

## Article 22.

### ADMINISTRATION, ENFORCEMENT, PERMITS, PLANS, SPECIFICATIONS AND BONDS

#### Sec. 22-1 - Administration and enforcement.

- (a) It shall be the duty of the Director of the Department of Zoning to administer and enforce the provisions of this Ordinance and to refuse to approve any plans for any building or for the use of any premises, which would violate any of the provisions of this Ordinance. It shall also be the duty of all officers and employees of the City to assist the Zoning Director by reporting to the Director any seeming violation in new construction, reconstruction or land uses.
- (b) The Zoning Director is authorized, where it is deemed necessary for enforcement of these regulations, to require the execution of an agreement for recording, together with appropriate documents. (3255)
- (c) In case any building is erected, constructed, reconstructed, altered, repaired, or converted, or any building or land is used in violation of this Ordinance, the Zoning Director, or the City in behalf of the Zoning Director is authorized and directed to institute any appropriate action to put an end to such violation.

#### Sec. 22-2 - Building permits.

No person, firm, or corporation shall commence or cause to be commenced, the erection, construction or alteration of any building, structure, sign, awning or canopy, until an application for a permit therefore has been previously filed with the Building Department, as provided for herein, and in other ordinances of the City, and until a permit therefore has first been issued by the City. No person, firm or corporation shall commence, or cause to commence, any maintenance repair to any existing building, structure, sign, awning or canopy until an application for a permit therefore has been previously filed with the City, as provided herein and by all other ordinances in the City. No maintenance or repairs shall be commenced upon any building, structure, sign, awning or canopy until a permit therefore has been first issued by the City, in every case where the cost of such proposed repairs will exceed five-hundred dollars (\$500.00) in labor and materials, as determined by the Building Official. All work done under and pursuant to any building or sign permit shall conform to the plans

and/or specifications therefore as approved prior to the issuance of such permit and any deviation therefrom shall constitute a violation of this Code. The maintaining of any building, structure, alteration, sign, awning, canopy or the repairing of any existing building, structure, sign, awning or canopy without first having complied with the above requirements shall constitute a violation for each day it is so maintained. In addition to the requirements provided in this Code, no building, structure, improvement, landscape feature or archaeological site which is designated as an historic landmark or is within a designated Historic Landmark District shall be erected, altered, restored, renovated, reconstructed, excavated, relocated, painted or demolished until an application for a Certificate of Appropriateness regarding any architectural feature, landscape features or site improvements has been submitted and approved pursuant to the provisions of the Zoning Code. (3238, 3488)

#### Sec. 22-3 - Permit applications.

Any person desiring a permit to be issued by the Building Official, as required hereby, shall file an application therefore in writing on a form furnished by the Building Official for that purpose. Each such application shall describe the land on which the proposed work is to be done, by legal description and address; shall show the use or occupancies of the building; shall be accompanied by plans and specifications as required by this code; shall state the value of the proposed work; shall give such other information as reasonably may be required by the Building Official; and shall be signed by the permittee or his authorized agent, who may be required to submit evidence to indicate such authority.

#### Sec. 22-4 - Plans and specifications.

Every application for a permit to erect a building or structure or to materially alter a front or side elevation of any existing building or structure, shall be accompanied by two (2) sets of detailed plans and such detail structural drawings thereof as the Building Official may require. If the plans submitted do not furnish sufficient information adequately to show the scope of the planned construction for which a permit has been

requested then there shall be furnished, in addition to the two (2) sets of detailed plans, one set of detailed specifications for such proposed work; both the plans and specifications shall be prepared by a registered architect or registered engineer, qualified under the laws of the State of Florida to prepare such plans and specifications and no permit therefore shall be issued until such plans (and specifications when required) shall have been previously approved by the Board of Architects as herein provided. All such plans and specifications for buildings or structures to be erected in Coral Gables, that are governed by State Laws, shall have the standard approval of the State representative before application is made for permit.

All plans for construction in Coral Gables shall consist of the following:

- Wall Section** (Scale  $\frac{3}{4}=1' 0$ ) showing all wall, floor, and roof construction
- Elevations** (Scale  $\frac{1}{4}=1' 0$ ) showing all facades of building
- Foundation Plan** (Scale  $\frac{1}{4}=1' 0$ )
- Details** (Scale  $\frac{3}{4}=1' 0$ ) of all ornamental work and full size sections of all moldings
- Certified Survey Plot Plan** (Scale  $\frac{1}{16}=1' 0$ )

The Plot Plan shall show the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of proposed and existing buildings and accessory buildings, and the existing and intended use of each building or part of a building existing and/or proposed driveway, provisions for off-street parking and such other information with regard to the lot as may be necessary to determine compliance with these regulations.

The location of a trash container enclosure shall be indicated for new commercial construction or existing commercial renovation where the cumulative cost of such renovation is in excess of twenty (20%) percent of the assessed value of the existing commercial structure and shall be

in accordance with the provisions specified in Section 21-23. (2648)

Specifications, when required, shall be full and complete as to character of the work, structural details, strength of material, and workmanship.

No plans or specifications in violation of this or any other ordinance of the City of Coral Gables shall be approved. No permit for the construction of any building, or for the construction of any addition thereto, shall be issued until and unless the plans therefore are approved by the Board of Adjustment as well as the Board of Architects.

**Sec. 22-5 - Review of plans for alterations, additions, restoration or renovation of historic landmarks.**

Plans and specifications submitted for alteration, additions, restoration, or renovation of buildings designated as Historic Landmarks or for properties or buildings within designated Historic Landmark Districts shall be submitted to the Board of Architects for their recommendation, prior to being submitted to the Historic Preservation Board to receive a Certificate of Appropriateness as provided for in the Zoning Code. (2927)

**Sec. 22-6 - Qualification of applicant.**

Application for permits will be accepted only from contractors currently licensed in their respective fields and for whom no revocation or suspension of license is pending, provided, however, a sole owner may make application, and if approved, obtain a permit and supervise the work in connection with the construction, maintenance, alteration or repair of a single-family residence or duplex for his own use and occupancy and not intended for sale and may make application for, and if approved, obtain a permit for maintenance and minor repairs on any type building. The construction of more than one residence or duplex by an individual owner in any twelve (12) month period shall be construed as contracting, and such owner shall then be required to be licensed as a contractor. Such licensed contractor or owner shall be held responsible to the Building Official for the proper supervision and conduct of all work covered thereby.

**Sec. 22-7 - Heat-producing appliances.**

A permit shall be required to install, repair or alter any heat-producing appliances or piping or flue or accessory thereto and no person, firm or corporation shall commence or proceed with such work without having first made application and secured a permit therefore as set forth herein, except that a permit shall not be required for any fully portable appliance which has no physical connection to piping or flue. Application for permit shall be made to the plumbing inspector for manufactured or natural gas installations, to the Fire Department for liquid petroleum, gas and oil-burning installations or the storage of bulk combustibles, and to the Building Official for all other heat-producing appliances and these persons shall have respective jurisdiction over the apparatus as set forth.

**Sec. 22-8 - Compliance with zoning code.**

Before any permit is issued, all provisions of the Zoning Code of the City of Coral Gables, and any amendments thereto shall be complied with, and the provisions of the South Florida Building Code shall not be construed to repeal, supersede or modify any part of the Zoning Code or amendments thereto.

**Sec. 22-9 - Posting of bond.**

Before any permit authorized herein shall be issued, the owner of the affected property or his contractor shall deposit with The City of Coral Gables that amount which in the opinion of the Building Inspector and/or the City Manager shall be adequate to reimburse The City of Coral Gables, or any neighboring property owner, for damage which may result to sidewalks, parkways, parkway trees and shrubs, street pavement or other municipal or private property, or improvement from such work and the equipment and materials used in connection therewith, and for the removal of debris or excess material upon the completion of said work, and shall sign an undertaking to The City of Coral Gables to pay the amount of any deficiency between the amount of said deposit and the cost of repairing any such damage or removal of any such debris or excess materials. Upon completion of the work, the building official, or such other person as may be designated by the City Manager, shall make final inspection and if the person shall find that no

damage has resulted, and no debris or material remains on the site, the said deposit shall be returned to the depositor, or, if any damage shall be repaired by the City, or any debris or excess material be removed by the City, and the cost thereof shall be less than the deposit, then the difference between such cost and the amount of the deposit shall be returned to the depositor. Such bonds shall not be refunded until all code requirements are completed including necessary driveways and sidewalks.

**Sec. 22-10 - Uncompleted building.**

No building not fully completed in substantial compliance with plans and specifications upon which a building permit was issued, shall be permitted to be maintained on any land for more than one year after the commencement of erection of any building, addition or renovation. A building site inspection shall be conducted six (6) months after the commencement of construction at which time evidence that work is proceeding shall be provided by the builder, as defined herein. Failure to meet any requirement of this Section shall be deemed a violation of the Zoning Code, and shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables.

(a) Work shall be considered to have commenced and be in active progress when, in the opinion of the Building and Zoning Director, a full complement of workmen and equipment is present at the site to diligently incorporate materials and equipment into the structure throughout the day on each full working day, weather permitting. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due to legal action. (3075)

**Sec. 22-11 - Subcontractors list.**

All General Contractors, or owner/builders shall submit a list of all subcontractors to be employed on the project. The Building Department will review the list to insure that all subcontractors are properly certified and licensed. Should the General Contractor or owner/builder change subcontractors during the project, it will be necessary for the Building Department to be notified prior to permitting the new subcontractor to commence work on the project. Any project found to be using unauthorized subcontractors is subject to a stop

work order until the Building Official is satisfied that proper conditions exist and all permitting conditions are met. (2631)

**Sec. 22-12 - Zoning permits.**

No person, firm or corporation shall commence or cause to be commenced, any miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements until an application for a zoning permit therefore has been previously filed with the Building and Zoning Department, as provided for herein and in other ordinances of the City. No such miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site, or site improvements shall commence until a permit therefore has been first issued by the City, in every case where the cost of such proposed work exceeds five-hundred dollars (\$500.00) in labor and materials, as determined by the Building and Zoning Department. All work done under and pursuant to any zoning permit shall conform to the plans and/or specifications therefore as approved prior to the issuance of such permit and any deviation therefrom shall constitute a violation of the Code. The maintaining of any such miscellaneous work which affects the aesthetics, appearance or architectural design of any structure, site, or site improvements without first having complied with the above requirements shall constitute a violation for each day it is so maintained. Work for which a zoning permit has been issued must commence within ninety (90) days of the issuance of the zoning permit, and is valid for a period not to exceed one-hundred and eighty (180) days from the date of the issuance of the permit or the last inspection. In all cases where a zoning permit has been issued, the permit holder must call for and receive approval for a final inspection in regard to the work for which the permit was issued. In those cases where any miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements is illustrated, shown or detailed in plans and/or specifications for which a building permit has been issued, then such miscellaneous work will not require a zoning permit. (3488)

**Sec. 22-13 - Certificate of use.**

No person, firm or corporation shall commence any use of any property, nor shall an

occupational license or building permit be issued until an application for a Certificate of Use therefore has been previously filed with the Building and Zoning Department, as provided for herein, and in other ordinances of the City, and until a Certificate of Use therefore has first been issued by the City. Any use of a property under and pursuant to any Certificate of Use shall conform to the Certificate of Use and any conditions or restrictions therefore as approved prior to the issuance of such Certificate of Use and any deviation therefrom shall constitute a violation of this Code. The commencement or maintaining of any use of property without first having complied with the above requirements shall constitute a violation for each day it is so maintained. Any use for which a Certificate of Use has been issued must commence within one-hundred and eighty (180) days of the issuance of the Certificate of Use, and is valid for a period not to exceed one year from the date of the issuance of the Certificate of Use. All Certificates of Use issued by the Building and Zoning Department shall be renewed each year. The application for a Certificate of Use shall state the property address for which said permit is being issued along with legal description, folio number, the proposed use of the property, the use district, land use designation, and whether the parking requirements would be complied with for the proposed use. All Certificates of Use must be reviewed for concurrency as provided for by the Comprehensive Plan of the City. (3488)

**Sec. 22-14 - Zoning permit, certificate of use, and other zoning request fees.**

The following fees shall be assessed and paid for prior to the issuance of any zoning permit or Certificate of Use: (2969, 3488)

- (a) The minimum fee for a zoning permit shall be sixty-five dollars (\$65.00).
- (b) When the work or use for which a zoning permit or zoning use permit is requested has commenced prior to the issuance of the zoning permit or zoning use or has been cited with a courtesy notice of violation or a notice of violation, the applicant shall be required to pay one-hundred dollars (\$100.00) plus a double zoning permit fee. In no event shall the applicant pay less than two-hundred and thirty dollars (\$230.00). For each offense thereafter, the permit applicant shall be

required to pay twice the double permit fee plus five-hundred dollars (\$500.00).

- (c) The permit holder is entitled to an initial and a follow-up inspection for each of the mandatory inspections. After the initial and follow-up inspection for any mandatory inspection there shall be a fifty dollars (\$50.00) reinspection fee charge for each additional reinspection. The reinspection fee requirement shall be applicable to all divisions of the Building and Zoning Department. The payment of reinspection fees shall be required before any further permits will be issued to the person or firm owning same, and further inspections shall be refused until payment of reinspection fees have been made.

- (d) Zoning permit fees for the following specific work categories shall be paid prior to the issuance of any zoning permits:

1. Painting, sand blasting, pressure cleaning.
  - a. Single-family or Duplex Uses.....\$65.00
  - b. Apartment, Special Use, Commercial, and Industrial (For each square foot) . . . . . \$0.05
2. Pressure cleaning or sand blasting only. Apartment, special use, commercial and industrial . . . \$65.00
3. Awning and canopy recovers/repairs. Awning and canopy recovers/repairs--\$2.00 per item with a minimum \$65.00.
4. Chain link installation/fence repairs. Chain link fence installation and fence repairs--\$0.20 per linear foot with a minimum of \$65.00.
5. Interior and exterior tiling, new wood floors. Interior and exterior tiling, new wood floors--\$0.07 per square foot with a minimum of \$65.00.
6. Removable storm panels/tracks, pool and spa marbletite/paint/sandblast. Removable storm panels/tracks, pool and spa marbletite/paint/sandblast, dumpsters placed on private property not in conjunction with a building permit--\$65.00.
7. Kitchen cabinets/countertops, rain gutters/downspouts. Kitchen cabinets/countertops, rain gutters/downspouts--\$0.05 per linear foot with a minimum of \$65.00.
8. Asphalt sealant, floor refinishing.
  - a. Single family or duplex.....\$65.00

- b. Apartment, special use, commercial and industrial--\$0.01 per square foot with a minimum of sixty-five dollars (\$65.00).

9. Asphalt resurfacing--\$0.05 per square foot with a minimum of \$65.00
10. General repairs and any work not specifically specified above shall be charged at the rate of \$0.20 per square foot or the minimum fee whichever is greater.

- (e) The fee for a Certificate of Use shall be seventy-five dollars (\$75.00) for each Certificate of Use. In the case where a Certificate of Use is denied and the applicant for the Certificate of Use revises their application, a fee of fifty dollars (\$50.00) shall be charged to review the revised application. A fee of fifty dollars (\$50.00) shall be charged for annual renewal of all Certificates of Use issued by the Building and Zoning Department. (2003-3)

- (f) Fees for other miscellaneous zoning requests.

1. A fee of one-hundred dollars (\$100.00) shall be charged for letters which relate to zoning information.
2. A fee of one-hundred dollars (\$100.00) shall be charged for courtesy inspections performed by the Code Enforcement Division.
3. A re-review fee of seventy-five dollars (\$75.00) shall be charged for reviewing a set of plans on the fourth and fifth time. If a set of plans has not been approved by an official by the sixth review, the Building Official will determine if the plans will be given to the Department of Business and Professional Regulation for investigation.
4. A document preservation fee of one dollar (\$1.00) per page will be charged to microfilm and maintain records for future use.
5. When any permit application is received, the applicant shall pay a nonrefundable application fee in the amount of seventeen dollars (\$17.00).