL AND POOL REGULATIONS

5.1. Electrical Work

- A. Enforcement.** It shall be the duty of the inspector, licensed in the appropriate category as required in F.S. ch. 468, under the direction of the Building Official, to enforce the provisions of this Chapter and the National Electrical Code adopted in this Code.
- B. Supervision of Work.** No work requiring the issuance of an electrical permit shall be done without on-the-job supervision by the holder of either a state certification or City certificate of registration.

5.2. Electrical Permits and Fees

- A.** A permit will be required to do any electrical work in the City. The repairing of damage to broken fixtures or equipment and the ordinary work necessary for the proper maintenance of equipment is exempt from the permit requirement.
- B.** All electrical permit fees shall be pursuant to the latest fee schedule as set by the City.

5.3. Permission to Furnish Power

- A.** It shall be unlawful for any person to supply electric current for lights or power to their distribution system unless explicitly permitted by state law. The electrical inspector may authorize the electric company to energize the circuits for temporary power or testing purposes for a period of not exceeding 180 days if, in their opinion, such wiring, apparatus or fixtures are in such condition that current may safely be connected therewith. A written application needs to be filed with the inspector requesting such temporary power.

5.4. Plumbing Work

- A.** It shall be the duty of the inspector, licensed in the appropriate category as required per F.S. ch. 468, under the direction of the Building Official, to enforce the provisions of this Chapter and the Florida Plumbing Code adopted in this Code.

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5.5. Plumbing Permits and Fees

- A. A permit will be required to do any plumbing work in the City.
- B. It shall be unlawful for any person to connect, or cause to be connected, any building, lot, premises or establishment with any water main or with any service pipe for water, or any house sewer or septic tank, or with any subway or conduit or any other public or private underground structure, in public or private space, or for the purpose of repairing or extending any present water or drainage system, without a permit obtained from the City Building Division, before commencing any part of such work. The provisions of this Section shall apply to all water mains, sewers, septic tanks and water service pipes, plumbing and systems of drainage or piping, whether on private property or in any public street or alley, and to each separate building, whether situated on the same or different lots, and connected or proposed to be connected directly or indirectly with any water main, water service pipe, public or house sewer, septic tank or subway, conduit or other underground structure.
- C. All plumbing fees shall be pursuant to the latest fee schedule as set by the City.

5.6. Connection to City Water System

- A. Wherever City water is available to a building site, the required tap fee and meter deposit shall be paid at the time the plumbing permit is issued.
- B. All water supply and distribution piping shall be connected to the City water meter at time of rough-in and water shall thenceforth remain on the system throughout the balance of the construction period except as necessary in completing the piping system and installing fixtures. All water meter boxes shall be at grade before final inspection.

5.7. Gas Enforcement

- A. It shall be the duty of the inspector, licensed in the appropriate category as required pursuant to F.S. ch. 468, under direction of the Building Official, to enforce the provisions of this Chapter and the Florida Fuel Gas Code adopted in this Code.

5.8. Gas Permits and Fees

- A. A permit will be required to do any gas work in the City.
- B. All gas permit fees shall be pursuant to the latest fee schedule as set by the City.

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5.9. Mechanical Code Enforcement

- A. It shall be the duty of the inspector, licensed in the appropriate category as required pursuant to F.S. ch. 468, under direction of the Building Official, to enforce the provisions of this Chapter and the Florida Mechanical Code adopted in Section 4.1.

5.10. Mechanical Permits and Fees

- A. A permit will be required to do any mechanical, heating, ventilation and air-conditioning work in the City.
- B. All mechanical permit fees shall be pursuant to the latest fee schedule as set by the City.

5.11. Pool Code and Definitions

- A. Swimming pools, private or public, shall conform to the requirements and definitions of the Florida Building Code as adopted in this Code.

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