CITY OF MIAMI BEACH
Office of the City Manager
Letter to Commission No. 252-2005

To: Mayor David Dermer and Members of the City Commission

Date: September 26, 2005

From: Jorge M. Gonzalez, City Manager

Subject: **BUILDING DEPARTMENT PROCEDURES TO RENEW EXPIRED PERMITS**

Recently, there have been several questions raised by contractors regarding the process for handling expired building permits. Expired permits can be renewed if under the former South Florida Building Code; or re-issued if under the new Florida Building Code (2001). Below are the procedures the Building Department has implemented for the renewal of expired permits.

PROCEDURES FOR RENEWING EXPIRED PERMITS

A) SOUTH FLORIDA BUILDING CODE

The permit is extended by paying a fee of $75. The Code Relief Ordinance (Amnesty Ordinance) - Section 8-11 of the Code of Miami-Dade County Ordinance 02-44 is applied. For more information about this ordinance please visit the website www.municode.com and see the brochures available at the permit counter.

B) FLORIDA BUILDING CODE

The permit is renewed with the regular application. If the permit is expired for less than 6 months, 50% discount in the building permit fee is applied, else full fee is required.

If the applicant has an original approved "JOB COPY" of the drawings, the Plans Router can accept the drawings and enter the approval on the screen with the reference to the old permit number. If the "JOB COPY" is not available, signed and sealed drawings need to be provided. These drawings can be compared to the approved "OFFICE COPY" and if no changes are made to the previously approved drawings then the drawings can be approved without a review. If the approved "OFFICE COPY" and "JOB COPY" are not available or if changes are made to the drawings, then drawings need to be completely reviewed.

If any change/revision is made to the expired permit, then the drawings shall be reviewed for the change/revision.

Please feel free to contact Acting Building Director Hamid Dolikhani or Assistant City Manager Tim Hemstreet in the event you have further questions or concerns.

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CC: Tim Hemstreet, Assistant City Manager
Hamid Dolikhani, C.B.O., Acting Building Director

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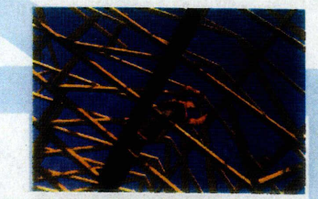
City of Miami Beach

THE CODE RELIEF ORDINANCE

(AMNESTY ORDINANCE)

Section 8-11 of the Code of Miami-Dade County Ordinance 02-44

We Put Our Customers First



CITY OF MIAMI BEACH
BUILDING DEPARTMENT
www.miamibeachfl.gov

Tel: 305-673-7610

What is the Code Relief (Amnesty Ordinance)?

The Code Relief (Amnesty Ordinance), Ordinance 02-44, is an amendment to Chapter 8 of the Code of Miami-Dade County which established a procedure to bring structures built without proper permits or built with permits that are lacking mandatory inspections into compliance with the building code.

What type of construction projects qualify for re-issuance or permit issuance under the Code Relief (Amnesty Ordinance)?

Construction projects where the original permit issuance date or the work performed without a permit had to have commenced prior to March 1, 2002.

How long is the Code Relief (Amnesty Ordinance) in effect?

The Code Relief (Amnesty Ordinance) does not expire.

Does the Code Relief (Amnesty Ordinance) apply to work on any commercial properties?

Yes. It does apply to commercial properties.

How can I find out if my property has had permit issued that has not been finalized?

In order to find out if there are any permits that have not been finalized for your property, you can call the Building Department. Please be prepared to provide the property address.

What is the procedure for re-issuance of an existing permit under the Code Relief (Amnesty Ordinance)?

In order to reissue your permit so that you can call for required inspections, you will need to come to the Building Department during the designated processing hours with your job set of plans. Listed in this brochure is the Building Department's office location and processing hours. You will be required to complete a new application, obtain approvals from the sections within the Building Department that originally reviewed the permit, such as, but not limited to the Department of Planning and Zoning. The reissue application and plans will be processed as per the applicable building code requirements at the time of permit issuance. However, the following life-safety requirements of the current building code must be complied with at all times.

- Mains of egress or escape
- Requirement of shutters
- Hard-wired smoke detectors shall be installed as required.
- Ground fault interrupter (GFI)
- Full size pressure and temperature relief valved lines shall be installed on all water heaters.
- Handicapped access requirements
- All gas piping systems shall be bonded to ground.
- Handrails shall be inspected and replaced, if necessary, in full compliance with code requirements.
- Zoning requirements
- Requirements of federal or state laws or other pre-emptive laws, codes or standards.

Additionally, you will need to obtain an As-Built Certificate from a state of Florida duly licensed engineer or architect, attesting that to the best of his or her knowledge, belief and professional judgment and based on his or her inspection of the structure, the structure:

- is structurally sound; and
- Satisfies the requirements of the code in effect at the time the work was commenced, indicating the date the work commenced and the requirements of the code in effect on that date; and
- Complies with all requirements of the current code identified above;
- Complies with the permit application and plans approved by the Building Department.

Additionally, the As-Built Certificates shall contain a narrative description of the methodology utilized to make the determination set forth in the As-Built Certificate. If the work was performed at any time during which this code accepted certification by masters in their respective trades as a condition of issuance of a Certificate of Completion, then a master shall be authorized to issue the As– built Certificate in accordance with work involving his or her trade which otherwise complies with all requirements of this subsection.

How do I obtain a permit for work performed without proper permits under the Code Relief (Amnesty Ordinance)?

In order to obtain a permit for work performed without proper permits, you will need to come to the Building Department during the designated processing hours with two (2) copies of an as-built set of plans. At minimum, the plans should include the following: Site plan, floor plan, sufficient detail, where applicable, of structural, electrical, mechanical plumbing and roofing components. Additionally, you will need to submit evidence of when the construction was performed so that the appropriate code requirements can be enforced. This documentation could include aerial photographs, tax records and/or surveys. You will be required to complete a permit application and to obtain approvals from the construction Plans Processing Section within the Building Department in addition to obtaining any required by other departments such as, but not limited to, the Department of Planning and Zoning. The plans will be processed as per the code requirements at the time of construction. However, the following life safety requirements of the current code, must be complied with at all times:

- Means of egress or escape
- Requirement of shutters
- Hard-wired smoke detectors shall be installed as required
- Ground fault interrupter (GFI)
- Full size pressure and temperature relief valved lines shall be installed on all water heater
- Handicapped access requirements
- All gas piping systems shall be bonded to ground
- Handrails shall be inspected and replaced, if necessary, in full compliance with code requirements
- Zoning requirements
- Requirements of federal or state laws or other pre-emptive laws, code or standards

Additionally, you will need to obtain an As-Built Certificate from a State of Florida duly licensed engineer or architect, attesting that to the best of his or her knowledge, belief and professional judgment and based on his or her inspection of the structure, the structure:

- is structurally sound
- Satisfies the requirements of the code in effect at the time the work was commenced and the requirements of the code in effect on that date; and
- Complies with all requirements of the current code identified above;
- Complies with the permit application and plans approved by the Building Department.

Additionally, the As-Built Certificate shall contain a narrative description of the methodology utilized to make the determination set forth in the As-Built Certificate. If the work was performed at any time during which this Code accepted certification by masters in their respective trades as a condition of issuance of a Certificate of Completion, then a master shall be authorized to issue the As-Built Certificate in accordance with work involving his or her trade which otherwise complies with all requirements of this subsection.

After I have obtained the permit or had the permit reissued, how do I obtain approval of Inspections for which construction has been completed?

Once the permit is issued, inspections must be requested for all applicable trades. The inspectors will conduct an inspection to determine the following.

- Plans submitted reflect the current state of the structure; and
- The construction complies with the code in effect at the time and complies with current code requirements listed on section 11(g) (2) (c) of Chapter 8 pf the code of Miami-Dade County;
- That the As-Built Certificate represents accurately the condition of the structure.

I am not the original owner of my home. However, I am aware that work has been performed without permits or with permits that are lacking the required mandatory inspections. Who is responsible for bringing the property into compliance.

The current owner of the property is ultimately responsible for bringing the property into compliance. If permits were issued to a licensed contractor but mandatory inspections were not obtained, you should contact the contractor and request that he or she reissue the permit under the provisions of the Amnesty Ordinance.

Where is the Building Department, what are the hours of operation, and what number do I call if I have additional questions?

The Building Department is located at:

1700 Convention Center Drive
Miami Beach, Florida 33139
(305) 673-7610
8:00 a.m.– 5:00 p.m.

We Are Here To Help

City of Miami Beach

1700 Convention Center Drive
Miami Beach, Florida 33139
2nd Floor

Phone: 305-673-7610
Fax:(Counter) 305-673-7857
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Www.miamibeachfl.gov