



# **Alachua County Building Division Standard Operating Procedure**

## **Alternative Plan Review / Private Provider Services**

### 1. Introduction

1.1. This Standard Operating Procedure (SOP) is designed to provide policies and procedures for private providers engaged in alternative plans review and inspection services and for the Alachua County Building Division in compliance with Sec. 553.791, Fla. Stat.

### 2. Definitions

2.1. All terms are as defined in Sec. 553.791(1), Fla. Stat.

### 3. Owner Options for Building Code Inspection Services

3.1. The fee owner or the fee owner's contractor of a building or structure may choose to use a private provider to provide building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services.

3.2. If the fee owner or the fee owner's contractor uses a private provider to provide plans review, the Alachua County building official, in his or her discretion and pursuant to duly adopted policies of the building division, may require the fee owner or the fee owner's contractor to use a private provider to also provide required building inspections.

3.3. A fee owner or the fee owner's contractor, using a private provider to provide building code inspection services per a time consistent with Sec. 553.791 Fla. Stat.

3.3.1 A fee owner or the fee owner's contractor, using a private provider to provide building code inspection services shall notify the Alachua County building official at the time of permit application on a form adopted by the Florida Building Commission and add the private provider as a contact within the Citizenserve software and identify that a private provider is being used in the first line of the description.

Example: *Private Provider – Private Provider Company Name, LLC.*

3.3.2. A fee owner or the fee owner's contractor, using a private provider to provide building code inspection services, shall notify the Alachua County building official by 2 p.m. local time, 2 business days before the first scheduled inspection if a private provider will be performing required inspections for the structure.

3.3.3. If not elected under 3.3.1 and 3.3.2, if after construction has commenced and if the Alachua County building official is unable to provide inspection services in a timely manner, the fee owner or the fee owner's contractor may elect to use a private provider to provide inspection services by notifying the Alachua County building official of the owner's or contractor's intention to do so by 2 p.m. local time, 2 business days before the next scheduled inspection on a form adopted by the Florida Building Commission.

3.4. A timely manner for the Alachua County building official to perform scheduled inspections shall be considered, by the County, to be inspections performed by the building division the next business day; more than 3 inspections missed on the next business day shall constitute "unable to provide services in a timely manner".

3.5. If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 2 business days after any change or within 2 business days before the next scheduled inspection, update the notice to reflect such changes.

#### 4. Private Provider Responsibilities

4.1. A private provider performing plans review shall review the plans to determine compliance with the applicable codes and place an electronic stamp indicating as such.

4.2 A private provider upon determining that the plans reviewed comply with the applicable codes, shall prepare an affidavit or affidavits certifying, under oath, that the following is true and correct to the best of the private provider's knowledge and belief:

***The plans were reviewed by the [affiant], who is duly authorized to perform plans review pursuant to Florida Statute and holds the appropriate license or certificate, and the plans comply with the applicable codes.***

4.3. All submittals are required to be submitted electronically to the Alachua County building official through Citizenseve. All submittals must comply with the digital signature and digital/electronic seal requirements of Chapter 471 and Chapter 481, Fla. Stat.

4.4. Documents for deferred submittal items shall be submitted to the registered design professional in charge who shall review them and forward them to the Alachua County building official, through Citizenseve, with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The documents must be reviewed and approved by the private provider. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the Alachua County building official.

4.5. When the Alachua County building official issues a permit, one set of approved construction documents shall be kept at the site of work and shall be open to inspection by the Alachua County building official or a duly authorized representative. FBC-B 107.3.1

4.6. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be

resubmitted by the private provider as a revision to the permit for review and approval by the reviewing entity for the permit. FBC-B107.4

## 5. Plan Review and Permit Fees:

5.1. County fees for plan review and permitting shall be reflected in the annual adopted fee schedule of Alachua County. Consistent with Florida Statutes, the adopted fees for private provider services shall be reduced from the full fee for plan review and inspection services. Fees reflect the County's costs for processing, issuance of the permit and certificate of occupancy, scheduling, and processing and archiving plans and permit history in the public record.

5.2 Verifications of performance provided per Sec. 553.791(9), Fla. Stat. or audits performed per Sec. 553.791(19), Fla. Stat. shall only be charged further fees upon detection of a violation of the building code or a permit requirement resulting in a notice of deficiency.

## 6. Private Provider Authority

6.1. A private provider and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification under Chapter 468, Chapter 471, or Chapter 481, Fla. Stat.

6.2. The individual performing private provider inspections shall be registered in the Citizenseve Reporting System. 6.3. A private provider may not provide building code inspection services pursuant to Florida Statute upon any building designed or constructed by the private provider or the private provider's firm.

## 7. Permit Issuance

7.1. No more than 20 business days after receipt of a permit application and the affidavit from the private provider, the Alachua County building official will issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections.

7.2. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies or to submit revisions to correct the deficiencies.

7.3. If the permit applicant submits revisions, the Alachua County building official has the remainder of the tolled 20-day period plus 5 business days from the date of resubmittal to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes.

7.4 When the private provider is a person licensed as an engineer under F.S. Chapter 471 or as an architect under F.S. Chapter 481 and affixes his or her professional seal to the affidavit, the local building official must issue the requested permit or provide a written notice to the permit applicant identifying

the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections, within 12 business days after receipt of the permit application and affidavit.

7.5. Any subsequent review by the Alachua County building official is limited to the deficiencies cited in the written notice.

7.6. If the Alachua County building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the Alachua County building official has an additional 5 business days from the date of resubmittal to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes.

## 8. Inspection Requirements for Private Providers

8.1. A private provider shall inspect each phase of construction as required by the applicable codes and as specified on the approved Permit Documents.

8.2. The private provider shall be permitted to perform the required inspections, and all inspection reports shall bear the signature and license number of the inspector.

8.3. The duly authorized representative must be an employee of the private provider entitled to receive reemployment assistance benefits under Chapter 443, Fla. Stat.

8.4. A private provider performing inspection services may not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, upload to Alachua County's inspection management system, or any other statutorily authorized means such certified copy of the required Notice of Commencement with the jurisdiction. Section 713.135(1)(d), Fla. Stat.

8.5. When a private provider is to perform any required inspections, the private provider or the contractor must schedule the required inspection by requesting it on the Citizenserve software no later than 1:30 a.m. local time. The inspections shall be as listed on the permit card for the project. In the comments section, the inspector who will be completing the inspection will be required to be listed.

8.6. The Alachua County building official will not prohibit the private provider from performing any inspection outside the Alachua County building official's normal operating hours, including after hours, weekends, or holidays, provided the inspection is scheduled on the Alachua County's Inspection Request System consistent with Sec. 8.5.

8.7. A deficiency notice must be reported in the Citizenserve software by the private provider or the duly authorized representative of the private provider whenever a noncomplying item related to the building code or the permitted documents is found within 2 business days. All deficiency notices must be signed by the private provider or the provider's duly authorized representative.

8.8. After corrections are made, the item must be reinspected by the private provider or provider's duly authorized representative before being concealed.

8.9. Upon completing the required inspections at each applicable phase of construction, the private provider shall report the result to the permit in the Citizenserve software. This includes the inspection result and any applicable notes.

8.10. These inspection records shall reflect those inspections required by the applicable codes and as listed on the approved permit card. The inspection shall be requested exactly as listed on the permit card for each phase of construction for which permitting by the Alachua County is required.

8.11. The private provider, shall upload the result to the permit in the Citizenserve software within 2 business days of completing the inspection.

8.12. Records of all required and completed inspections shall be maintained in the Alachua County Citizenserve software.

8.13. The private provider shall report to the Alachua County building official any condition that poses an immediate threat to public safety and welfare.

8.14. Upon completion of all required inspections, the private provider shall prepare a certificate of compliance, on a form acceptable to the Alachua County building official, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that, to the best of the private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes.

The statement required of the private provider shall be substantially in the following form and shall be signed and sealed by a private provider:

***To the best of my knowledge and belief, the building components and site improvements outlined herein and inspected under my authority have been completed in conformance with the Alachua County's approved plans and the applicable codes.***

## 9. Private Provider Registration

9.1. Private providers and duly authorized representatives working within the jurisdiction must register with the Alachua County building official to verify compliance with the licensure requirements of Sec. 553.791(1)(j), Fla. Stat.

9.2. A private provider must provide, to the Alachua County building official, a certificate of insurance evidencing that the coverages required under Sec. 553.791(16), Fla. Stat. are in force.

## 10. Issuance of the Certificate of Occupancy / Completion

10.1. When requesting a certificate of occupancy or certificate of completion, the applicant must present a certificate of compliance and approval of all other government approvals required by law.

10.2. All requirements of Chapter 633, Fla. Stat. will be completed and approved by the Alachua County building official. The Certificate shall indicate full compliance with all fire and life safety inspections.

10.3. A project review will be completed before the Certificate of Occupancy is issued.

10.4. The Alachua County building official will issue the certificate of occupancy or certificate of completion or provide a notice to the applicant identifying the specific deficiencies, as well as the specific code chapters and sections, within 2 business days after receipt of a request.

10.5. If the Alachua County building official determines that the building construction or plans do not comply with the applicable codes, the Alachua County building official may deny the request for a certificate of occupancy or certificate of completion, as appropriate.

10.6. A certificate of occupancy required by FBC-B Section 111 shall not be issued until the floor load signs, required by FBC-B Section 106.1, have been installed.

10.7. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the Alachua County building official has issued a certificate of occupancy therefore as provided by the FBC. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of Alachua County. FBC-B 111.1.

## 11. Alachua County Building Official Authority

11.1. The Alachua County building official or qualified designee shall visit the building site as often as necessary to verify that the private provider is performing all required inspections in manner that is consistent with the FBC. Performance of required inspections by the private provider and verification of such performance by the building official shall include notice of deficiencies consistent Sec. 553.791(9), Fla. Stat. when present.

11.2. A deficiency notice will be reported in the Citizenserve software and emailed to the contractor and private provider by the building division whenever a noncomplying item related to the building code or the permitted documents is found during a performance verification.

11.3. In any case where there has been a deficiency notice, the item must be reinspected by the private provider or representative before being concealed. Failure to obtain a reinspection by the private provider with proper notification to Alachua County as per Fla. Stat. and Alachua County policy may result in possible delays in issuing Certificates of Occupancy or Certificates of Completion.

11.4. If the Alachua County building official determines that the building construction or plans do not comply with the applicable codes, the Alachua County building official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law.

11.5. Deferral of any submittal items, required by the applicable codes, shall have the prior approval of the Alachua County building official. The registered design professional in charge shall list the deferred submittals on the construction documents for review by the Alachua County building official. The documents must be reviewed and approved by the private provider. All plans shall be submitted through the Citizenserve. FBC-B 107.3.4.1.

11.6. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by the Florida Building Code, for which a permit is required, until released by the Alachua County building official.

11.7. If the local building official determines that the building construction or plans do not comply with the applicable codes, the official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, if the official determines that the noncompliance poses an immediate threat to public safety and welfare, subject to the following:

11.7.1. The local building official shall be available to meet with the private provider within 2 business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion.

11.7.2. If the local building official and private provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, if one exists, which shall consider the matter at its next scheduled meeting or sooner. Any decisions by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter.

## 12. Audits:

12.1. Audit Purpose: Periodic audits on individual permits will be conducted by the building division to ensure adherence to applicable codes.

12.2. Audit Scope and Objective: Audits may confirm that the building code inspection services have been performed by the private provider, including ensuring that the required affidavit for the plan review has been properly completed and submitted with the permit documents and that the minimum mandatory inspections required under the building code have been performed and properly recorded.

12.3. Audit Procedures and Processes: The local building official will communicate in writing when the private provider is subject to an audit. This notification will include of applicable permit number(s) being audited. A detailed finding of areas of non-compliance will be provided to the private provider within 14 days of the initiation of the audit. The private provider will then be given 14 days to respond to any areas of non-compliance identified by the local building official.

12.3. The same private provider may not be audited more than four times in a year unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare.

## 13. Review and Revision:

13.1. This SOP will be reviewed periodically to ensure its effectiveness and relevance.

13.2. Any necessary revisions will be made in accordance with changes in legislation or best practices.

14. Communication:

14.1. The building division will establish effective communication channels with private providers to facilitate information exchange and updates.

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Review Date: 1/1/2025

Approved By:

Dan Gargas

Building Official

Distribution:

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Registered Private Providers

Relevant Industry Stakeholders