

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO EXISTING BUILDINGS;  
AMENDING CHAPTER 8 OF THE CODE OF MIAMI-DADE  
COUNTY, FLORIDA (CODE); REVISING PROCESSES  
RELATING TO RECERTIFICATION OF BUILDINGS AND  
COMPONENTS, INCLUDING AMENDING  
RECERTIFICATION PERIODS;  
CONSTRUCTION OF UNDERGROUND PARKING GARAGES  
CONSIDERING THE FUTURE EFFECTS OF SEA LEVEL RISE;  
AMENDING ARTICLE III OF CHAPTER 8 OF THE CODE OF  
MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 8-  
31(E) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA;  
ADOPTING LOCAL TECHNICAL AMENDMENT TO THE  
FLORIDA BUILDING CODE FOR NEW RESIDENTIAL  
MIXED USE AND COMMERCIAL DEVELOPMENTS TO  
PROTECT AND PROVIDE FOR CONTINUED BUILDING  
PERFORMANCE DUE TO SEA LEVEL RISE; REQUIRING  
FUTURE SEA LEVEL RISE PROJECTIONS BE USED IN THE  
CONSTRUCTION OF UNDERGROUND PARKING GARAGES  
IN AREAS OF INCORPORATED AND UNINCORPORATED  
MIAMI-DADE COUNTY; PROVIDING NECESSARY  
TECHNICAL MODIFICATIONS TO THE FLORIDA BUILDING  
**CODE 8TH EDITION (2023)**;  
CONSTRUCTION AND DEMOLITION VIBRATIONS  
AFFECTING NEIGHBORING BUILDINGS AND  
COMPONENTS; ESTABLISHING PROCESS TO SET SAFE  
LEVELS OF GROUND VIBRATION  
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,  
AND AN EFFECTIVE DATE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Chapter 8-11 of the Code of Miami-Dade County, Florida is hereby amended as follows:<sup>1</sup>

**PART 1**

**ARTICLE I. – ADMINISTRATION**

**Sec. 8-10. - Permits.**

(a) In addition to the requirements of Section 104 (Permits) of the Florida Building Code the following shall be required:

(i) To be included drawings as applicable:

\* \* \*

(v) Permits shall be required for the following low voltage work: fiber optics, telephone, television, communications, fire alarms, burglar alarms, computer systems, central vacuums and all other systems seventy-seven (77) volts or less.

(vi) Electrical permits shall be required for all appurtenances, apparatus, or equipment used in connection therewith, inside of or attached to any building or structure, lot, or premises.

>>(vii) Vibrations generated from the permitted construction or demolition shall be monitored and controlled by the project’s engineer of record for the effects on neighboring buildings. Construction vibrations generated from pile driving, deep foundations, or other forms shall conform with the minimum inspection procedural guidelines and vibration peak particle velocities issued by the Board of Rules and Appeals. Vibrations generated from demolition by implosion must also comply with Sec. 13-14. - Adverse effects.<<

(b) The plans examiner shall examine all plans and specifications and if found to comply with the requirements of the Building Code, he or she shall mark the plans "REVIEWED FOR CODE COMPLIANCE".

(c) Upon approval of plans, specifications and application for permit and the payment of the required fee, the Building Official shall issue a weatherproof permit card which shall bear the description of the property, the nature of the work being done, the name of the owner and contractor and other pertinent information: and such card shall be maintained in a conspicuous place on the front of the premises affected thereby during the entire time that the work authorized by the permit is in progress.

---

<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

## **PART 2**

### **Sec. 8-11. - Existing buildings.**

\* \* \*

#### *(f) Recertification of buildings and components.*

##### *(1) Definitions.*

- (A) "Recertification" shall be defined as the requirement for specific inspection of existing buildings and structures and furnishing the Building Official with a written report of such inspection as prescribed herein.
- (B) "Minor buildings or structures" shall be defined as buildings or structures in any occupancy group having an occupant load of 10 or less, as determined by Table 1004.5 (FBC) Minimum Occupant Load of the Florida Building Code and having a gross area of 2,000 sq. ft. or less.
- (C) "Threshold Building" shall be defined as any building which is greater than three stories or 50 feet in height, or which has an assembly occupancy classification as defined in the Florida Building Code which exceeds 5,000 square feet in area and an occupant content of greater than 500 persons, or as otherwise defined by section 553.71, Florida Statutes, which may be amended from time to time.
- (D) "Building Age" shall be defined as the difference between (a) the present year and (b) the year-built information recorded with the County Property Appraiser notwithstanding any renovations or modifications that have been made to the building or structure since the year built.

##### *(2) Recertification Procedures.*

- (A) All buildings, except single-family residences, duplexes, and minor structures as defined above, are required to undergo recertification in the manner described below once such building or structure has reached a Building Age of ~~[[30]]~~ ~~>>25<<~~ years and every 10 years thereafter. However, for any building or structure that has to perform a "milestone inspection," as provided under section 553.899, Florida Statutes, such building or structure is required to undergo recertification in the manner described below when it has reached a Building Age where it is required to undergo a "milestone inspection and such recertification shall serve as compliance with any "milestone inspection" requirements under section 553.899, Florida Statutes.

- (i) However, all buildings and structures built between 1983-199~~[[2]]>>7<<~~ shall be required to undergo an initial recertification no later than December 31, 2024 ~~>>~~ ~~or buildings built between 1998 and~~

1999 shall be required to undergo an initial recertification no later than December 31, 2025<< years on or after July 1, 2022 and shall be required to undergo subsequent recertifications every 10 years thereafter. ~~[[In addition, any buildings or structures built between 1993-1997 that are required to perform an initial "milestone inspection," as defined under section 553.899, Florida Statutes, by December 31, 2024, shall be required to undergo recertification in the manner described below by December 31, 2024 and shall be required to undergo subsequent recertifications every 10 years thereafter.]]~~ These buildings and structures shall not be subject to the early notification requirement outlined in [Section 8-11](#)(f)(2)(E) for their initial recertification.

(ii) For any buildings or structures built on or before 1982, including those that are required to perform "milestone inspections," as defined under section 553.899, Florida Statutes, the recertification requirement shall run from when the building or structure has reached a Building Age of 40 years and subsequent recertifications shall be required every 10 years thereafter.

- (B) Inspection procedures shall conform with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.
- (C) Such inspection shall be for the purpose of determining the general structural condition of the building or structure to the extent reasonably possible of any part, material, or assembly of a building or structure which affects the safety of such building or structure and/or which supports any dead or designed live load, and the general condition of its electrical systems pursuant to the Building Code.
- (D) The Building Official shall provide the owner of the building or structure with a Notice of Required Inspection relating to the required recertification once the Building Official has determined that a building or structure has a Building Age of ~~[[30]]>>25<< years~~ ~~[[or 25 years, as applicable]]~~ and every 10-year interval thereafter (i.e. Building Ages of ~~[[40, 50]]>>35, 45<<~~, etc.). In addition, the Building Official shall provide the owner with advance courtesy notices relating to their forthcoming building recertification two years and one year prior to their recertification anniversary year. Notwithstanding the foregoing, the failure by a Building Official to provide courtesy advance notices shall not affect a building owner's requirement to timely recertify a building or structure.

\* \* \*

- (g) (1) An existing building under ~~[[Chapter 34]]~~ of the Florida Building Code includes any building or structure built with proper permits and completed with all mandatory inspections and for which a Certificate of Completion or Occupancy has been issued and any building or structure, including any part thereof as well as any addition or repair, built without proper permits in which the work performed commenced prior to

March 1, 2002 or permits obtained under the South Florida Building Code which expired without Certificates of Completion or Occupancy having been issued.

- (2) A Certificate of Completion or Occupancy for any existing building built without proper permits or permits which expired may be obtained by applying to the Building Official and fulfilling the following conditions:
  - (a) The owner shall furnish a set of as-built plans of the building or structure;
  - (b) The owner shall furnish an as-built certificate satisfactory to the Building Official issued by a Florida registered engineer or architect and attesting that to the best of his or her knowledge, belief and professional judgment and based on his or her inspection of the structure, the structure:
    - (1) Is structurally sound; and
    - (2) Satisfies the requirements of the Code in effect at the time the work was commenced, indicating the date the work on the structure was commenced from the best available records and the requirements of the Code in effect on that date; and
    - (3) Complies with all requirements of the current code identified in [Section 8-11\(g\)\(2\)\(c\)](#) below; and
    - (4) Complies with the permit application and any plans approved by the Building Official, if applicable.
  - (c) The owner shall comply with the following life-safety requirements of the current Building Code;
    - (1) Means of egress or escape.
    - (2) Requirement of shutters.
    - (3) Residential single station smoke detectors - installed in accordance with NFPA (1999 edition).
    - (4) Requirement for ground fault interruptors.
    - (5) Requirement for full size pressure and temperature relief valve lines on all water heaters.
    - (6) ~~[[Handicapped access]]~~>>Accessibility<< requirements.
    - (7) All gas piping systems shall be bonded to ground
    - (8) Handrails shall be inspected and replaced, if necessary, in full compliance with requirements of the current Building Code.
- (3) The as-built certificate shall contain a narrative description of the methodology utilized to make the determination set forth in the as-built certificate. In issuing the Certificate of

Completion or Occupancy, the Building Official shall be entitled to rely on the accuracy of the as-built certificate.

- (4) Prior to issuing the Certificate of Completion or Occupancy, the Building Official shall conduct an inspection to determine, to the best of his or her ability given the nature of the construction:
  - (a) That the plans submitted reflect the present state of the structure; and
  - (b) That the construction complies with the Building Code in effect at the time the work was commenced; and
  - (c) That the structure complies with all requirements of the current Building Code identified in [Section 8-11](#)(g)(2)(c) above; and
  - (d) That the as-built certificate represents accurately the condition of the structure.
- (5) Notwithstanding the provisions of this Section, the Building Official may at all times continue enforcement of the Code through any authorized means including issuance of a Notice of Violation, recording of the same, commencement of a base before the Unsafe Structures Board and/or the issuance of a civil violation notice. This section shall not be construed or serve as a defense against any enforcement action brought by the Building Official based on the current requirements of the Code.
- (6) The Building Official shall establish a fee for processing applications and to conduct any testing done pursuant to this section >>. <<
- (h) An applicant for a Certificate of Completion or Occupancy for any building or structure built without proper permits or with permits that expired as provided in subsection (g) hereof shall pay the impact fee which would have been applicable on the date upon which construction is demonstrated to have commenced. No refunds of impact fees paid prior to the effective date of this ordinance shall be allowed.

{ADD MISSING SECTION and label it "i" as follows}

>>(i) When installed on threshold buildings, structural glazing systems, shall be inspected by the owner at 6 months intervals for the first year after completion of the installation. The purpose of the inspection shall be to determine the structural condition and adhesive capacity of the silicone sealant. Subsequent inspections shall be performed at least once every 5 years at regular intervals for structurally glazed curtain wall systems installed on threshold buildings.<<

### **PART 3**

## **ARTICLE III. - FLORIDA BUILDING CODE**

### **Sec. 8-31. - Local technical amendments to Florida Building Code.**

\* \* \*

>>(E) The County hereby adopts the following local technical amendments to Chapter 16 (Building) of the Florida Building Code.

1618.2 Below Grade Structures

1618.2.1 Sea Level Rise

1618.2.1.1 Buildings with underground parking garages must comply with this section.

1618.2.1.2 All below-grade structures and the corresponding portions of the structure above must be designed for fully saturated soil conditions to the elevation as determined by Table 1618.2.1 considering a 50-year minimum life span. Provisions in design must be made for the forces resulting from hydrostatic pressure and lateral pressure of adjacent soil. For hydrostatic pressure on any floor below a ground water level, calculations must be based on full hydrostatic pressure, and such floors must be designed for full live load without hydrostatic uplift, and hydrostatic uplift without live load.

1618.2.1.3 The entrance to the below-grade structure must be elevated as provided in Table 1618.2.1 to prevent flooding water infiltration. Any structure below this elevation must be designed for hydrostatic pressure, impact loads, built of flood resistant construction, and dry floodproofed to the determined elevation.

Table 1618.2.1 Sea Level Rise Design

<u>Year (Present + 50)</u>	<u>Projected SLR<sup>a</sup> (ft.)</u>	<u>Properties Located East of US 1 in Miami-Dade County</u>	<u>Properties Located West of US 1 in Miami-Dade County</u>	<u>Anticipated Life Cycle of Underground Structure</u>
<u>2060 to 2079</u>	<u>+2.00</u>	<u>County Flood Criteria Elevation Effective at Initial Permit Request +2.0 feet</u>	<u>County Flood Criteria Elevation Effective at Initial Permit Request</u>	<u>40 to 59 Years</u>
<u>2080 to 2099</u>	<u>+4.00</u>	<u>County Flood Criteria Elevation Effective at Initial Permit Request + 4.0 feet</u>	<u>County Flood Criteria Elevation Effective at Initial Permit Request + 2.0 feet</u>	<u>60 to 79 Years</u>
<u>2100 onward</u>	<u>+6.00</u>	<u>County Flood Criteria Elevation</u>	<u>County Flood Criteria Elevation</u>	<u>Over 80 Years</u>

		<u>Effective at Initial Permit Request + 6.0 feet</u>	<u>Effective at Initial Permit Request + 4.0 feet</u>	
<u><sup>a</sup> Sea Level Rise Change developed from NOAA Intermediate High Values and adjusted to refer to 2022 conditions.&lt;&lt;</u>				

**Section 4.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 5.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 6.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Eduardo W. Gonzalez  
Michael B. Valdes

Prime Sponsor: