

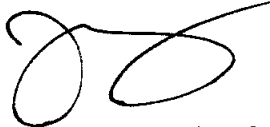


MIAMI BEACH

OFFICE OF THE CITY MANAGER
NO. LTC # 147-2010

RECEIVED

2010 MAY 17 AM 10:43
LETTER TO COMMISSION
CITY CLERK'S OFFICE

TO: Mayor Matti Herrera Bower and Members of the City Commission
FROM: Jorge M. Gonzalez, City Manager 
DATE: May 14, 2010
SUBJECT: Exemptions from Permits under the Florida Building Code

The purpose of this Letter to Commission (LTC) is to advise the City Commission on the issuance of certain exemptions from permitting under the Florida Building Code.

At the City Commission on January 13, 2010, during the public hearing for the adoption of the new fee structure for the Building Development Process Departments, one of the speakers, Ms. Tammy Tibbles, suggested that the City implement exemptions from permitting similar to that implemented by Miami-Dade County.

At the conclusion of the public hearing, the Commission asked staff to evaluate the benefits of granting certain exemptions. Upon conducting research and due diligence it was determined that the exemptions provided by Miami-Dade County are contemplated under the Florida Building Code and can be granted under the authority of the Building Official.

The Building Official has reviewed the proposed exemptions and has issued a list of job types that are exempt from permitting and do not create safety concerns. A full copy of exemptions is attached and will be published in the City's website in the next few weeks.

Please contact me if you have any questions.


JMG:AR:ls

Attachment: List of Permit Exemptions

F:\cmgr\\$\all\LTC2010\exemptions from permits

City of Miami Beach
Permit Exemptions

Although the work noted above is exempt from permit requirements under section 105.2 of the Florida Building Code, this exemption does not authorize any work to be done in any manner in violation of the provisions of the Florida Building Code.

I. Under Section 105.2 of the Florida Building code, permits are not required for the following:

Gas:

- 1) Portable heating appliances.
- 2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

- 1) Portable heating appliance
- 2) Portable ventilation equipment.
- 3) Portable cooling unit.
- 4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- 5) Replacement of any part which does not alter its approval or make it unsafe.
- 6) Portable evaporative cooler.
- 7) Self contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
- 8) The installation, replacement, removal or metering of any load management control device.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

This section exempts permit requirements for repairs and requires permits for replacements to any and all components of Plumbing systems regulated by the Florida Building Code.

II. Items Not Regulated by the Florida Building Code

1. The following construction improvements are not regulated under the Florida Building Code. Therefore, a building permit is not required. However, other regulating agencies may require a permit or approval.
2. Surfacing or floors or slabs with carpet, interior tile, brick, wood or chattahoochee (for single family and duplex residence only)
3. Kitchen cabinets, vanities or paneling installation inside residential units. Any associated plumbing and electrical work may require a building permit (for single family residence only).
4. Playground equipment (swings, slides, monkey bars, basketball hoops, doghouses and pump covers) for residential use. All equipment and structures must meet zoning setbacks. Any electrical service to such playground equipment requires a permit and compliance with the Florida Building Code (for single family residence only).

5. Decorative reflective pools and/ or fishponds with listed pump system not requiring separate piping, electrical or structural work.
6. Interior painting.

III. Exemptions for work in Single-Family Residences, Duplexes, Townhouses and Condominiums

The following permit exemptions for single-family residences, duplexes, townhouses and condominiums have been based upon Section 102.2.5 of the Florida Building Code.

Owner-builders and contractors may perform the following work on single-family properties:

A. Mechanical:

- Replacement of existing previous & permitted window air conditioning unit.
- Installation of ductless ventilation and range hoods.

B. Building

- Replace and repair of canvas or cloth covered existing awnings.

IV. Exemptions for Minor Repairs on Residential and Commercial Properties

The following permit exemptions for minor repairs have been established for The City of Miami Beach under Section 105.2.2 of the Florida Building Code:

Electrical:

- 1) Repair or replacement of single electrical wall switches and wall outlet devices (receptacles) 20 amps 120 volts or less.
- 2) Repair or replacement of electric water heaters 4500 watts or less. If the wattage of the new water heater is greater than the wattage of the heater to be replaced, then a permit is required for this work.
- 3) Change out of air conditioning equipment provided it is the same electrical, cooling/heating capacity/ampereage.
- 4) Repair or Replacement of low voltage (under 77 volts) devices:
 - Telephone
 - Speakers
 - Television
 - Data Cable
 - Central Vacuum
 - Burglar alarm
 - Intercom System
- 5) Repair or replacement of pumps not exceeding 2 h.p.
- 6) Repair or replacement of time clocks.

Plumbing:

- 1) Repairs of irrigation systems.
- 2) Repairs of domestic water service/lines.
- 3) Repairs of building sewer lines, excluding repair or replacement of interceptors/separators, by licensed
- 4) Repairs/replacement of faucets.
- 5) Repair/replacement of shut off valve on a domestic water line.
- 6) Repairs to fixtures, appliances, water heaters, excludes replacements.

- 7) Repair/replacement of residential disposal.
- 8) Repair/replacement of residential dishwasher.

Mechanical:

- 1) Repair work performed by licensed mechanical contractors that does not exceed \$500.00 in value of materials and labor.
- 2) Repair of air conditioning duct.
- 3) Repair or replacement of coil, compressor or refrigerant piping by a licensed mechanical contractor.
- 4) Repair of Ventilation fans.

Roofing

The repair of any roof covering not exceeding \$1,000.00 in value of materials and labor not exceeding one roofing square.

Satellite Antennas

Pursuant to federal law, a permit is not required for the installation or repair of satellite antennas that are two meters (approximately 6.5 feet) or less in diameter which are located on commercial or industrial properties. For residential properties, the installation or repair of satellite antennas attached to primary structures which are one meter (approximately 3.25 feet) or less in diameter are exempt from permit requirements. Any incidental electrical work is exempt from permit requirements as well.

Section 102.2 States: The provisions of the Florida Building Code shall apply to the construction, ruction, alteration, modification, repair, equipment, use and occupancy, location, maintenance removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs, and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 (Existing Buildings Volume) of the FBC. **The following buildings, structures and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:**

1. Building and structures specifically regulated and preempted by the federal government.
2. Temporary buildings or sheds used exclusively for construction purposes.
3. Mobile or modular structures used as temporary offices, except that the provisions of Part V (Section 553.501553.513, Florida Statutes) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures.
4. Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.
5. Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound recording equipment used in such production, on or off the premises.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features. Must see Zoning for set back requirements.