



**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
BUILDING DIVISION  
POLICY AND PROCEDURE**

**TO BE REVISED**

**Rebecca D. Caldwell, Director**

**PPM#: PBO-111  
Issued: 04/20/12  
Effective: 04/20/12**

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**SUBJECT: ANNUAL PERMITS WITH RANDOM INSPECTIONS FOR CODE COMPLIANCE ASSURANCE (a/k/a DECAL PROGRAM)**

**AUTHORITY:** Sections 102, and 105 Palm Beach County Amendments to the Florida Building Code; Florida Building Code, Existing Building; Fee Ordinance 2009-038, as revised; Florida Statutes 468.631, 553.721, and 553.80

**PURPOSE:** To promote code compliance of replacement components and minor work designated in the fee ordinance in residential dwelling unit buildings, through Contractor pre-qualification, prepayment of fees, and with random inspections to verify code compliance when property owners select participation. The procedure will apply only on specific identified types of work, when permitted in advance of the work, by prepayment of Annual Program and Decal fees, and when specific individual plan review is not required, and Random procedure is authorized in the Ordinance 2009-038 and Palm Beach County Chapter 1 Amendments to the Florida Building Code, as revised.

**POLICY:** The Inspections Section is responsible for the administration of construction under this program. The initial Contractor enrollment shall be deemed acceptable by the appropriate trade Chief Inspector or their Superiors, along with the endorsement of the Assistant Deputy Building Official of Inspections. An annual enrollment fee and registration fees per decal will be assessed for the program, according to the Board of County Commissioners' last approved fee schedule, plus the state surcharge required by Florida Statute, as amended. Random inspections for code compliance will be performed on work based upon the returned Contractor's Certifications, providing registration number from applied Decals.

The Annual Program Permit will be issued for the calendar year. Annual Program Permits will be closed on the last business day of each calendar year. Additional registration decals may be purchased as needed by the contractor during the calendar year. Any unused decals for a calendar year may be returned in the first quarter for the renewal year for financial credit (based on original purchase price) on new decals for the following calendar year. The selling of or gift of decals to another Contractor shall terminate both Contractors from the Annual Permit Program at once.

The Contractor's continued participation in the program is based upon the findings of acceptable code compliance from the random inspections, with other applicable laws, and compliance with ordinances. Upon finding repetitive, unsatisfactory code compliance (in excess of 25% failure on initial inspections or having failed inspections three (3) times for the same code violation), the Contractor will be informed of loss of privilege for a minimum of 1 year, to participate in the program, at the sole discretion of the trade Chief and the Assistant Deputy Building Official for Inspectors.

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Violations of applicable laws and ordinances will be reviewed by the Building Official or designee, for a determination of removal. Appeals of negative actions will be determined by the Building Official.

No work requiring specific individual plan review to verify code compliance will be done under this program. However, minor non-structural work covered by Master approved plans may be allowed as determined by the Building Official. A copy of the Master approved plan must be onsite for inspections. Written assurances shall exist that establish the property owners have been notified (***in advance*** of any work being done) of their option of paying for a traditional separate permit, and receiving a specific inspection performed by County personnel; and of their responsibility to allow inspection if the installation is chosen for a quality assurance inspection. Work performed without the prior written assurance of the owner's notification and acceptance of this alternative permitting program may form the basis for the Contractor's suspension from this program. Suitable work for this program shall only require visual inspection and/or minor testing to determine code compliance.

**Residential occupancy changes such as condominium conversions are not included in this program. "Common Area" work is not included in this program.** No work done under this program constitutes a substantial improvement or repair of substantial damage as defined by the National Flood Insurance Program, and all work must be installed at or above the existing floor elevation of the habitable area of the dwelling unit. This installation elevation must be certified by the participating mechanical contractor on the required contractor certification form.

Examples of work allowed under this program are:

**MECHANICAL**

- Residential Dwelling Unit Air Conditioning Change Outs

**PLUMBING**

- 1 & 2 Family Dwelling Hot Water (HWH) and Pool Heater Replacements that are currently hard wired. Replacements of plug in heaters require a specific permit and inspection.

**ELECTRICAL**

- Residential Low Voltage when part of the dwelling unit

**DEFINITION:**

- Residential components shall mean a part of an original operating system.
- Minor nonstructural works are those designated for Random Inspection in the current fee ordinance.

**PROCEDURES:**

**A. PERMITTING PROCEDURE**

1. Contractors shall submit a complete Annual Decal Program Application to the Decal Secretary for processing, and requesting approval to participate in the program. The application shall outline the proposed scope of work for the Annual Program Permit under "Type of Work Allowed". The Annual Decal Program Application shall have a specific eligible scope of work associated with it. Other eligible trade work shall be under separate Annual Permits. The initial number of registration decals requested shall be included on the Decal Program Application. Inspection staff shall review the Contractor's permitting history to determine if past code compliance performance is suitable, defined as 75% or more passed initially. After a successful review of the Contractor's permitting history, the Decal Secretary shall create a monitoring file for the Contractor. The appropriate Chief shall acknowledge approval of the Contractor for acceptance into the Permitting Program on the "Building Division Use Only" section of the application".

2. Application tracking number will be assigned and a review fee assessed. An annual fee shall be assessed in accordance with the fee schedule, as amended, and must be paid in full before decals are dispersed. The fee for each decal shall be under the current fee ordinance. A program acceptance letter for the appropriate trade shall be issued to the Contractor. The specific scope of work shall be listed for the permit. The Decal Secretary shall assess the permit fee and the additional fee for each decal requested.
3. The Decal Secretary shall route the program acceptance and decals to the cashier for distribution.
4. After paying the balance due at the Cashier, the Contractor will receive his/her program acceptance letter and initial supply of decals. The Cashiers will keep an accounting record of program participants and decals issued to Contractors.
5. Subsequent Decal purchases shall be processed under to the Annual Permit Program by submitting an order form to the Decal Secretary. The fee for the order will be the number of additional decals requested multiplied by the price per decal in the current fee ordinance, plus the state surcharge required by Florida Statute, as amended.

## **B. OPERATING PROCEDURE**

1. The contractor's certification form for the decal work done shall be transmitted to the Decal Secretary within three (3) working days of the contractor's work. Each form shall bear the registration number from the decal affixed to the decal work done, Contractor's license number, qualifier's signature and complete owner's selection information. State Law requires an Owner's Notice of Commencement (NOC) to be filed if work exceeds \$2,500, or equal to or greater than \$7,500 for Air Conditioning change outs, so contractors shall ensure this is accomplished before work. Any random inspections on jobs exceeding these thresholds are required to submit a certified copy of the recorded NOC.
2. Upon receipt of each contractor's certification form, the Decal Secretary shall review it for completeness, and retain it in the Contractor's monitoring file which may be electronic or hard copy. The Decal Secretary shall create a monthly report of all file activity.
3. The Decal Secretary and Chief Inspectors shall schedule Random Code Compliance Inspections using the property owner's contact information on the contractor's certification form. After the Code Compliance Inspection, any unfavorable inspection results shall be sent, in writing, to the Contractor. Upon receipt of an unacceptable inspection result, the Contractor shall, within one week, inform the Decal Secretary that the specific code violation(s) reported have been corrected, and, shall pay a Re-inspection Fee. The Decal Secretary shall schedule re-inspection until code compliance is achieved.
4. Each trade Chief may increase the ratio of Code Compliance Inspections for any Annual Permit when, in his sole opinion, the Contractor needs closer observation. When there is evidence demonstrating the Contractor's repeated non-compliance with the codes to the trade Chief, the Chief shall recommend to the Assistant Deputy Building Official of Inspections that said Contractor be removed from the program. Removal from the program will require the Contractor to return to the traditional permit process, followed by specific on site inspections for each future permit. Removed Contractors shall return unused decals for financial refund, less a processing fee. The selling or giving of decals to another Contractor shall immediately terminate both Contractors from the program. Contractors may appeal removal decisions to the Assistant Deputy Building Official of Inspections and then to the Building Official and then the Construction Board of Adjustments and Appeals.

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Any removed contractors caught doing work without required permits in advance, shall be charged with Willful Code Violation, which may impede future permit rights. This shall include plumbers installing larger capacity electric conductors in a HWH circuit, and mechanical contractors installing component units lower than the finish floor elevation of the habitable area of the dwelling unit, among other actions.

### **C. CONTRACTOR RESPONSIBILITIES:**

1. Inform owners of the permitting options available and the cost for the conventional “in advance” permitting process followed by on-site inspections of all work vs. the Random Inspection program. This prior knowledge shall be confirmed by the owner’s or authorized representative’s initialed checkmark selecting the option, and witnessed signature, electing the Annual Permit with Random County inspections on the owner’s selection statement form. The owner’s selection statement form shall be printed on the reverse side of the contractor’s certification form, and it shall provide contact information for County Inspectors arranging Random Code Compliance Inspections with property owners. State Law requires an Owner’s Notice of Commencement to be filed if work exceeds \$2,500, or equal to or greater than \$7500.00 for Air Conditioning change outs, so contractors shall ensure this is accomplished before work.

2. The Contractor shall purchase pre-numbered decals for the registration of all decal work done. The Contractor shall purchase the decals in advance. One decal is required to be placed on all replacement components by the Contractor on each job. Subsequent additional decals may be purchased during the life of the Annual Permit. Failure to place a registration decal on all replacement components or failure to report installations within three working days after installation shall also be reason for contractor removal from the Random Inspection program.

3. A decal shall be affixed, and readily visible, on all work done, and shall bear the county assigned individual registration number for tracking purposes, and Random Code Compliance Inspections.

4. The Contractor shall educate their technical trade staff that all work shall comply with the technical codes and the trade Chief’s guidelines. The Random Code Compliance Inspections must reveal a work history free of patterns of non-code compliance, or customer complaints.

5. Plumbers shall assure electric HWH breaker capacity is adequate for replacement and that a proper disconnect exists.

6. All contractors shall assure that all work is installed at or above the existing floor elevation of the habitable area of the dwelling unit. This installation elevation must be certified by the participating mechanical contractor on the required contractor certification form.

### **D. INSTALLATION DETAILS**

1. Since this Random Inspections Program only applies to replacement components and minor work in residential buildings, the conditions of Florida Building Code, Existing Building shall allow replacements to be installed as the original code compliant equipment.

2. Note that flexible connection of hot water heaters has never been allowed by National Electric Code, so replacements for plug-in water heaters shall require conversion to

hardwiring of the replacement under the Prepaid Annual Permit Program, which assures specific county inspection of all electric work. Any rewiring to install greater capacity conductors in a HWH circuit shall be permitted and performed by a licensed electric contractor.

3. All work must be installed at or above the existing floor elevation of the habitable area of the dwelling unit.

**Supersession History:**

1. PPM# PBO-111, issued 03/17/03
2. PPM# PBO-111, issued 03/17/03
3. PPM# PBO-111, issued 03/20/03
4. PPM# PBO-111, issued 08/04/03
5. PPM# PBO-111, issued 09/19/03
6. PPM# PBO-111, issued 09/22/03
7. PPM# PBO-111, issued 10/08/03
8. PPM# PBO-111, issued 05/05/04
9. PPM# PBO-111, issued 01/05/05
10. PPM# PBO-111, issued 01/16/05
11. PPM# PBO-111, issued 02/14/05
12. PPM# PBO-111, issued 12/05/05
13. PPM# PBO-111, issued 11/30/11
14. PPM# PBO-111, issued 04/20/12

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Director