



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 17, 2024

Agenda Item No.

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-8 OF THE TOWN CODE PERTAINING TO THE TOWN'S LOCAL AMENDMENTS TO CHAPTER ONE OF THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA
☐ BOARD APPOINTMENT ☐ OLD BUSINESS
☒ **PUBLIC HEARING - ORDINANCE ON 1st READING**
☐ NEW BUSINESS
☐ OTHER: _____

Approved by Town Manager **John D'Agostino** Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of
Lake Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.go
v, c=US
Date: 2024.04.12 14:20:54 -04'00' **Date:** _____

Nadia Di Tommaso / Community Development Director
Name/Title

Originating Department: Community Development	Costs: \$ None Funding Source: Acct. # [] Finance _____	Attachments: Ordinance __-2024 with Exhibit A
Advertised: Date: Paper: [X] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone OR Not applicable in this case ND Please initial one.

Summary Explanation/Background:

This is more of a housekeeping item. The Town of Lake Park's (contracted) Building Official is Shane Kittendorf with CAP Government, Inc. On December 31, 2023, the 2023 Florida Building Code came into effect. Consequently, our Building Official reviewed and updated the relevant code sections included as Exhibit A of the attached Ordinance and these have been applied to permits since December 31, 2024. A CAP representative will be in attendance at the meeting to answer any questions.

Summary update of changes for Chapter 1 of the Florida Building Code (2023) 8th Edition

Notable Updates and Changes

- Items listed in **Red** are Legislature adopted
- Items listed in **Blue** are new BOAF model code updates along with other utilized adopted jurisdictional codes to assist with a complete Chapter 1 for the City of Cape Coral. The intent is to provide clarity, uniformity, efficiency and consistency in the application of the policies and procedures to meet compliance with the building code.

Section 101 - SCOPE AND GENERAL REQUIREMENTS

- 101.2 (2) relocation Existing buildings. The provisions of the Florida Existing Building Code along with Chapter 54 of Town Ordinance to section 101.4.7
- 101.2 (2) addition of Code requirements that address snow loads and earthquake protection shall not be utilized or enforced.
- 101.4.7 Existing buildings. The provisions of the Florida Existing Building Code along with Chapter 54 of Town Ordinance shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

Section 104 - DUTIES AND POWERS OF BUILDING OFFICIAL

- 104.11 The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the Building Official.

Section 105 – PERMITS

- 105.3.1.2 Professional Engineer Requirement
 - (2) Fire sprinkler systems under statute 633 have been updated to allow a licensed Fire Sprinkler contractor to design systems to a new threshold of 49 sprinkler heads or alteration of an existing facility up to 249 sprinkler heads before a professional engineer is required.
 - (4) Exception: Simplified Permitting process for Fire Alarm and Fire Sprinkler system only projects which are not part of a larger scope of work. A Complete application submittal is required, except the plans are not required but shall be onsite by the contractor.
- 105.3.1.3 In reviewing applications for a building permit the Jurisdiction shall not request information more than three times.
 - First Round Review Comments – If the applicant returns comments within 30 days, the jurisdiction shall review within 15 days after receiving such information.
 - Second Review Comments – If the applicant returns comments within 30 days, the jurisdiction shall review within 10 days after receiving such information.
 - Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If the applicant returns comments within 30 days, the jurisdiction shall review within 10 days after receiving such information.

- 105.3.8 A local government may not require a contract between a builder and an owner for the issuance of a building permit or as a requirement for the submission of a building permit application.
- 105.4.1.5 After the local enforcing agency issues a permit, the local enforcing agency may not make or require any substantive changes to the plans or specifications except changes required for compliance with the Florida Building Code, the Florida Fire Prevention Code, or the Life Safety Code, or local amendments thereto.

Section 107 - SUBMITTAL DOCUMENTS

- 107.1 All Data shall be submitted electronically unless approved by the Building Official.
- 107.3.4.0.1 Other than Single-Family Residences. The plans and specifications for new construction, alterations, repairs, improvements, replacements, or additions costing fifteen thousand dollars (\$15,000.00) or more, shall be prepared by, and each sheet shall bear the signature and seal of an Architect or Engineer.
- 107.3.4.0.2 Single-Family Residences. The plans and specifications for new construction, alterations, repairs, improvements, replacements, or additions costing thirty thousand dollars (\$30,000.00) or more, shall be prepared by an Architect or Engineer. Each sheet shall be signed and sealed by the Architect or Engineer.
- 107.3.4.0.3 Plans and specifications for work that is preponderantly of an architectural nature shall be prepared by a Registered Architect, and work that involves extensive computation based on structural stresses shall, in addition, be prepared by a Professional Engineer.
- 107.3.4.0.4 Plans and specifications for work that is preponderantly of a mechanical or electrical nature shall, at the discretion of the Building Official, be prepared by a Professional Engineer.
- 107.3.4.0.5 Compliance with the specific minimum requirements of this Code shall not be deemed sufficient unless determined through rational analysis.
- 107.3.4.0.6 For any work involving structural design, the Building Official may require that plans, calculations, and specifications be prepared by a Professional Engineer, regardless of the cost of such work.
- 107.3.4.0.7 Electrical plans and specifications for new construction shall be prepared by a Professional Engineer if they exceed specific thresholds.
- 107.3.4.0.8 All plans shall be properly digitally signed or properly physically signed per Fs. 471 or Fs. 481.

- 107.7 If the local building code administrator, plans examiner or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant.

Section 109 – FEES

- 109.2.1 Types of Fees Enumerated

Section 110 – INSPECTIONS

- 110.3 The Required Inspections section has been completely revamped to provide clarity, uniformity, efficiency and consistency of the section.
 - Building (7)(7.2) A final survey shall be provided to certify placement of the building on the site, illustrate all surrounding setback dimensions, easements, slopes for proper drainage and shall be available at the job site or submitted electronically for review by the building official.
- 110.12.1 – 110.12.11 Milestone Inspection Program for Condos and Co-Op over 3-stories in height. The Legislature finds that maintaining the structural integrity of a building throughout its service life is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such, the Legislature finds that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

Recommended Motion: I move to APPROVE Ordinance __-2024 on first reading.