

# CITY OF HOLMES BEACH BUILDING DEPARTMENT

**Hours of Operation: 8 a.m. – 3 p.m. Monday – Friday**

**Phone: 941-708-5833 ext. 232**

**Fax: 941-708-5812**

**The following activities require a state certified or locally licensed contractor AND a building permit:** *(an owner can serve as a contractor providing the residence is for their own use or occupancy and does not offer the property for sale or lease within 1 year after CO/CC)*

1. New roofs and re-roofs
2. Windows and doors
3. Attached decks 120 sq. ft. or larger and 30" or higher (with or without a roof)
4. Ramps and elevated walkways
5. New/Replacement of siding
6. Kitchen remodel/Cabinets/Electricity\*
7. Remodel of existing structures where walls are added, deleted, relocated or altered.
8. Fences including masonry and columns
9. Drywall
10. Replacement/Repair of rotten wood
11. New/Replacement of fascia and soffits, siding/cladding
12. Any alteration of electrical, plumbing, mechanical, or gas
13. Additions
14. Commercial alarm system
15. New carport, porch, and screen room
16. Water heaters
17. Propane tanks (including hook-ups, excluding 20 lb. portable tanks)
18. Air conditioners (excluding portable window units)
19. Back-flow preventer's (includes irrigation system back-flows)
20. Sheds (includes prefabricated)
21. Concrete slab with footers
22. Swimming pools and spas
23. Foam insulation on commercial property

\*Kitchen cabinets that are being replaced like for like, with NO other work being done or changes being made (including MEPs (mechanical, electrical or plumbing)) and not part of a larger renovation project, in single-family and duplex units (that **do not** have an active Vacation Rental Certificate) are exempt from permitting.

## Will I Need a Permit or a Contractor?

*The following are basic “rules of thumb” and answers to common questions about the building code and permitting process. Please be aware that although these questions and answers apply to the planning of work on residential single-family homes, duplexes, rentals, condominiums and commercial properties there may be other City requirements set forth in the Land Development Code that could affect your project.*

### What is the City’s Building Code?

Currently, Holmes Beach is under the 2023 Florida Building Codes with amendments which was adopted by ordinance and authorized by State Statute 553 Florida Building Construction Standards. Authorization for updating these codes lies with the Florida Building Commission as directed by enabling legislation. The city enforces the most current version of these codes as amended periodically by the Florida Building Commission.

### When is a permit required?

A permit is required to construct, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system; the installation of which is regulated by the Florida Building Code.

When considering work, here are some questions to ask yourself about your project:

- Am I going to hire someone to do the work?
- Am I in a multi-family building (3 units or more)?
- Do I need approval from my HOA or Property Manager?
- Am I disassembling any plumbing, electrical, gas or venting?
- Am I changing the existing footprint of the structure (changing interior walls, enlarging or adding a room, etc.)?
- Am I changing life safety devices such as smoke detectors or sprinkler heads?
- Will my project affect the drainage of the property?

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

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

### Permit Exceptions:

- ✓ Replacement of light fixtures, ceiling fans and plumbing fixtures (faucets, tubs, sinks, toilets, etc.) does not require a permit unless **additional wiring or plumbing is required (and then only the additional electrical or plumbing work requires a permit).**
- ✓ Replacement of household appliances such as dishwashers and washing machines does not require a permit unless **additional wiring or plumbing is required (and then only the additional electrical or plumbing work requires a permit).**
- ✓ Changing wall finishes such as painting, interior or exterior, and/or wall coverings such as wallpaper, wallboard or tile, does not require a permit ***except bathtub or shower areas which must be waterproofed.***
- ✓ Replacement of kitchen or bath cabinetry in **their original locations** and **configuration** does not require a permit unless **additional wiring or plumbing is required (and then only the additional electrical or plumbing work requires a permit).**
- ✓ Changing carpeting and floor covering does not require a permit.
- ✓ Installing a dish antenna 18" or smaller in diameter does not require a permit.

**Exemption by State Statute 553, new Florida Building Code (FBC) 104.1** permits shall not be required for the following mechanical work:

- ✓ Any portable heating appliance (plug-in)
- ✓ Any portable ventilation equipment (plug-in)
- ✓ Any portable cooling unit (plug-in)
- ✓ Any self-contained refrigeration system containing 10 lbs. (4.54 kg) or less of refrigerant and actuated by motors of 1 (one) horsepower (7-6 W) or less.
- ✓ Any portable evaporative cooler (plug-in)



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

### Who can apply for a permit?

Any property owner or an authorized agent or a State Licensed contractor may apply for a permit for work on a single family detached home. Owners cannot pull permits in multi-family (3 or more units) or for rental or leased properties. All permitted work on multi-family dwellings will require a State Licensed contractor. Owners of commercial property may apply for minor permits under certain circumstances. The Building Official should be contacted directly with questions regarding commercial permitting requirements.

### **As a homeowner, why can I not do the work myself without a permit or a licensed contractor?**

If you live in a condominium or similar multifamily structure, the state requires you to hire a licensed and insured contractor, so your neighboring properties are provided with the required degree of protection.

If you live in a homesteaded single-family home, you may do your own work but still must file plans and obtain permits demonstrating all Florida Building Code requirements are met. Be aware that as a means of addressing problems with unlicensed contractor fraud, the state enacted requirements causing a one-year delay for the sale or renting of homes where owners pulled their own permits. A homeowner's affidavit is required as part of the permitting process to ensure enforcement of this request.

### **What is the FEMA "50% rule?"**

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

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

### **How much does a permit cost?**

Permit costs vary based on the value of the contracted work and extent of the scope of work that are in the application comments, plan review, code compliance research, inspections, the required cost evaluation for properties below the BFE (base flood elevation) and completion process.

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

The main reason for these differences is that the entire island is designated by FEMA as a **Special Flood Hazard Area (SFHA)**. The city also participates in the National Flood Insurance Program (NFIP). Flood and wind protection criteria are stricter than mainland criteria due to the physical nature of a barrier island. Florida Department of Environmental Protection permits are required for all structures west of the state's Coastal Construction Control Line (roughly all property west of Gulf of Mexico Drive).

### **Why does the city adopt such strict requirements?**

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

The city has enforced the statewide Florida Building Code. It always has been a goal for the Island to abide by these standards to help the community maintain its high level of appeal and protect the property investments of the residents. Holmes Beach participates in the NFIP and CRS (Community Rating System) to reduce flood insurance rates for the residents.

### **Why does the city let someone take so long to build a home?**

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

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

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

To help preserve the lifestyle of Holmes Beach, the City Code prohibits construction noise before 7:00 A.M. and after 7:00 P.M. Monday through Friday, before 9:00 A.M. and after 5:00 P.M. on Saturday and all day on Sunday and Federal Holidays. The Holmes Beach Police Department and Code Compliance team enforce this provision.

### **How can I find out if I am hiring a license contractor?**

Request a copy of the contractors' State License and verify the information through the Department of Business and Professional Regulations at [myfloridalicense.com](http://myfloridalicense.com). There is a copy of a State License issued through DBPR and a copy of the registration of a company through [sunbiz.com](http://sunbiz.com) below. A contractor would be required to have both to be a recognized legal company and license contractor in the State of Florida

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