

MIAMI BEACH

Policies and Procedures

40/50 Years or Older Building Recertification

POLICY

All buildings that have been in existence for Forty/Fifty (40/50) years or older, except single-family residences, duplexes and minor structures as defined below, shall be recertified as specified by Miami-Dade County Code section 8-11(f), in the manner described below. Minor structures are defined as any occupancy group having an occupant load of 10 or less and having a gross area of 2,000 square feet or less.

PROCEDURE

Determination of recertification requirement

The initial 40/50 years or older recertification pursuant to Section 8-11(f)(ii)(1) is completed within 40 years of the completion of the building structure. The subsequent 10 years recertification, Sec. 8-11(f) ii (2), is completed every 10 years, again based on the year of occupancy of the structure. Miami-Dade County provides a list of buildings that require recertification. This list is reviewed, and notices of recertification are sent.

Owner Notification

Miami Beach Building Department sends a recertification package via certified mail to Notify Owners or Owners' representatives. This package includes a recertification notice requesting the Owner or Owners' representative to hire a Licensed Engineer or Architect to perform an Electrical and Structural inspection for the Building/Structure. A signed and sealed report must be filed with the Recertification's Section in the City of Miami Beach, Building Department, for review and approval.

If the Forty/Fifty (40/50) years or older Recertification package is returned to the City of Miami Beach, or no action is taken by the owner in 30 days, then a copy of the notice and the package will be posted on the building/structure by an inspector from the Violations' Section of the City of Miami Beach.

After notification

In accordance with Miami-Dade County Code, section 8-11 (f), the Owner of a building or structure subject to recertification shall furnish, or cause to be furnished, within ninety (90) days of Notice of Required Inspection, a written report to the Building Official, prepared by a Licensed Engineer or Architect registered in the State of Florida, certifying that each building or structure is structurally and electrically safe, or it has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.

A \$600.00 fee, per building, shall be paid within the time limitation established by Miami-Dade County Code, section 8-11 (f). If there are two or more buildings under the same folio number due for Recertification on the same year, a onetime fee of \$600.00 is only applicable if the buildings are included in the same report. Otherwise, the \$600.00 fee is applicable per building's folio number.

The Owner or Owner's representative must hire a Licensed Engineer or Architect to perform Electrical and Structural inspections for the building and file a signed and sealed report with the Recertification's Section in the City of Miami Beach, Building Department, for review and approval. Upon receipt of the Recertification's reports (structural and electrical), staff verifies that all related fees have been paid, then complete the top portion of the Forty/Fifty (40/50) years or older Recertification Tracking Sheet, attach the tracking sheet to the submitted Recertification reports, and forward the reports to the Chief Electrical Inspector for review. The Chief Electrical Inspector will forward the Recertification reports to the Building Official for review. Once both reviews are completed (structural and electrical) and returned to the Recertification's Section, *the 40/50 Years or Older Recertification will be processed in the EnerGov system.*

Extensions

A six-month extension may be granted if a written request is submitted to the Building Department Recertification's Section and the extension fee paid. Upon request, an extension is granted for Six (6) months (180 days), and an extension fee of \$600.00 per folio is applied.

This request must be made in writing by the Licensed Engineer or Architect (signed and sealed) and the Owner or Owner's Representative. This extension must be filed within 90 days of receipt of the recertification notification in order for a related violation not to be issued. A total of two extensions of six (6) months each may be granted by the Recertification's Section. If the building is under a major renovation with approved permits and there are inspections on record, the Licensed professional or Owner may submit a letter with the estimated completion date of the project to hold the recertification process, and, in this case, no extension's fees would be due. All other extensions' requests must be approved by the Building Official.

Notice of Violation

If the Forty/Fifty (40/50) years or older Recertification Report for a building or an extension letter request are not submitted within the time limitation (90 days) established by the Miami-Dade County Ordinance, a building recertification violation will be issued with a \$500.00 fine and it will be assessed to the 40YR permit record. A new inspection report fee (\$300.00) will be imposed if the recertification is not completed within 90 days of building's being declared unsafe. The Notice of Violation will be posted on the building, and pictures of the posting will be taken as a proof of delivery. After the Notice of Violation is

posted, a copy will be sent via certified mail to the Owner or Owners' Representatives. If the building recertification is not completed within 30 days, it will be sent to the Miami-Dade County Unsafe Structures Board (USB).

If compliance with the requirements of the Building Recertification Violation is not obtained within **30 days' notice**, the Building Recertification Violation (US record in EnerGov) will be forwarded to the Miami-Dade County Unsafe Structure Board (USB), and it may result in an order for demolition of the structure.

Buildings Requiring Repairs

In the event that repairs or modifications are found to be necessary resulting from the recertification inspection, the owner or owner's representative shall request a six months (180 days) extension until indicated repairs or modifications are executed in conformance with all applicable Sections of the Building Code. Once all permits receive a final inspection, approval from the electrical and structural inspectors, and a Certificate of Completion is issued, the professional engineer and/ or registered architect of records must submit the signed and sealed report to the state that all repairs are completed and that the building is structurally and electrically safe for the specified use for continued occupancy.

If the building recertification process is not completed for a particular building within the maximum time limitation established by Miami-Dade County Ordinance, a building recertification violation will be issued.

Approved Structural and Electrical Reports

A building recertification cannot be approved if the property has open building violations, and open, or expired permits. If there are no open building violations, no open or expired permits, no outstanding fees due, and the recertification reports are approved, a *Letter of Building Recertification* is issued. This letter shall be mailed to the property Owner or Owner's Representative.

If the building recertification has a related building violation (US record in EnerGov), staff must enter a comment on the violation record (US in EnerGov) that the building recertification was approved, and the violation status is closed. Approvals for engineering inspection is entered as "final" on the 40YR record, and a note that the building recertification was approved is entered. Verify that the violation fee and all related recertification fees are paid prior to changing the status to final on the 40YR record.

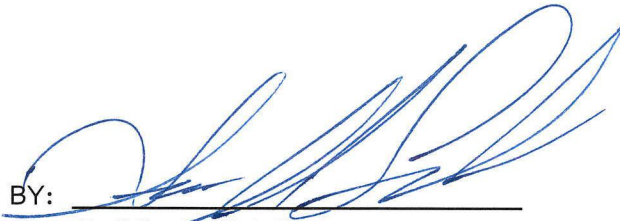
Based on the year of the building/or structure original completion, after a period of 10 years, the Forty/Fifty (40/50) years or older Recertification process will start again, as per Miami-Dade County Sec. 8-11(f)ii(2).

REFERENCE

- *Miami-Dade County Code section 8-11(f)*
- *Florida Building Code, 2017*
- *40 Years Recertification Report*

PREPARED BY: Building Department

APPROVED BY:



Building Official/ Director

DATE:

10/1/18

Revised 09-27-2018