

Will I Need a Permit or a Contractor?

The following are basic answers to common questions about the building code and permitting process. Please be aware that although these questions and answers apply to planning of work on homes, rentals, condominiums and commercial properties there may be other City requirements set forth in the Land Development Code that will affect your project.

What is the City's Building Code?

Currently the City of Holmes Beach is under the 2020 Florida Building Code with amendments which were adopted by ordinance and authorized by State Statute 553. Authorization for updating these codes lies with the Florida Building Commission as directed by the enabling legislation. The City enforces the most current version of these codes as amended periodically by the Florida Building Commission.

When is a permit required?

A permit is required to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system; the installation of which is regulated by technical code.

When considering doing work, here are some questions to ask yourself:

- Am I going to hire someone to do the work?
- Am I in a multi-family building (condominium)?
- Do I need approval from my HOA or Property Management?
- Am I disassembling any plumbing, electrical, gas or venting?
- Is any of the work possibly structural?
- Am I spending more than a couple of hundred dollars?
- Am I affecting fire alarms, smoke detectors or sprinkler heads?

If your answer is YES to any of the questions, you will likely need a permit.

Not all items can be listed which could be exempt from permitting, For this reason the code also has provided a provision to allow the Building Official to exempt permits for minor repairs which do not violate Technical Codes.

Permit Exceptions:

- 1) By City of Holmes Beach Ordinance: Any work or operation determined by the building official to be of a casual, minor, or inconsequential nature in which the aggregate contract price for labor, materials, and all other items is less than \$1,000.00, shall be exempt from permitting or fees; but this exemption does not apply if:
 - (a) The construction, repair, remodeling, or improvement is part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than \$1,000.00 for the purpose of evading this part or otherwise.
 - (b) The work is performed by a person who advertises that he is a contractor or otherwise represents that he is qualified to engage in contracting.

Building Official's determination of work that fits the definition of casual, minor or inconsequential nature:

- Ordinary minor household repairs that cost under \$1000, other than replacement of exterior doors and windows, do not require a permit. This exemption includes the partial replacement portions less than 25% of porch decks, fascia, less than 100 sq. ft. of roofing shingles, decking on a dock platform, screen doors, interior doors and interior finishes (wallboard).
- Replacement of light fixtures, ceiling fans and plumbing fixtures (faucets, kitchen sinks, toilets, etc.) does not require a permit unless **additional wiring or plumbing is required** (and then only the additional electrical or plumbing work requires a permit).
- Replacement of household appliances such as dishwasher, cooktop, and refrigerator do not require a permit unless **additional wiring or plumbing is required** (and then only the additional electrical or plumbing work requires a permit).
- Wall finishes such as painting, interior or exterior, and/or wall covering such as wallpaper, wallboard or tile does not require a permit unless the bathroom shower floor is being replaced.
- Replacement of **kitchen or bath cabinetry in (Single Family, Duplex or Townhouses)** in their **original location** and **configuration** do not require a permit unless **additional wiring or plumbing** is required, (and then only the additional electrical or plumbing work requires a permit) unless this is part of a larger remodel project or the structure is below the Base Flood Elevation.
- Carpeting and floor covering does not require a permit, in single family homes, duplex or condo
- Installing a dish antenna 18 inches or smaller in diameter does not require a permit

2) Exemption by State Statute §553, new Florida Building Code (FBC) 104.1 permits shall not be required for the following mechanical work: Any portable heating appliance (plug-in)

- Any portable ventilation equipment (plug-in)
- Any portable cooling unit (plug-in)
- Any steam, hot or chilled water piping within any heating or cooling equipment regulated by the mechanical code
- Any self-contained refrigeration system containing 10 lb. (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (7~6 W) or less
- Replacement of any part which does not alter its approval or make it *unsafe*
- Any portable evaporative cooler (plug-in)

PLEASE NOTE: Although the items on the previous page are excluded, all repairs must meet the standards of the Building Code in effect at the time of repair. The Building Department is available to assist you in determining code requirements.

Who can pull a permit?

Any property owner or an authorized agent or a State Licensed contractor may apply for a permit for work on a single family detached home. Owners cannot pull permits in multi-family buildings (condominiums) or for rental or leased properties. All permitted work on multi-family dwellings will require a State Licensed contractor. Owners of commercial property may apply for minor permits under certain circumstances. The Building Official should be contacted directly with questions regarding commercial permitting requirements.

Why can't I just do the work myself without a permit or a licensed contractor?

- If you live in a condominium or similar multifamily structure, the state requires you to hire a licensed and insured contractor, so your neighbors are provided the required degree of protection.
- If you live in a homesteaded single-family home, you may do your own work but still must file plans and obtain permits demonstrating all applicable code requirements are met. Be aware that as a means of addressing problems with unlicensed contractor fraud, the state enacted requirements causing a one-year delay for the sale of homes where owners pulled their own permits. A homeowner's affidavit is required as part of the permitting process to ensure enforcement of this request.

What is the "50% rule?"

The City participates in the National Flood Insurance Program and Community Rating System to secure discounts for owners on their insurance premiums and to maintain City eligibility for disaster assistance. A component of this program limits the dollar value of renovations that may be made to structures that are not elevated above the flood plain to half the value of the structure (exclusive of the land) - thereby the "50% rule."

The City tracks individual compliance with this limitation on a 12-month rolling cycle. The City is on a five-year assessment cycle to meet the Community Rating System qualifications and is subject to annual audits by the insurance rating agencies to verify enforcement.

How much does a permit cost?

Permit costs vary based on the value of the contracted work, extent of the scope of work noted in the application comments, plan review, code compliance research, inspections, and completion process.

Depending on the scope of work you are undertaking, permit fees for fire, electrical, mechanical, plumbing, and other trades will add additional costs to a building permit. A complete cost breakdown of the fee schedule may be found on the City of Holmes Beach web site.

Why are the requirements on the mainland different than on the island?

The main reason for these differences is that the entire island is designated by the state as a coastal high-hazard area. Flood and wind protection criteria are stricter than mainland criteria due to the physical nature of a barrier island. Florida Department of Environmental Protection permits are required for all structures west of the state's Coastal Construction Control Line (roughly all property west of Gulf of Mexico Drive). Search "CCCL" and search by address for determination.

Why does the City adopt such strict requirements?

Cities and counties in Florida have little discretion when it comes to permitting requirements. The Florida Legislature and governor have enacted requirements for all communities to adopt and enforce standard building, electrical, mechanical, plumbing, and other specialty trade codes.

The City enforces the state-wide Florida Building Code. It has always been a goal for the Island to abide by these standards to help the community maintain its high level of appeal and protect the property investments of the residents.

Why does the City let someone take so long to build a home?

The Florida Building Codes Code allow for periods of up to 180 days between approved inspections on an individual job site.

The Planning and Development Department monitors individual sites as part of the permitting and inspection process. Extensions may be granted if the request is not based on acts of the applicant or financial conditions. It is very important that the applicants request renewals or extensions **before** the permits expires.

Why can't my contractor work when I want him to?

To help preserve the lifestyle of Holmes Beach, the City Code prohibits construction noise before 7 a.m. and after 7 p.m. Monday through Friday, Saturday 9 a.m. to 5 p.m. No construction is allowed all day on Sunday and Federal holidays. Holmes Beach Police enforces this provision.

How can I find out if I am hiring a licensed contractor?

Request a copy of the contractor's State License and verify the information through the Department of Business and Professional Regulations at myfloridalicense.com. A copy of a company registration may be found at sunbiz.com. A contractor is required to have both to be a recognized legal company and licensed contractor in the State of Florida.

It is the City's hope that this information addresses some of the more common questions of the community. Homeowners should read all documents related to the purchase/improvement of their home and verify the contractor they hire is both licensed and insured.