



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

Doug Wise, Building Director

**PPM #: PBO-126
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SUBJECT: CLOSING INACTIVE AND EXCLUDED BUILDING PERMITS

AUTHORITY:

- Florida Statutes Chapters 468 and 553
- Palm Beach County Amendments to the Florida Building Code, 5th Edition (2014) Building Volume, Chapter 1, Administration, Section 104.1.

PURPOSE: To establish policy and procedure for closing inactive or excluded building permits in compliance with the Florida Building Code.

POLICY: The Building Division will process requests to close inactive or excluded building permits in accordance with the procedure below. Such requests shall be submitted in writing in a format acceptable to the Building Division. The corresponding fee (if required) shall be paid before the request is processed.

An inactive or excluded permit for development in unincorporated Palm Beach County that is now located in a municipality must be addressed by the municipality before it may be closed by the Building Division.

PROCEDURE: 1. General review procedure

Due to a previous data-base conversion, permits issued before 1992 must be treated differently than those permits issued in or after 1992. Because of this difference, the general procedure for closing inactive or excluded building permits shall be as follows:

Permits issued before 1992:

- A General Inspection may be requested if the Scope of Work authorized by a permit still exists and requires only a Final Inspection(s). A General Inspection may also be conducted to verify the work authorized by the permit does not exist or has been removed. There shall be one General Inspection required per trade.
- A new permit may be required if the Scope of Work authorized by a permit still exists and is lacking required inspections other than a Final Inspection(s). A new permit may require the existing work to be brought into compliance with the current building code.

Permits issued in or after 1992:

- If the Scope of Work authorized by a permit still exists, the permit must be renewed and the required inspections passed before the status of the permit may be changed to Complete. There shall be a maximum of three renewals per permit, unless authorized by the Building Official or an authorized designee.
- A General Inspection may be requested for permits issued in or after 1992 to verify the Scope of Work was not done.

2. Application requirements

Requests to close inactive or excluded building permits shall be submitted in writing to Permit Center Intake in a format acceptable to the Building Division. Attached is a copy of the application form. An applicant may request to close one or more permits that apply to one Property Control Number. The applicant shall also provide a copy of the County-approved building plans for each permit. A copy may be obtained from the Records Division. Applicants wanting to close more than two inactive or excluded permits shall make an appointment with Inspections to determine the process for closing the permits.

A non-refundable research fee of \$75 is required with each application. This fee is to pay for staff time needed to review the application and related background information. A receipt for payment of the fee shall be provided with each application before it will be reviewed. Additional fees may be charged based on the extent of the research, additional inspections that are required, or other additional costs associated with bringing a permit into compliance with the current building code. A research fee shall not be required to research or close a permit if the status is inactive or excluded due to a mistake by the Building Division.

Section 489.103(17), Florida Statutes, allows a Florida-licensed realtor to supervise a required final inspection(s) for an inactive or excluded permit, in place of a contractor, if the value of the work to be completed is under \$5,000 and the property is under contract for sale under the realtor's license. The supervision shall end when the final inspection(s) is finished. This process requires a notarized letter, in a format provided by the Building Division, with a Change of Contractor Form and a Permit Renewal Request. A sample letter is attached.

3. Application process

Permit Center Intake shall receive applications, with required plans, for closing inactive or excluded building permits, and review them for sufficiency. The applicant shall pay the required application fee of \$75.00 before the application is processed. Sufficient applications shall be forwarded to Inspections Scheduling to:

1. Conduct an inspection audit for each permit.

2. Confirm that the contractors for each permit and sub-permit have active licenses in Palm Beach County. Applications for permits without currently-licensed contractors shall be denied.

A corresponding Permit Renewal Request (copy attached) may be approved by a Permit Technician when it meets all of the following criteria:

1. The inactive or excluded status must be less than 180 days.
2. The permit is within the current building code cycle.
3. There have not been more than two previous renewals.
4. The permit fee ordinance has not changed since permit issuance.

Inactive or excluded permits that have no Building Division activity for less than 180 days shall only meet the following requirements for permit renewal:

1. Pay the application fee of \$75.00.
2. No building plans shall be required.
3. No building code upgrade required.
4. Renewal more than three times needs supervisor approval.

Applications to close inactive or excluded permits shall be forwarded to Inspections for final inspections to complete or cancel a permit. There is a separate Policy and Procedure Memorandum for cancelling permits. Staff shall ensure compliance with the current building code to the greatest extent possible. This review shall consist primarily of the required inspections.

4. Required inspections

Inactive or excluded permits issued prior to 1992 may require Final Inspections to be closed. A General Inspection may be conducted as a Final Inspection. The fee for a General Inspection is \$100 per permit per trade. This fee shall be in addition to any applicable research fees. A copy of the application form for a General Inspection is attached.

Inactive or excluded permits issued in or after 1992 will need to be renewed before any inspections may be scheduled. The application fee to renew a permit is the greater of \$75 or 30% of the original permit fee. This fee shall cover one additional inspection that may be required. Additional inspections will require an additional fee. A General Inspection may be conducted for inactive or excluded permits issued in or after 1992 to confirm that the Scope of Work for a permit was not done.

All inspections that were finished before a permit became inactive or excluded shall be grandfathered.

5. Process to close inactive or excluded permits

Inactive or excluded permits shall be closed by a supervisor in Inspections when the Scope of Work for the permit is superseded by another permit or the required inspections have been finished. The status for an inactive or excluded permit shall be updated using the language below, or similar

language, for the following situations:

- Permit completed: “The required inspections have been performed.”
- Permit completed by General Inspection: “The scope of work has been inspected by General Inspection (inspection number).”
- General Inspection used to cancel permit due to work removed: “The scope of work was removed and verified by General Inspection (inspection number).”
- Permit cancelled due to superseding permit: “The scope of work under this permit has been superseded by (permit number) on (date).”

6. Written documentation of the action taken

Documentation of the final action taken to close inactive or excluded permits shall consist of written verification of the action taken in the ePZB system. The Permit History for a property may be provided to the public if written documentation of the action taken to close a permit is requested.

7. Closing inactive or excluded permits in municipalities

When a municipality annexes a property to which a Palm Beach County permit is assigned and the permit has a status of inactive or excluded, the Building Division no longer has jurisdiction over the permit. The Building Division does not have authority to conduct any inspections within municipal boundaries. Therefore, it is the responsibility of the property owner to coordinate with the building department of the affected municipality to close the permit. If needed, the property owner or contractor should obtain a copy of the County-approved plans for the permit from the Records Division. Such plans and a copy of the Inspection History for the permit should be provided to the municipal building department that has jurisdiction over the permit. The municipality should take the appropriate steps to close the permit. The Building Official shall require written notification from the municipal building department indicating that the required final inspections have been passed or the permit has been superseded by a completed permit with a similar scope of work. The Building Official or a supervisor in Inspections may then complete or cancel the permit.



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