

**CITY OF SANIBEL**

**ORDINANCE 18-003**

**AN ORDINANCE AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 14- BUILDING AND BUILDING REGULATIONS; REVISING THE FOLLOWING ARTICLES TO DELETE INAPPLICABLE, REDUNDANT OR PRE-EMPTED PROVISIONS AND TO UPDATE AND MAKE CONSISTENT SUCH PROVISIONS: ARTICLE I, ARTICLE II – DIVISIONS 1, 2, 3 AND 4, ARTICLE IV AND ARTICLE VII; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Chapter 14 of the Sanibel Code of Ordinances, entitled “Buildings and Building Regulations”, contains various regulations relating to building, construction and development; and

**WHEREAS**, various provisions in Chapter 14 have been made inapplicable, redundant or have been pre-empted by other City and State regulations including, but not limited to, the Florida Building Code and the City’s Floodplain Management Ordinance; and

**WHEREAS**, it is necessary to amend Chapter 14 of the Sanibel Code to eliminate such inapplicable or redundant regulations; and

**WHEREAS**, Sanibel participates in the National Flood Insurance Program and is concurrently adopting floodplain management regulations; and

**WHEREAS**, section 553.73(5), Florida Statutes, allows for adoption of local technical amendments to the Florida Building Code to implement the National Flood Insurance Program; and

**WHEREAS**, Chapter 553, Florida Statutes, allows for local technical amendments to the Florida Building Code that provide for more stringent requirements than those specified in the Florida Building Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

**WHEREAS**, Sanibel’s City Council adopted requirements to limit partitioning of storage areas beneath elevated buildings in coastal high hazard areas and certain designated areas that are subject to moderate wave action for buildings and structures in flood hazard areas, prior to July 1, 2010 and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the Florida Building Code; and

**WHEREAS**, the Sanibel City Council has determined that it is in the public interest to adopt the proposed local technical amendment to the Florida Building Code and the proposed amendment is not more stringent than necessary to address the need identified, does not discriminate against materials, products or construction techniques of demonstrated capabilities, and is in compliance with section 553.73(4) and (5), Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Sanibel, Florida:

**SECTION ONE. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE I – “IN GENERAL”, is hereby amended with underlining indicating new added language and strikethrough indicating deleted language to read as follows:**

ARTICLE I. - IN GENERAL

Sec. 14-1. - Title.

This chapter shall be referred to as the "Sanibel Building Code."

Sec. 14-2. - Purpose and scope.

- (a) The purpose of this chapter is to provide stringent but reasonable regulations governing construction within the city for the public health, safety and general welfare. To accomplish this purpose, the city adopts or recognizes the adoption and implementation by the State of Florida of the Florida Building Code specifying up-to-date standard building, electrical, plumbing, mechanical, and gas codes, and certain portions of other recognized standard codes, and regulations consistent with general law. ~~The adoption of standard codes provides for consistency with construction standards existing throughout the state or nation. Some portions of the standard codes are modified to allow for conditions peculiar to the city.~~
- (b) This chapter governs all aspects of construction within the city, including building, electrical, plumbing, mechanical, gas, and vegetation contracting. It also governs the licensing, registration, competency approval, and filing requirements for persons engaged in those businesses in the city.

Sec. 14-3. - Construction of language; conflict.

- (a) This chapter shall be construed so as to protect the public health, safety and general welfare and to complement general law. In case of an irreconcilable conflict, general law shall control. In case of a conflict between provisions of adopted standard codes and the special provisions or technical amendments contained in this chapter, the special provisions or technical amendments shall control. Any word or phrase used in this chapter which is not defined in this chapter shall have the meaning given to it in similar general law provisions or similar technical codes or manuals, or, in absence of such provisions, shall have the common dictionary meaning.

~~(b) This chapter does not repeal any portion of any ordinance relating to zoning, land use, fire prevention, hurricane resistant construction or dangerous buildings, and shall be construed jointly with any portion of such ordinance. In the case of irreconcilable conflict between this chapter and any other such ordinance or code, the more restrictive shall apply.~~

#### Sec. 14-4. - Definitions.

The following terms, when used in this chapter, shall have the meanings ascribed in this section, except where context clearly indicates a different meaning:

*Applicant* means any person who is required to obtain a permit or any other sort of approval from the city pursuant to this chapter.

*Building official* means the licensed building officer or other authority, or licensed building official designee, or authorized representative, designated by the city manager, charged with the administration and enforcement of the Florida Building Code, this chapter and other ordinances or provisions of law pertaining to construction.

*City manager* means the chief administrative officer of the city. Reference to the city manager may include the building official or authorized representative, or any other person designated by the city manager and charged with the administration and enforcement of any portion of this chapter or any other ordinances or provisions of law pertaining to construction.

*Including* means encompassing all objects in a category unless followed by the word "only;" "including" means the same as "including without limitation."

*Vegetation certificate of competency* means a certificate issued by the city manager indicating that the holder is qualified and authorized to operate as a vegetation contractor in the city during the period indicated on the certificate.

*Vegetation contracting* means the business, occupation or practice of planting, transplanting, removing, pruning, trimming or destroying of trees, plants or shrubs for hire upon property owned or occupied by another.

#### Sec. 14-5. - Violations.

The following acts are unlawful and prohibited:

- (1) Beginning or continuing the construction of any building, structure or system regulated by this chapter without first obtaining all required permits and paying all fees and charges for those permits.
- (2) Changing the construction of any building, structure or system, or portion of such building, structure or system, without first submitting the proposed plan and specification changes to the building official and obtaining approval.
- (3) Substituting any material for that prescribed on the plans and specifications filed with and approved by the building official, without first submitting the proposed substitution to the building official and obtaining approval.

- (4) Proceeding with construction or work upon any building, structure or system, or portion of such building, structure or system, after receiving a lawful order of the city manager or building official to stop work, or upon the posting of a lawful stop work order upon the premises.
- (5) Failing to comply with a lawful order to rehabilitate or demolish and remove any building, structure, or system, or portion of such building, structure, or system, which the building official finds to be inconsistent with the requirements of this chapter or other pertinent codes or ordinances.
- (6) Operating or engaging in business in violation of the licensing, certification, registration or competency approval requirements of this chapter or of general law enforceable under this chapter, including operation without, or beyond the scope of, a license, certification registration or competency approval.
- (7) Misrepresenting, concealing, or failing to disclose the extent, cost or value of work being performed.
- (8) Covering or concealing any electrical wiring until the building official has both inspected and approved it.
- (9) Concealing improper or insufficient products, work or installation methods.
- (10) Making false or fraudulent misrepresentations or failing to disclose information in connection with any requirement of this chapter.
- (11) Engaging the services of, contracting with, or allowing work to be done by any person who is not properly licensed, registered, certified or approved by the proper authority, or who has failed to obtain the proper permits.
- (12) Providing, by a franchisee of the city, electrical service or installing a meter for such service without prior approval from the building official.
- (13) Engaging in the business of vegetation contracting, performing vegetation contracting work, or holding oneself out as a vegetation contractor without possessing a current and valid city vegetation certificate of competency.
- (14) Performing or allowing the performance of vegetation contracting work without on-site supervision by a duly certified vegetation contractor.
- (15) Doing any act otherwise prohibited by this chapter or failing to do any act required by this chapter.

Sec. 14-6. - Enforcement and penalties.

- (a) Any person who violates any provision of this chapter shall be subject to the enforcement actions and penalties set forth in section 1-15.
- (b) Any owner and any person in possession or control of the premises upon or concerning which a violation of this chapter is found shall be subject to the enforcement actions and penalties set forth in section 1-15.
- (c) The building official may revoke any permit issued under this chapter both for a violation of this chapter and where it appears that the permit should not have been issued.

- (d) The city manager or building official may initiate proceedings against any person before the city ~~construction industry regulation board~~ Contractor Review Board or the state construction industry licensing board, as appropriate.
- (e) The city manager or building official may seek any civil remedies which may be available, including an action for unpaid or underpaid fees or charges, an action for nuisance abatement or injunction, and an action to place a lien upon the premises.

Secs. 14-7—14-30. - Reserved.

**SECTION TWO. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE II – ADMINISTRATION, DIVISION 1 – “GENERALLY”, is hereby amended with the underlining indicating new added language and strikethrough indicating deleted language to read as follows:**

ARTICLE II. - ADMINISTRATION

DIVISION I. - GENERALLY

Sec. 14-31. - Enforcement – Powers of authorized officials.

- (a) ~~The city manager, the building official, and their authorized representatives~~ or licensed building official designee, shall exercise all powers of building officials granted by general law and by the Charter and ordinances of the city. The city manager, the building official, and their authorized representatives are authorized to enforce this chapter as described herein, all ordinances of the city and all provisions of law pertaining to construction within the city.
- (b) The building official shall have the power to:
  - (1) Review and approve applications and plans;
  - (2) Verify information presented;
  - (3) Issue permits and approvals;
  - (4) Inspect all construction;
  - (5) Issue lawful stop work orders;
  - (6) Initiate complaints before ~~administrative boards~~ Contractor Review Board; and
  - (7) Refer matters to appropriate departments or agencies for prosecution.

Sec. 14-32. - Same Inspections and approvals.

The sole purpose of inspections and approvals required by this chapter is to enforce regulations. The inspections and approvals are not to certify or warrant that any building complies with the requirements of this chapter. Inspections are for the benefit of the city only, and not for the benefit of any individual or member of the public.

Secs. 14-33—14-50. - Reserved.

**SECTION THREE. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE II – ADMINISTRATION, DIVISION 2 – “BOARD OF ADJUSTMENT AND APPEALS”, is hereby deleted in its entirety as follows with strikethrough indicating deleted language:**

~~DIVISION 2. – BOARD OF ADJUSTMENT AND APPEALS~~

~~Sec. 14-51. – City council to act.~~

~~The city council shall act as the city construction board of adjustment and appeals. Any reference to the board of adjustment and appeals contained in general law or this chapter, including any standard code, or in any other ordinance or code shall be deemed to refer to the city council.~~

~~Sec. 14-52. – Powers; hearings.~~

- ~~(a) The construction board of adjustment and appeals shall have all powers conferred upon a construction board of adjustment and appeals by general law or by this chapter, including any standard codes, or in any other ordinance or code of the city.~~
- ~~(b) Without limiting the foregoing, the construction board of adjustment and appeals, after notice and hearing, shall have the power to hear appeals of decisions and interpretations of the building official and to consider variances of the standard building code and the technical codes.~~
- ~~(c) The construction board of adjustment and appeals may, in its discretion, refer any matter properly before it, including appeals and variance requests, to a qualified hearing officer or master for hearing and recommended order. In such case, the hearing officer or master shall have the same powers as the construction board of adjustment and appeals to conduct the hearing and to render a recommended order. The building official, through the city manager, and the applicant shall have the right to file exceptions to the recommended order within ten days after rendition of the recommended order. The construction board of adjustment and appeals may adopt the recommended order with or without further hearing, or, after further hearing, may reverse or modify the recommended order. The decision of the council shall constitute the final administrative remedy.~~
- ~~(d) In all hearings, fundamental due process shall be provided to the parties.~~

~~Sec. 14-53. – Appeals and variances.~~

- ~~(a) Appeals of building official decisions. The owner of a building, structure, or service system, or a duly authorized agent, may appeal a decision of the building official when any of the following conditions are claimed to exist:
  - ~~(1) The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure, or service system;~~
  - ~~(2) The provisions of this chapter do not apply to the specific case;~~~~

- ~~(3) An equally good or more desirable form of installation can be employed in the specific case; or~~
- ~~(4) The intent and meaning of this chapter or any of the regulations of this chapter have been misconstrued or incorrectly interpreted.~~

~~The owner or authorized agent shall pay the filing fee established in this chapter and file a written notice of appeal with the city manager within 30 days after the building official rendered the decision. Payment of the filing fee is a prerequisite to filing.~~

~~(b) — *Variances.* The construction board of adjustment and appeals, when so requested in a written application, and after a hearing, may vary the application of any provision of this chapter to any particular case when, in its opinion, the enforcement of the provision would do manifest injustice and would be contrary to the purpose of this chapter or the technical codes or public interest. In order to grant a variance, the construction board of adjustment and appeals must find all of the following:~~

- ~~(1) Special conditions or circumstances exist which are peculiar to the building, structure, or service system involved and which are not applicable to others;~~
- ~~(2) The special conditions and circumstances do not result from the action or inaction of the applicant;~~
- ~~(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other buildings, structures, or service systems;~~
- ~~(4) The variance granted is the minimum variance that will make possible the reasonable use of the building, structure, or service system; and~~
- ~~(5) The grant of the variance will be in harmony with the general intent and purpose of this chapter and will not be detrimental to the public health, safety and general welfare.~~

~~(c) — *Conditions of variances.* In granting any variance under this section, the construction board of adjustment and appeals may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed. If no time limit is prescribed, the variance shall expire when the building permit to which it applies expires. The construction board of adjustment and appeals may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of the conditions of a variance shall be deemed violations of this chapter.~~

Scs. 14 ~~51-54~~ —14-70. - Reserved.

**SECTION FOUR. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE II – ADMINISTRATION, DIVISION 3 – “CONSTRUCTION INDUSTRY REGULATION BOARD”, is hereby deleted in its entirety as follows with strikethrough indicating deleted language:**

~~DIVISION 3. — CONSTRUCTION INDUSTRY REGULATION BOARD~~

~~Sec. 14-71. — City council to act.~~

The city council shall act as the city construction industry regulation board. Any reference to a local construction industry regulation board contained in general law or this chapter, including any standard code, or in any other ordinance or code, shall be deemed to refer to the city council.

~~Sec. 14-72. - Powers; hearings.~~

- ~~(a) The construction industry regulation board shall have all powers conferred upon a local construction industry regulation board by general law or by this chapter, including any standard code, or in any other ordinance or code of the city, subject to the limitations upon those powers contained in general law.~~
- ~~(b) Without limiting the provisions of this section, the construction industry regulation board, after notice and hearing, shall have the power to deny permits, or issue permits with special conditions, if the construction industry regulation board finds a contractor to be guilty of fraud or a willful building code violation within the city; or if the construction industry regulation board both has proof that such contractor, through the public hearing process, has been found guilty in another county or municipality of fraud or a willful building code violation within the past 12 months, and finds, after providing the contractor with notice of an opportunity to be heard, that such fraud or violation would have been fraud or a violation if committed in the city.~~
- ~~(c) Without limiting the provisions of this section, and without limiting the power of the city manager or the building official, the construction industry regulation board shall have the power to issue cease and desist orders to prohibit any person from engaging in the business of contracting who does not hold the required certificate or registration for the work being performed.~~
- ~~(d) Without limiting the provisions of this section, and without limiting the power of the city manager or the building official, the construction industry regulation board shall have the power to initiate proceedings or file complaints with the state construction industry licensing board.~~
- ~~(e) The construction industry regulation board may, in its discretion, refer any matter properly before it to a qualified hearing officer or master for hearing and recommended order. In such case, the hearing officer or master shall have the same powers as the construction industry regulation board to conduct the hearing and shall have the power to render a recommended order. The building official, through the city manager, and the contractor or other respondent, may file exceptions to the recommended order within ten days after rendition of the recommended order. The construction industry regulation board may adopt the recommended order with or without further hearing, or, after further hearing, may reverse or modify the recommended order. The decision of the construction industry regulation board shall constitute the final administrative remedy.~~
- ~~(f) In all hearings of the construction industry regulation board, fundamental due process shall be provided to the parties.~~

~~Secs. 14-71 73 14-90. - Reserved.~~

**SECTION FIVE. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE II – ADMINISTRATION, DIVISION 4 – “SPECIAL INSPECTIONS”, is hereby amended and renumbered to be DIVISION 2 with the underlining indicating new added language and strikethrough indicating deleted language to read as follows:**

**DIVISION ~~4~~2. - SPECIAL INSPECTIONS**

**Sec. 14-91. - Outside professional review of licenses and permits.**

- (a) *When required: procedures.* When, in his opinion, the city manager or ~~his designee~~ the building official determines that applications for building permits, development permits, utility permits or any other city permit, license or approval, present technical issues or problems requiring professional review expertise not available within the city staff, the city manager or ~~his designee~~ building official may retain appropriate professional services for such outside review, as follows:
- (1) When outside professional review is determined to be necessary, the applicant causing such review shall first be advised that further permit processing cannot be undertaken without such outside review.
  - (2) The applicant shall be advised of the expected cost of this outside review to determine if the applicant wishes to proceed with the review process. It is understood that this is an estimate only and the city cannot be held responsible for its reliability.
  - (3) The professional retained under this section shall be mutually agreed upon by the applicant and the city manager or ~~his designee~~ building official. In the event mutual agreement cannot be reached, the matter may be brought before the city council by either party. Nothing in this section shall be construed to limit or prohibit the retaining of appropriate professionals by the applicant, at any time and on his own volition.
  - (4) Billing for the necessary professional review shall be sent to the appropriate city department which, upon approval of the amount as a valid expense, shall submit such bill to the applicant at a rate of 110 percent to cover added administrative expenses.
  - (5) The bill will be payable within ten days prior to issuance of the requested permit, whichever time is less. Nonpayment of the invoice will automatically cause a halt to the application process unless otherwise determined by the city manager or ~~his designee~~ building official. It shall be understood by all parties that liability for any debt incurred under this section shall run between the professional retained under this section and the applicant and not the city, except for the ten percent added administrative fee which shall be a debt owed the city. Nonpayment may be enforced and collected as a debt in a civil court by the professional retained under to whom the debt is owed.
  - (6) The procedures provided for in this section shall be subject to the Consultants Competitive Negotiation Act F.S. § 255.087 in its application to the city by the city council.

- (b) *Appeal procedure.* Any applicant aggrieved by a determination of the city manager or his designee building official may appeal such determination to the ~~city council~~ State in accordance with the State's building code appeal procedures, ~~by filing with the city manager a petition in writing setting forth the grounds upon which the appeal is based within 30 days of such determination. The city manager shall forthwith schedule the appeal before the city council at the earliest regularly scheduled council meeting practicable. The city council may affirm, overrule or modify the determination of the city manager or his designee.~~

Secs. 14-92 14-110. - Reserved.

**SECTION SIX. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE III – “LICENSES, REGULATIONS AND CERTIFICATIONS”, DIVISION 1, “GENERALLY”, DIVISION 2 – “CONSTRUCTION CONTRACTORS”, and DIVISION 3, “VEGETATION CONTRACTORS” shall remain as is and such divisions and sections are not amended by this Code amendment.**

**SECTION SEVEN. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV – “PERMITS”, is hereby amended with the underlining indicating new added language and strikethrough indicating deleted language to read as follows:**

**ARTICLE IV. - PERMITS**

Sec. 14-186. - Qualifications for issuance.

- (a) The building official shall issue a permit under this chapter only to a person who is in possession of a current and valid license, certification, registration, or competency approval, or to a person who is acting within the scope of an exemption provided in general law or this chapter.
- (b) A person seeking a permit under this chapter shall file with the building official, and pay the fee for, an application for the appropriate permit. The application shall be on a form provided by the building official, and shall contain plans and specifications required by the building official sufficiently detailed as to describe the work and to exhibit compliance with construction standards. The building official may require the submission of more than one set of plans and specifications.
- (c) When required, the applicant or agent thereof shall not begin construction or other work until the building official has issued the appropriate permit and posted it at the building site.

Sec. 14-187. - Conditions for requirement.

- (a) An applicant shall obtain a building permit for building projects valued at more than \$750.00 or as otherwise required by building official in applicable situations.
- (b) An applicant shall obtain a roofing permit for roofing projects valued at more than \$250.00 and for any new installation or addition regardless of value.

- (c) An applicant shall obtain a lawn sprinkler permit for lawn sprinkler projects valued at more than \$250.00, and for any new installation or addition regardless of value.
- (d) An applicant shall obtain an electrical permit whenever electrical wiring, either temporary or permanent, is installed, removed or extended, except when the electrical work, excluding the appliance or equipment, but including all material and labor, is less than \$250.00. This exception does not apply for electrical work requiring a development or sign permit, or involving a service change, disconnection or addition of circuits.
- (e) An applicant shall obtain a plumbing permit whenever piping or appliances, either temporary or permanent, are installed or extended, except when the plumbing work, excluding the appliance or equipment, but including all material and labor, is less than \$250.00. This exception does not apply for plumbing work requiring a development permit, adding a main water service backflow device, replacing a water service supply, replacing a wastewater line, or repairing/replacing a septic system.
- (f) An applicant shall obtain a mechanical permit whenever a new system is installed or when a major component such as a compressor or air handler is moved or replaced. The applicant need not obtain a mechanical permit when there is only a change in duct work.
- (g) An applicant shall obtain a gas permit whenever a new system or piping, either temporary or permanent, is installed, removed or extended.
- (h) An applicant shall obtain a moving permit whenever a structure constituting an oversized load under state traffic laws is moved on either a public or private street. If deemed necessary to determine the condition or safety of the structure, the building official may require a relocation/move inspection.

Sec. 14-188. – Building permits.

- ~~(a) *Validity.* A building permit shall remain valid and the construction or other work authorized by it shall be completed in accordance with the following requirements:~~
  - ~~(1) *First structural inspection.* Within 60 days after the issuance of the permit, the applicant or agent thereof shall complete work to a point where it is ready for a first structural inspection. The applicant must make a request for such inspection within this time period.~~
  - ~~(2) *Additional structural inspection.* Within six months after the first structural inspection, the applicant or agent thereof shall proceed to a point where the work is ready for an additional structural inspection. The applicant must make a request for such inspection within this time period.~~
  - ~~(3) *Certificate of occupancy inspection.* Within one year after the issuance of the permit, the applicant or agent thereof shall have completed work to a point where a certificate of occupancy or other certificate of completion can be rendered. The applicant must make a request for such inspection within this time period.~~
  - ~~(4) *Extensions.* If it appears that additional time is needed for the commencement of the work, the building official, upon the written request of the applicant, may grant an extension of time up to an additional 60 days to complete the work described in subsection (a)(1) of this section; an additional three months to complete the work~~

described in subsection (a)(2) of this section; and an additional six months to complete the work as described in subsection (a)(3) of this section.

- (5) ~~Additional extensions. Any extensions in addition to those provided in subsection (a)(4) of this section shall only be granted by the city manager, upon the written request of the applicant, and upon a showing that the delay was unavoidable, that progress is being made in accordance with a schedule, and a finding that the public interest will not be injured by the granting of an additional extension of the permit. The city manager may conduct a hearing on the application, refer it to the assistant city manager or to an independent hearing officer, or refer it to the construction industry regulation board to hear the request. If referred to the construction industry regulation board, the construction industry regulation board may hear the request or refer it to an independent hearing officer for hearing and determination.~~
- (6) ~~Limitation on extensions. No extension of a building permit shall extend beyond the expiration date of any development permit.~~
- (7) ~~Fees for requests for extensions. Fees for requests for extensions are set forth in section 14-191.~~

(b) ~~Expiration. Failure to comply with any of the requirements and conditions set forth in this section or elsewhere in this chapter shall cause the permit to be null and void.~~

~~Sec. 14-189. Subcontractor's building permits; conditions and extensions.~~

(a) ~~A subcontractor's permit shall expire and become null and void when:~~

- (1) ~~It has been issued in conjunction with a building permit and the building permit, including any extensions, expires; or~~
- (2) ~~It has not been issued in conjunction with a building permit, and:~~
  - a. ~~The work is completed and inspected by the building official; or~~
  - b. ~~Six months has transpired since the issue date.~~

(b) ~~No extensions are permitted when the conditions in subsection (a) of this section are satisfied.~~

~~Sec. 14-190. Permits for work by owners.~~

~~The building official shall issue a permit to a bona fide owner of property, which is the residence of the owner and not for sale or lease, if the following rules and regulations are followed:~~

- (1) ~~The owner submits plans and specifications to the city manager for approval;~~
- (2) ~~The owner files a signed and notarized owner/builder statement certifying that the person requesting the permit is the bona fide owner and the property is not for sale or lease;~~
- (3) ~~The owner makes application for and secures a permit before commencing such work requiring a permit;~~
- (4) ~~The owner pays the required permit fees as established in this chapter;~~

- ~~(5) The owner actually performs the work in compliance with regulations contained in the city Code or hires only approved contractors; and~~
- ~~(6) The owner notifies the city manager when the work is ready for inspection.~~

Sec. 14-~~188~~ 191. - Fee schedule.

The following schedule shall constitute the schedule of fees under this chapter:

(1) *Building permits.*

- Minimum permit fee (except temporary tent permit) ..... 80.00
- Revision to building permit (each submission) ..... 80.00
- Re-inspection fee (each) ..... 42.75
- Building permit when material and labor exceed \$750.00 1% of the value of the project
- Moving permit ..... 107.00
- Relocation inspection, if required ..... 107.00
- Temporary certificate of occupancy ..... 500.00
- Demolition permit ..... 53.25
- Lawn sprinkler system permit:
  - Single-family dwelling ..... 53.25
  - All others ..... 80.00
- Outside technical review:
  - 110% of actual expense to the city
- Habitable floor verification ..... 53.25
- Roofing permit:
  - 1% of the value of the project
  - Minimum roofing permit fee ..... 80.00
- Administrative reimbursement fee for permit cancellation ..... 25.00

(2) *Electrical permits.*

- For issuing each permit ..... \$37.50
- In addition:
  - 0 - 100 amp service:

	New installation .....	37.50
	Replacement of existing installation at same location .....	37.50
101 – 150 amp service:		
	New installation .....	42.75
	Replacement of existing installation at same location .....	42.75
151 – 200 amp service:		
	New installation .....	53.25
	Replacement of existing installation at same location .....	53.25
201 – 250 amp service:		
	New installation .....	64.25
	Replacement of existing installation at same location .....	64.25
251 – 300 amp service:		
	New installation .....	74.75
	Replacement of existing installation at same location .....	74.75
301—400 amp service:		
	New installation .....	85.50
	Replacement of existing installation at same location .....	85.50
401—500 amp service:		
	New installation .....	107.00
	Replacement of existing installation at same location .....	107.00
501—600 amp service:		
	New installation .....	128.00
	Replacement of existing installation at same location .....	128.00
Over 600 amp service .....		150.00
	Plus, per amp over 600 .....	0.54
	Replacement of existing installation at same location .....	0.44

Remodeling and alterations where service charge is not required:

1% of the value of the project

Minimum ..... 37.50

Temporary pole ..... 37.50

Re-inspection (each) ..... 42.75

Outside technical review:

110% of actual expense to the city

Administrative reimbursement fee for permit cancellation ..... 25.00

(3) *Plumbing permits.*

For issuing each permit ..... \$37.50

In addition:

For each plumbing fixture, hose bib, floor drain, thermal backflow device, expansion device, or trap including water and drainage piping ..... 5.35

or 1% of total job cost (whichever is greater)

For each house sewer ..... 13.00

For each house sewer having to be replaced or repaired ..... 13.00

For each septic tank and seepage pit or drainfield ..... 13.00

For each water heater and/or vent ..... 2.20

For each gas piping system of one to four outlets ..... 3.25

For installation of water treating equipment ..... 2.20

For each gas outlet over four, each outlet ..... 2.20

For repair or alteration of drainage or vent piping ..... 2.20

Sewer connection fee, each septic tank or sewer connection ..... 37.50

Re-inspection (each) ..... 42.75

Outside technical review:

110% of actual expense to the city

Administrative reimbursement fee for permit cancellation ..... 25.00

(4) *Mechanical repair.*

For issuing each permit ..... \$37.50

In addition:

Heating, ventilating, duct air conditioning, refrigeration, or other systems, per \$1,000.00 or portion thereof ..... 53.25

Additional, per each \$1,000.00 or portion thereof ..... 13.00

33,000 BTU (1 bhp) to 165,000 (5 bhp) ..... 13.00

165,000 BTU (5 bhp) to 330,000 (10 bhp) ..... 21.50

330,001 BTU (10 bhp) to 1,165,000 (52 bhp) ..... 37.50

1,165,000 BTU (52 bhp) to 3,300,000 (98 bhp) ..... 53.25

Over 3,300,000 BTU ..... 80.00

Re-inspection fee for each re-inspection ..... 42.75

Outside technical review:

110% of actual expense to the city

Administrative reimbursement fee for permit cancellation ..... 25.00

(5) *LP gas system permits.*

Each activity (regardless of cost, including addition or alteration of piping):

1% of the value of the project

Minimum fee ..... \$37.50

Re-inspection (each) ..... 42.75

Outside technical review:

110% of actual expense to the city

Administrative reimbursement fee for permit cancellation ..... 25.00

~~(6)~~ *Appeal and variances.*

~~Appeals ..... \$480.00~~

~~Variances ..... 480.00~~

~~Other requests requiring council action ..... 480.00~~

(6)(7) *Extensions of permits.*

Requests for extension of permits:

10% of fee for permit, but not less than ..... \$53.25

~~(7)(8)~~ *Vegetation certificates of competency.*

Testing for a new vegetation contractor ..... \$37.50

Testing for re-certification ..... 37.50

\* One retesting is free if is requested within 21 days after notice of failure

~~(8)(9)~~ *Other fees or charges.*

Copies of forms of notice of commencement  
(Statutory fee) ..... \$5.00

~~(9)(10)~~ *Plan review fee.*

Residential:

10% of the permit fee

Minimum fee ..... \$80.00

Commercial:

25% of the permit fee

Minimum fee ..... 80.00

(10) Special timed inspection fee / per inspection \$100.00

~~Sec. 14-192.—Annual increase in fees to be automatically based upon Consumer Price Index; authorization to publish increases by resolution.~~

~~Commencing with the 2004-2005 fiscal year, and for each fiscal year of the city thereafter, all fees set forth in section 14-191, subsections (1) — (11) shall be automatically increased by a percentage amount equal to the prior 12 month average of the Consumer Price Index For All Items For Urban Consumers as published monthly by the Bureau of Labor Statistics, United States Department of Labor. In the event that the immediately preceding 12 months of the Consumer Price Index are not available, then in that event the last 12 published and available months of the Consumer Price Index shall be used to determine the average monthly percentage increase. The new fees for each fiscal year, as increased pursuant to this section, shall be effective commencing October 1st of each such fiscal year and the increased fees shall be adopted by resolution of the city council and available from the city clerk and city building department.~~

~~For purposes of efficient administration in increasing and charging fees pursuant to this section, the following rules shall be used in calculating the fee increases:~~

~~(1) — For fees or portions of fees which are less than \$1.00 prior to the applicable fiscal year increase, the increased fee, if ending in a fraction of \$0.01, shall be rounded to the next highest \$0.01, provided however, that the minimum increase of any such fee shall be \$0.01; and~~

~~(2) — For any fee between \$1.00 and \$9.99 prior to the applicable fiscal year increase, the increased fee, if ending in a fraction of \$0.05, shall be rounded to the next highest \$0.05, provided however, that the minimum increase of any such fee shall be \$0.05; and~~

~~(3) — For any fee between \$10.00 and \$99.99 prior to the applicable fiscal year increase, the increased fee, if ending in a fraction of \$0.25, shall be rounded to the next highest \$0.25, provided however, that the minimum increase of any such fee shall be \$0.25; and~~

~~(4) — For any fee of \$100.00 or more prior to the applicable fiscal year increase, the increased fee, if ending in a fraction of \$1.00, shall be rounded to the next highest \$1.00, provided however, that the minimum increase of any such fee shall be \$1.00.~~

Secs. 14-189 ~~493~~ – 14-210. Reserved.

**SECTION EIGHT. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE V – “STANDARDS”, is hereby amended to classify Sections 14-211 through 14-216 as “DIVISION 1, “GENERAL” with the underlining indicating new added language and strikethrough indicating deleted language to read as follows:**

ARTICLE V. - STANDARDS

DIVISION 1 – GENERAL.

~~Sec. 14-211. – Standard codes adopted.~~

~~The following standard codes, portions of codes, or minimum standards, copies of which are on file with the building official, are incorporated by reference as the respective city construction codes:~~

~~(1) — Standard Building Code, 1997 edition, as published by the Southern Building Code Congress International, Inc., excluding chapters 11 and 13, and appendices A, B, C, E, F, G, H and I;~~

~~(2) — National Electrical Code (NFPA 70-1996), as adopted and published by the National Fire Protection Association;~~

~~(3) — Standard Plumbing Code, 1997 edition, as published by the Southern Building Code Congress International, Inc., excluding all appendices;~~

- (4) ~~Standard Mechanical Code, 1997 edition, as published by the Southern Building Code Congress International, Inc., excluding all appendices;~~
- (5) ~~Standard Gas Code, 1997 edition, as published by the Southern Building Code Congress International, Inc., excluding all appendices;~~
- (6) ~~Accessibility by Handicapped Persons Standards under the Florida Americans with Disabilities Accessibility Implementation Act, as promulgated by the state, pursuant to F.S. Ch. 553, pt. V;~~
- (7) ~~Thermal Efficiency Standards, as promulgated by the state, pursuant to the Florida Thermal Efficiency Code, F.S. Ch. 553, pt. VIII;~~
- (8) ~~Energy Conservation Standards, as promulgated by the state pursuant to the Florida Energy Conservation Standards Act, F.S. Ch. 553, pt. IX;~~
- (9) ~~Radon Resistant Building Standards, as promulgated by the state pursuant to the Standards for Radon Resistant Buildings, F.S. Ch. 553, pt. X.~~

Sec. 14-~~211~~ 212. - Value of project or work.

- (a) The value of the project or work will be determined as follows:
  - (1) For single-family and duplex projects, new construction and additions, value will be based upon an assigned cost of \$275.00 per square foot of gross living area and an assigned cost of \$138.00 per square foot of gross nonliving area.
  - (2) For commercial and all other projects, value will be based upon the greatest of the following:
    - a. The actual cost of the project;
    - b. The reasonable estimated cost to replace the building, structure or other system in kind; or
    - c. The average cost of similar projects in the city within the previous six months.
- (b) The valuation submitted must include the total cost of the project or work.
- (c) If the project or work appears to be underestimated on the application, the building official shall deny the application and shall not issue the permit.
- (d) The building official can, after review of a project, value the cost of a project at a rate higher than \$275.00 per square foot of gross living area, the \$138.00 valuation per square foot of nonliving area, or both, if it is determined that the construction of the project is unique and more costly than the valuations indicated above.
- (e) An applicant can appeal the \$275.00 valuation per square foot of gross living area, the \$138.00 valuation per square foot of nonliving area, or both, if they can show documentation in the form of a signed contract that indicates that the cost of the improvement is less than the applied valuation.

- (f) Prior to issuance of a certificate of occupancy or certificate of completion, and upon the request of the building official, the applicant must certify any changes which may affect valuation under this section.

Sec. 14-~~212~~ 213. - Building code special provisions.

The special provisions in sections 14-~~214~~ 213 through 14-~~223~~ 216 are adopted as part of the city building code. These provisions involve conditions of special interest to the city and supersede adopted standard codes.

Sec. 14-~~213~~ 214. - Required submissions prior to rough inspections.

Prior to any rough inspections on new structures and as required for additions and remodels, the applicant or agent thereof must submit the following materials:

- (1) An approved survey indicating the location of the foundation of the building on the property.
- (2) An overlay by the contractor indicating all projections and structures not shown on the survey, including roof overhang, decks, air conditioning pads or stands, and pool equipment.
- (3) An approved elevation certificate indicating the elevation of required finish floor or lowest portion of the lowest horizontal member as determined by the flood zone.
- ~~(4) An approved certification of all envelope components, including, but not limited to, windows, sliding glass doors, fixed glass panels, skylights, exterior doors and garage doors.~~
- ~~(4)~~(5) An engineer-certified roof truss layout and design.
- ~~(5)~~(6) A pile driving certification, including size of pilings, depth driven below existing grade, and blow count for last foot.

Sec. 14-~~215~~. - Required fire walls.

~~In a building or portion of a building of a single occupancy classification, when enclosed spaces are provided for separate tenants, such spaces shall be separated by at least an approved one-hour fire separation.~~

Sec. 14-~~216~~. - Standpipe.

~~The building official may require a standpipe in any type of building where the fire department does not have roadway access within 20 feet of all sides of a building that has a dimension on any one side of at least 100 feet.~~

Sec. 14-~~217~~. - Anti-bird-nesting device.

~~An anti-bird-nesting device may be installed on a chimney. If installed, it shall be securely attached to the top of the chimney. The device shall be designed with a hip, full-hip, rounded chuck wagon, or other equivalent roof type which will discourage bird-nesting. The pitch of the roof must be a minimum of three to 12 or simply rounded for the chuck wagon type. The construction material shall be a minimum of 26-gauge galvanized metal or other approved~~

~~equivalent material. The anti-bird-nesting device shall not exceed the maximum height allowed by the land development code.~~

Sec. 14-~~214~~ 218. - Water connection commitment.

The ~~building official~~ Planning Department will not grant a building development permit for any development which would require a new water connection or an increase in the size of the water connection, until a proof of commitment for a water connection is submitted. This proof shall consist of a document provided by the island water association indicating an application has been approved and the fee has been paid.

Sec. 14-~~215~~ 219. - Moving a building.

No building, and no structure constituting an oversize load under state laws, may be moved from a property unless a moving permit has been obtained. An applicant must provide a bond, equivalent security, or proof of insurance of at least \$100,000.00 protecting the city and the owners of property against property damage. Before a moving permit is issued, the enforcing official may require an inspection for compliance with subsection 14-187(h). If repairs or alterations are necessary for full compliance, they shall be included as conditions of the moving permit or building permit. The fee for this relocation inspection is established by section 14-~~194~~ 188.

Sec. 14-~~216~~ 220. - Certification of information.

All information on maps, surveys or plats must be certified by a land surveyor or professional engineer per state law. Errors shall vest no rights and shall be considered a material misrepresentation and good cause for denial or revocation of any permit, license or grant issued.

Sec. 14-~~221~~. - ~~Fire resistant materials for enclosed stairways and garage partitions.~~

~~All dwelling units not required by other sections of this building code to be provided with fire protection shall have any enclosed stairwell and all partitions separating a garage from a storage room to be protected as follows:~~

- ~~(1) Walls shall have a minimum of one-half inch gypsum board or equivalent noncombustible material (flame spread zero to 25) on each side of the enclosure or separation wall. The noncombustible wall or a minimum nominal two-inch-thick board shall extend to the bottom side of the floor above.~~
- ~~(2) Doors at grade level, not on the exterior perimeter of the building, shall be metal but are not required to be fire rated.~~
- ~~(3) All glass not on the exterior perimeter of the stairwell or garage shall be wire glass or equivalent.~~
- ~~(4) Insulation installed below the base flood elevation shall be resistant to floodwater damage.~~

Sec. 14-~~222~~. - ~~Electric service; attic water heater installation.~~

- ~~(a) An electrical service shall not penetrate a building in excess of five feet without a service disconnect.~~

- ~~(b) When a service disconnect is required by flood regulations to be elevated to a height not readily accessible, approved steps, a ladder or a platform must be provided.~~
- ~~(c) Number 6 AWG and smaller electrical conductors must be copper.~~
- ~~(d) Installation of a water heater in an attic will only be considered accessible when the applicant provides for a pull-down ladder or doorway, a minimum 24 inch walkway, and a 24 inch working platform around the water heater.~~

~~Sec. 14-223. Copper piping.~~

~~Copper piping used for underground water service, lawn sprinkler systems, and water supply lines must be a minimum of type L.~~

~~Secs. 14-217-224 — 14-240. - Reserved.~~

**SECTION NINE. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI – DANGEROUS BUILDINGS AND HAZARDOUS LANDS, DIVISION 1 – “GENERALLY”, DIVISION 2, “ENFORCEMENT PROCEDURE” AND DIVISION 3, “BRAZILIAN PEPPER ERADICATION PROGRAM” shall remain as is and such divisions and sections are not amended by this Code amendment.**

~~Secs. 14-299 — 14-320. - Reserved.~~

**SECTION TEN. Sanibel Code of Ordinance Chapter 14 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII – “HURRICANE RESISTANT COASTAL CONSTRUCTION CODE”, DIVISION 1, “GENERALLY”, DIVISION 2, “DESIGN STANDARDS” AND DIVISION 3, “CONSTRUCTION STANDARDS” are hereby deleted in their entirety as follows with strikethrough indicating deleted language:**

~~ARTICLE VII. HURRICANE RESISTANT COASTAL CONSTRUCTION CODE~~

~~DIVISION I. GENERALLY~~

~~Sec. 14-321. - Title.~~

~~The provisions of this article shall constitute the "Hurricane Resistant Construction Code" of the city.~~

~~Sec. 14-322. - Purpose; effect on other regulations.~~

- ~~(a) The purpose of the provisions contained in this article is to provide minimum standards for the cost-effective, hurricane-resistant construction of buildings.~~
- ~~(b) It is generally acknowledged that a hurricane is one of the most destructive forces of our firmament. While there can be no assurance or guarantee that damage will not occur to any manmade structure in a hurricane of any type or classification, the intent of this article is~~

that, by incorporation of certain nationally recommended construction methods and practices such damage to an individual structure may be minimized.

- ~~(c) The standards in this article are intended to supplement the city building code, and the requirements resulting in the greater storm resistant design shall apply.~~

Sec. 14-323. – Scope.

- ~~(a) The requirements of this article apply, as specified in this article, throughout the city to the construction of any major structure, or minor structure; to substantial improvements to major structures; to additions to major structures; and to the construction of any accessory structure, however otherwise designated or distinguished, which is located on the same parcel or lot as a major structure.~~
- ~~(b) When any part of a structure is located within the coastal high hazard area as defined in the land development code, requirements of this article which are more restrictive than those of the land development code shall govern the design considerations of the entire structure.~~
- ~~(c) In addition to the specific requirements of this article, mobile homes shall conform to the Federal Mobile Home Construction and Safety Standards and those of the land development code.~~
- ~~(d) Regardless of more or less stringent specific requirements of this article, all minor structures shall be designed to produce the minimum adverse impact on the beach and dune system within the city and adjacent properties and to reduce the potential for water or wind-blown material. Construction of a rigid coastal or shore protection structure designed primarily to protect a minor structure shall not be permitted.~~
- ~~(e) Regardless of more or less stringent specific requirements of this article, nonhabitable major structures shall be designed to produce the minimum adverse impact on the beach and dune system within the city. All sewage treatment plants and public water supply systems shall be floodproofed to prevent infiltration of surface water from a 100-year storm event. Underground utilities, excluding pad transformers and vaults, shall be floodproofed to prevent infiltration of surface water from a 100-year storm event or shall otherwise be designed so as to function when submerged by such storm event.~~
- ~~(f) All construction, except for elevated walkways, lifeguard support stands, docks or piers, beach access ramps, gazebos, and coastal or shore protection structures, shall be located a sufficient distance landward of the beach to permit natural shoreline fluctuations and to preserve dune stability.~~
- ~~(g) Wherever the public has established an accessway through private lands to lands seaward of the mean high water line by prescription, prescriptive easement, or any other legal means, development or construction shall not interfere with such right of public access, unless city council approves a comparable alternative accessway. A developer may improve, consolidate, or relocate such public accessways as long as the accessways provided by the developer are of substantially similar quality and convenience to the public, approved by the city council, and consistent with the Sanibel Plan and the land development code.~~

Sec. 14-324. – Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~ACSE~~ means the American Society of Civil Engineers.

~~Addition~~ means any extension or increase in floor area, roof area, or height of a structure, which amounts to a substantial improvement.

~~ANSI~~ means the American National Standards Institution.

~~AWP.A~~ means the American Wood Preservers Association.

~~Batter pile~~ means an inclined pile, driven at some angle to the vertical so that it will provide horizontal as well as vertical reaction components.

~~Beach~~ means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. "Beach" is alternatively termed "shore".

~~Breakaway wall and frangible wall~~ mean a partition, as defined in the land development code, which is independent of supporting structural members, that will withstand design wind forces, but will fail under hydrostatic, wave, and runup forces associated with the design storm surge. Under such conditions, the wall will fail in a manner such that it dissolves or breaks up into components that will not act as potentially damaging missiles.

~~Coastal or shore protection structure~~ means shore hardening structures, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other than beach sand used for shoreline protection; beach and dune restoration; other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces; and any other structure which, by its usage, design, dimensions, or structural configuration, would require engineering consideration similar to the listed structures.

~~Column action~~ means potential elastic instability in piles or columns resulting in buckling or lateral bending of the member from sustained compressive stresses due to direct axial and bending loads.

~~Construction~~ means the carrying out of any building, clearing, filling, or excavation or the making of any material change in the size or use of any structure or the appearance of any land. When appropriate to the context, "construction" refers to the act of construction or the result of construction.

~~Dead load~~ means passive weight of a building or structure, including all fixed service equipment.

~~Dune~~ means a mound or ridge of loose sediments, usually sandsized sediments, lying landward of the beach, and deposited by any natural or artificial mechanism.

~~End bearing pile~~ means a pile whose primary resistance to load is furnished by the penetration resistance of its tip brought about by rock or other firm stratum.

~~FEMA FIA~~ means the Federal Emergency Management Agency Federal Insurance Administration.

~~*FIRM* means the flood insurance rate map issued by the Federal Emergency Management Agency for the city, as revised and adopted by the city.~~

~~*Friction pile* means a pile whose primary resistance to load is furnished by the friction that is developed along its length through the action of the surrounding soil.~~

~~*Grade beam* means a horizontal structural member, located at or below grade elevation, for the purpose of transferring superstructure loads to the foundation system.~~

~~*HVAC* means heating, ventilating and air conditioning.~~

~~*ICBO* means the International Conference of Building Officials (Uniform Building Code).~~

~~*Land development code* means the land development code adopted by the city.~~

~~*Live load* means the building code required weight superimposed upon the building or structure by its use or occupancy and not attributable to wind load or dead load.~~

~~*Lowest floor* means the lowest floor of the lowest enclosed area (including basement), as further defined in section 94-1.~~

~~*Major structure* means any house, mobile home, apartment building, condominium, motel, hotel, other dwelling unit, restaurant, tower, office, store, or any other type of residential, commercial, or public building, and other construction having the potential for substantial impact.~~

~~*Minor structure* means pile supported, elevated dune and beach walkover structures; beach access ramps and walkways; stairways; pile supported, elevated viewing platforms, gazebos, and boardwalks; lifeguard support stands; public and private bathhouses; sidewalks, driveways, parking areas, shuffleboard courts, tennis courts, handball courts, racquetball courts, and other uncovered paved areas; earth retaining walls; and sand fences, privacy fences, ornamental walls, ornamental garden structures, aviaries, freestanding screen enclosures or other ornamental construction. Minor structures are those considered to be expendable under design wind, wave, and storm forces.~~

~~*MSL* means mean sea level as established by National Geodetic Vertical Datum.~~

~~*NGVD* means National Geodetic Vertical Datum. A geodetic datum established in 1929 by the National Coast and Geodetic Survey.~~

~~*Nonhabitable major structure* means swimming pools; parking garages; pipelines; docks or piers; canals, lakes, ditches, drainage structures, and other water retention structures; water and sewage treatment plants; electrical power plants, transmission lines, distribution lines, transformer pads, vaults, and substations; roads, bridges, streets, and highways; and underground storage tanks.~~

~~*Perimeter beam* means a reinforced concrete beam encircling the perimeter of exterior walls as a capping to hollow core concrete masonry units. Also referred to as a tie beam or spandrel beam.~~

~~*Pile cap* means a structural member, usually of steel reinforced concrete, placed on top of the piles, sometimes encasing them. Its function is to transmit the concentrated load from the structure above and distribute it to the pile group.~~

~~Pile cluster~~ means a group of piles either in contact or in close proximity that are tied together, usually by a pile cap, and function as a unit.

~~Pile drive shoe~~ means a device placed at the tip of the pile whose purpose is to reduce damage to the pile during driving.

~~Progressive collapse~~ means collapse of a portion, or the entire building or structure, by failure of one component part, or failure of several such parts in succession.

~~Small structures~~ means single family or duplex residential structures with a habitable floor area not exceeding 4,000 square feet, or commercial structures with a habitable floor area not exceeding 5,000 square feet, which comply in all respects with the requirements of the land development code.

~~Spread footing~~ means a generally reinforced concrete element to transfer the column and wall loads to the supporting soil.

~~Substantial improvement~~ means any repair, reconstruction, or improvement of a structure defined as a "substantial improvement" in the land development code.

~~Uplift~~ means forces acting vertically upward by positive or negative pressure.

~~Wave scour~~ means soil movement, or displacement by storm-induced wave action.

~~Sec. 14-325. — Alternate designs.~~

~~Notwithstanding the specification requirements in this article, this shall not preclude the submission of alternate designs and plans by a professional engineer registered in the state where the engineer certifies that such alternate design complies with the performance requirements of the building code and this article with respect to wind loadings and with respect to possible scour.~~

~~Sec. 14-326. — Post hurricane inspection.~~

~~(a) — Where damage is of such nature that the structural integrity of the building or structure is questionable, in the opinion of the building official, a report shall be prepared and submitted by a structural engineer, registered in the state, bearing the embossed seal and signature of such structural engineer.~~

~~(b) — No building, other structure, assembly, or part thereof having sustained collapse or damage shall be repaired, altered or otherwise returned to its original state or function, without full compliance with the Sanibel Plan and the land development code.~~

~~(c) — Post hurricane shoring, or reinforcement, may be installed immediately to protect human life, to prevent imminent collapse or partial collapse of a structure, or where deemed necessary by a registered structural engineer to safeguard the structure from further deterioration without additional permitting.~~

~~(d) — Nothing in this Code shall prohibit a contractor, homeowner, or a homeowner's designee from installing a nonpermanent material such as canvas or plastic as emergency repairs to prevent water leaking into a damaged structure.~~

~~Secs. 14-327 — 14-345. — Reserved.~~

## DIVISION 2. — DESIGN STANDARDS

### Sec. 14-346. — Wind load.

- (a) ~~— *Building code standards.* The Standard Building Code, adopted by ordinance as the Sanibel Building Code, is hereby amended by the adoption of American Society of Civil Engineers Standard 7-88, entitled "Minimum Design Loads for Buildings and Other Structures."~~
- (b) ~~— *Basic wind speed.* The design wind speed for all buildings and structures shall be 120 miles per hour.~~

### Sec. 14-347. — Hydrostatic loads.

~~Hydrostatic loads shall be included in the design of new construction or substantial improvements of or additions to any major structure. For such structures or substantial improvements or additions thereto which are exposed, by function or location, to flowing water having velocities greater than five feet per second, hydrostatic and hydrodynamic loads shall be applied in design calculations.~~

### Sec. 14-348. — Resistance to hydrostatic pressures; design data.

~~All structures, together with all appurtenances or component parts thereof not rigidly secured or anchored to the structure, shall have such weight (dead load) to resist the full hydrostatic pressures and uplift from floodwater at the flood elevation established by the land development code or FIRM, (whichever requires the greater flood elevation with an applied safety factor of not less than 1.5. Recognized methods of structural analysis in accordance with accepted engineering practice shall be used in apportionment of uplift and resisting forces. All such design data, together with detailed procedures and analysis, when requested, shall be submitted for approval to the building official.~~

### Sec. 14-349. — Hydrodynamic loads.

- (a) ~~— Where hydrodynamic loads are required to be computed for the design stability of a building or structure as provided in sections 14-347 and 14-348, such calculations shall be computed or estimated by recognized and authoritative methods, using accepted formulae where possible.~~
- (b) ~~— For the purpose of this article, hydrodynamic loads shall be regarded as basically lateral type in the relationship to direct impact loads by the moving mass of water under storm surge conditions and to the drag forces of such flow. Floodwater flow calculations shall assume the moderate speed of ten feet per second with the mass entirely above ground level and attaining a storm-sustained height equal to the required elevation of the lowest floor, as established by the land development code or FIRM.~~

### Sec. 14-350. — Battering loads.

- (a) ~~— Battering loads relate to isolated occurrences of storm floodwater borne, semi-floating, or floatable objects in impacting upon buildings or structures in a V zone. For the purpose of calculation, an isolated impact load of 500 pounds mass with velocity of ten feet per second~~

may be assumed to be acting upon a one-square-foot area of the building or structure at the required elevation of the lowest habitable floor.

- (b) ~~Battering load calculations shall apply only to the fundamental integrity of the building or structure, and shall not pertain to balcony railings, doors, windows, or similar, nonstructural appurtenances.~~
- (c) ~~Extreme battering loads are those where the mass of the waterborne object, striking the building or structure, is evaluated in tonnage. For the purpose of this article, it may be considered impractical to design buildings with adequate strength to resist extreme battering loads.~~

~~Sec. 14-351. – Wave and scour action.~~

~~Buildings or other structures of any configuration, for which a foundation is provided, shall not be constructed unless positive provision is made to safeguard the structure in the event of movement or scour of underlying soil developed by storm action.~~

~~Sec. 14-352. – Stability.~~

- (a) ~~All buildings or other structures, and all parts or elements thereof shall be designed to provide a minimum safety factor of 1.5 against failure by sliding or overturning when subjected to the storm and flood related forces detailed as minimum requirements of this article.~~
- (b) ~~For the purpose of providing building stability, only the dead load shall be considered effective, in conjunction with dry soil frictional resistance, between the foundation system and the soil.~~
- (c) ~~In estimating dead load values for design and compliance with this article, the actual weight of materials as published by the manufacturer or in recognized design manuals shall be used.~~
- (d) ~~Weight of fixed service equipment, whenever carried or supported by structural members, may be included in estimates of dead loads for design purposes. Such equipment shall include, but may not be limited to, electrical feeders, plumbing or fire service stacks or risers, HVAC systems, elevator hardware, and solar heat transfer equipment.~~
- (e) ~~For the purpose of providing building stability under design storm conditions, no resistance shall be utilized in calculations, either as weight, frictional, or passive, from soils which could be displaced by scour. In any such calculations, no frictional resistance shall be assumed to exist between the foundation system and the soil above the design wave scour depth stipulated in division 3, subdivisions II and III of this article.~~

~~Sec. 14-353. – Anchorage; foundations.~~

- (a) ~~Anchorage of contiguous parts of a building structure shall be continuous from foundation to roof.~~
- (b) ~~Spread footings shall not be permitted in any of the V1-V30 zones, inclusive, or in any area where a portion, or all, of the structure is within 500 feet of San Carlos Bay, Pine Island Sound, Blind Pass, or the Gulf of Mexico.~~

~~Sec. 14 354. — Additional construction considerations.~~

- ~~(a) — All portions of structures, of a size where control or expansion joints are necessary, shall be designed and constructed to act with the total structure in resisting storm forces, unless structural or physical separation is provided sufficient to prevent progressive collapse.~~
- ~~(b) — Specific attention shall be given to components and portions of buildings whereby use of a particular material, and the means of attachment or incorporation thereof in the main structure, might reduce the withstand stress of the whole, or become a hazard under hurricane type storm conditions. Components in breakaway or frangible wall zones are exempt. Such components and portions may be typified, but not restricted to, roof structures, roof skylights, windows, exterior doors, garage doors, curtainwall, fixed and operable glass panels, exterior stairways, awnings (structural portion) and shutters, including hurricane shutters. Fixed or operable exterior glass panels, site-fabricated and of glass area not exceeding four square feet, need not be certified provided that they otherwise comply with the city building code and be glazed with other than single-strength glass. While this section does not mandate the use of awnings, shutters or hurricane shutters, where they are used, awnings (structural portion) and shutters, including hurricane shutters, shall be designed and installed in such a manner as to withstand the design wind speed of 120 miles per hour. All components shall have shop drawings, which include a certification signed and sealed by an engineer registered in the state, stating the components meet the provisions of this Code.~~
- ~~(c) — Exterior stairways intended as required means of egress from any building or structure pursuant to the city building code shall not be considered as being expendable under storm conditions. All exterior stairways of timber construction shall be securely attached to main structural members by means of minimum one-half inch diameter stainless steel bolts, nuts and plate washers, or stainless steel lag bolts. Where the lower end of exterior stairways is free of direct attachment to the main structure, each stringer shall be secured to a concrete antifloatation slab of adequate dimensions by means of one two inch by two inch by one-quarter inch angle iron approximately two feet zero inches long, set vertically in the slab to a "pin" footing of concrete penetrating to a depth of not less than three feet or one foot below the scour elevation, whichever is greater, all of which metalwork shall be hot dipped galvanized. Alternative methods of anchoring the stairway such as a six inch by six inch post pressure treated for direct ground contact to prevent wash out, flotation or wave scour may be submitted for approval.~~
- ~~(d) — Where the engineered wood truss design is dependent upon site installed bracing, the size and location of such bracing shall be made available to the installer and the city by a data sheet bearing the seal and signature of an engineer registered in the state.~~
- ~~(e) — Internal pressures on internal walls, ceilings, and floors resulting from damaged walls, windows or doors shall also be considered in design.~~

~~Sec. 14 355. — Small structures.~~

- ~~(a) — Small structures, or substantial improvements or additions thereto located entirely in A1-A30 zones, when not required by state statutes or the city building code to be designed by a registered architect or engineer, and when not declared for appropriate reason by the building official to be a "threshold building" pursuant to F.S. § 553.71, or a building of~~

unusual design, or utilizing unbraced exterior walls with a height exceeding ten feet, may elect to utilize the provisions of this section for main wind force resisting system parameters instead of the design requirements of section 14-346, provided that compliance with all other sections of this article applicable to location and type of construction is ensured.

- (b) ~~Wall siding or roof sheathing may be applied without submittal of design calculations, provided the fastening thereof complies in entirety with division 3, subdivision V of this article.~~
- (c) ~~Floor joists in wood frame construction must be anchored to the girder system in the following manner: A galvanized metal twist strap or equivalent, rated at a minimum of 1,000 pounds of uplift and installed per manufacturer's specifications, must be provided at each joist to girder connection around the exterior perimeter of the structure. In the remaining interior of the structure where the below floor area is enclosed, and length of floor support joist is 12 feet or less, each point of attachment of first habitable floor support joists to main girders or foundation system shall be reinforced against uplift forces by at least one hurricane anchor, rated at not less than 370 pounds' uplift and installed in accordance with the manufacturer's specifications. Where below floor area is open, or length of floor support joist exceeds 12 feet, one such hurricane anchor shall be similarly installed at each side of first habitable floor support joists at each point of attachment to main girders or foundation system.~~
- (d) ~~All components (components in breakaway or frangible walls are exempt) as listed in subsection 14-354(b) shall be certified for compliance to withstand a structural test per 120 miles per hour standards of the table below, unless the hurricane shutter alternate method is used. The mean roof height is determined by finding the average or mean height of the upper roof above grade. The same positive and negative pressures shall be used over the entire building, except the corner zone as defined in ASCE 7-88. (Note: Any component located in the corner zone which is defined as ten percent of the minimum width or four tenths times the mean height, whichever is smaller, but not less than either four percent of the minimum width or three feet, must be calculated per ASCE 7-88 and the certification signed and sealed by an architect or engineer registered in the state.)~~

**120 MPH STANDARDS**

Mean Roof Height (feet)	Positive Pressure	Negative Pressure
15	54	57
20	58	62
25	62	66
30	66	70

Sec. 14-356. – Hurricane shutter alternate method.

The following hurricane shutter alternate method may be used for protection of any or all of the components as listed in subsection 14-354(b). Components (components in breakaway or frangible walls are exempt) shall be certified for compliance to withstand a structural test per the 110 miles per hour standards of the tables below if the component is protected by an approved hurricane shutter. The shutter must be installed per a certification signed and sealed by an architect or engineer registered in the state, to comply with subsection 14-354(b). The hurricane shutter must be installed as an integral part of the structure, or, as in the case of hurricane panels, the required structural brackets that hold the panels in place must be installed as an integral part of the structure. Other types of installations may be approved if properly certified.

HURRICANE SHUTTER ALTERNATE 110 MPH STANDARDS

Mean-Roof Height (feet)	Positive Pressure	Negative Pressure
15	45	48
20	49	52
25	52	56
30	55	59
35	57	61

Note: This table only to be used as Hurricane Shutter Alternate.

Sec. 14-357. – Additions to existing structures.

- (a) — Additions to existing structures, either substantial or nonsubstantial improvements, shall comply with the requirements of this article; however, the building official may deem compliance with all or a portion of this article upon a finding that compliance is impractical.
- (b) — In making a determination of impracticability, the building official shall take into consideration the likelihood of substantial danger resulting from noncompliance, the extent

~~to which the addition is integrated into the original structure, the extent to which the building materials used in the original structure can be used in the addition, the extent of cost of compliance, and any other factors deemed relevant to the issue of impracticality. Additions not required to comply with this article must be effectively anchored and provide uplift resistance which will not contribute instability to the existing structure.~~

~~Sec. 14-358. – Minor structures.~~

~~Minor structures comprising, but not limited to, storage sheds, carports, boat shelters, beach walkovers and freestanding screen enclosures are exempt from 120 miles per hour construction standards. Storage sheds, carports and similar structures shall be securely anchored to a concrete footing or monolithic concrete slab of mass not less than 1.5 times the total deadload of the structure. Beach walkovers shall be supported by posts, pressure-treated for direct contact with soil, which extend a minimum of three feet below existing grade. Screen enclosure designs shall bear the seal of a licensed state engineer to withstand a wind speed of 110 miles per hour, and, in addition, shall be vertically cross braced by means of nominally one eighth inch diameter stranded or solid galvanized steel cable tensioned by turnbuckle, or similar device, and anchored at the cross by a cable "U" bolt. The entire structure shall be similarly braced in the plane of the roof. Vertical members shall be attached to the foundation with bolts of not smaller than three eighths inch diameter. The minimum bolt or rivet size for any structural attachment shall be one quarter inch diameter. Sheet metal screws shall only be used for nonstructural attachment purposes unless specifically specified in engineering documents. Metal framed screened enclosures shall be grounded in accordance with the National Electrical Code.~~

~~Secs. 14-359 – 14-375. – Reserved.~~

### ~~DIVISION 3. – CONSTRUCTION STANDARDS~~

#### ~~Subdivision I. – In General~~

~~Secs. 14-376 – 14-390. – Reserved.~~

#### ~~Subdivision II. – V1-V30 Zones and Within 500 Feet of San Carlos Bay, Pine Island Sound, Blind Pass, or the Gulf of Mexico~~

~~Sec. 14-391. – Conformance with land development code.~~

~~Construction of any type occupancy, except minor structures as defined in this Code, and within the V1-V30 zones, inclusive, as classified by the FEMA FIA and delineated on the FIRM thereof, or within 500 feet of San Carlos Bay, Pine Island Sound, Blind Pass, or the Gulf of Mexico, shall conform to all provisions of the land development code, be signed and sealed by an architect or engineer registered in the state certifying compliance with Ordinance No. 95-01, and the specific standards of this subdivision.~~

~~Sec. 14-392. – Pile foundations:~~

- ~~(a) All foundation systems designs shall assume a minimum wave scour and soil movement can occur to a depth of five feet below the existing ground elevation, as determined by a lot~~

~~survey prepared by a state registered surveyor and in compliance with all requirements of city Ordinance No. 80-03.~~

- ~~(b) In the calculation of pile reactions and bearing capacity, stable soil conditions shall not be assumed above the depth of possible wave scour and storm soil movement noted in subsection (a) of this section. Notwithstanding calculated requirements for reaction and bearing capacity, pile tip penetration shall be to a minimum driven depth of 12 feet below existing ground elevation unless driven to refusal and specifically amended by the certifying architect or engineer. Compliance with such minimum penetration depth shall be certified in writing by the pile installing contractor and directed to the building official.~~
- ~~(c) Foundations comprising a number of single piles, all or part of which are intended to terminate with individual pile caps at, or below, grade, shall be designed in accordance with accepted engineering practice for the required dead load, uplift and overturning resistance of the structure. All individual pile caps shall be laterally connected by a system of reinforced concrete grade beams.~~
- ~~(d) Pile clusters, when desirable in attainment of required bearing capacity, pullout resistance, and lateral support, shall be designed in accordance with accepted engineering practice and shall incorporate a system of steel reinforced concrete pile caps, all laterally connected by a system of steel reinforced concrete grade beams. Simple embedment of the pile top within the pile cap shall not be considered suitable in prevention of pile displacement by storm-induced forces.~~
- ~~(e) Due consideration shall be given in the design of pile caps and grade beams to possible wave scour and battering. For buildings of more than two stories, including grade floor, pile caps and grade beams shall not be set at an elevation above +2.5 feet MSL, unless specified by the design architect or engineer or reinforced against displacement by wave scour, battering or other storm induced forces, by an engineering system of batter piles penetrating to an elevation equal to, or greater than, that of the bearing piles. Design of grade beams shall assume no support by surrounding earth or earthworks.~~
- ~~(f) Wood piling systems, where piles are directly connected to beams supporting a habitable floor, shall be individually secured thereto by means of two three fourth inch diameter, minimum, hot dipped galvanized bolts, nuts and plate washers. The holes for such bolts shall be staggered, drilled with a close tolerance to bolt diameter, and provide that no hole is closer than two inches to piles or beam edge. Notching of pile tops shall be the minimum sufficient to provide ledge support for beam members without unduly weakening pile connection. Other methods of pile to beam connection are acceptable, provided that such connection is demonstrably equal or superior for the application and does not depend upon nailing for attachment of individual members. Bolt design values shall comply with the Book of Standards to the Standard Building Code and published by the Southern Building Code Congress International, Inc.~~
- ~~(g) Due consideration shall be given to "column action" of piling in the design of foundation and superstructure assemblies. Column action stresses shall be considered as being superimposed upon normal structure loads. Since column action is related to unsupported length of piles, bracing requirements and pile cross section are of particular importance in design for maximum stability under storm conditions.~~

~~(h) Piling systems, unless specifically specified by the design architect or engineer, having an exposed unsupported length of more than eight times mean pile section shall be vertically cross braced ("X" braced) between all corners, and perimeter piles. Such described cross bracing shall be regarded as a minimum requirement for a structure nominally square, or rectangular, in plan, and shall consist of a minimum one-half inch diameter, galvanized steel rods, through anchored with nuts and plate washers within 12 inches of the habitable floor support beams, similarly secured as near to grade as possible and anchored with a clamp at the center cross. An equivalent system consisting of galvanized high tensile steel cables and turnbuckles anchored with a clamp at the center cross may be used in lieu of solid rods. Such cross bracing may be omitted in not more than two spans to provide access as a carport, conditional upon timber or other type of knee bracing being added between piles and main girders. Additional cross bracing, or knee bracing, of interior piles is recommended and will provide increased stability to the structure.~~

~~Sec. 14 393. Pile dimensions.~~

- ~~(a) The pile dimensions shall be not less than ten inches on a side for square timber piles.~~
- ~~(b) The pile dimensions shall be not less than ten inches in diameter when measured three feet from the butt, and not less than eight inches in diameter at the tip, for round timber piles.~~
- ~~(c) Dimensions of other types of piles and pile clusters shall be required to withstand the composite load requirements associated with the base flood as defined in the land development code and the storm resistive elements of this article. All wood piles shall be pressure treated in accord with requirements of AWWA.~~

~~Sec. 14 394. Columns, girders, beams, joists, rafters and trusses.~~

~~The design of columns, girders, beams, joists, rafters and trusses shall conform to accepted engineering practices for the composite load requirements associated with the base flood as defined in the land development code and the storm resistive elements of this article. Wood beams or girders supported over three or more piles or columns shall be installed to act as a continuous beam or girder. Where wood beams or girders consist of multiple boards, fastened together for the required load, they shall have the joints arranged alternately at the quarter span points between supporting piles or columns, or directly over the support piling or column. No two girder or stringer members shall be allowed to be spliced within the same span between two pilings or at the same support.~~

~~Sec. 14 395. Understructures.~~

- ~~(a) No substantial walls or partitions shall be constructed below the elevation of the lowest floor.~~
- ~~(b) Walls and partitions shall not be allowed below the base flood elevation unless they are breakaway or frangible walls.~~
- ~~(c) The following are the exceptions:
  - ~~(1) Elevator enclosures.~~
  - ~~(2) Stairways or access ramps.~~~~

~~(3) Light open lattice partitions, with individual wood lattice strips not greater in size than three-quarters of an inch thick and three inches wide.~~

~~(4) Aluminum framed, fiberglass mesh screen, swimming pool enclosures.~~

~~(d) Grade level paving, of Portland cement or asphaltic concrete, constructed under piling or column structures shall be isolated from individual piles or columns by four inches of suitable material to prevent hydrostatic forces exerting uplift upon the structure from the slab under wave scour conditions. Exceptions to this may be applied where, in the opinion of and specified by the design professional, the overturning moment of the structure will not be substantially altered by uplift forces acting upon the slab or other elements.~~

~~Secs. 14-396—14-410.—Reserved.~~

~~Subdivision III.—All Other Areas~~

~~Sec. 14-411.—Conformance with land development code.~~

~~Construction of any type of occupancy, except minor structures as defined in section 14-324, in any area of the city not identified in subdivision II of this division, shall conform to all provisions of the land development code and the specific design standards in this division.~~

~~Sec. 14-412.—Foundations.~~

~~All foundation systems designs shall assume that wave scour and soil movement can occur to a minimum depth of 2.5 feet below the existing ground elevation, as determined by a lot survey prepared by a state registered surveyor and in compliance with all requirements of the city.~~

~~Sec. 14-413.—Spread footing foundations.~~

~~Spread footings of steel reinforced concrete, for support of masonry, or combination masonry, construction shall be permitted, provided that measures are incorporated in their design to prevent damage by wave scour. Such measure may be by a system of concrete pilasters, or pin footings, nominally eight inches in diameter extending from the footing base to one foot below the scour depth of section 14-412. When such pilasters or pin footings are used, they shall be positioned below all locations of vertical reinforcing bar required by subsection 14-432(e), with the vertical bar extended down within three inches of the bottom of the pilaster, or pin footing.~~

~~Sec. 14-414.—Pile foundations.~~

~~(a) In the calculation of pile reactions and bearing capacity, stable soil conditions shall not be assumed above the depth of possible wave scour and storm soil movement noted in section 14-412. Notwithstanding calculated requirements for reaction and bearing capacity of friction piles, driven pile tip penetration shall be to a depth of not less than eight feet below existing ground elevation, except when supporting only stairs, pilings must penetrate a minimum of 42 inches below existing ground.~~

~~(b) Friction piles that are installed by any means whereby the surrounding soil is displaced other than by the pile during the installing process shall have a minimum tip penetration of ten feet below existing ground elevation, except when supporting only a stairway and~~

~~complying with subsection (a) of this section. In certain circumstances, where single-family residences and accessory structures require an exposed piling length of five feet or less above existing grade level, the pile penetration depth may be less than eight feet, provided that no individual pile is driven to a depth of not less than four feet below the wave scour depth stipulated in section 14-412.~~

- ~~(c) — Piles augered for accuracy of placement, and to auger depth not exceeding two feet, may be regarded as driven piles, provided that backfill is thoroughly compacted.~~
- ~~(d) — The pile installing contractor shall certify, in writing, directed to the building official, compliance with required pile tip penetration, and indicating the manner of placement (driven, auger, jetting).~~
- ~~(e) — Foundations comprising a number of single piles, all of which are intended to terminate with individual pile caps at, or below grade, shall be designed in accordance with accepted engineering practice for the required dead load, uplift and overturning resistance of the structure. All individual pile caps shall be laterally connected by a system of reinforced concrete grade beams.~~
- ~~(f) — Pile clusters, when desirable in attainment of required bearing capacity, shall be designed in accordance with accepted engineering practice and shall incorporate a system of steel reinforced concrete pile caps all laterally connected by a system of steel reinforced concrete grade beams designed to resist the superstructure storm forces required by this article.~~
- ~~(g) — Wood piling systems, where piles are directly connected to beams supporting a habitable floor, shall be individually secured thereto by means of two three-fourth inch diameter, minimum, hot-dipped galvanized bolts, nuts, and plate washers. The holes for such bolts shall be staggered, drilled with a close tolerance to bolt diameter, and provide that no hole is closer than two inches to pile or beam edge. Notching of pile tops shall comply with submitted approved plans and shall be the minimum sufficient to provide ledge support for beam members without removing more than one-half of the end area of the support piling. Other methods of pile-to-beam connection are acceptable, provided that such connection is demonstrably equal or superior for the application and does not depend upon nailing for attachment of individual member. Bolt design values shall comply with the Book of Standards to the Standard Building Code and published by the Southern Building Code Congress International, Inc.~~
- ~~(h) — Due consideration shall be given to column action, as detailed in subsection 14-392(g).~~
- ~~(i) — Wood piling systems having an exposed unsupported length of more than ten times mean pile section shall be vertically cross-braced ("X" braced) between all corner perimeter piles. Cross-bracing may be relocated as close to corners as possible for access to garage. A minimum of four cross-braces are required in each building direction for a minimum total of eight. Such described cross-bracing shall be regarded as a minimum requirement for a structure nominally square or rectangular in plan and may consist of trade-size two inches by six inches minimum pressure-treated wood members secured to the piles with one-half inch diameter galvanized bolt, nut and plate washer anchoring the cross, or knee-bracing providing equivalent foundation rigidity, or an equivalent system using rods or cables, as described in subsection 14-392(h).~~

~~Sec. 14-415. — Pile dimensions.~~

- ~~(a) — The pile dimensions shall be not less than eight inches on a side for square timber piles, except posts supporting only a stairway may be six inches.~~
- ~~(b) — The pile dimensions shall be not less than eight inches in diameter when measured three feet from the butt, and not less than six inches in diameter at the tip, for round timber piles, except posts supporting only a stairway and complying with subsection (a) of this section.~~
- ~~(c) — Dimensions of precast concrete and other types of piles shall be as required to withstand the composite load requirements of this article.~~

~~Secs. 14 416 — 14 430. — Reserved.~~

#### ~~Subdivision IV. — Masonry Construction~~

~~Sec. 14 431. — Foundations.~~

- ~~(a) — Spread footings shall not be permitted in any of the V1-V30 zones (inclusive), or in any area where a portion, or all, of the structure is within 500 feet of San Carlos Bay, Pine Island Sound, Blind Pass, or the Gulf of Mexico.~~
- ~~(b) — Spread footings shall be designed to sustain all applied loads and induced reactions, including uplift, without exceeding the permitted stresses of this article. Foundations for one-story masonry structures at grade or approved elevation shall be a minimum of 12 inches by 20 inches reinforced with two #5 bars, and two or more stories masonry structures shall be a minimum of 12 inches by 24 inches reinforced with three #5 bars. All foundations or approved pin footers must extend a minimum of 42 inches below existing grade or 42 inches below grade of engineered compacted fill tested to 95 percent compaction and certified by a testing laboratory. Pin footers will be accepted when complying with section 14 413.~~

~~Sec. 14 432. — Exterior walls.~~

- ~~(a) — One and two family dwellings with exterior walls or masonry construction shall have a perimeter beam at each habitable floor, or each ten feet of wall height, whichever is less, and at the roof. Such perimeter beams shall be of concrete not less than eight inches wide by 12 inches deep and shall be continuously reinforced with not less than two #5 reinforcing bars top and bottom. All splices and corners shall be lapped a minimum of 18 inches. Midwall tie beams, at up to eight feet of wall height, may be eight inches wide by eight inches deep and similarly reinforced with two #5 reinforcing bars top and bottom. All changes in tie beam elevations shall be accomplished by formed and poured concrete of the same dimensions and reinforcement bars as required for the tie beams.~~
- ~~(b) — All other structures with exterior walls of masonry construction shall have perimeter beams at every floor level above and at roof level of not less than eight inches wide by 12 inches deep and shall be adequately reinforced with not less than two #5 reinforcing bars at top and bottom positions.~~
- ~~(c) — All gables and parapet walls of masonry construction shall have perimeter beams, full length. For gables, the perimeter beams shall be not less than eight inches wide by eight inches clear depth, and shall be adequately reinforced with not less than two #5 reinforcing bars. Reinforcing steel of gable perimeter beam shall be tied into reinforcing steel of roof~~

perimeter beam. For parapet walls of masonry construction, perimeter beams shall be not less than eight inches wide by eight inches deep and shall be adequately reinforced with not less than two #5 reinforcing bars. Vertical bars shall be required as specified in subsection (e) of this section.

- (d) ~~Reinforcement stipulated in the foregoing shall be regarded as a minimum where the tie beam is supported by masonry. Unsupported spans over open areas shall require reinforcement sufficient for structural integrity. Unsupported tie beams six feet to ten feet in length shall be provided with two #5 reinforcing bars at top and two #6 reinforcing bars at bottom and #3 stirrups at 12 inches on center. Unsupported tie beams ten feet to 16 feet shall be eight inches by 16 inches within two #5 reinforcing bars at top and either three #6 or two #7 reinforcing bars at bottom and stirrups at eight inches on center. Spans exceeding 16 feet must be engineered.~~
- (e) ~~All perimeter beams on exterior walls, buttresses, gables, and parapet walls of masonry construction shall be tied down to the footings, horizontal structural beams, or grade beams, at intervals of not more than eight feet center to center, at all corners, and each side of all window and door apertures, with not less than one #5 reinforcing bar. The vertical reinforcing bars shall be hooked into, and tied to, the reinforcing steel of footings, horizontal structural members, intermediate roof, gable, or parapet perimeter beams a minimum of 12 inches. All vertical reinforcing bars shall be encased in poured concrete. The cores of hollow masonry units containing vertical reinforcing bars shall be pierced at the lowest part to permit access for inspection for bar ties, and release of air entrapped during concrete pouring.~~
- (f) ~~Buildings having walls of masonry construction and incorporating structural member of wood, such as beams, joists, rafters, trusses or purlins, shall have all such members secured against uplift forces in accordance with subdivision V of this division. When wood sill plates are used in conjunction with conventional wood wall framing, the plates shall be secured to the concrete perimeter beam by means of one half inch diameter "J" bolts set in the concrete not less than six inches deep and at three inches from end or corner, then 48 inches on centers. Sill plates shall be not smaller than two inches by six inches trade size pressure treated lumber.~~
- (g) ~~Laminated beams, purlins and ridge plates shall be secured against storm uplift forces in an approved manner best suited to the roof configuration and construction.~~
- (h) ~~Connection of rafters to ridge plate shall be reinforced against storm uplift forces by means of at least one metal strap minimum one sixteenth inch thick by one inch wide by 12 inches long with four ten penny nails in each end secured to rafters and ridge plate. Similar reinforcement shall be provided at hip rafter and jack rafter connections.~~
- (i) ~~Engineered timber roof and floor trusses may land directly on the concrete perimeter beam and shall be secured against calculated storm uplift forces by means equivalent to that required by subdivision V of this division. Where a wall plate is used as a bearing for rafters or trusses such plate shall be secured to the perimeter beam by means of one half inch diameter "J" bolts, at least eight inches long, at not more than six inches from any corner, or plate joint, and at the following intervals:~~

~~2" x 6" ..... Thirty six inches on centers~~

~~2" x 8" ..... forty eight inches on centers~~

- ~~(j) The uplift resisting devices shall be taken under the wall plate if not otherwise embedded in the concrete of the perimeter beam.~~
- ~~(k) Interior partitions of wood frame construction where the sill plate is supported by a concrete floor. Such sill plates shall be attached to the floor system by means of one half-inch diameter "J" bolts at intervals not exceeding six inches from an end, or corner, then 48 inches on centers, or, by means of power actuated steel spikes driven at intervals not exceeding six inches from an end or corner, then 36 inches on centers. Hand driven cut nails are not accepted for anchoring.~~

~~Secs. 14 433 - 14 450. - Reserved.~~

#### ~~Subdivision V. - Wood Frame Construction~~

~~Sec. 14 451. - Anchors.~~

~~All parts of wood frame structures shall be anchored from foundation to roof against uplift and floatation forces. Anchors securing roof rafters, beams or trusses to exterior wall systems shall connect each rafter, beam or truss to head plate and wall stud. Such anchors shall be galvanized steel of size and number, and nailed properly to be adequate for the calculated uplift. Connection of rafter to ridge plate shall be reinforced against storm uplift forces by means of at least one metal strap minimum one sixteenth inch thick by one inch wide by 12 inches long with four ten penny nails in each end secured to rafters and ridge plate. Similar reinforcement shall be provided at hip rafter and jack rafter connections. Conventionally frame roof structures must be signed and sealed by a state registered architect or engineer and consider the pressures created by 120 miles per hour on the framing members.~~

~~Sec. 14 452. - Securing beams, purlins, ridge plates and floor supports.~~

~~Laminated beams, purlins and ridge plates shall be secured against calculated storm uplift forces in an approved manner best suited to the roof configuration and construction. All floor support members shall be secured against uplift forces at each point of bearing with approved anchoring devices as detailed in section 14 451.~~

~~Sec. 14 453. - Exterior walls.~~

- ~~(a) Exterior stud wall members shall be a minimum of two inches by six inches S.Y.P. or S.P.F. spaced a maximum of 16 inches on center and sheathed per section 14 455. Size of stud must comply with the following chart:~~

	<del>S.Y.P. No. 2 Grade</del>		<del>S.P.F. No. 2 Grade</del>	
<del>Stud Size</del>	<del>Maximum Height</del>	<del>Maximum Height</del>	<del>Maximum Height</del>	<del>Maximum Height</del>
	<del>12" O.C.</del>	<del>16" O.C.</del>	<del>12" O.C.</del>	<del>16" O.C.</del>

2x6	12'-0"	10'-0"	10'-0"	8'-0"
2x8	15'-0"	13'-0"	13'-0"	11'-0"
2x10	20'-0"	17'-0"	16'-0"	14'-0"
2x12	22'-0"	21'-0"	20'-0"	17'-0"

~~(b) — Top plates on all exterior walls are to comply with dimensions above and to be double members with alternate overlaps at corners. Splices to be a minimum of four feet from each corner and overlapped in minimum of four feet. Exterior stud framed walls shall be secured against storm uplift forces by means of galvanized steel straps of not less than one inch wide by one sixteenth inch thick, or equivalent, attached to floor support joists or main girders by means of not less than six ten penny galvanized nails or exterior wall sheathing installed pursuant to section 14 455 extending a minimum of ten inches on each side of a wall joint or on the lower side of a sill plate. The strap shall extend above the sill plate at least six inches and be attached to each stud by means of not less than six ten penny galvanized nails. Such straps shall be provided at intermediate floor and ceiling levels, at similar intervals and manner of installation. Where interior partition walls run parallel to and between the location of ceiling joists or roof trusses, cross pieces of not less than two inch by four inch lumber shall span two joist truss members. Attachment of interior partition wall members to trusses or rafters shall be made in such manner as to permit flexing of trusses or rafters under storm conditions.~~

~~(c) — Gable end walls shall be balloon framed unless provided with a ceiling diaphragm properly connected to the end wall. Cathedral style ceiling construction cannot be considered an approved diaphragm. Stud members must comply with size per subsections (a) and (b) of this section.~~

~~Sec. 14 454. — Wood flooring and subflooring.~~

~~Wood flooring or subflooring, when of wood structural panel, shall be not less than twenty-three thirty secondths inch total thickness, exterior grade, fastened to beams or joists with 8d annual or spiral thread galvanized nails, spaced as required by the city building code. Such fastening shall be reinforced by the application of waterproof industrial adhesive applied to all bearing surfaces in accordance with the adhesive manufacturer's recommendations.~~

~~Sec. 14 455. — Wall cladding or sheathing.~~

~~Wall cladding or sheathing is required over the entire exterior walls of a structure. Such sheathing shall be a minimum of fifteen thirty secondths inch exterior grade structural panel glued with waterproof industrial adhesive. The adhesive must be applied to all bearing surfaces and fastened with nails or staples in compliance with standard building code specifications. Where sandwich or proprietary siding having less density than wood facia material is to be~~

~~installed, the use of supplemental fastening devices, or reinforcement by application of waterproof industrial adhesive, to corner areas might be desired by the siding manufacturer for his material to withstand the suction load at the design wind speed.~~

~~Sec. 14-456. – Roof sheathing structural panels.~~

~~Roof sheathing structural panels shall be exterior grade. Sheathing for framing supports 16 inches on center shall be a minimum of fifteen thirty-secondths inch and span rated at 32/16. For framing, supports 24 inches on center shall be a minimum of nineteen thirty-secondths inch and span rated at 40/20. The structural sheathing panels shall be glued with waterproof industrial adhesive to all bearing surfaces and fastened with nails or staples in compliance with standard building code specifications. Fastening pattern at gable end walls shall be as specified for edge condition. All structural panels shall be staggered at four feet on center. Each roof overlook at gables shall be anchored to wall framing members with a minimum 370-pound rated hurricane anchor or equivalent, nailed per manufacturer's specifications.~~

~~Sec. 14-457. – Trusses.~~

~~Engineered roof trusses shall be certified for 120 miles per hour wind loading per adopted ASCE standards. The engineering shall bear the seal of a state registered engineer and shall include specifications for required bottom chord and web member bracing, and also uplift calculations for all bearing points. Roof structures, or conventional framing or engineered trusses, shall be "X" braced in the vertical plane with a minimum of two inch by four inch Number Two Grade Southern Yellow Pine. These "X" braces must be located at all gable ends and each 20 feet on center including center sections of hip roofs. These "X" braces must span a minimum of five trusses or conventional framed roof rafters and be fastened to each truss with a minimum of two 16d nails. The "X" braces may be omitted when the engineer of record states and seals in writing they are not required.~~

**SECTION ELEVEN. Codification.** This ordinance shall be deemed an amendment to the Sanibel Code of Ordinances and shall be codified in the Sanibel Code of Ordinances as such an amendment. The City Clerk is hereby authorized and directed to instruct as part of the codification that all section numbers amended by this Ordinance are updated and corrected throughout the Code of Ordinances in the event such section numbers are referenced.

**SECTION TWELVE. Conflict.** All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

**SECTION THIRTEEN. Severance.** If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

**SECTION FOURTEEN. Effective Date.** This ordinance shall be effective immediately upon adoption.

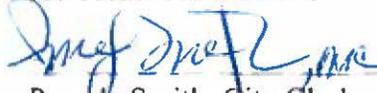
**DULY PASSED AND ENACTED** by the Council of the City of Sanibel, Florida, this

3rd day of April, 2018.



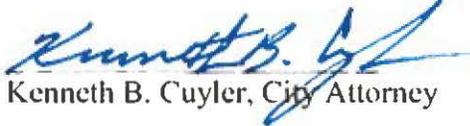
Kevin Ruane, Mayor

AUTHENTICATION:



Pamela Smith, City Clerk

APPROVED AS TO FORM



Kenneth B. Cuyler, City Attorney

4/3/18  
Date

**Publication and Hearing Dates:**

First Reading	March 6, 2018
Publication Date	March 22, 2018
Second Reading and Public Hearing	April 3, 2018

**Vote of Council Members:**

Ruane	yea
Denham	yea
Goss	yea
Maughan	yea
Smith	yea

Date Filed with City Clerk: April 3, 2018