

2024 Draft Supplement to the 8th Edition (2023) Florida Building Code

8th Edition (2023) Florida Building Code – Building

Delete section 110.9 and relocate to Chapter 18 of the FBC – Existing Building as follows:

~~110.9 Mandatory structural inspections for condominium and cooperative buildings.~~

~~110.9.1 General.~~ The Legislature finds that maintaining the structural integrity of a building throughout the life of the building is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such, the Legislature finds that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

~~110.9.2 As used in this section, the terms:~~

~~(a) “Milestone inspection” means a structural inspection of a building, including an inspection of load-bearing elements and the primary structural members and primary structural systems as those terms are defined in s. 627.706, by an architect licensed under chapter 481 or engineer licensed under chapter 471 authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code. The milestone inspection services may be provided by a team of professionals with an architect or engineer acting as a registered design professional in responsible charge with all work and reports signed and sealed by the appropriate qualified team member.~~

~~(b) “Substantial structural deterioration” means substantial structural distress or substantial structural weakness that negatively affects a building’s general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.~~

~~110.9.3(a) An owner or owners of a building that is three stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718 or a residential cooperative under chapter 719 must have a milestone inspection performed by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building’s initial milestone inspection must be~~

~~performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.~~

- ~~(b) The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, require that a milestone inspection must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter.~~
- ~~(c) The local enforcement agency may extend the date by which a building's initial milestone inspection must be completed upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection and the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension.~~
- ~~(d) The local enforcement agency may accept an inspection report prepared by a licensed engineer or architect for a structural integrity and condition inspection of a building performed before July 1, 2022, if the inspection and report substantially comply with the requirements of this section. Notwithstanding when such inspection was completed, the condominium or cooperative association must comply with the unit owner notice requirements in Section 110.9.9. The inspection for which an inspection report is accepted by the local enforcement agency under this paragraph is deemed a milestone inspection for the applicable requirements in chapters 718 and 719. If a previous inspection and report is accepted by the local enforcement agency under this paragraph, the deadline for the building's subsequent 10-year milestone inspection is based on the date of the accepted previous inspection.~~

~~**110.9.4** The milestone inspection report must be arranged by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership are each responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association. This section does not apply to a single family, two family, or three-family dwelling with three or fewer habitable stories above ground.~~

~~110.9.5~~ Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable, by certified mail, return receipt requested. The condominium or cooperative association must notify the unit owners of the required milestone inspection within 14 days after receipt of the written notice from the local enforcement agency and provide the date that the milestone inspection must be completed. Such notice may be given by electronic submission to unit owners who consent to receive notice by electronic submission or by posting on the association's website.

~~110.9.6~~ Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive the written notice under Section 110.9.5. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

~~110.9.7~~ A milestone inspection consists of two phases:

~~110.9.7.1.~~ For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 110.9.7.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

~~110.9.7.2~~ A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer performing the phase two inspection must submit a phase two progress report to the local enforcement agency with a timeline for completion of the phase two inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection 110.9.8.

~~110.9.8~~ Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, to any other owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

- ~~(a)~~ Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.
- ~~(b)~~ Indicate the manner and type of inspection forming the basis for the inspection report.
- ~~(c)~~ Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.
- ~~(d)~~ State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
- ~~(e)~~ Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
- ~~(f)~~ Identify and describe any items requiring further inspection.

~~110.9.9~~ Within 45 days after receiving the applicable inspection report, the condominium or cooperative association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under chapter 718 or chapter 719, as applicable, and by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission; must post a copy of the inspector prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector prepared summary on the association's website, if the association is required to have a website.

~~110.9.10.~~ A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

~~110.9.11~~ A board of county commissioners or municipal governing body may adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be

~~commenced within 365 days after receiving such report. If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.~~

8th Edition (2023) Florida Building Code – Existing Building

CHAPTER 1 SCOPE AND ADMINISTRATION

Delete section 101.9 without substitution.

~~**101.9 Mandatory structural inspections for condominium and cooperative buildings.**~~

~~**101.9.1** Refer to Section 110.9 of the Florida Building Code, Building.~~

Revise section 101.2 to read as follows:

101.2 Scope. The provisions of the *Florida Building Code, Existing Building* shall apply to the *repair, alternation, change of occupancy, addition* to and the relocation of *existing buildings*. The provisions of the *Florida Building Code, Existing Building* shall also apply to existing buildings that are subject to *Milestone Inspections*, as defined in Chapter 2 and as required in Chapter 18.

Exception: For the purpose of public educational facilities and state licensed facilities, see Chapter 4, Special Occupancy, of the *Florida Building Code, Building*.

Revise section 101.4 to read as follows:

101.4 Applicability.

This code shall apply to the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*, regardless of occupancy, subject to the criteria of Sections 101.4.1 and 101.4.2. This code shall also apply to existing buildings that are subject to *Milestone Inspections*, as defined in Chapter 2 and as required in Chapter 18.

101.4.1 Buildings not previously occupied.

A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall be permitted to comply with the provisions of the laws in existence at the time of its original permit unless such permit has expired. Subsequent permits shall comply with the Florida Building Code, Building or Florida Building Code, Residential, as applicable, for new construction.

No change to the remaining text.

101.4.2 Buildings previously occupied.

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Florida Fire Prevention Code, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

Revise section 113 to read as follows:

SECTION 113 VIOLATIONS

~~Reserved~~

Section 113, Violations; Section.

113.1 Application. The application of this section is limited in scope to buildings that are required to comply with the requirements of Chapter 18.

113.2 Unlawful acts. It shall be unlawful for any person, firm or corporation to *repair*, alter, extend, add, move, remove, demolish or change the occupancy of any building or equipment regulated by this code or cause same to be done in conflict with or in violation of any of the provisions of this code.

113.3 Notice of violation. The *code official* is authorized to serve a notice of violation or order on the person responsible for the *repair, alteration, extension, addition, moving, removal, demolition or change in the occupancy of a building in violation of the provisions of this code or in violation of a permit or certificate issued under the provisions of this code.* Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

113.4 Prosecution of violation. If the notice of violation is not complied with promptly, the *code official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

113.5 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who *repairs* or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the *code official* or of a permit or certificate issued under the provisions of this code shall be subject to penalties as prescribed by law.

113.6 Failure to Timely Submit the Milestone Inspection Report. If an owner or association of a building or structure fails to timely submit the building milestone inspection report to the

Building Official or seek an extension request, the Building Official shall elect the choice of either a Special Magistrate or Code Enforcement Board as set forth under Florida Statutes, Section 162, et al., to conduct a hearing to address such failure. In the event an owner fails to comply with the repair and/or modification requirements as determined from the milestone inspection report as set forth herein, the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be reviewed by the building official and shall be sent to the Special Magistrate, Code Enforcement Board, or Unsafe Structures Board, as appropriate.

113.7 Revocation. The building official may revoke, at any time, or refuse to accept a building milestone inspection report if the building official determines that the written inspection report contains any misrepresentation of the actual conditions of the building or structure.

SECTION 115 UNSAFE BUILDINGS AND EQUIPMENT

RESERVED

115.1 Application. The application of this section is limited in scope to buildings that are required to comply with the requirements of Chapter 18.

115.2 Unsafe conditions. Buildings that are or hereafter become *unsafe*, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an *unsafe* condition. *Unsafe* buildings shall be taken down and removed or made safe as the *code official* deems necessary and as provided for in this code. A vacant building that is not secured against unauthorized entry shall be deemed *unsafe*.—If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two milestone inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

115.3 Record. The *code official* shall cause a report to be filed on an *unsafe* condition. The report shall state the occupancy of the structure and the nature of the *unsafe* condition.

115.4 Notice. If an *unsafe* condition is found, the *code official* shall serve on the owner of the building or the owner's authorized agent a written notice that describes the condition deemed *unsafe* and specifies the required *repairs* or improvements to be made to abate the *unsafe* condition, or that requires the *unsafe* building to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *code official* acceptance or rejection of the terms of the order.

115.5 Method of service. Such notice shall be deemed properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the owner or the owner's authorized agent personally.

2. A copy is sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested.

3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

115.6 Restoration or abatement. The building determined to be *unsafe* by the *code official* is permitted to be restored to a safe condition. The owner, the owner's authorized agent, of a building deemed *unsafe* by the *code official* shall abate or cause to be abated or corrected such *unsafe* conditions either by *repair*, rehabilitation, demolition or other *approved* corrective action. To the extent that *repairs*, *alterations* or *additions* are made, or a *change of occupancy* occurs during the restoration of the structure, such *repairs*, *alterations*, *additions* or *change of occupancy* shall comply with the requirements of this code.

CHAPTER 2 DEFINITIONS

Revise Section 202 to add the following definitions:

Major Structural Component. Means a building's load-bearing elements, primary structural members, and primary structural systems.

Milestone Inspection. Means a structural inspection of a building, including an inspection of load-bearing elements and the primary structural members and primary structural systems as those terms are defined in s. 627.706, *Florida Statutes*, by an architect licensed under *Chapter 481, Florida Statutes* or engineer licensed under *Chapter 471, Florida Statutes*, authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code. The milestone inspection services may be provided by a team of professionals with an architect or engineer acting as a registered design professional in responsible charge with all work and reports signed and sealed by the appropriate qualified team member.

Primary Structural Member. Means a structural element designed to provide support and stability for the vertical or lateral loads of the overall structure.

Primary Structural System. Means an assemblage of primary structural members.

Substantial Structural Deterioration. Means a condition that negatively affects a building's structural condition and integrity that negatively affects a building's general structural condition

and integrity, or a major structural component whose condition meets the definition of Dangerous. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

Add Chapter 18 to read as follows:

Chapter 18

Minimum Requirements for The Mandatory Milestone Inspections

SECTION 1801

Mandatory structural inspections for condominium and cooperative buildings.

Section 1801. Mandatory Structural Inspections for Condominium and Cooperative Buildings.

1801.1 General. Maintaining the structural integrity of a building throughout the life of the building is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. The Legislature has found that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

1801.2 Scope. An owner or owners of a building that is three stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718 or a residential cooperative under chapter 719 must have a milestone inspection performed.

Exception:

This section does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

~~, or three-family,~~ or four-family – add from SB 1021

SECTION 1802

Milestone inspection timeframe and frequency

1802 Applicable buildings shall have a milestone inspection as follows:

- A. By December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024.
- B. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025.
- C. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

Exceptions:

1. The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, Florida Statutes, require that a milestone inspection must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If needed, the local enforcement agency must adopt such local circumstances by ordinance.
2. The local enforcement agency may extend the date by which a building's initial milestone inspection must be completed upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection, the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension, and there is no evidence that the building is unsafe, substantial structural deterioration exists, or potentially dangerous conditions exist as certified by the architect or engineer responsible for the Milestone Inspection.
3. The local enforcement agency may accept an inspection report prepared by a licensed engineer or architect for a structural integrity and condition inspection of a building performed before July 1, 2022, if the inspection and report substantially comply with the requirements of this section. The inspection for which an inspection report is accepted by the local enforcement agency under this paragraph is deemed a milestone inspection for the applicable requirements in Chapters 718 and 719, Florida Statutes. If a previous inspection and report is accepted by the local enforcement agency under this paragraph, the deadline for the building's subsequent 10-year milestone inspection is based on the date of the accepted previous inspection.

1802.1 If an owner or owners of a building that is subject to a milestone inspection, fails to ensure a Phase 1 or Phase 2 milestone inspection is completed in accordance with Chapter 18, the Building Official may file a complaint with the Department of Business and Professional Regulation Division of Condominiums, Timeshares, and Mobile Homes documenting such failure.

SECTION 1803 **Notice For Compliance**

1803.1 Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable, by certified mail, return receipt requested.

SECTION 1804 **Milestone Inspection Phases and Completion Date**

1804.1 A milestone inspection consists of two phases:

1804.1.1 Phase One. For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 1804.1.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 1806.1. If the architect or engineer finds that unpermitted work was performed to the structural components of the building, they shall notify the building official of such work.

1804.1.1.1 Completion Timeline for Phase One. Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive the written notice under Section 1803 For purposes of this section, completion of phase one of the milestone inspection means the licensed architect or engineer responsible for the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

1804.1.2 Phase Two. A phase two milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as

extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. However, such preference shall not supersede the inspector's professional judgement as to determining locations for destructive and nondestructive testing that are necessary, in the sole opinion of the inspector, to assess if the building is structurally sound and safe.

1804.1.2.1 Completion Timeline for Phase Two. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer responsible for the phase two inspection must submit a phase two inspection report to the local enforcement agency or progress report with a timeline for completion of the phase two inspection. The architect or engineer responsible for a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection 1806.1.

1804.2 Duty to Report. Any registered design professional who performs an inspection of an existing building or structure has a duty to report to the owner, association, the local fire chief, and the building official any findings that, if left unaddressed, would endanger life or property, and shall inform the appropriate parties no later than ten (10) days after making such findings. However, if such professional finds that there are conditions in the building or structure meeting the definition of *Dangerous*, such professional shall report such conditions immediately to the building owner or association, the local fire chief, and to the building official within twenty-four (24) hours of the time of discovery. The registered design professional shall also render an opinion if the building or portions of the building need to be vacated and the timeframe for such vacation to occur. In addition to assessing any fines or penalties provided by the jurisdiction, the Building Official may report any violations of this provision to the appropriate licensing agency, regulatory board, and professional organization of such engineer or architect.

SECTION 1805

Milestone Inspection Responsibility

1805.1 The milestone inspection report must be obtained by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership are each responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association.

SECTION 1806

Milestone Inspection Reporting

1806.1 Minimum Criteria. Upon completion of a phase one or phase two milestone inspection, the architect or engineer responsible for the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, to any other owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

- (a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect responsible for the inspection.
- (b) Indicate the manner and type of inspection forming the basis for the inspection report.
- (c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.
- (d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
- (e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
- (f) Identify and describe any items requiring further inspection.

SECTION 1807

Milestone Inspection Report Form

1807.1 The Milestone Inspection Report Form (Appendix D) shall serve as minimum inspection compliance for Phase One and Phase Two milestone inspection requirements.

SECTION 1808

Local Enforcement Agency Action on Milestone Inspection Results

1808.1 Enforcement. A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

1808.2 Repair. A board of county commissioners or municipal governing body may adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report.

1808.3 Required Repairs or Modifications:

1. In the event that repairs or modifications are found to be necessary as a result of the milestone inspection, the building owner shall have a total of 180 days from the date of the building milestone inspection report, unless otherwise permitted by the Building Official, in which to complete required repairs and correct the structural deficiencies. All applicable requirements of this code shall be followed with all applicable permits obtained. If an owner or association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in the inspection report within the required timeframe, the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be reviewed by the Building Official and shall be sent to the Special Magistrate, Code Enforcement Board, or Unsafe Structures Board, as appropriate. Such finding may also be reported as a complaint to the Department of Business and Professional Regulation Division of Condominiums, Timeshares, and Mobile Homes.
2. Once a permit is obtained for all necessary repairs or modifications from the local building department, which has jurisdiction, the *Florida Building Code* shall govern time restraints for such permits, or in accordance with a more restrictive timeframe as directed by the design professional.
3. For corrective action of deficiencies that cannot be commenced within 180 days, the time frame may be extended an additional 185 days not to exceed a total of 365 days when a time frame is specified by the architect or engineer responsible for the Milestone Inspection or the Architect or Engineer of Record for the repairs and approved by the Building Official. Such extensions shall be contingent on maintaining an active building permit as specified in Section 105.3.2 of the *Florida Building Code, Building*.
4. The building official may issue an extension of not more than 60 days to submit a building milestone inspection report or to obtain any necessary permits upon a written extension request from the architect or engineer responsible for the Milestone Inspection. Such request shall contain a signed and sealed statement from the architect or engineer responsible for the Milestone Inspection that the building may continue to be occupied while undergoing the building milestone inspection.
5. Once all required repairs have been completed, the architect or engineer responsible for the milestone inspection and the report shall re-inspect the areas noted on the original report and shall provide the building owner, association, and building official an amended report with a signed and sealed letter stating that all of the required repairs and corrections have been completed and that the building or structure is acceptable for continued use under the present occupancy. The building owner or the architect or engineer responsible for the Milestone Inspection shall submit that letter to the building official.