



Construction Board of Adjustments & Appeals Regular Meeting

October 21, 2020 at 4:00 p.m.

Virtual Meeting

Register Online: cityofwinterpark.org/live-broadcasts

Agenda Items

1. Opening comments

2. Elect a chairman

3. Approval

- A. Minutes for December 1, 2017 meeting.

4. New business

- A. Ordinance updating Administrative Ordinance relating to the 7th Edition of the Florida Building Code, 2021 Edition of the International Property Maintenance Code including technical amendments requiring fire sprinklers and Electric Vehicle charging stations and EV Reading requirements for certain developments.

5. Adjourn

appeals & assistance

"If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

"Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting."

CITY OF WINTER PARK
Construction Board of Adjustments & Appeals

Called Meeting
Chapman Room

December 1, 2017
8:00 a.m.

MINUTES

PRESENT

Rodney, Kincaid, (Chairman), Eddie Cox, Joe Fisher, Frank Gay, Mark Sylvain, Bill Maroon, Joe Fisher. Staff members present: Ashley Ong, Asst. Bldg Official. Kris Stenger, Assistant Director, George Wiggins, Building Director and Georgette Harper, Recording Secretary. Robert Harris was absent.

APPROVAL OF MINUTES

Joe Fisher made a motion, seconded by Bill Maroon to approve the minutes from the January 7, 2016 meeting. The minutes were approved by unanimous vote.

NEW BUSINESS

Ordinance updating Administrative Ordinance relating to the 6th Edition of the Florida Building Code and 2018 Edition of the International Property Maintenance Code.

Mr. Kincaid, Chair, asked that each member introduce themselves and give their area of expertise since the Board has not met for nearly a year. The purpose of the meeting is to hear from City staff concerning updating of the local administrative and technical amendments to the upcoming 6th Edition of the Florida Building Code. Mr. Kincaid asked Mr. Wiggins to review the Ordinance which proceeded as follows:

WINTER PARK BUILDING CODE ADMINISTRATIVE ORDINANCE

The 6th Edition of the Florida Building Code goes into effect on December 31, 2017

At the time of each 3 year update of the Florida Building Code each jurisdiction in the State must either carry forward local administrative and technical amendments to the Building Code or make any necessary changes to facilitate the local enforcement and administration of the Florida Building Code.

Summary of Winter Park administrative & technical amendments:

Pages 1-2: Basis for establishment of local administrative and technical amendments is set forth in the "Whereas" statements.

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Page 3: Establishes 6th Edition of Florida Building Code & 2018 International Property Maintenance Code as current code editions, and includes a provision from Building Officials Association of Florida (BOAF) Model Admin Code “Determination of substantially improved or damaged existing buildings & structures in flood hazard areas.”

Page 4: Provision added to strengthen penalty for leaving a residential construction project unfinished, which often results in an eyesore or safety hazard in a neighborhood. Includes criteria that can be required when extending permit to mitigate disruption to neighboring property owners.

Page 5: Provision added from BOAF Model Admin Code dealing with expired, open and closed permits, including a mechanism to address contractors that fail to close out expired permits.

Page 6: Amends requirements under “Construction Management Plans” to include method of debris removal highlighting the need to comply with the city’s waste franchise agreement. Clarifies that closing out permits is responsibility of the permit applicant and property owner. Includes language on what services are covered with permit fees.

Page 7: Requires that buildings planned for demolition be maintained in good condition and not unsightly, overgrown, etc if demolition if demolition is delayed.

Page 8: Cross references requirements for certain buildings listed in the Florida Master Site File which are applying for a demolition permit that need to also comply with an additional waiting period under the City’s Historic Preservation Ordinance. Further clarifies requirement for boundary survey for new construction.

Pages 9-10: Updates Roofing and Swimming Pool inspection criteria. Requires contractor or permit holder to obtain final inspection in a timely manner.

Page 11: Updates membership of Construction Board in accordance with State Statute requiring a fire code professional to be a Board member when hearing a fire code appeal.

Page 12: Provision strengthens actions to be taken by City to ensure swimming pool barrier is in place during construction. Adds technical amendment requiring fire sprinklers for new construction in the Central Business District. This provision had been in place for many years.

Page 13: Clarifies for designers the exact wind speed to be used for new construction under the ultimate design wind speed criteria, V_{ult} based on the three risk categories outlined in the Code.

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Pages 14-18: Updates our property maintenance standards to current edition (2018) of the International Property and Maintenance Code and various amendments to this Code are delineated. Most of the changes incorporated here are further clarification of changes already in place. All references throughout this ordinance which had referred to the Code Enforcement Board have been changed to Code Compliance Board, which corresponds to the name change from Code Enforcement Division to Code Compliance Division which is located within the City's Fire Department.

Various Board members asked questions for clarification throughout the discussion of the amendments to the ordinance.

Kris Stenger, our Assistant Director and Ashley Ong, Assistant Building Official highlighted some of the updated items in the 6th Edition of the Florida Building Code.

Joe Fisher brought up the need for close examination of lathe, stucco and adherence to proper water proofing on the exterior of new buildings including homes. He has contacts with experts in this area that may be available to come meet with our inspection staff. Mr. Wiggins stated that we would welcome that opportunity to receive training on accurate code application in this area for all of our staff.

The Board felt that the amendments to our local building code ordinance are needed and in line with the next edition of the Florida Building Code.

ACTION

A motion was made by Frank Gay and seconded by Mark Sylvain to recommend approval of this ordinance to the City Commission and passed by a vote of 6-0.

The meeting was adjourned at 8:55 AM.

Georgette Harper
Recording Clerk

SUMMARY OF WINTER PARK BUILDING CODE ADMINISTRATIVE
AND TECHNICAL AMENDMENTS to 7th EDITION OF FLORIDA
BUILDING CODE & INTERNATIONAL PROPERTY
MAINTENANCE CODE

1. Florida Building Code 7th Edition is based on the 2018 International Building Code & Residential Codes with Florida amendments.
2. International Property Maintenance Code is being updated to the 2021 Edition.
3. Updated administrative amendments are substantially unchanged from current provisions with the addition of provisions from the State Building Official's Association draft of recommended updates.
4. Items covered in the administrative amendments include the following:
Department of Safety (defined for WP), Powers & Duties of the Building Official, Revocation of permits & CO, Conditions of permit, Contractor/owner responsibility, Demolition, Submittal Documents, Required inspections, Certificate of Occupancy, Construction Board, Violations, Unsafe building or systems, Definitions, Swimming pool protection during construction, and Determination of Design Wind Speed.
5. Items covered under technical amendments to the Florida Building Code:
Special fire sprinkler requirements in the Central Business District defined by the properties bounded by New York Avenue (on the west), Swoope Avenue (on the east), Knowles Avenue (on the east) and Fairbanks Avenue (on the south).

Electric vehicle charging stations and electric vehicle readiness requirements for multi-family and non-residential properties:

Requires electric vehicle infrastructure within a parking garage or in surface parking to provide the electrical capacity and buried raceway necessary to accommodate the future hardwire installation, at the minimum, of a Level-2 vehicle charging station for at least 20% of the total required parking spaces.

All sites in which multifamily residential, commercial, office, institutional or industrial uses, or any combination thereof, are required to provide 25 or more motor vehicle parking spaces, shall provide a minimum of one electric vehicle charging station; if required to provide 50 or more parking spaces, then two electric vehicle charging stations and if required to provide 100 spaces or above, then two (2%) percent of the required off-street parking shall have electric vehicle charging stations (such spaces shall be counted toward meeting the overall parking requirement).

6. The Property and Building Maintenance Code is updated with minor changes to the text within the 2021 International Property Maintenance Code. The current adopted provisions within the City Code further amends the 2021 Code with the continuation of amendments that expand the definition of "Nuisance" with 22 categories of descriptions. Add property maintenance criteria for overgrowth, addresses abandoned or disabled vehicles and contains special fire safety provisions for heating facilities in homes.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, RELATING TO BUILDINGS; AMENDING CHAPTER 22 TO INCORPORATE THE FLORIDA BUILDING CODE WITH CERTAIN ADMINISTRATIVE AND TECHNICAL AMENDMENTS WHICH INCLUDE A FIRE SPRINKLER REQUIREMENT AND ELECTRIC VEHICLE CHARGING PROVISIONS AS THE WINTER PARK BUILDING CODE; DESIGNATING APPLICABLE WIND MAINTENANCE CODE WITH AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Building Code Act of 1998 directed the Florida Building Commission to establish a statewide uniform building code known as the Florida Building Code; and

WHEREAS, the Seventh Edition of the Florida Building Code shall be in effect throughout the State of Florida as of December 31, 2020; and

WHEREAS, the enforcement of the Florida Building Code is the responsibility of local governments; and

WHEREAS, the City of Winter Park actively participates in the enforcement of building construction regulation for the benefit of the public health, safety and welfare of its citizens; and

WHEREAS, the City of Winter Park desires to facilitate the enforcement of the Florida Building Code by enacting administrative and technical amendments which meet the needs of its citizens; and

WHEREAS, within the City of Winter Park there exists an area with a special defined downtown zoning district known as the Commercial (C-2) District, where buildings are located in close proximity to each other with zero setbacks and in many cases are located next to older historic and non-historic buildings, and where there is the potential threat of fire spreading among combustible building types, which require an additional level of fire protection through the provision of fire sprinkler systems due to having combinations of combustible non-combustible construction types; and

WHEREAS, according to the U.S. Department of Energy, the benefits of electric vehicles include improved air quality, reduction of carbon emissions, quieter and more livable streets, and decreased dependency on fossil fuels;

WHEREAS, a significant number of industry stakeholders are urging electric utilities to support the buildout of electric vehicle infrastructure to aid the development of the electric vehicle usage which in turn will decarbonize the transportation sector, promote energy independence, and increase electric retail sales resulting in a net benefit to all stakeholders;

WHEREAS, Florida ranks within the top five states nationally for sales of electric vehicles; and Winter Park has seen a substantial increase of electric vehicles among residents and visitors to the City;

WHEREAS, the City should continue its support of plug-in electric vehicles and its efforts in constructing electric vehicle and plug-in hybrid electric vehicle charging infrastructure as this further supports the City's Sustainability Action Plan;

WHEREAS, the proposed amendment is consistent with the City's Vision of Winter Park as the city of arts and culture, cherishing its traditional scale and charm while building a healthy and sustainable future for all generations;

WHEREAS, the Construction Board of Adjustments & Appeals, after notice and public hearing, has considered the proposed amendments to Building Code, more specifically described herein, and submitted its recommendation to the City Commission;

WHEREAS, the City Commission, after notice and public hearing, has considered the proposed amendments to Building Code, the recommendations of the Board of Adjustments and all public comments;

WHEREAS, the City Commission hereby makes findings that certain administrative and technical amendments for the provision of fire sprinklers and electric vehicle infrastructure and stations are needed for the health, safety and public welfare of its citizens; and

NOW, THEREFORE, BE IT ENACTED by the people of the City of Winter Park, Florida, as follows:

Section 1. All of the "**WHEREAS**" clauses mentioned above are fully incorporated herein.

Section 2. Article II, "Building Code," Chapter 22 of the Code of Ordinances of the City of Winter Park is hereby repealed and a new Article II is substituted to read as follows:

ARTICLE II. Building Code

Sec. 22-26. Short title.

This article shall be known and cited as the building code of the City of Winter Park.

Sec. 22-27. Codes adopted by reference.

The ~~Sixth~~ Seventh Edition Florida Building Code, including all volumes: Building, Existing Buildings, Fuel Gas, Plumbing, Mechanical, Accessibility, Energy Conservation and Residential, as published by the International Code Council, Inc, (Country Club Hills, Illinois) is hereby adopted by reference and is automatically in effect as required by Florida Statutes and shall include administrative and technical amendments in this Chapter as deemed appropriate to meet local needs and to facilitate the administration of the Florida Building Code.

Sec. 22-28. Amendments to the Florida Building Code.

All volumes of the Florida Building Code as adopted in section 22-27 are amended with administrative amendments contained in this section in the following respects:

Sections 101.2.1 is amended as follows:

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. Within the Florida Building Code, Existing Buildings, Appendix C referencing NFPA 914 for Fire Protection of Historic Structures (2001 Edition) is hereby adopted.

Sections 101.2.2 and ~~3~~ are ~~is~~ added as follows:

101.2.2 Unsafe buildings shall be abated using the *International Property Maintenance Code 2018 2021 edition*, promulgated by the International Code Council, Inc., subject to all amendments, modifications or deletions hereinafter contained.

101.2.3 The amendments under Section 22-28 apply to all volumes of the Florida Building Code where applicable.

SECTION 103 is added to read as follows:

103. DEPARTMENT OF BUILDING SAFETY

103.1 Establishment. There is hereby established a Department to be called the Building and Permitting Services Department (referenced in the Florida Building Code as Department of Building Safety), and the person in charge shall be known as the building official or director of building and permitting services.

103.2 Employee qualifications

103.2.1 Building official qualifications. The Building Official shall be licensed as a Building Code Administrator by the State of Florida.

103.2.2 Employee qualifications. The building official, with the approval of the governing authority, may appoint or hire such number of officers, inspectors, plans examiners, assistants and other employees as shall be authorized from time to time. A person shall not be appointed or hired as inspector or plans examiner unless that person meets the qualifications for licensure as an inspector or plans examiner, in the appropriate trade as established by the State of Florida. Persons with appropriate experience and education may be considered for hire under an approved internship programs approved by the Building Code Administrators and Inspectors Board.

103.3 Restrictions on employees. An officer or employee connected with the department, except one whose only connection is as a member of the board established by this code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system or in the making of plans or of specifications thereof, within the jurisdiction of the department, unless he is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with his duties or conflict with the interest of the department.

103.4 ~~Move to 107.2.6~~ Records. The building official shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection,

except where exempted by Florida law.—Section 107.2.6.2 got this covered. This section covers another topic.

403.5 Move this to 104.8 Liability. Any officer or employee, or member of the construction board of adjustments and appeals, charged with the enforcement of this code, acting for the governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act, event or omission of action in the scope of his employment or function, unless he acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety or property. Any suit brought against any officer or employee or member because of such act, event or omission performed by him in the enforcement of any provisions of this code shall be defended by the city until the final termination of the proceedings, unless such person acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety or property. (See additional prohibitions; penalties in F.S. 468.629)

Section 104.1-104.6 is added to read as follows:

SECTION 104 POWERS AND DUTIES OF THE BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code, and shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Right of entry.

~~104.2.1 Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical or plumbing systems unsafe, dangerous or hazardous, the building official may enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this code. If such building or premises are occupied, he shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.~~

(Add text from the BOAF (Building Officials Association of Florida Draft)

[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, *repair, alteration, addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair of substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement or repair of substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612 or R322 of the Florida Building Code, Residential, as applicable.

[A] 104.3 Notices and orders. The *building official* shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.4 Inspections. The *building official* shall make all of the required inspections, or the *building official* shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved agency* or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.5 Identification. The *building official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the *building official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *building official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

~~104.2.2 When the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.~~

[A] 104.7 Department records. The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records per FS 119.

104.8 Liability. The *building official*, members of the construction board of adjustments and appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 104.8.1 Legal defense. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the

provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.10.1 Flood hazard areas. The *building official* shall coordinate with the floodplain administrator to review requests submitted to the *building official* that seek approval to modify the strict application of the flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 117.

104.3 Revocation of permits or Certificate of Occupancy

104.3.1 Revocation of permits. The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or for violation of any provision of this building code or the code of ordinances of the city. (Covered in Section 105.4 and 105.6) Leave in but renumber 105.6.1

104.3.2 **Revocation of Certificate of Occupancy.** The building official is authorized to revoke a certificate of occupancy within one year of issuance due to discovery of an unsafe structure or condition not found or able to be determined during the time of inspection, or due to failure of required flood proofing, required drainage and storm water systems adversely impacting adjacent or nearby properties and require corrective action by the owner, permit holder or contractor responsible for work on the building and at the property. (Covered in Section 111.4) Leave but Renumber to 111.4.1

104.4 Misrepresentation of application. The building official may revoke a permit or approval, issued under the provisions of this code, in case there has been any false statement or misrepresentation as to the material fact in the permit application or plans on which the permit or approval was based including unlicensed contracting. (Covered in Section 105.4.1) Leave but Renumber 105.4.1.6 Move up to follow 105.1.6.2

~~104.5~~ Move this to 104.12 Requirements not covered by code. Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the building official.

104.6 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine if the proposed work constitutes substantial

improvement or repair of substantial damage. Where the building official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of Florida Building Code, Building Section 1612 Flood Loads.

Section 105.4 is amended to read as follows:

105.4 Conditions of permit

105.4.1 Conditions of permit; permit term and intent.

105.4.1.1 The building official shall act upon an application for a permit with plans as filed, or as amended, without unreasonable or unnecessary delay. A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this code (including the Winter Park Code of Ordinances), nor shall such issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans or in construction or of violations of this code (including the Winter Park Code of Ordinances). No substantial building site preparation, including but not limited to excavation or placement of fill or foundation construction, shall take place prior to the issuance of a building, foundation or site development permit. Issuance of such permits is limited to meeting all other city site development requirements, and is subject to the approval of the building official.

105.4.1.2 Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced, and the building official is authorized to require that any work which has been commenced or completed be removed from the building site unless the permit is extended or renewed as approved by the building official due to extenuating circumstances.

105.4.1.3 In constructing, renovating or building a new one or two family dwelling, additions onto one or two-family dwellings or accessory buildings work under the permit must be substantially completed within 12 calendar months after the time the work is commenced or else the permit shall become invalid. If such permit becomes invalid, no new permit shall be issued covering the same work or any portion thereof if the effect of such permit would be to allow completion of the work begun under the original permit unless an extension or reinstatement of the original permit is granted by the building official after receiving in writing reasons for the delay in completion of the building for good cause (see Section 105.4.1.7. When extending or reinstating a residential permit the building official may impose additional conditions to limit noise, storage of materials or debris, cleanliness of the building site, work hours, construction worker parking or take other actions that will minimize the negative impact of an active construction project for surrounding properties. Furthermore, any structural work partially completed on the property where the permit became invalid shall be removed and the property cleaned to the satisfaction of the building official. If the property owner or holder of the invalidated permit fails to remove the structure and clean the property within 30 days of the invalidation date, then the building official may take the necessary action to have the structure removed and have the property cleaned with all costs assessed against the property owner and if unpaid for 30 days shall be assessed

as a lien against the property. Failure to comply with this section may require referring this matter to the Code Compliance Board to assess fines or other corrective actions.

Standard criteria that may be applied when extending or reinstating an expired permit or when preparing a construction management plan for any building project:

1. Limitation of noise: In addition to the specific prohibitions of noise from construction activities in Section 62-97 of Chapter 62, Article II "Noise and Disturbance Control," construction activity noise may be limited to week days between the hours of 8AM and 5PM.
2. Limitation of site cleanliness and storage of materials: In addition to the requirements addressing construction debris in Section 105.24, clean up of debris and discarded construction material may be required every 7 days; and storage of building material not in use may be limited to a storage period of 30 days or less.
3. Limitation of work hours to 8AM to 5PM, Monday through Friday, in addition to prohibition of work on ~~excluding~~ holidays.
4. Parking of all vehicles, trailer(s) and equipment related to the construction project is limited to onsite parking or parking on a remote non-residentially zoned site.

105.4.1.4 With respect to commercial or multifamily building projects, construction activity which has commenced under a valid building permit shall proceed without stoppages of work exceeding ninety (90) days or ninety (90) days after the last inspection after which the building permit may be revoked and become void and the project shall be deemed an inactive construction site for the purpose of this Section. The licensed contractor and/or property owner shall maintain all construction sites in a safe condition and shall provide fencing or other protective barriers if needed for security and safety on active or inactive construction sites. All building sites shall be kept clean so as to minimize unsafe or hazardous conditions and unsightly appearance. Active construction sites shall be protected as directed by the Florida Building Code and the building official. When extending or reinstating a non-residential or multifamily residential permit the building official may impose additional conditions to limit noise, storage of materials or debris, cleanliness of the building site, work hours, construction worker parking or take other actions that will minimize the negative impact of an active construction project for surrounding properties.

For inactive construction sites the licensed contractor or owner shall remove any silt fencing unless deemed necessary to protect adjacent public or private property from soil erosion or adverse drainage. During the first twelve (12) months after a construction project has become an inactive construction site the licensed contractor or owner shall comply with one of the following actions:

- 1) Paint unfinished surfaces of uncompleted structure(s) with muted or approved paint color and remove construction fencing or set back exterior fencing and cover with a black or muted color screen cover at least ten (10) feet (or approved distance) from all property lines abutting public streets. Provide an approved landscape barrier, sod or other approved surface: such as, but not limited to, mulch within the approved set back area. The approved landscape barrier or sod must be irrigated and maintained in good condition until the project can proceed with active construction. All buildings must be secured in an aesthetic manner to prevent entry in accordance with Section 22-177(108.9) where boarding up openings are

used. All construction debris must be removed from the site and overgrowth of grass, weeds and vegetative growth must be mowed regularly to comply with Section 22-177 (302.4) of the Winter Park Code: or

- 2) Remove all incomplete structures (exclusive of the principal building(s) under construction); remove unused materials or store inside incomplete building or place out of view from the surrounding lot lines and maintain the property free of debris and overgrowth in accordance with Section 22-177 (302.4) of the Winter Park Code: or
- 3) Provide a written plan and completion time line outlining proposed measures to be taken to maintain the construction site in a safe and aesthetic manner until construction of the project can proceed. The plan must be reviewed and approved by the building official.

In addition to the above required actions for an inactive construction site, after twelve (12) months, at the discretion of the Building Official based on safety concerns, all temporary or non-permitted fencing must be removed and the property shall be maintained free of overgrowth in accordance with Section 22-177 (302.4) of the Winter Park Code.

Upon a determination by the building official that the subject project is not in compliance with this section, the licensed contractor or property owner may appeal the building official's decision to the Construction Board of Adjustments and Appeals to affirm or to amend and modify the decision of the building official. Failure to comply with any of these actions will result in the Building Official referring the matter to the Code Compliance Board. If the Code Compliance Board finds a serious threat to public health, safety and welfare, the Code Compliance Board may recommend reasonable repairs to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with a fine, as provided for in Section 162.09, Florida Statutes.

Active construction sites shall be protected as directed by the Florida Building Code and the building official.

105.4.1.5 In addition to any stricter provisions listed in 104.3 for revoking or voiding a permit, failure to obtain an approved inspection within 180 days of the previous approved inspection shall constitute suspension or abandonment of the permit. One or more extensions of time, for periods not more than 180 days each, may be allowed by the building official for the permit, provided the extension is requested in writing and justifiable cause is demonstrated prior to the expiration date. The building official shall record the extension of time granted.

105.4.1.6 For good cause shown, in order to keep the permit valid, the building official may grant one or more extensions of time for periods not exceeding 90 days each. Requests for extensions shall be in writing and addressed to the building official, shall state the basis for the request, and shall be filed prior to the expiration of the permit period or any extension thereof previously granted. Such extensions as may be granted shall be in writing by the building official.

105.4.1.7 Good cause for an extension shall include, but not be limited to, the following circumstances beyond the control of the permit holder:

- (1) Acts of God and other natural disasters.

- (2) Material shortages.
- (3) Interruptions due to strikes or other employee job actions.
- (4) Fire, explosion, or some similar catastrophe.
- (5) Financial reversals of a temporary nature.
- (6) Other situations beyond the control of the permit holder.

105.4.1.8 The building official is authorized to reject new permit applications from a contractor who holds expired permits or inactive permits not resolved to comply with the building code or other applicable codes as determined by the building official. For the purposes of this subsection, a closed permit shall mean a permit for which all requirements for completion have been satisfied or a permit that has been administratively closed by the building official. An open permit shall mean a permit that has not satisfied all requirements for completion as defined in 105.5.1.1 (closed permit).

The building official is authorized to administratively close expired or inactive trade permits after 6 years based upon expiration when no known safety hazard exists and no code violations have been previously identified.

105.5.3 Closing out or resolving open or expired permits shall be the responsibility of the permit applicant and the property owner. Failure to close out or resolve open permits may be reported to the proper authority by the building official.

Section ~~405.5~~ **105.18** is added to read as follows **Move this section to 105.18)**

~~405.5~~ **105.18** Construction Site Management Plan (referenced hereafter as “Management Plan”). The building official may require a detailed management plan and completion schedule prior to the approval of a building permit or during the process of completing any active or inactive construction or demolition project. The management plan shall, at a minimum, provide specific information outlining the location of construction worker parking, construction equipment, material storage and temporary structures on the site under construction or on nearby properties, methods of debris removal including compliance with the city’s waste franchise agreement. Additionally, traffic routes to and from the site, pedestrian safety barriers and fencing shall be included on the management plan and shall be identified for approval. The management plan must also reflect where displaced public or private parking is temporarily located during the term of the project to the maximum extent feasible. The plan is subject to review and approval by the building official. Failure to comply with the approved management plan shall result in the placement of a “stop work” order as outlined in Section 115, the issuance of a citation, by referring the violations to be heard by the Code Compliance Board or any other remedy provided at law. The approved management plan must be kept at the construction site and at all times during the construction process be made available to the building official or city inspectors.

Section ~~405.18~~ **105.19** is added to read as follows:

~~405.18~~ **105.19** Temporary toilet facilities for workers. Suitable temporary toilet facilities as determined by the building official in reliance upon normal industry standards shall be provided and

maintained in a sanitary condition for the use of workers during construction. Such facilities shall be regularly cleaned and provided in a well-ventilated location and shall be placed at least 15 feet from the side property line of the lot on which it is located where practical, may not be placed in the public right-of-way and shall be screened from view when required. The location of temporary toilet facilities on the property may be changed by the building official to recognize unique conditions or a less offensive location for neighbors.

~~Section 105.19 is added to read as follows:~~ **Move this to Section 109.4**

~~105.19~~ **109.4** Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty of triple the basic permit fee. This provision does not apply if the building official determines that due to emergency work a delay would clearly have placed life or property in imminent danger. The payment of a triple fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

~~Sections 105.20 to 105.27 are added to read as follows:~~

~~105.20~~ **109.3** Building permit valuations. If, in the opinion of the building official, the valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including design costs, materials and labor. The permit valuation may be calculated using the latest Building Valuation Data published by the International Code Council or other current valuation data available at the option of the building official or by using the actual contract amount for the construction improvement with the higher amount used for the permit valuation.

~~The following Section 105.21 replaces Section 109:~~ **Keep Section 109**

~~105.21.1~~ **109.2.1** Permit fees. On all buildings, structures, electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a plan review fee for each permit shall be paid as required at the time of applying for the permit, and ~~a fee~~ **fees** shall be paid as required at the time of obtaining the permit in accordance with the schedule as established by the city commission of the city as set forth in its schedule of fees. The established permit and plan review ~~fee~~ **fees** shall include the costs of services for enforcing the land development code and other municipal or regulatory requirements by city departments involved in plan review, inspection, and preliminary consultation for a project and administration of the land development code. The amount of refunds for any building permit, including single-family dwellings, shall be determined by deducting the cost of all city services including but not limited to plan review fees. When one year has elapsed from the time of issuance of a permit, no refunds shall be processed. ~~No new permit shall be issued to a building permit applicant who has outstanding unpaid fees from any previous permit issued to said applicant, including but not limited to re-inspection fees, impact fees, or "stop work order" charges or who has outstanding permits which have not received either final inspection approval or a release on abandoned projects after more than six months of inactivity except for extenuating circumstances such as good cause as delineated under Section 105.4.1.7.~~ **(Refer F.S. 553.79(16))**

~~105.21.2 Electronic filing of permit documents. After all applicable city departments have reviewed and approved submitted permit documents and plans filed as part of an application for a building permit, and after all required corrections are made to the submitted permit documents and plans, prior to final issuance of the approved permit. The permit applicant must submit an electronic copy of the approved permit documents and plans in a format compatible with the city's electronic storage and retrieval system prior to obtaining the building permit, or the permit applicant may pay a fee in lieu of providing the electronic copy of the approved plan documents. The fee shall be the city's cost plus administrative costs to produce an electronic copy of the approved permit documents and plans and shall be listed in the city's most recently adopted or amended schedule of fees as approved by the City Commission. The building official may allow the building permit to be issued prior to providing the electronic permit documents and plans to prevent delays in the construction project. However, such electronic documents and plans must be submitted within thirty (30) days of issuing the building permit. In addition, when plan revisions occur during the construction process, the permit applicant must submit an electronic copy of the final construction documents with approved revisions prior to final inspection approval of the project or the permit applicant may pay a fee in lieu of providing the electronic copy of the final construction documents with approved revisions as referenced in this section. The implementation of these provisions for electronic filing and storage of permitting documents may be suspended or amended to implement any improved methods of permit document storage which become available.~~

~~105.22 Tents. Temporary tent structures with an area of 100 square feet or less which do not block access to buildings, violate zoning setbacks and are not used to expand or provide a commercial business do not require a permit. Temporary for the purpose of this section shall be defined as 7 calendar days or less. Temporary structures over 100 square feet shall comply with Section 3103 of the Florida Building Code. (Add this to Section 105.2 Work exempt from permit)~~

~~105.23~~ **105.22** Additional data. The building official may require details, computations, stress diagrams, surveys and other data necessary to describe the construction, ensure proper building placement on a site, to verify code compliant installation(s) and to determine the basis of calculations provided.

~~105.24~~ **105.23** Contractor/owner responsibility.

~~105.24.1~~ **105.23.1** The contractor and owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles throughout the construction project and prior to receiving final inspection approval. Construction job sites ~~must~~ **shall** be kept clean, free of overgrown weeds and grass ~~over 12 inches in height~~, and the accumulation of construction debris ~~must~~ **shall** not remain on the property for a period of time exceeding 10 days. Dust created during construction or demolition ~~must~~ **shall** be contained on the site or close proximity to building or structure through wetting down the dust or materials or through the use of any alternate means that prevents dust from leaving the property. Temporary or permanent sidewalk or other safe pedestrian path shall be maintained throughout the construction except where work on the site requires temporary removal of the pedestrian path. Violation of these conditions shall authorize the building official to place a stop work order on such jobs in violation of this section and require removal of debris and overgrowth, and correction of dust accumulation on site and adjacent properties or streets. Other remedies shall include referring the violation to the Code Compliance Board ~~or~~ **and** having all debris removed from job site by the city and charging all costs to the contractor or the property owner and if unpaid for 30 days all costs incurred shall be assessed as a lien against the property.

~~105.24.2~~ **105.23.2** The contractor, the owner or his agent, upon completion of a building or construction project, shall immediately remove ~~all~~ **temporary** walkways, debris and all other

obstructions and leave such public property in ~~as good a~~ **good** condition as it was before work was commenced and shall replace all broken curbs, sidewalks or other damaged public utilities or property to the satisfaction of the Public Works Department prior to obtaining a certificate of occupancy or completion or within 14 calendar days from notification if no certificate of occupancy or completion is issued. Failure to correct damaged public property will result in the city ~~taking action~~ to making all necessary corrections and all costs incurred will be charged to the property owner or contractor, and a lien will be placed against the property for the costs of repairs.

105.25 Demolition –

105.25.1 Rodent and dust control. In order to control spread of infestation by rodents, the building official may require proof that a building proposed to be demolished is free of rodents. Such proof may be certification by a state certified pest control operator that the building is free of infestation by rodents. Dust control shall be maintained at all times during demolition by watering or other protective means. This Section shall apply to all buildings, residential and non-residential as directed above. In addition, Section 3303 of the Florida Building Code, Building Edition, shall apply where applicable.

105.25.2 Maintenance of site and building: If demolition is delayed during or after the posting period then the building and property shall be maintained in good condition, free of debris, overgrowth or other unsightly conditions including removal of silt fencing, ~~unneeded tree protection barriers~~ and maintenance of a safe sidewalk, until such time that demolition commences. After demolition these same standards shall be observed including leaving the vacant property graded free of hazards, piles of soil, discarded items or unsafe sidewalks and not contribute to increased drainage onto abutting properties in a manner that did not exist prior to demolition.

105.25.2 3 Work hours and days. Due to the disruptive nature of demolition activity the hours of operation permitted for demolition activities are limited to the following time periods:

Residential areas zoned for one and two family dwellings: 7:30AM to 6PM Monday through Friday, and 8:00AM to 5 PM on Saturday.

Non-residential or multi-family zoned areas: 7:30AM to 6:00 ~~30~~PM Monday through Saturday.

Prohibited days include: Sundays and New Year's Day, Martin Luther King Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day.

105.26 Notice provision for demolition of buildings.

(a) Prior to the issuance of a permit for the demolition of a building, the property owner or the designated representative of the owner of the building proposed for demolition shall post a notice on the property where the building is located so as to be easily visible and readable from the abutting street frontage and shall remain in place for 30 days. This notice shall be provided by the City and shall include the following information:

- (1) Owner of the property.
- (2) Date of posting the notice.
- (3) Address of the building planned for demolition and statement that the building will be demolished at the end of the posting period.

If demolition is delayed after the posting period then the building and property shall be maintained in good condition, free of debris, overgrowth or other unsightly conditions including removal of silt fencing until such time that demolition commences. [Moved to 105.25.2]

(b) Buildings not required to follow the notice of demolition provisions of this section:

1. Buildings which are determined to be a safety hazard, unsafe, a public nuisance, or otherwise dangerous and require immediate removal.
2. Accessory buildings, such as detached carports, garages, sheds, storage buildings, arbors, boathouses, greenhouses, and similar detached structures.
3. Other buildings as determined by the building official, such as certain commercial or multifamily buildings, but not including any building listed on the city's registry of historical buildings.

(c) Demolition of structures of buildings identified on the Florida Master Site File shall also comply with applicable provisions of Section 58-481 of the Winter Park City Code which may require an additional posting period as determined by Historic Preservation Board staff.

Section 107 Submittal Documents

~~Section 107.2.1.1 is added to read as follows:~~ **Covered in Section 107.2.6.**

~~107.2.1.1 Site plan.~~

~~107.2.1.1 Site drawings. Drawings shall show the location of the proposed building or structure and of every existing building or structure on the site or lot. The building official may require a boundary line survey prepared by a qualified State registered surveyor.~~

~~Section 107.7 is added to read as follows:~~ **These are all required in the minimum plan review criteria.**

~~107.7 Hazardous occupancies. The building official may require the following:~~

- ~~1. General site plan. A general site plan drawn at a legible scale which shall include, but not be limited to, the location of all buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stored.~~
- ~~2. Building floor plan. A building floor plan drawn to a legible scale, which shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes. Each hazardous material storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.~~

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. The building official may require a boundary line survey prepared by a Florida licensed professional surveyor ~~survey~~ showing all setbacks to structures being laid out and detailed on a form board survey or after pouring foundations, floor slabs or for accurate determination of building height in accordance with the zoning code. A copy of the required survey shall be given to the inspector prior to approval of the inspection requested.

Add Sections 110.1.1 and 110.1.2. from the BOAF draft

110.1.1 Manufacturers and fabricators. When deemed necessary by the building official, an inspection of materials or assemblies at the point of manufacture or fabrication may be required. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The building official may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the building official. The building official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes.

110.2 Preliminary inspections. Before issuing a permit, the building official ~~may~~ is authorized to examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been ~~received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy filed.~~

110.3 Required inspections. The building official upon notification from the permit holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Required inspections listed in Section 110.3 are amended as follows:

Building.

1 Foundation inspection: To be made after trenches are excavated, and forms and reinforcing steel is in place, and shall at a minimum include the following building components where applicable:

- stem-wall
- monolithic slab-on-grade
- piling/pile caps
- footers/grade beams

- column pads
- waterproofing
- footer steel grounding

1.1 In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification required in Section 1612 Florida Building Code Building and R322.2.1 Florida Building Code Residential, shall be submitted to the building official.

1.2 Slab Inspection: To be made after the reinforcement is in place, all concealed conduit, piping, ducts and vents are installed, termite soil treatment, sub-grade electrical, plumbing, and mechanical work is complete. Slab shall not be poured until all previous required inspections have been approved.

1.3 A foundation survey prepared and certified by a registered surveyor shall be required for all new construction prior to approval of the floor slab inspection. The survey shall certify placement of the building on the site, finish floor elevation and indicate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, when requested and approved by the building official, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

1.4 Tie Beam/Lintel or Column Inspection (masonry/reinforced concrete construction only): To be made after all reinforcing steel is in place and clean outs provided.

2. Framing inspection: To be made after the roof, all framing, fireblocking and bracing is in place, all concealed wiring, all pipes, chimneys, ducts and vents are complete; the rough electrical, plumbing, heating wires, pipes and ducts are approved; and shall at a minimum include the following building components and requirements:

- window/door framing and installation
- window U-factor/SHGC (as indicated on approved energy calculations)
- vertical cells/columns
- lintel/tie beams
- framing/trusses/bracing/connectors (including truss layout and engineered drawings)
- draftstopping/fireblocking
- curtain wall framing
- energy insulation (to be made after the framing inspection is approved & insulation is in place)
- accessibility
- verification that rough opening dimensions are within tolerances allowed
- window/door buck attachment

2.1 Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal. Includes wall and ceiling insulation.

~~2.1~~ 2.2 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance- rated assembly or a shear assembly.

3. Sheathing inspection: To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:

- roof sheathing
- wall sheathing
- continuous air barrier
- exterior siding/cladding
- sheathing fasteners
- roof/wall/dry-in

NOTE: Sheathing fasteners installed and found to be missing on the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material.

3.1 Fire rated component inspection: To be made when components are in place and fasteners are visible for all wall, floor, roof or ceiling assemblies.

4. Exterior wall coverings. Shall at a minimum include the following building components in progress inspections:

- Exterior wall coverings and veneers
- Soffit coverings

~~4. 5.~~ Roofing inspection: ~~To be made as~~ Shall at a minimum be made in at least two inspections and ~~shall at a minimum~~ include the following building components:

- dry-in
- insulation
- roof coverings (including in-progress as necessary)
- insulation on roof deck (according to submitted energy calculation)
- flashing

Re-roof sheathing inspection. An affidavit with a notarized signature of the licensed roofing contractor verifying that all replaced sheathing and fasteners used comply with criteria required by the Existing Building Code may be accepted at the discretion of the building official.

~~5.~~ 6. Final inspection: To be made after the building is completed and ready for occupancy.

~~5.1.~~ 6.1 In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the building official.

~~6.~~ 7. Swimming pool inspection:

Inspections for Residential swimming pools

- First inspection:** to be made after excavation and installation of reinforcing steel, bonding, main drain piping sizing and pressure test prior to placing of concrete.
- Second inspection: underground piping in open trench with pressure test and underground electric bond wire to the equipment.

- Third inspection (deck inspection): to be made prior to installation of the deck material (with forms, deck drains, trench with equipotential bonding and any reinforcement in place.
- Fourth inspection (safety inspection): bonding connections for light niche, installation of proper drain covers and completion of barrier prior to filling the pool with water.
- Fifth inspection (final electrical inspection): electrical bonding equipment connections, GFCI devices and disconnects.
- Final inspection** to be made when the swimming pool is complete and all required enclosure requirements are in place.

Commercial swimming pools may require additional inspections.

~~7.~~ **8.** Demolition inspections:

- First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.
- Final inspection to be made after all demolition work is completed.

~~8.~~ **9.** Manufactured building inspections. The building department shall inspect construction of foundations; connection of buildings to foundations; installation of parts identified on plans as site installed items joining the modules, including utility crossovers; utility connections from the building to utility lines on site; utility lines on site; and any other work done on site which requires compliance with the Florida Building Code. Additional inspections may be required for public educational facilities. (See Section 453.27.20 of this code).

~~9.~~ **10.** Where impact resistant coverings or impact resistant systems are installed, the building official shall schedule adequate inspections of impact resistant coverings or impact resistant systems to determine the following: The system indicated on the plans is installed. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

Electrical

1. Underground inspection: To be made after trenches or ditches are excavated, conduit or cable installed, footer steel grounding is in place and before any backfill is put in place.
2. Rough-In inspection: To be made after the roof, framing, ~~fire blocking~~ fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.
3. Final inspection: To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.
4. Temporary power inspection: To be made after temporary power pole is in place and properly supported.
5. New electrical service inspection: To be made when all electrical work is complete and prior to energizing the electrical service.
6. Existing Swimming Pools. To be made after all repairs or alterations are complete, all

required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

1. Underground inspection: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Rough-In inspection: To be made after the roof, framing, ~~fire-blocking~~ fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes. Additional inspections shall include top out, tub sets, sewer and water service inspections; and includes plumbing provisions of the energy code and approved energy calculation provisions.
3. Final inspection: To be made after the building is complete, all required plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the Florida Building Code, (Plumbing) for required tests.

Mechanical

1. Underground inspection: To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
2. Rough-In inspection: To be made after the roof, framing, fire-blocking and bracing is in place and all ducting and other concealed components are complete, and prior to the installation of wall or ceiling membranes. Includes mechanical provisions of the energy code and approved energy calculation provisions.
3. Final inspection: To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. Rough piping inspection: To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. Includes gas provisions of the energy code and approved energy calculation provisions.
2. Final piping inspection: To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
3. Final inspection: To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to insure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Add Section 110.3.9 to read as follows:

110.3.9 Final inspections. The licensed contractor and permit holder shall be responsible for obtaining final inspections and a certificate of occupancy or certificate of completion for all permits within a timely manner after completion of work. Timely shall mean immediately after completion of work within 30 7 calendar days. ~~after completion of work.~~ Failure to obtain such final inspections and certificates of occupancy or certificate of completion shall be a violation of this article.

Add Section 110.4 to read as follows:

110.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provide such agencies satisfy the requirements as to qualifications and reliability.

Section 111 Certificate of Occupancy

Add Section 111.1.1 to read as follows:

111.1.1 Issuing Certificate of Occupancy. Upon completion of construction of a building or structure and installation of electrical, gas, mechanical and plumbing systems in accordance with the technical codes, reviewed plans and specifications, and after the final inspection approval, and after verification that any septic system permit has received an approved final inspection where applicable, and after approval of other City departments involved in the inspection of the building or site, the building official shall issue a Certificate of Occupancy containing the information listed in Section 111.2 of the Florida Building Code and any other information required by the city. Delays in obtaining a certificate of occupancy by the contractor or property owner after fulfilling the above listed conditions will result in the automatic issuance of the certificate of occupancy with the issuance date recorded as the date on which final inspection approval occurred. For revocation of a certificate of occupancy see Section 104.3.

Add Section 112.4 & .5 to read as follows:

112.4 Underground utilities. In order to improve the aesthetic appeal of the city and to reduce hazards from wind storms, all utility lines such as electric, telephone, cable TV and other utilities shall be placed underground in conjunction with new construction, substantial renovation, and repair of buildings, signs or other structures or when a building is undergoing an electrical service upgrade from a 200 amperage service to a greater amperage service. Substantial renovation shall be renovation and/or additions whose building permit value exceeds 50 percent of the value of the existing improvements on the most current property tax roll published by the Orange County Property Appraiser. The city recognizes that certain physical elements such as existing buildings, swimming pools, large trees and such may impose unreasonable hardships on the property owner's compliance with the placement of utilities underground. Upon confirmation of these hardships by the utility companies, the building official may waive this requirement.

~~SECTION 112.5 TESTS~~

~~112.5 For products not covered under the statewide product evaluation and approval system, the building official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner, or his agent, by an approved testing laboratory or other approved agency.~~

SECTION 113 CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

113 Construction board of adjustments and appeals.

113.1 Membership. There is hereby established a board to be called the construction board of adjustments and appeals, which shall consist of 7 members. ~~and one alternate member. The alternate member of this board shall also be licensed in one of the trades professions regulated by this board and may serve as a fire code professional in cases or appeals concerning the Florida Fire Code.~~ To the greatest extent possible, the board shall be comprised of 2 licensed contractors (building, residential or general), one licensed practicing architect, one licensed practicing structural engineer, one licensed master electrician or licensed electrical engineer, one licensed master plumber, ~~and~~ one licensed mechanical contractor or mechanical engineer and must include a fire code professional within its membership. The board members shall be appointed ~~by the mayor and confirmed by the city commission~~ in accordance with the provisions in Section 2-48(a) Appointment of members of subsidiary boards.

113.2 Terms of office. Members shall be appointed for terms of 3 years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made.

113.3 Quorum. Four members of the board shall constitute a quorum, in the case of a matter or case concerning an electrical, plumbing, mechanical or fire code matter before the board, the respective appointee knowledgeable of that field shall be present in order to make a decision. In hearing appeals of the enforcement of the application of any provisions of the building codes including electrical, plumbing, fuel gas or mechanical volumes of the Florida Building Code or in modifying an order of the building official, affirmative votes of the majority present, but not less than 3 affirmative votes, shall be required. A board member shall not act in a case in which he has a personal financial interest.

113.4 Executive Secretary or Clerk of board. The building official or designee of the building official shall act as staff liaison of the construction board of adjustments and appeals and shall make a detailed record of all its proceedings, which shall set forth the reasons for its decisions, the vote of each member, the absence of a member, and any failure of a member to vote.

113.5 Authority. The construction board of adjustments and appeals shall have the power to hear appeals of decisions and interpretations of the building official of this code and shall also have the authority to suspend or revoke the certificate of competency or state certification (within the city) of any residential, building, general, roofing, swimming pool , electrical, plumbing, mechanical or other specialty contractor doing work in the city who is found by the board to be guilty of one or more of the following acts or omissions:

- (1) Fraud or deceit in obtaining a certificate of competency.
- (2) Negligence, incompetence or misconduct in the practice of contracting within the meaning of this chapter.
- (3) Willful and deliberate disregard of or violation of this chapter or of any state statute concerning contractor licensing.

113.6 Decision of the building official. The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the building official to the construction board of adjustment and appeals 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 code do not apply to this specific case.
3. That an equally good or more desirable form of installation can be employed in any specific case.
4. The true intent and meaning of this code or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

113.7 Procedures. The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet expeditiously after notice of appeal has been received within 21 days but no more than 30 days.

113.8 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.

113.9 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 his order, limit the time for such appeals to a shorter period.

113.10 Decisions. The construction board of adjustments and appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A copy of the decision shall be sent by mail or hand delivery to the appellant, and a copy shall be kept publicly in the office of the building official. Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity. Appeals from the decision of the construction board of adjustments and appeals relating to provisions of the Florida Building Code, other than local amendments, may be appealed to the Florida Building Commission, pursuant to section 120.569 Florida Statutes, regarding the local government's action.

Section 114 is added as follows:

SECTION 114 VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct

the discontinuance of the illegal action or condition and the abatement of the violation. Appeals of the Notice of Violation may be filed and heard by the Board of Adjustments and Appeals in accordance with the appeal procedure outlined in Section 113. Failure to comply with the Notice of Violation may result in referring the matter to the Code Compliance Enforcement Board who are empowered to impose fines in accordance with procedures set forth in Section 2-107 of the Winter Park Code of Ordinances.

114.3 Violation of code provisions. The building official may revoke a permit upon a determination ~~by the building official~~ that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code or the code of ordinances of the city.

114.4 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.5 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law

Section 115 is amended as follows:

115.1.1 Stop work orders. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of the Florida Building Code or the code of ordinances of the city or in a dangerous or unsafe manner, shall immediately cease, regardless of whether permitted plans have been reviewed by the city or permits have been issued. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, or by posting the building, structure or property upon which work is being performed and shall state the reason(s) for stopping work.

In an emergency situation, the building official shall not be required to give a written notice prior to stopping the work. Remedial action to correct violations or deficiencies shall be addressed by the owner, contractor or designer in a timely manner not to exceed time limits as set by the building official. Such remedial or corrective action shall be submitted for review and approval to the building official when required.

Section 116 is added as follows:

116 Unsafe buildings or systems.

116.1 Abatement. All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or unsafe service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of Section 108 and 109.1-.4 of the

International Property Maintenance Code or other provisions of the building and property maintenance code of the city where applicable. All repairs shall be performed in accordance with the Florida Building Code.

116.2. Public nuisances. Public nuisances are defined in section 22-177(202) under "nuisance". When nuisance conditions or hazards degenerate or cumulatively impact on structures, dwellings, or other buildings regulated by this code, to the extent that repair, removal, securing or demolition is necessary for the public health, safety and welfare, then the building official or his designee or the code ~~compliance enforcement~~ board is authorized to order the property owner or city agents to repair, remove, secure, vacate or demolish such structures according to procedures outlined in this chapter. These powers are hereby declared to be remedial and essential for the public interest, and it is intended that such powers be liberally construed to effectuate the purposes stated herein.

116.3. Vacant buildings. No vacant building may be boarded up for a period of time exceeding 60 days unless granted a waiver by the building official. All vacant buildings or buildings permitted to be boarded up shall be maintained in accordance with section 22-177(304.6). Exterior walls and all boards used to enclose the building must be neatly fitted within window and door openings and must be painted to blend in with the color of the building, but shall not be brightly colored such as bright red, orange, green, or purple colors but rather shall be muted colors such as but not limited to tan or grey.

Section 202 is amended by adding or altering the following definitions:

Building department: The city's building and permitting services department.

Building official: The officer or other designated authority, or his duly authorized representative, charged with the administration and enforcement of this chapter, also known as the director of building and permitting services .

Sections 454.3 and R4501.17.1.16 is added as follows:

454.3 (Building) and R4501.17.1.16 (Residential) swimming pool enclosure protection during construction.

During the construction of public or private swimming pools, the permanent fence or wall meeting all applicable requirements of the Florida Building Code, Residential Volume, Chapter 45, or a temporary fence at least four (4) feet in height above the grade shall be installed. This fence or wall shall be closed, latched and locked at all times, except when work is in progress and workmen are on the site. The temporary fence shall not be removed except when the permanent fence, wall, enclosure or swimming pool is being actively constructed. At no time shall the pool be left by workmen unless secured by either the permanent or temporary enclosure. Swimming pool barrier protection shall allow bodies of water such as lakes, canals and streams to serve as one side of the required barrier when the water frontage is at least six feet wide beyond the shoreline, and the side yard fence barrier proceeds at least one foot into the water body or the fence continues to the edge of the water to the top of a canal or stream bulkhead wall. Provisions in this section apply to swimming pools on building sites, including commercial, residential or multifamily projects. Failure to maintain enclosure protection security with a swimming pool protection barrier shall cause the city to secure the pool from outside entry, and authorize

the issuance of a "stop work" order until all fees related to providing a pool protection barrier have been paid or waived by the building official for de minus costs.

~~Section 1609.3 is amended as follows for the purpose of determination of design wind loads in Winter Park:~~

~~Section 1609.3 Basic wind speed. The ultimate design wind speed V_{ult} in miles per hour, for the development of the wind loads shall be determined by Figures 1609.3(1), 1609.3(2) and 1609.3(3). The ultimate design wind speed V_{ult} for use in the design of Risk Category II buildings and structures shall be obtained from Figure 1609.3(1)A. The ultimate design wind speed V_{ult} for use in the design of Risk Category III and IV buildings and structures shall be obtained from Figure 1609.3(2). The ultimate design wind speed V_{ult} for use in the design of Risk Category I buildings and structures shall be obtained from Figure 1609.3(3). The ultimate design wind speeds, V_{ult} , determined by the local jurisdiction shall be in accordance with Section 26.5.1 of ASCE 7. The exact location of wind speed lines shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores wherever possible. For the purpose of complying with the structural requirements related to wind loads, all buildings and structures including one and two family dwellings shall comply with the following ultimate design wind speeds V_{ult} :~~

- ~~1) Risk Category I: 130 mph~~
- ~~2) Risk Category II: 139.9 mph~~
- ~~3) Risk Category III & IV: 150 mph~~

Section 1609.3 is interpreted as follows for the purpose of determination of design wind loads in Winter Park:

1609.3 Ultimate design wind speed. The ultimate design wind speed, V_{ult} , in mph, for the determination of the wind loads shall be determined by Figures 1609.3(1), 1609.3(2), 1609.3(3) and 1609.3(4). The ultimate design wind speed, V_{ult} , for use in the design of Risk Category II buildings and structures shall be obtained from Figure 1609.3(1). The ultimate design wind speed, V_{ult} , for use in the design of Risk Category III buildings and structures shall be obtained from Figure 1609.3(2). The ultimate design wind speed, V_{ult} , for use in the design of Risk Category IV buildings and structures shall be obtained from Figure 1609.3(3). The ultimate design wind speed, V_{ult} , for use in the design of Risk Category I buildings and structures shall be obtained from Figure 1609.3(4). The ultimate design wind speed, V_{ult} , for the special wind regions indicated near mountainous terrain and near gorges shall be in accordance with local jurisdiction requirements. The ultimate design wind speeds, V_{ult} , determined by the local jurisdiction shall be in accordance with Chapter 26 of ASCE 7. The exact location of wind speed lines shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores wherever possible. For the purpose of complying with the structural requirements related to wind loads, all buildings and structures including one and two family dwellings shall comply with the following ultimate design wind speeds V_{ult} :

- 4) Risk Category I: 130 mph
- 5) Risk Category II: 139.9 mph
- 6) Risk Category III & IV: 150 mph

As indicated in Figures 1609.3(1), (2) & (3) linear interpolation between wind contour lines is permitted.

This wind speed determination provided herein is an administrative amendment to the Florida Building Code for the purpose of giving guidance to designers and to provide uniformity with neighboring jurisdictions, and is not a local technical amendment or change in the published Florida Building Code wind load criteria.

Technical amendments to the Florida Building Code:

Florida Building Code, Building Volume

Section 903.2.13 shall be added as follows:

903 Automatic sprinklers systems. Approved automatic sprinkler systems installed in buildings shall comply with Section 903 of the Florida Building Code and in addition shall meet the following provisions:

903.1 Where required

903.2.13 Approved automatic sprinkler systems shall be provided in all buildings in the Commercial (C-2) zoning district as defined in the Land Development Code (Chapter 58) on properties bounded by New York Avenue (on the west), Swoope Avenue (on the east), Knowles Avenue (on the east) and Fairbanks Avenue (on the south).

Section 2703 shall be added as follows:

2703 Electric Vehicle Charging Station Infrastructure and Electric Vehicle Parking Space Requirements.

Section 2703.1 Intent and purpose. The intent of this section is to facilitate and encourage the use of electric vehicles and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure that will also accommodate future technology advancements.

Section 2703.2 Electric Vehicle Charging Station Infrastructure, Readiness requirements and technical criteria for buildings is hereby adopted as referenced herein and in Section 58-86 (5) of the Land Development Code.

- a) Intent and purpose. The intent of this section is to facilitate and encourage the use of electric vehicles and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure that will also accommodate future technology advancements.
- b) Definitions. For the purposes of this section, the following definitions shall apply:
 1. Electric vehicle means any motor vehicle registered to operate on public roadways that operates either partially or exclusively on electric energy. Electric vehicles include: (a) Battery-powered electric vehicles; (b) Plug-in

hybrid electric vehicles; (c) electric motorcycles; and (d) Fuel cell vehicles.

2. Electric vehicle charging level means the standardized indicators of electrical force, or voltage, amps and kilowatts by which an electric vehicle's batteries are recharged. EV recharging equipment is commonly known as Electric Vehicle Service Equipment (EVSE) and can output either Alternating Current (AC) or Direct Current (DC). EVSE are technically not chargers, they are power supply units, the charger is on board the vehicle. The onboard charger helps manage the charging session and converts an AC input to DC to charge the vehicle's batteries; if a DC input is supplied the charger passes the power directly to the batteries. The terms Level1 (L1), Level2 (L2), and Level3 (L3) are the most common charging levels; L3 is also referred to DCFC or DC Fast Charging, and include the following specifications:
 - a) Level-1 is considered slow charging. Voltage including the range from 0 through 120.
 - b) Level-2 is considered medium charging. Voltage is greater than 120, up to 240.
 - c) Level-3 is considered fast or rapid charging, is also referred to DCFC or DC Fast Charging. Voltage is greater than 240.
 3. Electric vehicle charging station means battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.
 4. Electric vehicle charging station infrastructure means conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.
 5. Electric vehicle parking space means any off-street parking space that is equipped with an electric vehicle charging station that is exclusively for use by electric vehicles.
- c) **Readiness requirements – Condominium multi-family and other Multi-family projects.** In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles, all new development shall provide electric vehicle charging station infrastructure per this section. The infrastructure shall be installed per the requirements of the Florida Building Code, Chapter 27, Section E and the Florida Building Code, Residential Volume, Chapter 34 whichever is applicable to the installation based on occupancy type.
1. Condominium multi-family residential projects and properties with more than three attached individual units, either with individual garages for each unit or with ~~underground~~ parking garages serving the units, shall be constructed to provide a 220-240-volt / 40 amp outlet on a dedicated

circuit within the garage and in close proximity to one designated vehicle parking space per unit to accommodate the potential future hardwire installation of, at the minimum, of a Level-2 vehicle charging station also referenced in the Land Development Code, Article III, "Zoning Regulations" Section 58-86(5) (c).

2. Multi-family residential properties with common use surface parking or spaces within an above grade parking garage, and non-residential properties with surface parking or spaces within an above grade parking garage, shall provide the electrical capacity and buried raceway necessary to accommodate the future hardwire installation, at the minimum, of a Level-2 vehicle charging station for at least 20% of the total required parking spaces. also referenced in the Land Development Code, Article III, "Zoning Regulations" Section 58-86 (5)(c).

d) **Electric vehicle parking space requirement for multi-family residential and non-residential properties of a certain intensity.** All sites in which multifamily residential, commercial, office, institutional or industrial uses, or any combination thereof, are required to provide 25 or more motor vehicle parking spaces, shall provide a minimum of one electric vehicle charging station; if required to provide 50 or more parking spaces, then two electric vehicle charging stations and if required to provide 100 spaces or above, then two (2%) percent of the required off-street parking shall have electric vehicle charging stations (such spaces shall be counted toward meeting the overall parking requirement) in accordance with the following standards:

1. Minimum standards. Electric vehicle parking spaces shall, at a minimum, be equipped with an electric vehicle charging station rated at electric vehicle charging Level 2.
2. Fees. Nothing herein shall prohibit the charging of a fee for the use of an electric vehicle charging station by a resident, guest, invitee or employee.
3. ADA Accessible Spaces. A minimum of one (1) electric vehicle parking space must be located adjacent to a required accessible parking space such that the electric vehicle charging station can be shared between an accessible parking space and electric vehicle parking space. A minimum five (5) feet wide accessway must be provided by the accessible electric vehicle parking space if the accessway is not already provided as part of the planned accessible parking space.
4. Lighting. Site lighting shall be provided where an electric vehicle charging

station is installed.

5. Equipment Standards and Protection. Battery charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of 24 inches from the face of the curb.

 6. Signage. (1) Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station. (2) Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment and is actively charging. (3) Restrictions shall be included on the signage, if removal provisions are to be enforced by the property owner pursuant to state statutes.

 7. Maintenance. Electric vehicle charging stations shall be maintained in good condition in all respects, including the functioning of the equipment, by the property owner. Removal of any required EV charging stations is prohibited. A phone number or other contact information shall be provided on the equipment for reporting when the equipment is not functioning or other problems are encountered.
- e) Exceptions. Where the installation of one or more electric vehicle parking spaces, or the installation of electric vehicle charging station infrastructure to allow for the future installation of electric vehicle charging stations are required by this article, an exception may be granted by the Building Official through the site plan approval process only where it is demonstrated that the extension of the electrical power supply to the effected location is physically impractical. Financial impracticality is not a valid criterion for granting such an exception.

Section 3. Article V, "Property and Building Maintenance," Chapter 22 of the Code of Ordinances of the City of Winter Park is hereby amended and to read as follows:

Sec. 22-176. Code adopted. The International Property Maintenance Code, ~~2018~~ 2021 edition, as published by International Code Council, Inc., is hereby adopted by reference, together with modifications and amendments contained in this article, and shall be known as the property and building maintenance code of the city. All references within the International Property Maintenance Code to the International Code(s) shall refer to the applicable Florida Building Code(s).

Sec. 22-177 Amendments

The International Property Maintenance Code, ~~2018~~ 2021 edition, is hereby amended in the following respects:

General: All references to the International Building, Plumbing, Mechanical, Fuel Gas, Fire, Electrical and Zoning Codes shall mean the respective building, residential, plumbing, mechanical, gas, fire, and electrical ~~codes~~ as incorporated into the Florida Building Codes and Florida Fire Prevention Code and zoning codes of the city along with amendments adopted herein.

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the property and building maintenance code of Winter Park, hereinafter referred to as "this code."

Section 103 is ~~deleted~~. Is amended as follows"

103.1 The Division of Safety and Compliance shall function as the agency to implement, administer and enforce the provisions of this code.

Section ~~405.3~~ 106.3 is amended as follows:

~~405.3~~ 106.3 Required testing and assessments. Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests or assessments to be made as evidence of compliance at no expense to the City. Required assessments include and are not limited to mold assessment by a mold assessor licensed by the State.

Section 106.6 ~~Z~~ is added to read as follows:

106.6 7 Codes and ordinances enforced. The provisions of this article are an additional and supplemental means of enforcing city codes and ordinances and may be used for the enforcement of this article. Nothing contained in this article shall prohibit the city from enforcing its codes and ordinances by any other means.

Section 108.1.1 is amended to read as follows:

108.1.1 Unsafe structures. An unsafe structure is one that is found to be a nuisance or dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure

contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Sections 108.8 and 108.9 are added as follows:

108. 8 Public nuisances. Public nuisances are defined in Section 202 "General Definitions" under "nuisance". When nuisance conditions or hazards degenerate or cumulatively impact on structures, dwellings, or other buildings regulated by this code, to the extent that repair, removal, securing or demolition is necessary for the public health, safety and welfare, then the building official or his designee or the code enforcement compliance board is authorized to order the property owner or city agents to repair, remove, secure, vacate or demolish such structures according to procedures outlined in this code. These powers are hereby declared to be remedial and essential for the public interest, and it is intended that such powers be liberally construed to effectuate the purposes stated herein.

108. 9 Vacant buildings. No vacant building may be boarded up for a period of time exceeding 60 days unless granted a waiver by the building official. All vacant buildings or buildings permitted to be boarded up shall be maintained in accordance with section 22-177(304.6). "Exterior walls" and all boards used to enclose the building must be neatly fitted within window and door openings and must be painted to blend in with the rest of the building.

Section 110.1 is amended to read as follows:

110.1 Unsafe buildings or structures. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than 90 days, to demolish and remove such structure; or where a nuisance exists, the code official shall order the owner of the premises to correct or remove conditions causing the nuisance. The existence of a nuisance shall constitute a violation of this code.

Section 111 (including subsections 111.1 through 111.8 inclusive) is amended to read as follows:

Applications for appeals from the enforcement of provisions of this code shall be heard by the construction board of adjustments and appeals under the criteria and guidelines addressed in the building code of the city, as adopted in this article.

Section 202. General definitions is amended by adding or altering the following definition:

[Note: See Definitions in International Property Maintenance Code Chapter 2]

Nuisance. The following shall be defined as nuisances: It is a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city to maintain, or permit to

exist, such premises in such manner that any one or more of the following conditions are to exist thereon:

- (1) Any public nuisance known at common law or in equity jurisprudence.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.
- (3) Whatever is dangerous to human life or is detrimental to health, as determined by the Orange County Environmental Health Department or the code official.
- (4) Overcrowding a room with occupants.
- (5) Insufficient ventilation or illumination.
- (6) Inadequate or unsanitary sewage or plumbing facilities.
- (7) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the Orange County Health Department or the code official.
- (8) Any place or premises which have been used on more than two occasions as the site of the unlawful sale or delivery of controlled substances.
- (9) Any building or premises declared to be a public nuisance by the nuisance abatement board.
- (10) Land, the topography, geology or configuration of which, whether in natural state or as a result of grading operations, excavation or fill, causes erosion, subsidence or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties.
- (11) Buildings which are abandoned for a period of six months, or permitted to remain unreasonably in a state of partial destruction for a period of four months without a building permit having been obtained and substantial construction performed, or permitted to remain unreasonably in a state of partial construction without substantial construction being performed. Substantial construction shall mean construction sufficiently noticeable to the public to give notice of ongoing construction work.
- (12) The failure to close, by such means as are acceptable to the code official, all doorways, windows and other openings into vacant structures.
- (13) Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief.

- (14) Vegetation, including dry grass, dead shrubs, dead trees, combustible refuse and waste, or any material growing upon the area between the traveled way and the property line, sidewalks or upon private property which by reason of size, manner of growth and location would create any one or more of the following:
- a. A condition likely to constitute a fire hazard to any building, improvement or other property, or when dry will in reasonable probability constitute a fire hazard;
 - b. A condition likely to harbor rats, vermin or other similar creatures constituting a health hazard; or
 - c. Causes appreciable harm or material detriment to the aesthetic and/or property values of surrounding property.
 - d. Creates a safety hazard due to slipping or tripping on sidewalks or similar surfaces.
- (15) Dead, decayed, diseased or hazardous trees, weeds and other vegetation:
- a. Dangerous to public safety and welfare; or
 - b. Causing appreciable harm or material detriment to the aesthetic and/or property values of surrounding property.
- (16) The accumulation and storage on any premises for more than 10 days of abandoned, wrecked, dismantled or inoperative automobiles, trailers, campers, boats, other mobile equipment, or major part thereof within the view of persons on public or other property adjacent to the premises.
- (17) Attractive nuisances dangerous to children in the form of:
- a. Abandoned and broken equipment; or
 - b. Unprotected and/or hazardous pools, ponds and excavation; or
 - c. Neglected machinery.
- (18) Waste on the premises *in open view or can be seen from an adjacent property*, which by reason of its location is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community or which would materially hamper or interfere with the suppression of fire upon the premises or adjacent premises and which is visible from public property or from neighboring properties for a period of time in excess of ten days. "Waste" is defined for the purpose of this section as unused or discarded matter and material which consists (without limitation or exclusion by enumeration) of such matter and material as rubbish and refuse and matter of any kind including, but not limited to, rubble, debris, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof,

lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding, etc.

- (19) The accumulation of dirt, litter or debris in vestibules, doorways or the adjoining sidewalks of commercial or industrial buildings.
- (20) The maintenance of signs and/or sign structures relating to uses no longer conducted or products no longer sold on vacant commercial, office, industrial or institutional buildings more than 45 days after such building becomes vacant.
- (21) The maintenance of any structure in a defective, unsightly, deteriorated and unrepaired condition, which is viewable from a public right-of-way or viewable from the sites of neighboring properties, where such condition would cause appreciable harm or material detriment to the aesthetic and/or property values of surrounding properties.
- (22) The substantial lack of maintenance of grounds including but not limited to dead grass, lack of sod or surface coverings on which structures exist, where the grounds are viewable from a public right-of-way or viewable from the sites of neighboring properties, where such condition would cause appreciable harm or material detriment to the aesthetic and/or property values of surrounding properties.

Section 302 shall be amended to read as follows:

302.1 Sanitation and storage of materials. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. It shall be unlawful for any person to permit any old, broken lumber, rusted or unused equipment, discarded refrigerators, stoves, old pipe or other used, discarded and worn, unsightly articles or materials to remain in any yard or open area owned, occupied or in the possession of such person for a period of more than five days.

It shall be unlawful for the owner or occupant of a building, structure or property to utilize the premises of such property for the open storage of any abandoned motor vehicle, icebox, refrigerator, stove, glass, building material building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such property clean and to remove from the premises all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the code official.

Section 302.4 shall be amended as follow:

302.4. Weeds and overgrowth.

302.4.1 Clearing overgrowth. The owner or the agent of such owner or occupant of any lot, place or area within the city shall not permit any trash, rubbish or noxious matter to remain lying on such lot, place or area or upon any sidewalk or street right-of-way abutting the lot, place or area. Upon sidewalks, noxious matter shall include accumulations of sand, leaves, algae growth, slippery conditions, food or food residue, and vegetation. Likewise, such owner, his agent and the occupant shall not permit any weeds or grass to grow to a height exceeding 12 inches upon any portion of

such lot, place or area or upon any sidewalk, over street curbs or street right-of-way abutting such lot, place or area. For land being used for a bona fide commercial agricultural purpose, the limitation on the height of grass or weeds shall only apply to the first 20 feet of such lands abutting a public street or adjacent developed property. The limitation on the height of grass or weeds shall not apply to undeveloped wild land that remains in a natural state unless determined to be a fire hazard or other health hazard as determined by the code official.

302.4.2 Notice. The city shall notify in writing the owner of any lot, place or area within the city or the agent of such owner or the occupant to cut, destroy or remove any weeds, grass, trash, rubbish or noxious matter found growing, lying or located on such owner or occupant's property or upon the sidewalk or street right-of-way abutting the property and that, upon the failure of the owner or agent or occupant to do so. The city will cause such weeds, grass, rubbish or noxious matter to be cut, destroyed or removed. Such notice shall be by certified mail, addressed to the owner or agent of the owner or occupant, at his last known address, or by hand delivery to the owner or agent of the owner or occupant. In addition a notice may be posted on the property upon which the violation is alleged to exist and at the primary municipal government office, and proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date, and the place of its posting. Notice by posting may run concurrently with, or may follow an attempt or attempts to provide notice by hand delivery or by mail, as required by this subsection.

302.4.3 Clearing by city. Upon failure, neglect or refusal of any owner, agent or occupant notified as provided in this article to cut, destroy or remove weeds, grass, trash, rubbish or noxious matter growing, lying or located upon such owner or occupant's property or upon the sidewalk or street right-of-way abutting property, within five days of posting the property as provided for in this article, or within five days upon receipt of the written notice provided for in this article or within five days after the date of such notice, if the notice is returned to the city because of the inability of the post office to make delivery thereof, provided the notice was properly addressed to the last known address of such owner, agent or occupant, the city may, in addition to any other penalties provided for in this Code, pay for the cutting, destroying or removing of such weeds, grass, trash, rubbish or noxious matter or effect the removal by the city.

302.4.4 Charges. When the city has affected the removal of obnoxious growth or has paid for its removal the actual cost thereof, including administrative costs, plus accrued interest at the rate of twelve percent per annum beginning 30 days after completion of the work, shall be charged to the owner or occupant of such property.

302.4.5 Lien. Where the full amount due the city is not paid by such owner or occupant within 30 days after the cutting, destroying or removal of weeds, grass, trash, rubbish or noxious matter as set forth in sections 302.4.3 and 302.4.4, such charges are declared a lien upon the property and the provisions of sections 102-135 shall apply.

Section 302.8 shall be amended to read as follows:

302.8 Abandoned and disabled motor vehicles.

302.8.1 Definitions:

Abandoned motor vehicle means any motor-driven vehicle, regardless of size, which is left unattended for a period exceeding 48 hours.

Disabled motor vehicle means any motor-driven vehicle, regardless of size, which is incapable of being self-propelled upon the public streets of the city or which does not meet the requirements for operation upon the public streets of the city, including a current motor vehicle license.

A motor vehicle shall be considered abandoned or disabled if it is in a state of evident disuse, neglect or abandonment. Evidence of disuse, neglect or abandonment may include, without limitation, factors such as: the vehicle being wrecked or inoperative; the vehicle being partially dismantled, having no engine, transmission, or other major or necessary parts; the vehicle having no valid license tag; there being vegetation underneath the vehicle as high as the vehicle body or frame; there being refuse or debris collected under the vehicle; the vehicle being used solely for storage purposes; or the vehicle being in any physical state rendering it inoperable or unsightly to the neighborhood.

302.8.2 Responsibility and liability. It shall be the joint and several responsibility of both the property owner upon whose property a disabled or abandoned motor vehicle is located and the owner of such vehicle to meet the requirements of this article, and the property owner and vehicle owner shall both be subject to any and all penalties for violations hereof. The property owner and vehicle owner shall jointly and severally be liable to the city for the payment of any unrecovered expenses incurred by the city in the removal and disposition of motor vehicles. If the expenses are not paid upon demand, a lien shall be placed upon the property and the vehicle for the amount of such expenses and costs.

302.8.3 Enforcement. It shall be the duty of the police department to enforce this article for disabled or abandoned motor vehicles within the public right-of-way or on public property. The safety and code compliance section of the fire-rescue department division shall enforce provisions of this article relating to disabled vehicles on private property and property maintenance provisions of this Chapter.

302.8.4 Notice of violation.

302.8.4.1 When a disabled motor vehicle is found to be in violation of this article, a code inspector or a police officer shall give the owner on whose property the disabled motor vehicle is located a notice that the vehicle is in violation of this article and must be removed within ten days. This notice shall be in writing and shall state the date on which the ten days' notice shall expire and shall further state that if the notice has not been complied with and the disabled motor vehicle removed within such ten calendar days that enforcement of this article will ensue. Should the owner of the property upon which the disabled motor vehicle is located not be an occupant or not in possession of this property, in addition to such notice to the owner, the notice shall be served upon the occupant or person in possession of the property. The code inspector or police officer shall make every reasonable attempt to ascertain the owner of the vehicle, and shall notify any such vehicle owner so identified within either reasonable notice delivered by mail or personal service at any known business or residential address of such owner.

302.8.4.2 Within the ten calendar day period specified in the notice, the owner of the vehicle or the owner of the property or an authorized agent may appeal to the director of code enforcement or his designee. The director of code enforcement or his designee shall determine the validity of the violation and may for good cause extend the time for compliance or removal. If such an appeal is made, no removal shall be required until after the appeal has been finally determined, unless the removal is required under 98-191.

302.8.4.3 If no appeal is submitted in writing to the office of Code Compliance is made and the abandoned or disabled vehicle remains in violation after the ten calendar-day period, the city shall cause such vehicle on private property to be removed to a storage facility approved by the city and thereafter disposed of in accordance with applicable state law or city ordinance.

302.8.4.4 Notwithstanding any of the foregoing, all abandoned motor vehicles which are located on public property shall be towed and disposed of in accordance with the notice, sale and disposition requirements of F.S. ch. 705, as revised or amended from time to time.

302.8.5 Disposal of vehicles; entrance upon private property. The city is authorized to enter upon private property for the purpose of seizing and taking into possession any abandoned or disabled vehicle.

302.8.6 Removal. The city is authorized to provide for the immediate removal of any abandoned or disabled motor vehicle to a garage or other place of safety, the cost of such removal to be a lien against the motor vehicle, when the abandoned or disabled vehicle is found unattended upon a bridge or causeway or in any tunnel or on any public highway or street or public parking lot in the following instances:

302.8.6.1 Where such vehicle constitutes an obstruction of traffic; or

302.8.6.2 Where such vehicle has been parked or stored on the public right-of-way or city property for a period exceeding 48 hours.

Section 302.10 shall be added shall read as follows:

302.10 Shrubs, hedges and trees obstructing visibility at intersections.

Shrubs, hedges, trees or plantings shall be kept trimmed so that the visibility for motor vehicle drivers is not obstructed at street intersections and points of ingress and egress to the public right-of-way. Where shrubs, hedges, trees or plantings are not kept so trimmed, in addition to any other penalties provided for in this code, the city may, after notice to the property owner responsible for such violation, enter upon the property where such violation is taking place and cut and trim the hedges or plantings, which are causing such violation to be reduced to a height of 2½ feet above the street curb elevation or cut tree limbs to a height of eight feet above the curb or sidewalk and upon performing such labor may bill the property owner for the actual cost thereof. Shrubs, trees and other vegetation which extend into the public right-of-way, and obstruct visibility at street intersections and points of ingress and egress to the public right-of-way or over hang the sidewalk obstructing pedestrian travel may be cut or trimmed by the city in accordance with the above

referenced specifications after providing a 24-hour notice by placing such notice on the door of the abutting dwelling or business or by hand delivery to the occupant of the dwelling or business in order to provide for the public safety. This provision does not limit or prevent the city from taking immediate action to clear any hazardous or unsafe conditions created by trees or vegetation in the public right-of-way.

Amend Section 304.3 to read as follows:

304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property, in accordance with Article VII, Numbering of Buildings, of this Chapter.

Amend Section 304.6 to read as follows:

304.6. Exterior walls.

Every exterior wall shall be free of holes, breaks, loose or rotting boards or timber, *chipped paint, decaying substance conditions* and any other conditions which might admit rain, or dampness to the interior portions of the walls or to the occupied spaces of the building. All siding material shall be kept in repair. All exterior surfacing material shall be painted or properly surface coated (except brick, stone or other natural material which does not require the application of a weatherproofing substance) and in good repair after scraping and removing any loose paint or surfacing material.

Amend Section 304.14 to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans are employed.

Section 304.20 is added as follows:

304.20. Skirting around foundations. Latticework or similar approved material must be installed along continuous openings on the outside perimeter of buildings with floors elevated above the ground and where more than twelve (12) inches of vertical opening area exists from the ground to the building wall. The installation must be performed in an approved aesthetic manner in accordance with typical construction methods in practice.

Amend Section 404.3 to read as follows:

404.3 Minimum ceiling heights. Occupiable rooms and habitable spaces shall have a ceiling height of not less than seven feet, six inches (2286 mm). Corridors, bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than seven feet (2134 mm).

Amend Section 602 to read as follows:

602 HEATING FACILITIES.

602.1 Occupiable rooms and habitable spaces (including every dwelling unit) shall have heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms and bathrooms.

602.2 Every dwelling unit shall have heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms and bathrooms.

602.3 Gas heaters listed for unvented use shall be permitted provided the total input rating of the heaters is less than 30 Btu per hour per cu ft (312 W/m³) of room content. Such heaters shall be prohibited in bedrooms.

602.4 The use of any liquid fueled unvented heating appliance shall be prohibited in any enclosed occupied structure within the city. Liquid fueled unvented heating appliances may be used as a temporary measure on construction sites and open well-ventilated work sites when they pose no hazard of ignition or explosion. Such devices must be tested and listed by an approved laboratory according to the requirements of UL647 (1984) and the fuel must be stored in containers meeting ASTM ES-8 for kerosene heaters.

602.5 Any metal flue pipe that has been connected to a wood heating appliance that has experienced a flue fire shall be replaced unless otherwise specified by the manufacturer's instructions.

602.6 Any metal (pre-fabricated) fire place unit that has experienced a chimney fire shall be replaced unless otherwise specified by the manufacturer's instructions.

Section 4. It is the intention of the city commission of the city that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the city; and that sections of this ordinance may be numbered or renumbered or lettered or relettered and the word "ordinance" may be changed to "chapter," "section," "article," or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be numbered or renumbered or lettered or relettered and typographical errors which do not affect the intent may be authorized by the city manager, without need of public hearing, by filing a corrected or recodified copy of same with the city clerk.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses or phrases under application shall not be affected thereby.

Section 7. This ordinance enacting amendments to the Florida Building Code shall be transmitted to the Florida Building Commission within 30 days.

Section 8. Effective Date. This ordinance shall take effect immediately upon its adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the __ day of December, 2020.

Mayor Steve Leary

Attest _____
City Clerk Rene Cranis

With regard to local technical amendments to the Florida Building Code I am providing the statutory requirements for our adoption from Ch. 553 of Florida Statutes below:

(b) Local governments may, subject to the limitations of this section, adopt amendments to the technical provisions of the Florida Building Code which apply solely within the jurisdiction of such government and which provide for more stringent requirements than those specified in the Florida Building Code, not more than once every 6 months. A local government may adopt technical amendments that address local needs if:

1. The local governing body determines, following a public hearing which has been advertised in a newspaper of general circulation at least 10 days before the hearing, that there is a need to strengthen the requirements of the Florida Building Code. The determination must be based upon a review of local conditions by the local governing body, which review demonstrates by evidence or data that the geographical jurisdiction governed by the local governing body exhibits a local need to strengthen the Florida Building Code beyond the needs or regional variation addressed by the Florida Building Code, that the local need is addressed by the proposed local amendment, and that the amendment is no more stringent than necessary to address the local need.
2. Such additional requirements are not discriminatory against materials, products, or construction techniques of demonstrated capabilities.
3. Such additional requirements may not introduce a new subject not addressed in the Florida Building Code.
4. The enforcing agency shall make readily available, in a usable format, all amendments adopted pursuant to this section.
5. Any amendment to the Florida Building Code shall be transmitted within 30 days by the adopting local government to the commission. The commission shall maintain copies of all such amendments in a format that is usable and obtainable by the public. Local technical amendments shall not become effective until 30 days after the amendment has been received and published by the commission.
6. Any amendment to the Florida Building Code adopted by a local government pursuant to this paragraph shall be effective only until the adoption by the commission of the new edition of the Florida Building Code every third year. At such time, the commission shall review such amendment for consistency with the criteria in paragraph (9)(a) and adopt such amendment as part of the Florida Building Code or rescind the amendment. The commission shall immediately notify the respective local government of the rescission of any amendment. After receiving such notice, the respective local government may readopt the rescinded amendment pursuant to the provisions of this paragraph.

Electric Vehicle Readiness Ordinances

Comments by Joseph L. Territo, P.E.

Introduction

I am an electrical engineer, Florida state certified electrical contractor, and owner of Territo Electric, Inc. I currently serve on the Florida Building Commission Electrical Technical Advisory Committee and have served on many local advisory boards and boards of directors.

I am a huge proponent of electric vehicles but strongly oppose EV readiness mandates as I believe this is a private enterprise issue, not a building code requirement.

Territo Electric, Inc. has operated a fleet of electric vehicles since 2012 that now consists of 6 Chevy Volts, 4 Chevy Bolts, and a Tesla. We find EV's to be quiet, efficient and lower maintenance for our operations. Territo Electric, Inc. has installed hundreds of EV charging stations in residences and commercial establishments throughout central Florida.

Why is there a need to incorporate mandatory EV charging in our building codes?

On site EV charging does not address any public safety issue in residences or in private buildings. Municipalities should be concerned the safety of fuel sources not the choice of fuel sources. Electric vehicles only represent 1% of the automobile market and are only predicted to have a 10% market share by 2030. Charging mandates will not help 99% of the drivers currently or 90% of drivers in the next 10 years and may discourage other alternate fuels.

To my knowledge, all electric vehicle users successfully install their own charging infrastructure, use existing outlets, or plan their trips accordingly to address their charging needs.

There is nothing Florida specific about this issue that would cause the State to adopt this regulation. This law would effectively force private businesses to provide free charging for patrons of their businesses or their employees since the cost of charging customers far exceeds the cost of the electricity.

Industry is addressing the demand

Vehicle manufacturers are already addressing EV fueling issues. Portable chargers are standard equipment for all car brands that can plug into a variety of outlets including standard 120V receptacles. EV charging capacities can be changed to match the available electrical capacity and many chargers have circuit sharing capabilities. Vehicles and chargers can be programmed to operate at specific times of the day to minimize impact on electrical systems. Vehicles now have battery ranges over 200 miles, some exceeding 300 miles. Many car companies offer incentive plans to pay for installation of home charging stations. Tesla has even deployed accessible public charging stations throughout the country for free.

Locally, many of our municipalities have installed public chargers and many commercial businesses have voluntarily chosen to provide charging stations at desirable locations to benefit their businesses.

Additionally, many fuel service providers such as BP, Chevron, ExxonMobil, Shell, and Wawa are all developing programs to address EV fueling at their existing stations.

Driving habits

According to the US DOT, the average consumer only drives about 13,500 miles per year (37 miles per day) and has an average commute to work of about 15 miles.

The charge rates for a 120V Level 1 charger (standard outlets) is about 5 miles per hour. Level 2 chargers have charging rates from 15 to 60 miles per hour.

The majority of EV charging takes place at home during off-peak hours.

The vast majority of EV's cannot accept charge rates over 7.7KW (32 amps)

The average consumer can handle their daily driving with a Level 1 charger plugged into a standard outlet in 8 hours or less. They can choose different EV chargers to match their needs and their available power.

Workplace charging will only top off an EV. Mandated Level 2 chargers will charge the average commuting distance in well under an hour during peak hours. The higher the mandated amperage, the higher the affect on the building's peak demand.

Costs

Costs are determined by several factors that affect pricing and are easily manipulated to support any specific argument. Key factors required to determine cost are charger location, mounting requirements and protection, system voltage, service size, charger type and charger amperage. There is no typical installation.

Portable chargers are standard equipment with current EV's. Level 1 chargers cost under \$200. Level 2 chargers range in price from \$500 to \$4,000.

It is less costly to install charging during construction if all factors are known and the charging is guaranteed to be used. However, all factors might not be known at the time of construction and the use might not be determined.

Mandates for unknown future needs add cost and create waste. Unused charging stations or wrong locations cause unnecessary service size, additional panels, transformers, feeders, and branch circuit wiring. If not used, they waste energy through transformer losses, wasted labor, wasted installation materials, and unproductive maintenance.

The cost to charge patrons for electric usage far exceeds the cost of the electricity, so businesses would effectively be forced to pay for the fueling of employee or patron charging. Additionally, mandates would require building owners to maintain charging equipment for private vehicles at their expense.

Parking

If parking spaces are not reserved for EV's only, the electrical infrastructure would be wasted whenever non-EV's park in the spaces.

If EV parking spaces are reserved in excess of the demand, the spaces are wasted.

Charging stations on private property do not provide any public access or benefit.

An impact example

Mandated amperage requirements would have serious, unnecessary effects on the service size for a building. We have installed hundreds of charging stations safely on existing services utilizing the existing electrical infrastructure.

Using a 30,000 sf building with 100 required parking spaces fed by a 480V service and assuming the proposed 20% required 40 amp (9.6KW) EV ready spots with 2% installed Level 2 chargers as an example:

- A typical office space at 10w/sf requires a service size of 300KW or 361 amps which is a 400amp service
- 20 required 40 amp (9.6KW), EV ready spots with 2 installed Level 2 chargers.
- $20 \times 9.6\text{KW} = 192\text{KW}$ or 6.4w/sf, 231amps. This is a 64% increase in service load which will cause an increase in the main service size
- The EV ready outlets will require an 800amp 208V distribution panel fed by a 225KVA transformer.
- Hundreds of feet of conduit and thousands of feet of wiring are necessary for these EV ready spaces
- Additional room to house the additional electrical equipment
- Only 19.2KW would be mandated to be used initially so the office service will be oversized for the actual use, creating major inefficiencies and waste.

Conclusion

EV readiness mandates create costly, unnecessary burdens on the private sector while serving a small percentage of the driving public for the next decade. They will not solve any public safety concern and could cause waste.

I encourage municipalities to convert their fleets to electric vehicles and install charging stations to serve them in locations that may also be available to the public. Actual experience and data could be used to help guide future decisions. I also believe that taxpayers would benefit from lower operation costs of municipal, electric fleets.

I also encourage municipalities to work with existing fuel providers in existing locations to help solve future needs.



Proposed Electric Vehicle Readiness Ordinance



Board & Staff Feedback



Draft Ordinance/Workshopped with Boards

- 4/2/2019 KWPB&S Work Session
- 4/2/2019 KWPB&S Advisory Board Monthly Meeting
- 4/16/2019 Economic Development Advisory Board Monthly Meeting
- 4/23/2019 Planning & Zoning Board Monthly Meeting
- 4/24/2019 Utilities Advisory Board Monthly Meeting
- 5/2/2019 Transportation Advisory Board Monthly Meeting

Presented to Commission

- 6/24/2019 City Commission Monthly Meeting-Discussion Item
- 11/11/2019 City Commission Worksession

Revised Draft

Separates single family residential and multi-family res. & non residential requirements into 2 ordinances; Requires 1 charging station for developments requiring 25 spaces or more, 2 stations for 50 spaces or more and at least 2% for 100 spaces or more; includes relatively minor technical updates resulting from City Board, Commission, Staff and External Experts discussions



Electric Vehicle (EV) Background



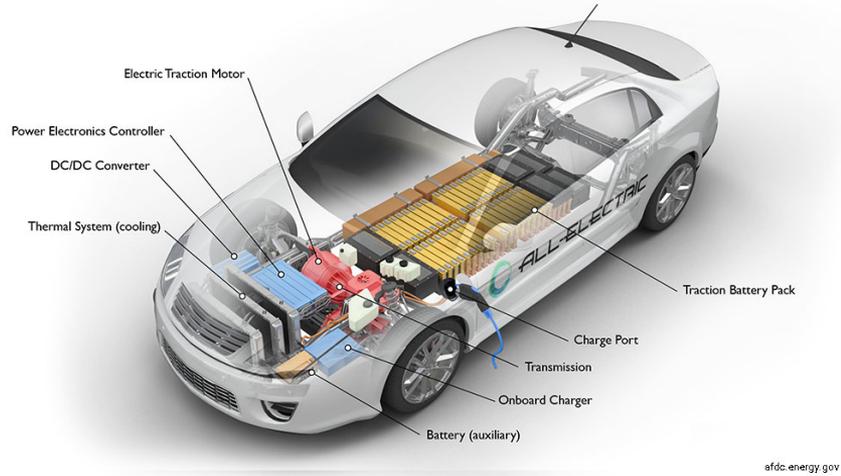
- Over 60,000 EVs are currently registered in the State of Florida, with nearly half of those vehicles being in the Central Florida Region
- The number of EVs on the road is projected to reach 18.7 million in 2030, this about 7 percent of the 259 million vehicles expected to be on U.S. roads in 2030
- Annual sales of EVs will exceed 3.5 million vehicles in 2030, reaching more than 20 percent of annual vehicle sales in 2030
- To date, the majority of EV charging occurs at home. However, having charging infrastructure at workplaces or in public settings allows EV owners to drive more miles on electric, enables longer trips, and reduces range anxiety





Electric Vehicles 101

All-Electric Vehicle



All-electric vehicles (EVs) use a battery pack to store the electrical energy that powers the motor. EV batteries are charged by plugging the vehicle in to an electric power source.

AC Level 1 Charging	AC Level 2 Charging	DC Fast Charging
2 to 5 miles of range per 1 hour of charging	10 to 20 miles of range per 1 hour of charging	60 to 80 miles of range per 20 minutes of charging
 J1772 charge port	 J1772 charge port	 J1772 combo CHAdeMO Tesla combo
<p>AC Level 1 equipment (often referred to simply as Level 1) provides charging through a 120 volt (V) AC plug. Most, if not all, plug-in electric vehicles (PEVs) will come with an AC Level 1 cordset, so no additional charging equipment is required. On one end of the cord is a standard NEMA connector, (for example, a NEMA 5-15, which is a common three-prong household plug) and on the other end is an SAE J1772 standard connector. The SAE J1772 connector plugs in to the car's J1772 charge port, and the NEMA connector plugs in to a standard NEMA wall outlet.</p> <p>AC Level 1 is typically used for charging when there is only a 120V outlet available but can easily provide charging for all of a driver's needs. For example, 8 hours of charging at 120V can replenish about 40 miles of electric range for a mid-size PEV.</p>	<p>AC Level 2 equipment (often referred to simply as Level 2) offers charging through 240V (typical in residential applications) or 208V (typical in commercial applications) electrical service. Most homes have 240V service available, and because AC Level 2 equipment can charge a typical EV battery overnight, it will commonly be installed at EV owners' homes for home charging. Level 2 equipment is also commonly used for public charging. This charging option can operate at up to 80 amperes and 19.2 kW. However, most residential AC Level 2 equipment operates at lower power. Many of these units operate at up to 30 amperes, delivering 7.2 kW of power. These units require a dedicated 40-amp circuit.</p> <p>AC Level 2 equipment uses the same SAE J1772 connector and charge port that Level 1 equipment uses. All commercially available PEVs have the ability to charge using AC Level 1 and AC Level 2 charging equipment. Although Tesla vehicles do not have a J1772 charge port, Tesla does sell an adapter.</p>	<p>Direct-current (DC) fast charging equipment, sometimes called DC Level 2 (typically 208/480V AC three-phase input), enables rapid charging along heavy traffic corridors at installed stations. There are three types of DC fast charging systems, depending on the type of charge port on the vehicle: a J1772 combo, CHAdeMO, or Tesla.</p> <p>The J1772 combo (also known as the combined charging system or CCS) connector is used by Chevrolet and BMW and is unique because a driver can use the same charge port when charging with Level 1, 2, or DC Fast equipment. The only difference is that the DC Fast Charge connector has two additional bottom pins.</p> <p>The CHAdeMO connector is the most common of the three connector types and is used by Nissan, Mitsubishi, and Toyota.</p> <p>Tesla vehicles have a unique charge port and connector that works for all their charging options including their fast charging option, called a supercharger.</p>



Electric Vehicle (EV) Benefits



- Produce Fewer Emissions
 - Zero Direct, Tail-Pipe (improve local air quality)
 - Lower Life Cycle Emissions (electricity fuel/RE mix)
- Quieter and more livable streets
- Energy Security (U.S. produced energy)
- Increased utility revenue
- Fuel and maintenance cost savings to drivers (stable rates)
- Policies which reduce pollutants in the air ultimately protect public health, safety and welfare of residents and visitors
- Consistent with the City's Vision and Sustainability Goals



Why implement an EV Ordinance?



- **Costs to make parking EV ready during construction are typically small**, but can be very expensive for building owners and tenants to install EV charging later – investing in EV readiness typically saves around 75% compared to retrofit costs.
- **As a percentage of total new construction costs, costs are typically very low** – an estimated 0.13%-0.17% of project costs in one study of multi-family
- Garages can last over 50 years, and parking spaces over 20 – **investing at the time of new construction can save substantially for future EV drivers.**
- Adding EV charging or capability **is increasingly becoming an important amenity for tenants and customers**



Definitions

Electric vehicle: any motor vehicle **operates either partially or exclusively on electric energy.** Electric vehicles (EVs) include: (a) Battery-powered electric vehicles; (b) Plug-in hybrid electric vehicles; (c) electric motorcycles; and (d) Fuel cell vehicles.

Electric vehicle charging level: standardized indicators of electrical force, or voltage, amps and kilowatts by which an electric vehicle's batteries are recharged. The terms Level1 (L1), Level2 (L2), and Level3 (L3) are the most common charging levels

Electric vehicle charging station: battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Electric vehicle charging station infrastructure: means **conduit/wiring, structures, machinery, and equipment** necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

Electric vehicle parking space: off-street parking space that is equipped with an electric vehicle charging station that is exclusively for use by electric vehicles



EV Capable: Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.



EV Ready: Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet (typical clothing dryer outlet).



EVSE Installed: Install a minimum number of Level 2 EV charging stations.

What materials are involved in EV readiness?



Panel space



Conduit



Wiring



NEMA socket



(Home) EVSE



Florida EV Ordinances

➤ Commercial

- Boca Raton
- Boynton Beach
- Coral Gables
- Miami Beach (Fee in Lieu Option)
- Miami Dade County
- Surfside

➤ Residential

- Hollywood

➤ Working with City of Orlando and Orange County on consensus language, engaging stakeholders:

- Greater Orlando Builders Association (GOBA), Commercial Real Estate Development Association (NAIOP), Building Owners and Managers Association of Florida (BOMA FL)

	EV Capable: Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.
	EV Ready: Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet (typical clothing dryer outlet).
	EVSE Installed: Install a minimum number of Level 2 EV charging stations.

Source: City of Orlando, Creating an Electric Vehicle-Ready Region

KNOW YOUR EV CHARGING STATIONS		
AC Level One	AC Level Two	DC Fast Charge
VOLTAGE 120V 1-Phase AC	VOLTAGE 208V or 240V 1-Phase AC	VOLTAGE 208V or 480V 3-Phase AC
AMPS 12-16 Amps	AMPS 12-80 Amps (Typ. 32 Amps)	AMPS 4-125 Amps (Typ. 60 Amps)
CHARGING LOADS 1.4 to 1.9 kW	CHARGING LOADS 2.5 to 19.2 kW (Typ. 7 kW)	CHARGING LOADS 40 kW (Typ. 50 kW)
CHARGE TIME FOR VEHICLE 3-5 Miles of Range Per Hour	CHARGE TIME FOR VEHICLE 10-20 Miles of Range Per Hour	CHARGE TIME FOR VEHICLE 80% Charge in 20-30 Minutes

Source: Utah Drive Electric

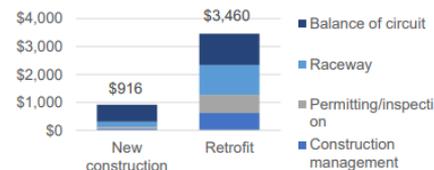


DRAFT EV ORDINANCE Readiness Requirement for Multi-Family and Non Residential



- **Readiness Requirement for Multi-family and Non-Residential** (Commercial, Office, Central Business District, Industrial)
 - **Townhouse fee-simple or Condominium multi-family residential projects and properties with more than three individual units**, either with **individual garages** for each unit or with **underground parking garages** serving the majority of the units, shall be constructed to provide a **220-240-volt / 40 amp outlet on a dedicated circuit within the garage** and in close proximity to **one designated vehicle parking space per unit** to accommodate the potential future hardwire installation of, at the minimum, a Level-2 vehicle charging station.
 - **Multi-family residential properties with common use surface parking or spaces within an above grade parking garage, and non-residential properties with surface parking or spaces within an above grade parking garage**, shall provide the **electrical capacity and buried raceway** necessary to accommodate the future hardwire installation, at the minimum, a Level-2 vehicle charging station, for a **minimum ratio of 20% of the total required parking spaces**.

Per parking space costs for EV Ready



Case study of a multi-family or commercial parking lot with 10 spaces, 2 of which would be EV-ready

Source: City of Orlando,
Creating an Electric Vehicle-Ready Region



DRAFT EV ORDINANCE

EV Charging Station Install Requirement for Development of a Certain Intensity



➤ Electrical Vehicle Parking Space Requirement for Development of a Certain Intensity

- All sites in which multifamily residential, commercial, office, institutional or industrial uses, or any combination thereof, are **required to provide 25 or more motor vehicle parking spaces**, shall provide a **minimum of one (1) electric vehicle charging station**; if **required to provide 50 or more parking spaces**, then **two (2) electric vehicle charging stations** and if **required to provide 100 spaces** or above, then **two (2%) percent** of the required off-street parking shall have electric vehicle charging stations (such spaces shall be counted toward meeting the overall parking requirement)

Groups A, B, E, I, M, R-1, R-2, S-2	
New Costs for EVSE infrastructure per space (30ft-120ft)	Retrofit Costs for EVSE infrastructure per space
\$850-\$1,650	\$3,500-\$12,500
	Average surface retrofit: \$6,975
	Average garage retrofit: \$3,750

Source: City of Atlanta, GA

KNOW YOUR EV CHARGING STATIONS		
AC Level One	AC Level Two	DC Fast Charge
VOLTAGE 120V or 240V AC	VOLTAGE 208V or 240V 3-Phase AC	VOLTAGE 500V or 600V 3-Phase AC
AMPS 12-16 Amps	AMPS 12-100 Amps (Typ. 32 Amps)	AMPS ~150 Amps (Typ. 160 Amps)
CHARGING CAPACITY 1.4 to 1.9 kWh	CHARGING CAPACITY 2.5 to 20 kWh (Typ. 7 kWh)	CHARGING CAPACITY 400 kW (Typ. 500 kW)
CHARGING TIME FOR FULL CHARGE 5-8 Miles of Range Per Hour	CHARGING TIME FOR FULL CHARGE 10-20 Miles of Range Per Hour	CHARGING TIME FOR FULL CHARGE 0-30 Minutes

Source: Utah Drive Electric



Orlando & Orange County Consensus Language



	EV Capable		EV Ready		EVSE Installed	
	Winter Park	Orlando & OC	Winter Park	Orlando & OC	Winter Park	Orlando & OC
Townhomes, Condos			1 space/unit	1 space/unit		
Multifamily, Hotel, Parking Structures	20%	20%			25 spaces-1 station; 50 spaces-2 stations; 100 spaces-2% of req. spaces	
Non-residential	20%			20%	25 spaces-1 station; 50 spaces-2 stations; 100 spaces-2% of req. spaces	250+ spaces - 2% of req. spaces
Industrial (employee only)				20%	25 spaces-1 station; 50 spaces-2 stations; 100 spaces-2% of req. spaces	250+ spaces - 2% of req. spaces