TOWN OF LANTANA

Town Hall
500 Greynolds Circle
Lantana, FL 33462

Regular Meeting
December 9, 2024 - 6:00 p.m.

For information regarding the procedures for public participation during a Town Council meeting, please refer to the end of this agenda.

***THIS TOWN COUNCIL MEETING CAN BE ACCESSED ONLINE FOR LISTENING PURPOSES ONLY. PLEASE SEE THE LAST PAGE FOR DETAILS.**

1. **ROLL CALL, MOMENT OF SILENT PRAYER, PLEDGE OF ALLEGIANCE.**
   Karen Lythgoe, Mayor ____
   Mark Zeitler, Vice Mayor ____
   Kem Mason, Vice Mayor Pro Tem ____
   Christopher Castle, Councilmember ____
   Lynn J. Moorhouse, D.D.S., Councilmember ____

   LANTANA STAFF: Brian K. Raducci, ICMA-CM, Town Manager; R. Max Lohman, Town Attorney; and Kathleen Dominguez, CMC, Town Clerk

2. **AGENDA APPROVAL:**
   - **a.** Additions, substitutions, deletions.
   - **b.** Agenda Approval.

3. **STAFF AND COMMITTEE REPORTS:**
   - **a.** Town Council
   - **b.** Town Manager

4. **SPECIAL PRESENTATIONS:**
   - **a.** Presentation from Edwin Ferguson, School Board Member, District 7. RESCHEDULED TO JANUARY 27th.
   - **b.** Presentation of a plaque to Police Department Explorer Josue Chun-Morales.
   - **c.** Presentation of the Read for the Record Palm Beach County 2024 Small Municipality Winner.
   - **d.** Presentation of the Town's Employee of the Year Award for 2024.

5. **APPROVAL OF THE CONSENT AGENDA:**
   - **a.** Approval of the Minutes from the Regular Town Council Meeting of November 18, 2024.

b. Consideration of an Interlocal Agreement with Palm Beach County for data internet services for Town Administration, Town Hall, Police Department, Public Services, Development Services and the Library Department.

6. ORDINANCES AND RESOLUTIONS:

a. Consideration of Ordinance O-07-2024, amending Chapter 6 - Buildings and Building Regulation, to coordinate with the Palm Beach County adopted Florida Building Code and Amendments, to update the date of the Flood Insurance Study and Flood Insurance Rate Maps and to specify elevation of manufactured homes in Special Flood Hazard Areas. **Remarks: Second Reading**

7. QUASI-JUDICIAL HEARINGS:

a. None.

8. MISCELLANEOUS:

a. Consideration of CSA 2024-07 with Baxter & Woodman, Inc., authorizing engineering services in the amount of $399,683 for Lift Station No. 3, 4, 8 and 9 Rehabilitation.

9. PUBLIC COMMENTS:

10. FUTURE EVENTS/IMPORTANT DATES (subject to change):

- 12/10/2024 - Special Town Council Meeting, Town Hall Council Chambers, 5:30 p.m.
- 12/13/2024 - Winterfest Event, Town Hall, 6:00 p.m. - 8:00 p.m.
- 12/24/2024 - Town Offices Closed Early in Observance of Christmas Eve.
- 12/25/2024 - Town Offices Closed in Observance of Christmas Day.
- 12/31/2024 - Town Offices Closed Early in Observance of New Year's Eve.
- 01/01/2025 - Town Offices Closed in Observance of New Year's Day.
- 01/10/2025 - Drive-In Movie Night, Lantana Sports Park, 7:00 p.m.
- 01/13/2025 - Town Council Meeting, Town Hall Council Chambers, 6:00 p.m.
- 01/16/2025 - Special Magistrate Hearing, Town Hall Council Chambers, 5:30 p.m.
- 01/20/2025 - Town Offices Closed in Observance of Martin Luther King Jr. Day.
- 01/22/2025 - Planning Commission Meeting, Town Hall Council Chambers, 6:30 p.m.
- 01/27/2025 - Town Council Meeting, Town Hall Council Chambers, 6:00 p.m.

11. COUNCIL COMMENTS:

12. ADJOURNMENT.

Listen to the Town Council Meeting: Visit https://www.lantana.org/TownAgendas and click "View Event" next to the meeting date for the live broadcast. The link will be available when the meeting starts. The recording will be available on-demand after the meeting in the Past Events section.

PROCEDURES FOR PUBLIC PARTICIPATION

Any citizen is entitled to be heard on an official agenda item when the Town Council calls for public comment **OR** any matter not on the agenda under the "Public Comments" section. Citizens desiring to address the Town Council shall step up to the microphone at the podium, state their name and address in an audible voice for the record, and, unless the Chair grants additional time, shall limit their address to three (3) minutes. Citizens who wish to address the Council **MUST** complete a blue public comment card and present it to the Town Clerk before the item is discussed and wait for the Mayor to announce when it is their turn to speak. Likewise, if the public

wishes to speak on a matter on the consent agenda, they must complete a blue card and present it to the Town Clerk before the start of the meeting.

Americans with Disabilities Act: In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) workings days advance notice of any meeting, by contacting Kathleen Dominguez, Town Clerk at Lantana Town Hall, 500 Greynolds Circle, Lantana, Florida, (561) 540-5000.

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 4b

PREPARED BY: Sean Scheller, Chief of Police

REVIEWED BY: Brian K. Raducci, ICMA-CM, Town Manager

MEETING DATE: December 9, 2024

AGENDA ITEM: Presentation of a plaque to Police Department Explorer Josue Chun-Morales.

ISSUE/BACKGROUND:

Police Department staff are presenting a plaque to Police Department Explorer Josue Chun-Morales to recognize his accomplishment of completing the Army boot camp.

ATTACHMENT(S):

SAMPLE MOTION:

N/A

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 4c

PREPARED BY: Maria Rios, Executive Assistant to the Town Manager

REVIEWED BY: Brian K. Raducci, ICMA-CM, Town Manager

MEETING DATE: December 9, 2024

AGENDA ITEM: Presentation of the Read for the Record Palm Beach County 2024 Small Municipality Winner.

ISSUE/BACKGROUND:

On November 27, 2024, the Town of Lantana was honored by the Palm Beach County Literacy Coalition as the 2024 Small Municipality Winner for the 19th annual Read for the Record (RFTR) campaign. On October 24th, 41 dedicated volunteers—including Town officials, firefighters, and community members—read aloud "Piper Chen Sings" to over 200 local PreK-2nd grade students at 11 schools and 10 daycare centers.

To further engage the community, Lantana Library Director Kristine Kreidler:

- **Hosted two (2) storytimes:** One (1) at the Library and one (1) at Town Hall to accommodate all young readers.
- **Created a storywalk:** Displaying pages from the book in Town Hall's breezeway.
- **Shared a virtual reading:** A video featuring Town officials reading the book, viewed by over 1,500 people.
- **Promoted literacy:** Through our social media platforms.

Mayor Karen Lythgoe, Town Manager Brian Raducci and Chief of Police, Sean Scheller were our memorable guest readers. The Library guests enjoyed boba tea bars, pastries, and coupons for free ice cream cones at a local parlor. This successful RFTR celebration reflects Lantana's commitment to fostering a love of reading in its youngest residents.

ATTACHMENT(S):

1. RFTR 2024 Certificate - Small Municipality Winner.pdf

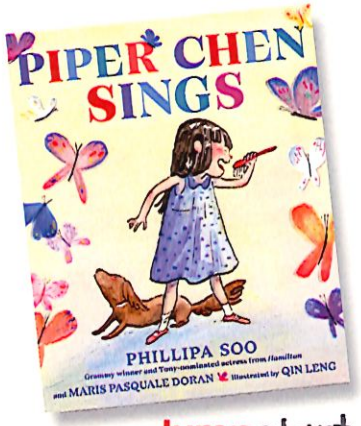
LITERACY COALITION OF PALM BEACH COUNTY
LITERACYPBC.ORG

Read for the Record Palm Beach County
2024 SMALL MUNICIPALITY WINNER

Thank you

Town of Lantana

for reading *Piper Chen Sings*
on October 24, 2024 for the 19th Read for the Record®



Jumpstart
Children first.

Kristin Calder

Kristin Calder, CEO
Literacy Coalition of Palm Beach County
LITERACYPBC.ORG

PNC Grow Up Great

The Palm Beach County League of Cities, Inc.

TOWN OF LANTANA
Regular Meeting Minutes
November 18, 2024

1. ROLL CALL, MOMENT OF SILENT PRAYER, PLEDGE OF ALLEGIANCE.

Mayor Lythgoe called the regular meeting to order at 6:00 p.m. Town Clerk Dominguez called the roll and established a quorum. All elected officials were in attendance.

Mayor Lythgoe led a moment of silence. The moment of silence was followed by the Pledge of Allegiance.

2. AGENDA APPROVAL:

a. Additions, substitutions, deletions.
b. Agenda Approval.

Motion: Vice Mayor Pro Tem Mason made a motion to approve the agenda, as submitted. Councilmember Castle seconded the motion. Motion passed 5-0.

3. STAFF AND COMMITTEE REPORTS:

a. Town Council

Councilmember Moorhouse congratulated U.S. Representatives Mike Caruso and Lois Frankel and commended them for their ongoing support of Lantana. He highlighted their crucial role in securing vital state and federal funding for the Town's water infrastructure improvements.

Councilmember Castle thanked the staff for their hard work in organizing the Veterans Day Ceremony.

Mayor Lythgoe echoed Councilmember Castle's sentiments regarding the Veterans Day Ceremony. She also shared details about a recent lunch with a Finnish Member of Parliament at the American-Finnish Club, discussed the ongoing food distribution event and USDA certification at the First Baptist Church, and offered congratulations to Vice Mayor Zeitler on his recent marriage.

Vice Mayor Pro Tem Mason announced that Lantana Elementary School is actively working to establish a Parent-Teacher Association (PTA).

b. Town Manager

Town Manager Raducci announced that the Town is currently conducting a comprehensive inventory of water service lines to comply with new EPA regulations with the goal of identifying any potential lead or galvanized service lines. Approximately 1,400 lines remain uncategorized. He emphasized that just because a line is uncategorized doesn't necessarily mean it contains lead or galvanized materials, but the Town is in the process of verifying the composition of these lines

to ensure compliance with regulations. Finally, he stated that a notification was sent out and posted on the Town's website in English, Creole and Spanish to inform the impacted residents about this initiative.

Town Manager Raducci provided an update on negotiations with Tony Mauro regarding the potential acquisition of land north of the Lantana Public Library. While outright purchase seems unlikely, a land lease agreement may be feasible. Mr. Raducci requested the Town Council's authorization to continue discussions with Mr. Mauro about potential land lease options.

By consensus, the Town Council approved Town Manager Raducci to proceed with negotiations for a potential land lease with Tony Mauro for the property north of the Public Library.

Sean Scheller, Police Chief, requested the Town Council's approval to donate $2,000 from a recent fundraiser to the Treasure Island Police Association to aid in their hurricane recovery efforts, in line with Town policy.

Motion: Vice Mayor Pro Tem Mason made a motion to approve the Police Department's request to donate $2,000 to the West Coast Police Fund. Vice Mayor Zeitler seconded the motion. Motion passed 5-0.

4. SPECIAL PRESENTATIONS:

a. State of Education Report by School Board Member Erica Whitfield, District 4.

Mayor Lythgoe introduced Erica Whitfield, Palm Beach County School Board member and invited her to the podium for her presentation.

Ms. Whitfield provided a 2024 State of Education report and answered questions from the Councilmembers.

Mayor Lythgoe thanked Ms. Whitfield for the information.

b. Presentation of the Police Department's Employee of the 3rd Quarter Award 2024.

Mayor Lythgoe introduced the agenda item and invited Chief Scheller to the podium.

Chief Scheller presented Investigator Christian Vargas with the Employee of the 3rd Quarter Award for 2024 for his diligence in investigating several complex and labor-intensive cases.

c. Presentation of the Police Department's Life Saving Award.

Mayor Lythgoe introduced the agenda item and invited Chief Scheller to the podium.

Chief Scheller publicly recognized Officers Christina Strong and Stephanie Crowley for their extraordinary bravery on September 7, 2024. He presented a video showcasing their swift and decisive actions, which undoubtedly saved a life, despite the inherent risks involved.

d. Presentation of Employee Service Awards.
The following staff members were in attendance and recognized:

Five (5) Years of Service:
Kathy Murphy, Utility Billing Accountant
Tammy Page, Assistant Finance Director
Raeann Keating, Communications Officer
Thomas Mitchell, Assistant Chief of Police
Eddie Crockett, Public Services Director

Ten (10) Years of Service:
Nicole Dritz, Development Services Director

25 Years of Services:
Matt Oquist, Police Sergeant

5. APPROVAL OF THE CONSENT AGENDA:

a. Approval of the Minutes from the Regular Town Council Meeting of October 28, 2024.

Motion: Vice Mayor Pro Tem Mason made a motion to approve the agenda, as submitted. Councilmember Moorhouse seconded the motion. Motion passed 5-0.

6. ORDINANCES AND RESOLUTIONS:

a. None.

7. QUASI-JUDICIAL HEARINGS:

a. None.

8. MISCELLANEOUS:

a. Consideration of entering into a Grant Agreement with the State of Florida Department of Environmental Protection for FY 2024-2025 for funding in the amount of $150,000 with $112,500 (75%) coming from the State as a grant and $37,500 (25%) coming from the Town as our match for the Lantana Municipal Beach Improvements Project.

Mayor Lythgoe introduced the agenda item.

Eddie Crockett, Public Services Director, provided an overview of the grant agreement and project details. He confirmed that a 25% match of $37,500 is required from the Town to receive the grant funds. He noted the project scope for Lantana Beach includes: updating the irrigation system in the park, updating the drainage system in the parking lot, removing outdated light poles, resealing the seawall and removing invasive species from the dunes.

There were no public comments.

There was no discussion among the Councilmembers.

Motion: Councilmember Moorhouse made a motion to approve the Grant Award from the State of Florida Department of Environmental Protection for FY 2024/25 funding in the amount of $150,000 with $112,500 (75%) coming from the State as a grant and $37,500 (25%) coming from the Town as our match for the Lantana Municipal Beach Improvements Project and to authorize the Town Manager to execute

the Grant Agreement and any other documents he deems necessary and prudent to administer this grant. Vice Mayor Pro Tem Mason seconded the motion. Motion passed 5-0.

b. Consideration of the ratification of emergency expenditures to Johnson-Davis Inc. to repair the broken aerial water main on E. Ocean Ave. at the small bridge in the amount of $32,569.14.

Mayor Lythgoe introduced the agenda item.

Director Crockett provided an overview of the repairs and expenditures involved in the above project.

Vice Mayor Pro Tem Mason commended the staff for their financially prudent approach to the water main repair project. He stated that by being proactive and thinking creatively, the staff saved the Town money on this emergency expenditure.

There were no public comments.

There was no discussion among the Councilmembers.

Motion: Councilmember Castle made a motion to ratify the Town Manager's emergency expenditure of $32,569.14 with Johnson-Davis Inc. for the emergency aerial water main repair at the small bridge on E. Ocean Ave. and to acknowledge that should the subject expenditure negatively impact the FY 2024/25 Budget (i.e., use of reserves) that said impact will be addressed in a future budget amendment, as necessary. Councilmember Moorhouse seconded the motion. Motion passed 5-0.

c. Consideration of the ratification of an emergency expenditure with Hinterland Group, Inc. for the repair of the broken water main at the 1300 block of W. Drew St. in the amount of $87,804.45.

Mayor Lythgoe introduced the agenda item.

Director Crockett provided the details of the work and expenditures that justified the emergency purchase. He answered questions from the Councilmembers.

In response to Mayor Lythgoe's question about the timeline for replacing the water main on Drew Street, Eddie indicated that the project is scheduled for 2026.

There were no public comments.

There was no discussion among the Councilmembers.

Motion: Vice Mayor Pro Tem Mason made a motion to ratify the Town Manager's emergency expenditure of $87,804.45 with Hinterland Group, Inc. for the emergency water main repair at the 1300 block of W. Drew St. and to acknowledge that should the subject expenditure negatively impact the FY 2024/25 budget (i.e., use of reserves) that said impact will be addressed in a future budget amendment, as necessary. Councilmember Castle seconded the motion. Motion passed 5-0.

d. Consideration of the ratification of an emergency expenditure with Johnson-Davis Inc. for the repair of the broken water main and to replace a leaking water main valve on E. Ocean Ave. near the intersection of S. Lake Dr. in the amount of $92,233.46.

Mayor Lythgoe introduced the agenda item.

Director Crockett provided an overview of the repairs and justification.

Vice Mayor Pro Tem Mason inquired whether the recent water main break on E. Ocean Ave. near S. Lake Dr. is indicative of a pattern that requires further investigation.

In response to Vice Mayor Pro Tem Mason's inquiry, Director Crockett clarified that while there isn't a specific pattern to these water main breaks, they are considered in the Town's long-term infrastructure replacement plans and will be addressed in future phases.

Councilmember Moorhouse commended Director Crockett and his team for their efficient handling of the water main repair, including the management of traffic and lane closures. He inquired about the specific procedures in place to address such repairs during King Tide events.

In response to the above inquiry from Councilmember Moorhouse, Director Crockett clarified that during King Tide events, additional pumping equipment would be deployed to remove excess water from the affected area. However, significant repairs to the water main would likely be postponed until the King Tide event subsides.

There were no public comments.

There was no discussion among the Councilmembers.

Motion: Vice Mayor Pro Tem Mason made a motion to ratify the Town Manager's emergency expenditure of $92,233.46 with Johnson-Davis Inc. to repair the broken water main and replace the leaking water main valve on E. Ocean Ave. near the intersection of S. Lake Dr. and to acknowledge that should the subject expenditure negatively impact to the FY 2024/25 Budget (i.e., use of reserves) that said impact will be addressed in a future budget amendment, as necessary. Vice Mayor Zeitler seconded the motion. Motion 5-0.

e. Consideration of ratifying the expenditure associated with Change Order #5 with Johnson-Davis Inc. for the W. Pine St. Water Main Replacement Project at the FEC Railway Crossing in the amount of $41,199.50.

Mayor Lythgoe introduced the agenda item.

Director Crockett provided an overview of the project and justification.

There were no public comments.

There was no discussion among the Councilmembers.

Motion: Vice Mayor Zeitler made a motion to ratify the Town Manager's approval of additional expenditures in the amount of $41,199.50 with Johnson-Davis Inc. for Change Order #5 that were necessary to wrap up the W. Pine St. Water Main Replacement Project at the FEC Railway and to acknowledge that should Change Order #5 negatively impact the FY 2024/25 budget (i.e., use of reserves) that said impact will be addressed in a future budget amendment, as necessary. Councilmember Castle seconded the motion. Motion passed 5-0.

9. PUBLIC COMMENTS:

Daniel Milosz, 223 E. Hart St., Lantana, FL, 33462, expressed concerns about the number of tenants occupying a neighboring property and the noise caused by roosters. He inquired about occupancy limits and potentially expediting the code violations and hearing process.

Town Attorney Lohman addressed the legal occupancy rules and code enforcement procedures.

Nicole Dritz, Development Services Director, confirmed that Officer Doobay would investigate the above matter, as it falls under local jurisdiction.

Catherine Skervin, 1307 Southwinds Dr., Lantana, FL, 33462, echoed Mr. Milosz's above concerns and extended holiday wishes to everyone, urging them to stay safe during the Thanksgiving holiday.

10. FUTURE EVENTS/IMPORTANT DATES (subject to change):

Mayor Lythgoe read the future events and important dates.

11. COUNCIL COMMENTS:

Mayor Lythgoe wished everyone a Happy Thanksgiving.

12. ADJOURNMENT.

The motion was made and carried unanimously. There being no further discussion, the meeting adjourned at 7:16 p.m.

_____
Mayor Karen Lythgoe

ATTEST:

_____
Kathleen Dominguez, CMC, Town Clerk

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 5b

PREPARED BY: Stephen Kaplan, Finance Director

REVIEWED BY: Brian K. Raducci, ICMA-CM, Town Manager

MEETING DATE: December 9, 2024

AGENDA ITEM: Consideration of an Interlocal Agreement with Palm Beach County for data internet services for Town Administration, Town Hall, Police Department, Public Services, Development Services and the Library Department.

ISSUE/BACKGROUND:

Since 2012, the Town has relied on Palm Beach County (PBC) to be our internet and data services provider through an Interlocal Agreement (ILA). Staff is now recommending approval of a new ILA that continues to offer a higher bandwidth at a lower cost as compared to other available providers. During the renewal process, PBC identified that two (2) of our sites (Public Services and the Library) are using more bandwidth than is currently allowed under the existing agreement. As a result, these sites will be moved to a higher data tier.

The proposed agreement is for one (1) year, with the option to extend it for up to four (4) additional one (1) year terms before a new agreement is needed. The annual cost of the services provided under this ILA is $5,400 which has been funded in the FY 2024/25 Adopted Budget.

Staff recommends approval of the ILA which the Town Attorney has reviewed and approved for legal sufficiency.

ATTACHMENT(S):

1. Palm Beach County Interlocal Agreement

SAMPLE MOTION:

I move to (approve) (disapprove) entering into an Interlocal Agreement with Palm Beach County for internet and data services and to authorize the Town Manager to execute the agreement and any amendments thereto.

Interlocal Agreement

This Interlocal Agreement ("Agreement") for information technology ("IT") services is entered into this _____day of _____, 2024, by and between the Town of Lantana ("LOCAL GOVERNMENT") and Palm Beach County ("COUNTY") a political subdivision of the State of Florida. This Agreement rescinds existing Agreement for IT Services R2019-1797, dated November 19, 2019.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969," authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies to enter into Agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the LOCAL GOVERNMENT and the COUNTY have recognized the need for the LOCAL GOVERNMENT to obtain IT services ("IT") for the purpose of gaining access to IT resources at a cost savings due to the ability of COUNTY to leverage its resources for the greater good of citizens of COUNTY, the State of Florida, and any public sector organization that can benefit from these services; and

WHEREAS, in recognizing these facts, the LOCAL GOVERNMENT and the COUNTY desire to enter into such an agreement which provides for the joint use of such IT assets and establishes policies for its use by each organization.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and for other good and valuable consideration, the parties do mutually agree as follows:

Section 1 Purpose

The purpose of this Agreement is to provide IT services to the LOCAL GOVERNMENT for the purposes described in the attached Exhibit A.

Section 2 Approval

The COUNTY approves of the LOCAL GOVERNMENT's participation in the use of the COUNTY's IT resources and any other services as specified in the attached Exhibit A.

Section 3 Exhibits

The attached Exhibit A made a part hereof, delineates the services to be provided to the LOCAL GOVERNMENT by the COUNTY through its Information Systems Services (ISS) Department, identifies the roles and responsibilities of the COUNTY and the LOCAL GOVERNMENT in this regard, and sets forth an issue, communication, escalation and resolution process, as well as methodologies for billing and paying the quarterly service charges for IT services.

Section 4 Term

The term of this Agreement including Exhibit A, unless terminated as provided in Section 6 herein, is for a period of one (1) year with four (4) automatic one year renewals. The effective date is the date of approval by the Board of County Commissioners.

Section 5 Resale of IT Services

The LOCAL GOVERNMENT shall not share or resell any portion of the COUNTY's IT Infrastructure or Services in any manner not approved of in this Agreement or without explicit written consent from Palm Beach County, which consent shall not be unreasonably withheld.

Section 6 Termination

COUNTY reserves the right to terminate this Agreement, at any time, for lack of funding, cause or convenience upon thirty (30) days' notice to LOCAL GOVERNMENT. LOCAL GOVERNMENT may terminate this Agreement for lack of funding, cause or convenience upon thirty (30) days' notice to COUNTY. The parties acknowledge that LOCAL GOVERNMENT shall sustain no damages, of any kind or character, as a result of the termination of this Agreement.

Section 7 Indemnification and Hold Harmless

The LOCAL GOVERNMENT shall indemnify, defend and hold harmless COUNTY, its agents, employees and elected officers against all claims, liability, expense, loss, cost, damages or causes of action of every kind or character, whether at trial or appellate levels or otherwise, arising out of the acts or omissions of the LOCAL GOVERNMENT. Such liability is subject to the provisions of law, including the limits included in Section 768.28, Florida Statutes, which sets forth the partial waiver of sovereign immunity to which governmental entities are subject. It is expressly understood that this provision shall not be construed as a waiver of any right or defense that the parties have under Section 768.28 or any other statute.

The parties to this Agreement acknowledge the potential of unlawful hacking to gain surreptitious access into confidential systems. The COUNTY has deployed reasonable steps and safeguards as part of a Network security program, but these systems may not be able to defeat every attempt to gain unlawful access to applications or data. Each party is responsible for protecting its own applications, databases, and servers. Each party, however, shall review each other's security procedures and notify each other with reasonable promptness of concerns or issues regarding the same.

Section 8 Damage Caused by Disasters

Should the COUNTY's IT infrastructure be damaged or destroyed by a natural or man-made event to the extent that the cost to repair or replace these services becomes economically unfeasible, this Agreement is automatically terminated at the sole discretion of the COUNTY, unless the governing bodies of both the LOCAL GOVERNMENT and COUNTY authorize its continuation and associated funding to repair or restore the affected area(s).

Section 9 Notice

Any notice, request, instruction, demand, consent, or other communication required or permitted to be given under this Agreement shall be in writing and shall be delivered either by hand or by certified mail, postage prepaid, and certified return receipt requested to the following addresses or such other addresses as the parties may provide to each other in writing:

To: Brian K. Raducci, Town Manager
Town of Lantana
500 Greynolds Circle
Lantana, FL 33462
(Telephone: 561-540-5004)

With a copy to: William Parker, Information Technology Manager
Town of Lantana
500 Greynolds Circle
Lantana, FL 33462
(Telephone: 561-540-5026)

To: **COUNTY**: Verdenia C. Baker, County Administrator
c/o Archie Satchell, Information Systems Services CIO
Palm Beach County Board of County Commissioners
301 N. Olive Avenue, 8th floor
West Palm Beach, FL 33401
(Telephone: 561-355-2823)

With a copy to: County Attorney's Office
Palm Beach County Board of County Commissioners
301 N. Olive Avenue, Suite 601
West Palm Beach, FL 33401
(Telephone: 561-355-2225)

Section 10 Entire Agreement

This Agreement sets forth the entire agreement between the parties. There are no promises or understandings other than those stated herein.

Section 11 Choice of Law and Venue

This Agreement shall be governed by the laws of the State of Florida. Unless otherwise agreed to in writing by the parties, any and all legal action necessary to enforce the Agreement shall be held in a court of competent jurisdiction located in Palm Beach County, Florida.

Section 12 Binding Agreement

This Agreement is binding upon the parties hereto, their heirs, successors, and assigns.

Section 13 Subject to Funding

Each party's performance and obligations for subsequent fiscal years are contingent upon annual appropriations for its purpose.

Section 14 Nondiscrimination

Both parties warrant and represent that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression, or genetic information. The parties further warrant and agree that no person shall be excluded from the benefits of or be subjected to any form of discrimination under any activity carried out in the performance of this Agreement.

Section 15 Public Records

Notwithstanding anything contained herein, as provided under Section 119.0701, F.S., the LOCAL GOVERNMENT shall comply with the requirements of Section 119.0701, Florida Statutes, as it may be amended from time to time. The LOCAL GOVERNMENT is specifically required to:

A. Keep and maintain public records required by the COUNTY to perform services as provided under this Agreement.

B. Upon request from the COUNTY's Custodian of Public Records, provide the COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119 or as otherwise provided by law. The LOCAL GOVERNMENT further agrees that all fees, charges and expenses shall be determined in accordance with Palm Beach County PPM CW-F-002, Fees Associated with Public Records Requests, as it may be amended or replaced from time to time.

C. Ensure that public records that are exempt, or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the agreement term and following completion of the Agreement, if

the LOCAL GOVERNMENT does not transfer the records to the public agency.

D. Upon completion of the Agreement, the LOCAL GOVERNMENT shall transfer, at no cost to the COUNTY, all public records in possession of the LOCAL GOVERNMENT unless notified by COUNTY's representative/liaison, on behalf of the COUNTY's Custodian of Public Records, to keep and maintain public records required by the COUNTY to perform the service. If the LOCAL GOVERNMENT transfers all public records to the COUNTY upon completion of the Agreement, the LOCAL GOVERNMENT shall destroy any duplicate public records that are exempt, or confidential and exempt from public records disclosure requirements. If the LOCAL GOVERNMENT keeps and maintains public records upon completion of the Agreement, the LOCAL GOVERNMENT shall meet all applicable requirements for retaining public records. All records stored electronically by the LOCAL GOVERNMENT must be provided to COUNTY, upon request of the COUNTY's Custodian of Public Records, in a format that is compatible with the information technology systems of COUNTY, at no cost to COUNTY.

Failure of the LOCAL GOVERNMENT to comply with the requirements of this article shall be a material breach of this Agreement. COUNTY shall have the right to exercise any and all remedies available to it, including but not limited to, the right to terminate for cause. LOCAL GOVERNMENT acknowledges that it has familiarized itself with the requirements of Chapter 119, F.S., and other requirements of state law applicable to public records not specifically set forth herein.

IF THE LOCAL GOVERNMENT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE LOCAL GOVERNMENT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, PLEASE CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT RECORDS REQUEST, PALM BEACH COUNTY PUBLIC AFFAIRS DEPARTMENT, 301 N. OLIVE AVENUE, WEST PALM BEACH, FL 33401, BY E-MAIL AT RECORDSREQUEST@PBC.GOV OR BY TELEPHONE AT 561-355-6680.

Section 16 Access and Audits

The LOCAL GOVERNMENT shall maintain records relating to this Agreement for at least five (5) years after completion or termination of this Agreement. The COUNTY shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at any of the LOCAL GOVERNMENT'S places of business.

Section 17 Inspector General

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 – 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed COUNTY contracts/agreements, transactions, accounts and records, to require the production of such records, and to audit, investigate, monitor, and inspect the activities of the LOCAL GOVERNMENT, its officers, agents, employees, and lobbyists in order to ensure compliance with contract/agreement requirements and detect corruption and fraud.

Failure to cooperate with the Inspector General or interference or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 – 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

Section 18 Regulations, Licensing Requirements

The LOCAL GOVERNMENT shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, to include those applicable to conflict of interest and collusion. The LOCAL GOVERNMENT is presumed to be familiar with all federal, state and local laws, ordinances, codes and regulations that may in any way affect the services offered.

Section 19 No Third Party Beneficiary

No provision of this Agreement is intended to, or shall be construed to create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or recipient, or official, employee, or volunteer of either party.

Section 20 No Agency

Nothing contained herein is intended to nor shall create an agency relationship between the COUNTY and LOCAL GOVERNMENT.

Section 21 No Assignability

Neither this Agreement nor any obligation hereunder shall be assigned, subcontracted, transferred or otherwise encumbered by LOCAL GOVERNMENT, without the prior written consent of the COUNTY.

Section 22 Amendments

None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto.

Section 23 Waiver

If the COUNTY shall waive any provisions of the Agreement or fail to enforce any of the conditions or provisions of this Agreement, such waiver shall not be deemed a continuing waiver and shall never be construed as such; and the COUNTY shall thereafter have the right to insist upon the enforcement of such conditions or provisions.

Section 24 Continuing Obligations

Duties or obligations that are of a continuing nature extending beyond the Agreement's expiration or termination, including but not limited to those set forth in Section 7, shall survive the Agreement's termination or expiration.

Section 25 Joint Preparation

The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not be construed more severely against one of the parties than the other.

Section 26 Severability

If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

Section 27 Scrutinized Companies

As provided in F.S. 287.135(2)(a), by entering into this Agreement, LOCAL GOVERNMENT certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform or benefit hereunder, have not been placed on the Scrutinized Companies that boycott Israel List, or is engaged in a boycott of Israel, pursuant to F.S. 215.4725.

When agreement value is greater than $1 million: As provided in F.S. 287.135, by entering into this Agreement or performing any work in furtherance hereof, the LOCAL GOVERNMENT certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the Scrutinized Companies With Activities in Sudan List or Scrutinized Companies With Activities in The Iran Petroleum Energy Sector List created pursuant to F.S. 215.473 or is engaged in business operations in Cuba or Syria.

If the COUNTY determines, using credible information available to the public, that a false certification has been submitted by LOCAL GOVERNMENT, this Agreement may be terminated and a civil penalty equal to the greater of $2 million or twice the amount of this Agreement shall be imposed, pursuant to F.S. 287.135. Said certification must also be submitted at the time of Agreement renewal, if applicable.

Section 28 Public Entity Crimes

As provided in F.S. 287.132-133, by entering into this agreement or performing any work in furtherance hereof, the LOCAL GOVERNMENT certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted

vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133(3)(a).

Section 29 Counterparts

This Agreement, including the exhibits referenced herein, may be executed in one or more counterparts, all of which shall constitute collectively but one and the same Agreement. The COUNTY may execute the Agreement through electronic or manual means. LOCAL GOVERNMENT shall execute by manual means only, unless the COUNTY provides otherwise.

Section 30 E-Verify – Employment Eligibility

LOCAL GOVERNMENT warrants and represents that it is in compliance with section 448.095, Florida Statutes, as may be amended. No later than January 1, 2021, LOCAL GOVERNMENT shall register with and use the E-Verify System (E-Verify.gov), to electronically verify the employment eligibility of all newly hired workers. COUNTY shall terminate this Contract if it has a good faith belief that LOCAL GOVERNMENT has knowingly violated Section 448.09(1), Florida Statutes, as may be amended.

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IN WITNESS WHEREOF, the COUNTY and LOCAL GOVERNMENT have each caused this Agreement to be executed by its duly authorized official as of the date first set forth above.

ATTEST:

PALM BEACH COUNTY

Joseph Abruzzo, Clerk & Comptroller

Palm Beach County, By Its Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Mayor

(SEAL)

APPROVED AS TO LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: _____
Archie Satchell, CIO, ISS

TOWN OF LANTANA

By: _____
Kathleen Dominguez, Town Clerk

By: _____
Brian K. Raducci, Town Manager

APPROVED AS TO LEGAL SUFFICIENCY

By: _____
R. Max Lohman, Town Attorney

EXHIBIT A

The purpose of this Exhibit is to delineate the network services to be provided to the LOCAL GOVERNMENT by the COUNTY to identify the roles and responsibilities of the COUNTY and the LOCAL GOVERNMENT in this regard, to establish a problem resolution and issue escalation procedure, and to specify associated costs and payment requirements.

These network services originally commenced on August 1, 2012.

Section A: General Requirements for Network Services

Network services must be approved by both the COUNTY and the LOCAL GOVERNMENT if said connection affects the entire network. However, all network services must meet the agreed-upon technical specifications.

The COUNTY shall provide the LOCAL GOVERNMENT with access to the COUNTY's network on a best-effort basis and as otherwise provided for herein.

Section B: Responsibilities for Network Management

The COUNTY shall be responsible for the routine, day-to-day management of the COUNTY network. Each party shall be responsible for day-to-day administration of the network routers which they individually own.

The COUNTY shall be responsible for maintaining the primary network and all auxiliary components of the network which exclusively serve COUNTY facilities. The COUNTY shall also maintain auxiliary portions of the network which service both COUNTY and LOCAL GOVERNMENT owned facilities. The LOCAL GOVERNMENT shall maintain that portion of its own network which exclusively serves its facilities.

The COUNTY shall monitor bandwidth utilization on any network link between the COUNTY and the LOCAL GOVERNMENT.

Should the COUNTY perform repair and maintenance functions on behalf of the LOCAL GOVERNMENT, it is with the understanding that the COUNTY's responsibility extends only to the LOCAL GOVERNMENT "demarcation point." The demarcation point is the location which defines where issues of maintenance responsibilities begin and end, considered to be COUNTY-owned network equipment inside each of the LOCAL GOVERNMENT's buildings or facilities connected to the COUNTY network. The COUNTY will be responsible for maintaining all network infrastructures to the point of the network equipment connection to the LOCAL GOVERNMENT demarcation point(s). Entrance facilities at LOCAL GOVERNMENT owned locations from the road to demarcation point belong to the LOCAL GOVERNMENT, whereas the fiber within may belong to the COUNTY.

Maintenance and restoration work provided by the COUNTY shall be limited to the fiber optic cable and service drops, the individual fibers within the cable and service drops, all 802.16 radio equipment, and the COUNTY routers installed at the LOCAL GOVERNMENT. The COUNTY shall have no obligation or right to perform maintenance or restoration on any electronics or other equipment owned by the LOCAL GOVERNMENT or any third party. Notwithstanding the foregoing, should the need arise for maintenance or restoration, the parties hereto may agree to an amendment to this Agreement permitting the COUNTY to perform maintenance or restoration on LOCAL GOVERNMENT owned electronics or other equipment.

The COUNTY shall provide maintenance to COUNTY owned and operated equipment on a 7-day/24-hour basis and may contract for repair services when deemed necessary. The COUNTY shall abide by agreed upon security requirements of the LOCAL GOVERNMENT. In the event that an outside contractor is needed, the COUNTY shall select, supervise, and coordinate with the contractor to complete the repair.

Section C: <u>Network Equipment Ownership</u>

The COUNTY, as represented by the COUNTY, shall own all of its network equipment and assets. The LOCAL GOVERNMENT shall continue to maintain ownership of its current network assets. Only the COUNTY is permitted to connect, expand, or otherwise routinely modify its network components. Furthermore, any and all technological changes relative to the network will be implemented at the discretion of the COUNTY. Notwithstanding the foregoing, the COUNTY agrees to use its best efforts to keep pace with technological changes.

Should the LOCAL GOVERNMENT receive grant funds to assist with the construction or maintenance of the network, any provisions, limitations, or restrictions associated with the grant(s) shall not affect or apply to the COUNTY.

Section D: Network Connection

The LOCAL GOVERNMENT will be provided with a connection to the COUNTY fiber network to meet the network service requirements as specified in this Exhibit. The LOCAL GOVERNMENT shall pay the installation charges and monthly charges as set forth in this Exhibit.

Section E: Modifications to Network

If the LOCAL GOVERNMENT proposes a modification or connection of a new building to the network, it shall notify and submit any applicable construction documents to the COUNTY at least thirty (30) calendar days prior to the date construction activities are expected to commence. Should the planned activities of the LOCAL GOVERNMENT require the network to be upgraded, the LOCAL GOVERNMENT shall be solely responsible for payment of all costs associated with such modifications, unless there is prior agreement with the COUNTY to participate in a cost-sharing arrangement for the modification.

The COUNTY shall review the modification proposals as soon as practicable and will render recommendations with regard to the proposed modification. Any modifications or connections to the network that may cause disruption or interference of service to any network users shall be coordinated with the appropriate technical staff of both the LOCAL GOVERNMENT and the COUNTY. The COUNTY agrees to perform such work at a time and in a manner to minimize disruption and interference to the network users.

When either the LOCAL GOVERNMENT or the COUNTY enters into a contract with an outside contractor for network-related services which benefit only that party, the contracting party shall be individually responsible for remitting payment to the contractor performing work on the network, and the non-contracting party shall not be responsible or held liable for such payment. However, proposed changes to the network must be communicated in writing to the COUNTY for review and approval. The parties however agree to comply with network security provisions.

Section F: Network Interferences

The COUNTY shall have no requirement to purchase, install, operate, or maintain any equipment on the premises of the LOCAL GOVERNMENT. However, should any equipment owned by the LOCAL GOVERNMENT render any harmful interference to the COUNTY's network equipment, the COUNTY may disconnect any or all LOCAL GOVERNMENT owned network connections after informing the LOCAL GOVERNMENT's designated technical Point of Contact (POC) of the underlying reasons for the planned action to disconnect network facilities. Immediate efforts will focus on attempting to resolve or remove the threat conditions. The COUNTY shall be the sole party to determine if harmful interference has impacted the COUNTY network. The COUNTY will utilize its best efforts to prevent any unanticipated network outages should interferences be noted.

Section G: Damage Caused by Disasters

Should the network sustain damage to an Auxiliary Route used only by either the LOCAL GOVERNMENT or the COUNTY, the owning party shall determine if the cable will be repaired or replaced.

Section H: Network Security

The parties to this Exhibit acknowledge the potential of unlawful hacking to gain surreptitious access into confidential systems. The COUNTY has implemented reasonable steps and safeguards as part of a network security program, but these systems may not be able to defeat every attempt to gain unlawful access to applications or data. Each party is responsible for protecting its own applications, databases, and servers. Each party, however, shall review each other's security procedures and notify each other with reasonable promptness of concerns or issues regarding the same.

Section I: Description of Services

A. Baseline services from the COUNTY through the COUNTY will include:

1. ongoing maintenance of connectivity to the demarcation point(s);
2. central network security at the COUNTY router port that feeds the LOCAL GOVERNMENT network router connection;

If necessary, security may shut down the LOCAL GOVERNMENT's entire building feed to protect the networked systems from computer worms and viruses.

3. network design;
4. acquisition and management of network assets;
5. installation or relocation of network connections, wiring upgrades, installation of bandwidth upgrades, or other specialized services;
6. network equipment installation and maintenance;
7. network security on COUNTY side of the demarcation point;
8. monitoring of network performance;
9. trouble reporting and tracking;
10. maintenance of the environmental factors in the COUNTY's facilities and closets housing equipment crucial to the health and stability of the Network, including air conditioning, power conditioning, and UPS equipment; and
11. disaster recovery protection, system reliability, and stability during power outages.

B. LOCAL GOVERNMENT Responsibilities will include:

1. all intra-building Network maintenance and security ;
2. ensuring that back-door connectivity behind the building router is prohibited;
3. provisioning of its Dynamic Host Configuration Protocol (DHCP) services;
4. building infrastructure connectivity;
5. all grid (jack), wiring identification, and tracking for LOCAL GOVERNMENT owned facilities;
6. providing, where possible, network engineers or technicians to assist with all portions of network equipment attachments, from provisioning to troubleshooting;

   Initial diagnostic actions will ideally be performed by the LOCAL GOVERNMENT technical staff to evaluate whether the cause of any system problem is associated with factors under the control of the LOCAL GOVERNMENT.

7. ensuring that network security hardware and software is installed in order to minimize the risk of a virus and surreptitious or otherwise inappropriate network entry;

The LOCAL GOVERNMENT will ensure that security procedures, hardware, and software are in place to prevent unauthorized access to the COUNTY network from LOCAL GOVERNMENT owned network property.

8. requesting changes in network equipment attachments services;

   Requests for changes shall be submitted to ISS CIO, or designee, for action. The LOCAL GOVERNMENT shall be advised of the disposition of the request within thirty (30) calendar days of submission. Such request shall include extension of network services to additional sites identified by the LOCAL GOVERNMENT. The LOCAL GOVERNMENT shall be responsible for all reasonable costs associated with requested changes to network services approved by the COUNTY, which approval shall not be unreasonably withheld.

9. providing, at its expense, the following equipment and facilities at each LOCAL GOVERNMENT owned building (if required):

   - an environmentally stable and secure area large enough to accommodate a 19”-wide rack with a height up to 7 feet; and

     This area shall contain two (2) dedicated electrical circuits for providing power to the switching equipment.

   - air conditioning units which deliver a capacity of BTUs to the equipment room as specified by the manufacturer of equipment installed at the LOCAL GOVERNMENT’s site.

     The LOCAL GOVERNMENT shall periodically monitor the air conditioning units to ensure temperatures are within acceptable limits.

10. adhering to a documented plan of security strategies deployed to prevent unauthorized access into the physical location(s) where network access could be gained, and ensuring that it has robust and efficient security software and procedures in place to prevent unauthorized access to the network; and
11. promptly paying for the COUNTY’s charges, such charges being set out in Section N of this Exhibit, which charges will be invoiced quarterly.

Section J: Availability of COUNTY Network Services

The COUNTY will provide the LOCAL GOVERNMENT with access to the COUNTY network on a best-effort basis. The COUNTY's goal will be to provide 99.9% availability. The COUNTY reserves the right to prioritize its maintenance and recovery efforts, while at the same time providing availability to the LOCAL GOVERNMENT.

In the event that Network availability is documented by the COUNTY and declared by the LOCAL GOVERNMENT to be less than 99.9% for two (2) consecutive months, the LOCAL GOVERNMENT shall not be liable for service charges beyond the date of said declaration of non-performance until service is satisfactorily restored. The reduction of previously paid or dismissal of unpaid service fees will be calculated on a pro-rata basis.

Section K: Protocol for Reporting Network Service Problems

All service issues should first be reported to the LOCAL GOVERNMENT's IT support staff. If the LOCAL GOVERNMENT's initial diagnosis of the reported problem indicates that it is related to network connectivity (e.g., connection lost, slow response time) rather than a problem at the application, server, or desktop computer level, the IT technician should immediately report the service problem to the County Network Operations Center at 561-355-HELP (4357). All service problems reported by the LOCAL GOVERNMENT will be recorded and tracked in the COUNTY's Automated Help Desk System until problem resolution and service restoration. Response time service levels are established at the time the call is reported based on the severity of the issue. The service level target for problem diagnosis and response to the LOCAL GOVERNMENT is within one (1) hour of the reported problem. The COUNTY also employs an escalation process for problems which are not resolved according to the established standards.

Section L: Access for Network Service and Maintenance

The COUNTY shall coordinate with and obtain prior written approval from the LOCAL GOVERNMENT designee as to the time of any planned maintenance, repair, or installation work. However, the LOCAL GOVERNMENT shall provide the COUNTY with access to its equipment on a 24-hour/7-day per week basis. During normal business hours, the COUNTY shall ensure that all the COUNTY personnel or contractors representing the COUNTY sign in prior to commencing any work, and sign out prior to leaving the facility. On weekends, holidays, or after normal

business hours, the COUNTY's representative shall call the LOCAL GOVERNMENT to report any emergency that requires access to any LOCAL GOVERNMENT owned facility. The LOCAL GOVERNMENT shall make reasonable efforts to arrange for access of the COUNTY's personnel as quickly as possible. The COUNTY shall supply the LOCAL GOVERNMENT with a list of authorized COUNTY employees who will carry in their possession badges for identification purposes.

The COUNTY represents that it has verified that neither the COUNTY nor the COUNTY's contractors, nor any of their respective employees, agents, or representatives who have been convicted or who are currently under investigation for a crime delineated in Florida Statutes §435.04 shall have access to LOCAL GOVERNMENT owned buildings under the Agreement.

Section M: Issue Escalation Contacts

Palm Beach County ISS

Palm Beach County 24x7 Network Services Help Desk: 561-355-HELP (4357)

April Warren, Senior Manager
561-355-6777 (office)
561-358-5783 (cell)
amwarren@pbc.gov

Michael Butler, Director of ISS Network Services
561-355-4601 (office)
561-722-0850 (cell)
mbutler@pbc.gov

Archie Satchell, Chief Information Officer of ISS
561-355-3275 (office)
772-979-6607 (cell)
asatchell@pbc.gov

LOCAL GOVERNMENT Information Services

William Parker
561-540-5026 (office)
561-880-5399 (cell)
wparker@lantana.org

Section N: Fees and Charges for Network Connectivity and Related Services

The COUNTY will serve as project manager and incur all costs associated with the installation and connection of the network and network equipment at the LOCAL GOVERNMENT's building. The LOCAL GOVERNMENT will be responsible for reimbursement to the COUNTY of said costs, as listed and described in the Table below under "Installation Charges".

Service charges, as listed and described in the Table below, will be assessed on a monthly basis, and the COUNTY will invoice the LOCAL GOVERNMENT quarterly.

LOCAL GOVERNMENT Network Service and Billing Matrix

Location	Service Start Date	Band-width	Installation Charges	Monthly County Charges	Monthly FL LambdaRail Charges	Annual Charges *(excl. Install)*
Town Hall 500 Greynolds Cir, Lantana, FL 33462	8/1/2012	10Mb	$0	$50	$50	$1,200
Police Department 901 N 8th St, Lantana, FL 33462	10/1/2021	10Mb	$0	$50	$0	$600
Library 205 W Ocean Ave, Lantana, FL 33462	9/1/2022	50Mb	$0	$150	$0	$1,800
Public Works 510 W Pine St, Lantana, FL 33462	9/1/2022	50Mb	$0	$150	$0	$1,800
TOTALS		**$0**	**$0**	**$400**	**$50**	**$5,400**

Explanation of Charges:

Installation Charges – This is an estimated cost. The actual final cost for this installation will be billed to the LOCAL GOVERNMENT as a one-time invoice based on (1) the billing statement from the vendor for this work and (2) the actual cost to COUNTY of the equipment installed and labor.

Monthly County Charges – The monthly charge paid by the LOCAL GOVERNMENT based on the COUNTY Rate Sheet for Network Services.

Monthly Florida LambdaRail (FLR) Charges – FLR charges the COUNTY this fee to connect the LOCAL GOVERNMENT to the FLR via PBCnet. This fee is set by the agreement between the COUNTY and the FLR and is subject to change. This fee is a direct pass through cost to the LOCAL GOVERNMENT (see **Sub-section N1. - Cost Components** below).

Annual Charges – The total annual recurring charges, excluding installation charges, paid by the LOCAL GOVERNMENT.

The COUNTY has received approvals from the FLR for the LOCAL GOVERNMENT to be connected to the COUNTY fiber network and gain access to the FLR for either internet or transport purposes.

N1. Cost Components

The monthly FLR fee identified above includes direct costs incurred by the COUNTY to connect to the FLR. In the event the Board of Directors of the FLR implement a pricing change and the County receives notice of that change, the COUNTY agrees to review the financial impact and make appropriate rate adjustments.

N2. Billing and Payment

The COUNTY shall submit quarterly invoices to the LOCAL GOVERNMENT which shall include a reference to this Agreement and identify the amount due and payable to the COUNTY.

Section O: Annual Review of Fees and Charges

The COUNTY reserves the right to review the fees and charges included in this Exhibit on a yearly basis and make appropriate rate adjustments. Should an adjustment be warranted, sixty (60) days notice will be provided.

Section P: Additional IT Services

Upon request for assistance, the ISS CIO may, at the CIO's discretion, permit staff resources to assist the LOCAL GOVERNMENT in the execution of certain information technology responsibilities. These additional services can be requested by submitting a Task Order (Appendix 1). These services will be charged at the rate of $125/hour with a not-to-exceed cost of $50,000 per Task Order. These services may also require the purchase of additional resources, including but not limited to hardware and software. The LOCAL GOVERNMENT is responsible for all associated costs for these additional resources. An estimate for each Task Order will be available

upon request by the LOCAL GOVERNMENT. The LOCAL GOVERNMENT agrees to fully reimburse the COUNTY for all costs associated with the rendering of the COUNTY staff assistance and/or information technology resources. If the cost of services exceeds $50,000, the Task Order shall be approved by the Board of County Commissioners.

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 6a

PREPARED BY: Nicole Dritz, Development Services Director

REVIEWED BY: Brian K. Raducci, ICMA-CM, Town Manager

MEETING DATE: December 9, 2024

AGENDA ITEM: Consideration of Ordinance O-07-2024, amending Chapter 6 - Buildings and Building Regulation, to coordinate with the Palm Beach County adopted Florida Building Code and Amendments, to update the date of the Flood Insurance Study and Flood Insurance Rate Maps and to specify elevation of manufactured homes in Special Flood Hazard Areas. **Remarks: Second Reading**

ISSUE/BACKGROUND:

The Federal Emergency Management Agency (FEMA) has revised the Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM), which will become effective on December 20, 2024. As a condition of continued eligibility in the National Flood Insurance Program (NFIP), the Town must adopt the floodplain management regulations that meet the standards of 44 CFR Park 60.3(e) of the NFIP regulations by that time.

In addition to the requirements outlined above, the Town also participates in the Community Rating System (CRS), with a Class 8 rating. As a prerequisite and for the Town to maintain its Class 8 rating, all manufactured homes installed or replaced in the Special Flood Hazard Area (SFHA) must be elevated to or above at least the Base Flood Elevation plus one (1) foot. This Ordinance includes the appropriate language to reflect this requirement.

This Ordinance has been reviewed by the State Department of Emergency Management as well as the Town's contracted Building Official and Certified Floodplain Manager. In addition, it has been reviewed by the Town Attorney to ensure legal sufficiency.

<u>Recommendation</u>

Over the years, the Town has invested a great deal of time and effort to enter into the CRS program and to maintain and improve our overall class rating. Although the requirement to hold manufactured homes to the same elevation standards as other buildings in the SFHA is not a requirement of participation in the CRS program, it is a prerequisite for maintaining a Class 8 rating or higher in the CRS program. If the Town chooses not to meet this standard, it is our understanding that we can continue to participate in the CRS program but we will be immediately downgraded to a Class 9 rating, resulting in a reduction of our discount on flood insurance premiums from 10% to 5%.

According to the information that we have received from the CRS Program, there are 887 flood insurance policies in force, within our community, that are receiving the 10% discount. If the Town were to "Not Approve" the pre-requisite language, all 887 policies would be negatively impacted by a reduction in the discount of 5% (i.e., our 10% discount would be reduced to 5%).

Given the following, Town staff recommends adopting the Class 8 pre-requisite language:

- The proposed language is designed to better protect the life and property.
- The vast majority of policy holders would continue to monetarily benefit from adopting the proposed language, and
- The Town will continue working toward a Class 7 rating which may result in higher yielding discounts.

This ordinance was discussed during the October 28, 2024 Town Council meeting and passed by a vote of 3-2. Councilmembers Castle and Moorhouse voted against the ordinance.

ATTACHMENT(S):

1. O-07-2024.doc
2. White Paper Report.pdf

SAMPLE MOTION:

I move to (approve)(disapprove) Ordinance O-07-2024 on second reading.

ORDINANCE NO. O-07-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS, TO COORDINATE WITH THE PALM BEACH COUNTY ADOPTED FLORIDA BUILDING CODE AND AMENDMENTS, TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; TO SPECIFY ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING THAT THE REMAINDER OF CHAPTER 6 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Town of Lantana has determined that the Palm Beach County adopted Florida Building Code is satisfactory for protection of public health, safety, and general welfare; and

WHEREAS, the Town of Lantana participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements and achieved a CRS rating of Class 8, making citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, in 2020 the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better; and

WHEREAS, to satisfy the prerequisite and for Town of Lantana to maintain the current CRS rating, all manufactured homes installed or replaced in special flood hazard areas must be elevated to or above at least the base flood elevation plus 1 foot, which necessitates modification of the existing requirements; and

WHEREAS, the Town of Lantana determined that it is in the public interest to amend the floodplain management regulations to better protect manufactured homes and to continue participating in the Community Rating System at the current class rating; and

WHEREAS, the Federal Emergency Management Agency has revised and reissued the Flood Insurance Study for Palm Beach County, Florida and Incorporated Areas, with an effective date of December 20, 2024; and

WHEREAS, the Town Council of the Town of Lantana has determined that it is in the public interest to amend Chapter 6 – Buildings and Building Regulations. to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lantana that Chapter 6 – Buildings and Building Regulations. is amended as set forth in the following amendments, as shown in ~~strikethrough~~ and underline format in Section 1 and Section 2. Each and every other Section and Subsection of Chapter 6 – Buildings and Building Regulations. shall remain in full force and effect as previously enacted.

SECTION 1. AMENDMENTS

Chapter 6 – Buildings and Building Regulations, Article II- Building Standards, Division 1 – Technical Codes is hereby amended by the following amendments. Division 2 – Minimum Property Standards. and Division 3 – Registration of Abandoned Real Property. shall remain in full force and effect as previously enacted.

ARTICLE II. BUILDING STANDARDS

DIVISION 1. TECHNICAL CODES

Sec. 6-16. Florida Building Code Incorporated by reference.

The Florida Building Code and National Electrical Code, as adopted by Palm Beach County, Florida, as amended from time to time ~~the state legislature~~, are ~~is~~ hereby incorporated by reference as the building code for the Town of Lantana, Florida ~~with the administrative amendments set forth in section 6-17, herein below~~.

(Ord. No. O-14-2010, § 1, 12-13-10)

Editor's note(s)—Ord. No. O-14-2010, § 1, adopted Dec. 13, 2010, repealed § 6-16, in its entirety and enacted new provisions to read as herein set out. Prior to this amendment, § 6-16 pertained to similar subject matter. See Code Comparative Table for derivation.

~~**Sec. 6-17. Amendments to Chapter 1. Administration. of the Florida Building Code.**~~

~~The Town of Lantana hereby amends and supplements Chapter 1. Administration. of the 2010 Florida Building Code by the adoption or deletion of the following sections of said chapter. Chapter 1. as hereby amended shall be in full force and effect within the Town of Lantana. The local amendments to the Florida Building Code for Chapter 1. as set forth and contained in Exhibit A are hereby adopted and incorporated herein and shall be maintained on file with the offices of the town clerk and the building department.~~

CHAPTER 1
ADMINISTRATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the Florida Building Code hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the Florida Building Code, Residential.
2. Existing buildings undergoing repair, alterations or additions and change of occupancy shall comply with the Florida Building Code, Existing Building.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Florida Building Code, Residential. Construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters, code officials, and emergency responders during emergency operations.

101.3.1 Quality Control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting and inspection of any building, system, or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system, or plan, or their adequacy. The jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system, or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting. Further, no Building Department employee shall be liable in tort for damage from such conditions, in accordance with Section 768.28(9)(a) Florida Statutes, as may be amended.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. The provisions of Chapter 27 of the Florida Building Code, Building shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.2 Gas. The provisions of the International Fuel Gas Code with the Florida Fuel Gas Code Supplement shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the Florida Building Code, Mechanical shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.4 Plumbing. The provisions of the Florida Building Code, Plumbing shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.5 Property maintenance. Reserved.

101.4.6 Fire prevention. For provisions related to fire prevention, refer to the Florida Fire Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The provisions of the Florida Building Code, Energy Conservation shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Accessibility. For provisions related to accessibility, refer to Florida Building Code, Accessibility.

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see section 428, Florida Building Code, Building, and Rule 9B-1 F.A.C.

SECTION 102
APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.1.1 The Florida Building Code does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the Florida Building Code. Additionally, a local code enforcement agency may not administer or enforce the Florida Building Code, Building to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

102.2 Building. The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 of this code and the Florida Building Code, Existing Building. The following buildings, structures and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

(a) Building and structures specifically regulated and preempted by the federal government.

(b) Railroads and ancillary facilities associated with the railroad.

(c) Nonresidential farm buildings on farms.

(d) Temporary buildings or sheds used exclusively for construction purposes.

(e) Mobile or modular structures used as temporary offices, except that the provisions of Part V (Section 553.501-553.513, Florida Statutes) relating to accessibility by persons with disabilities, and permits shall be required for structural support and tie down, electrical supply, and all utility connections to such mobile or modular structures.

(f) Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission or distribution of electricity.

(g) Temporary sets, assemblies or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.

(h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an

open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials.

Exception: Electrical or plumbing work or connection, or other non-wood features shall not be exempted from this code.

(i) Service provider water, sewer, storm, gas, cable, telephone, or other similar utility systems are exempt to the point of service connection for the building or structure.

(j) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

(k) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

102.2.1 In addition to the requirements of Section 553.79 and 553.80, Florida Statutes, facilities subject to the provisions of Chapter 395, Florida Statutes (Hospital Licensing and Regulation), and Parts II and VIII of Chapter 400, Florida Statutes (Nursing Homes), shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, Florida Statutes, and Parts II and VIII of Chapter 400, Florida Statutes, and the certification requirements of the federal government.

102.2.2 Buildings or structures for residential uses moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

1. The building or structure is structurally sound and in occupiable condition for its intended use;

2. The occupancy use classification for the building or structure is not changed as a result of the move;

3. The building is not substantially remodeled;

4. Current fire code requirements for ingress and egress are met;

5. Electrical, gas and plumbing systems meet the codes in force at the time of original construction and are operational and safe for reconnection; and

6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the applicable Florida Statutes for all buildings or structures of the same residential occupancy class.

7. The requirements of Florida Building Code, Existing Building are also satisfied.

102.2.3 The building official shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled.

102.2.4 This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned buildings and boilers.

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

1) At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

a. Addition, alteration, or repairs performed by the property owner upon his or her own, provided any addition or alteration shall not exceed 1,000 square foot or the square footage of the of the primary structure, whichever is less.

b. Addition, alteration, or repairs by a nonowner within a certain cost limitation set by rule, provided the total cost shall not exceed $5,000 within any 12 month period.

c. Building inspection fees.

2. However, the exemptions under subparagraph 1. do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.

3. Each code exemption, as defined in sub-subparagraphs 1.a., b., and c., shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

4. However, each enforcement district or local enforcement agency may establish an alternative permitting program for replacing nonstructural components of building systems in a residential dwelling unit. A licensed contractor performing such work for the resident shall also be exempt from individual permits and inspections if either the owner or the licensed contractor obtains a valid Annual Permit per Section 105.1.1 of this Code and all such work is reported as required in Section 105[.]1.2 of this Code for compliance evaluation. No added capacity, system expansion or new building work of any type shall be excluded from individual permit and inspection by this provision.

102.2.6 This Code does apply to certain swings and other playground equipment accessory to a one- or two-family dwelling which include a floor, roof, wall or supporting panels totaling six (6) or more square feet.

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.5 Reserved.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Codes referenced in Section 101.4, or the Florida Fire Prevention Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

1. Relocation of an existing manufactured building does not constitute an alteration.
2. A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the Florida Building Code (after March 1, 2002), the wind speed map of the Florida Building Code shall be applicable.
3. A relocated building shall comply with the flood hazard area requirements of the new location, if applicable[.]

102.8 Existing mechanical equipment. An agency or local government may not require that existing mechanical equipment on the surface of a roof be installed in compliance with the requirements of the Florida Building Code until the equipment is required to be removed or replaced.

SECTION 103
BUILDING DEPARTMENT

103.1 Establishment. There is hereby established a department to be called the Building Department for purposes of regulating building safety under the Florida Building Code and the person in charge shall be known as the Building Official. All code officials employed by the department shall be certified in accordance with Chapter 468, Part XII, Florida Statutes.

103.2 Employee qualifications. The Town Manager shall hire the Building Official and make such determinations as are necessary to hire an individual possessing the requisite qualifications to enforce the provisions of the Florida Building Code within the Town.

103.3 Restrictions on employees. An officer or employee connected with the department, except one whose only connection is as a member of the board established by this code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he/she is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with their duties or conflict with the interests of the department, except as instructors.

SECTION 104
DUTIES AND POWERS OF THE BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code, and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings, structures, and service systems, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The building official shall carry proper identification, as issued by the jurisdiction, when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry.

104.6.1 Where it is necessary to make an inspection to enforce any of the provisions of this code, or where the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, or premises, unsafe, dangerous or hazardous, the building official is authorized to enter the building, structure or premises at all reasonable times to inspect or to perform any duty imposed by this code, provided that if such building, structure or premises are occupied, that credentials be presented to the occupant and entry requested. If such building, structure, or premises are unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, or premises, and request entry. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

104.6.2 When the building official shall have first obtained a proper inspection warrant in accordance with F.S. 933, or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

104.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and

orders issued. Such records shall be retained in the official records for the period required for retention of public records per F.S. 119.

104.8 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee or member because of an act performed by that officer or employee or member in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

> *104.9.1 Used materials and equipment.* The use of used, recycled, or reclaimed materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Community Development Department.

> *104.10.1 Modifications of the strict application of the requirements of the Florida Building Code.* The Building Official shall coordinate with the Floodplain Administrator to review requests submitted to the Building Official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. When alternate life safety systems are designed, the SFPE Engineering Guide to Performance-Based Fire Protection Analysis and

~~Design of Buildings, or other methods approved by the building official may be used. The building official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternative.~~

~~*104.11.1 Research reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.~~

~~*104.11.2 Tests.* Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.~~

~~*104.11.3 Accessibility.* Alternative designs and technologies for providing access to and usability of a facility for persons with disabilities shall be in accordance with provisions of the Florida Building Code, Accessibility.~~

~~*104.12 Requirements not covered by code.* Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or the other technical codes, shall be determined by the building official.~~

~~SECTION 105~~
~~PERMITS~~

~~*105.1 Required.* Any contractor, owner, or agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical, plumbing or fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.~~

~~*105.1.1 Annual facility permit.* In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the building official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems, or manufacturing equipment installations/relocations. The building official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.~~

105.1.2 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated. The building official is authorized to revoke or withhold the issuance of the future annual permits if code violations are found to exist.

105.1.3 Food permit. As per Section 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Building permits are not required for replacement or repair work having value of less than $1,000.00, providing, however, that such work will not effect, in the sole determination of the building official, the structural integrity, fire rating, exit access or egress requirements.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work, with no electrical or plumbing work.
3. Temporary motion picture, television and theater sets and scenery.
4. Swings and other playground equipment accessory to detached one- and two-family dwellings, which have roofs, walls floors or supporting panels smaller than six (6) square feet, but these smaller accessory structures not requiring a permit may otherwise be subject to other Zoning permit regulations as to location and setback.
5. Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.
6. Non fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

1. Repairs and maintenance: Repair or replacement of like common household electrical fixtures, switches, and outlets on the load side of the electrical source. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. The installation, replacement, removal or metering of any load management control device.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. The replacement of common household plumbing fixtures to existing supply lines and outlets. This does not include water heaters.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official. Notification shall be given to the building official including the work address, nature of emergency and scope of work immediately, or by next business day.

105.2.2 Minor repairs. Ordinary minor repairs or installation of replacement parts may be made with the approval of the building official, without a permit, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required

means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the department for that purpose. Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Section 713.135(5) and (6), Florida Statutes. Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building permit for which an application is submitted prior to the effective date of the Florida Building Code, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the building official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

105.3.1.1 If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the Florida Building Code on buildings, structures, and facilities of state universities, state colleges and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

105.3.1.2 No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, Florida Statutes:

1. Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. The system:

   A. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value of over $125,000; and

   B.

      1) Requires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system.

      2) Requires a plumbing system with 250 fixture units or more.

      3) Requires Heating, ventilation and air-conditioning system that exceeds a 15-ton-per-system capacity, or if the project is designed to accommodate over 100 persons[.]

2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. A Contractor I, Contractor II or Contractor IV, certified under Section 633.521, Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.

3. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than $5,000. Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and sealed such document as provided in Section 471.025, Florida Statutes.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned and invalid, six months after the date of filing, or for any six month period of abandonment or suspension during the application process, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding three months each. The extension shall be requested in writing prior to the abandonment date and justifiable cause demonstrated. Abandoned applications shall be subject to destruction in accordance with state law. The fee for renewal, re-issuance, and extension of a permit application shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit application extensions and renewals.

105.3.3 An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In

addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county such as the requirement for Home or Property Owners Association approval, and there may be additional permits required from other governmental entities such as water management districts, state agencies or federal agencies."

105.3.4 A building permit for a single-family residential dwelling must be issued within 30 working days of application therefore unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

105.3.5 Identification of minimum premium policy. Except as otherwise provided in Chapter 440, Florida Statutes, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has secured compensation for its employees as provided in Section 440.10 and 440.38, Florida Statutes.

105.3.6 Asbestos removal. Moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

Disclosure Statement: State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

105.3.7 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Community Affairs.

105.3.8 Public right of way. A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises,

unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane.

105.4 Conditions of the permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced.

105.4.1.1 If work has commenced and the permit is revoked, becomes null and void or expires because of lack of progress or abandonment, a new permit, or revalidation of the original permit, covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new permit, or revalidation of the original permit, is not obtained within six months from the date the initial permit became null and void, the building official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within six months. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, or due to action by an environmental or archeological agency having jurisdiction. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 3 months each. The extension shall be requested in writing and justifiable cause demonstrated, prior to expiration.

105.4.1.4 The fee for renewal, reissuance, and extension of a permit shall be set forth by the Town Council. There may be fees or requirements from other government agencies for permit extensions and renewals.

105.5 Expiration. Reserved

105.6 Suspension or Revocation of permits[.]

105.6.1 Misrepresentation of application. The building official may suspend or revoke a permit or approval, issued under the provisions of this code, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

105.6.2 Violation of code provisions. The building official may suspend or revoke a permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. As per Section 713.135, Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Refer to Section 105.3.6 "Asbestos Removal" for additional requirements.

105.10 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates shall be provided as each required protective treatment is completed, supplying one copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval. For a bait system, see Section 1816.1.7 of the Florida Building Code for contract document requirements.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon written request and approval of the building official, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection. This

provision is only for the Florida Building Code, all other Agency approvals necessary for construction must be secured prior to this provision being applied.

105.13 Phased permit approval. After submittal of the appropriate construction documents, the building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes. This provision is only for the Florida Building Code, all other Agency approvals necessary for construction must be secured prior to this provision being applied.

105.14 Permit issued on basis of an affidavit. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the building official, are hazardous or complex, the building official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall inspect such work. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspection reports as inspections are performed. In addition, they shall certify conformity to the permit, and upon completion of the structure, electrical, gas, mechanical or plumbing systems make and file with the building official written affidavit that the work has been done in conformity to the reviewed plans and that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the building official. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes. Nothing aforesaid shall preclude plan review or inspections by the building official.

105.15 Opening protection. When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is $50,000 or more for a site built single family detached residential structures that is located in the wind borne debris region as defined in this Code and that has an insured value of $750,000 or more, or, if the site built single family detached residential structures is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of $750,000 or more; opening protections as required within this Code or Florida Building Code, Residential for new construction shall be provided.

Exception: Single family residential structures permitted subject to the Florida Building Code are not required to comply with this section.

SECTION 106
FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m2), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices[.]

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107
SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by Chapter 471, Florida Statutes & 61G15 Florida Administrative Code or Chapter 481, Florida Statutes & 61G1 Florida Administrative Code. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. Electronic media documents shall be submitted when required by the building official, and may require only one set of submittals.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

If the design professional is an architect, interior designer, landscape architect, or engineer legally registered under the laws of this state regulating the practice of architecture or interior design as provided for in Chapter 481, Florida Statutes, Part I, or landscape architecture as provided for in Chapter 481, Florida Statutes, Part II, or engineering as provided for in Chapter 471, Florida Statutes, then he or she shall affix his or her official seal to said drawings, specifications and accompanying data, as required by Florida Statute.

107.2 Construction documents. Construction documents shall be in accordance with Sections 107.2.1 through 107.2.5.

107.2.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents shall be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will

conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design. (See also Section 107.3.5).

107.2.1.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

107.2.1.2 For roof assemblies required by the code, the construction documents shall illustrate, describe and delineate the type of roofing system, materials, fastening requirements, flashing requirements and wind resistance rating that are required to be installed. Product evaluation and installation shall indicate compliance with the wind criteria required for the specific site or a statement by an architect or engineer for the specific site must be submitted with the construction documents.

107.2.1.3 Additional data. The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal, signature and date as state law requires.

107.2.1.4 Quality of building plans. Building plans shall be drawn to a minimum 1/8 inch scale upon substantial paper, cloth or other acceptable medium. The building official may establish through departmental policy, other standards for plans and specifications, in order to provide conformity to its record retention program. This policy may include such things as minimum size, shape, contrast, clarity, or other items related to records management. Electronic media must be compatible with the archive requirements of Florida Statutes.

107.2.2 Reserved.

107.2.3 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane

and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

107.2.5 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

107.2.5.1 Design flood elevations. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

107.3 Examination of documents. The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Exceptions:

1. Building plans approved pursuant to Section 553.77(5), Florida Statutes, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly (including utility crossover connections) and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to FAC 9B-1.009, F.A.C., shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.
2. Industrial construction on sites where design, construction and fire safety are supervised by appropriate licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to approval by the building official, from review of plans and inspections, providing the appropriate licensed design and inspection professionals certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

107.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be noted, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

107.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 6 months after the effective date of this code and has not been abandoned.

107.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

107.3.4 Design professional in responsible charge.

107.3.4.1 General. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Those products which are regulated by DCA Rule 9N-3 shall be reviewed and approved in writing by the designer of record prior to submittal for jurisdictional approval.

107.3.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official.

107.3.4.3 Certifications by contractors authorized under the provisions of Section 489.115 Florida Statutes, shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, Florida Statutes, or Chapter 481 Florida Statutes, by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind-resistance provisions of the code or

alternate methodologies approved by the Florida Building Commission for one and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, Florida Statutes.

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the building official shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration penetrations; flashing; and rough opening dimensions; and all exterior elevations:

107.3.5.1 Commercial Buildings:

107.3.5.1.1 Building

1. Site requirements:

Parking

Fire access

Vehicle loading

Driving/turning radius

Fire hydrant/water supply/post indicator valve (PIV)

Set back/separation (assumed property lines)

Location of specific tanks, water lines and sewer lines

Flood hazard areas, flood zones, and design flood elevations

2. Occupancy group and special occupancy requirements shall be determined.

3. Minimum type of construction shall be determined (see Table 503).

4. Fire-resistant construction requirements shall include the following components:

Fire-resistant separations

Fire-resistant protection for type of construction

Protection of openings and penetrations of rated walls

Fire blocking and draftstopping and calculated fire resistance

5. Fire suppression systems shall include:

Early warning smoke evacuation systems

Schematic fire sprinklers

Standpipes

Pre-engineered systems

~~Riser diagram~~

~~6. Life safety systems shall be determined and shall include the following requirements:~~

~~Occupant load and egress capacities~~

~~Early warning~~

~~Smoke control~~

~~Stair pressurization~~

~~Systems schematic~~

~~7. Occupancy load/egress requirements shall include:~~

~~Occupancy load~~

~~Gross~~

~~Net~~

~~Means of egress~~

~~Exit access~~

~~Exit~~

~~Exit discharge~~

~~Stairs construction/geometry and protection~~

~~Doors~~

~~Emergency lighting and exit signs~~

~~Specific occupancy requirements~~

~~Construction requirements~~

~~Horizontal exits/exit passageways~~

~~8. Structural requirements shall include:~~

~~Soil conditions/analysis~~

~~Termite protection~~

~~Design loads~~

~~Wind requirements~~

~~Building envelope~~

~~Structural calculations (if required)~~

~~Foundation~~

~~Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials~~

~~Wall systems~~

~~Floor systems~~

~~Roof systems~~

~~Threshold inspection plan~~

~~Stair systems~~

~~9. Materials shall be reviewed and shall at a minimum include the following:~~

~~Wood~~

~~Steel~~

~~Aluminum~~

~~Concrete~~

~~Plastic~~

~~Glass~~

~~Masonry~~

~~Gypsum board and plaster~~

~~Insulating (mechanical)~~

~~Roofing~~

~~Insulation~~

~~10. Accessibility requirements shall include the following:~~

~~Site requirements~~

~~Accessible route~~

~~Vertical accessibility~~

~~Toilet and bathing facilities~~

~~Drinking fountains~~

~~Equipment~~

~~Special occupancy requirements~~

~~Fair housing requirements~~

~~11. Interior requirements shall include the following:~~

~~Interior finishes (flame spread/smoke development)~~

~~Light and ventilation~~

~~Sanitation~~

~~12. Special systems:~~

~~Elevators~~

~~Escalators~~

~~Lifts~~

~~*107.3.5.1.2 Electrical*~~

~~1. Electrical:~~

~~Wiring~~

~~Services~~

~~Feeders and branch circuits~~

~~Overcurrent protection~~

~~Grounding~~

~~Wiring methods and materials~~

~~GFCIs~~

~~2. Equipment~~

~~3. Special occupancies~~

~~4. Emergency systems~~

~~5. Communication systems~~

~~6. Low voltage~~

~~7. Load calculations~~

~~8. Design flood elevation~~

~~*107.3.5.1.3 Plumbing*~~

~~1. Minimum plumbing facilities~~

~~2. Fixture requirements~~

~~3. Water supply piping~~

~~4. Sanitary drainage~~

~~5. Water heaters~~

~~6. Vents~~

~~7. Roof drainage~~

~~8. Back flow prevention~~

~~9. Irrigation~~

~~10. Location of water supply line~~

~~11. Grease traps~~

~~12. Environmental requirements~~

~~13. Plumbing riser~~

~~14. Design flood elevation~~

~~*107.3.5.1.4 Mechanical*~~

~~1. Exhaust systems:~~

~~Clothes dryer exhaust~~

~~Kitchen equipment exhaust~~

~~Specialty exhaust systems~~

~~2. Equipment~~

~~3. Equipment location~~

~~4. Make-up air~~

~~5. Roof-mounted equipment~~

~~6. Duct systems~~

~~7. Ventilation~~

~~8. Combustion air~~

~~9. Chimneys, fireplaces and vents~~

~~10. Appliances~~

~~11. Boilers~~

~~12. Refrigeration~~

~~13. Bathroom ventilation~~

~~14. Laboratory~~

~~15. Design flood elevation~~

~~*107.3.5.1.5 Gas*~~

~~1. Gas piping~~

~~2. Venting~~

~~3. Combustion air~~

~~4. Chimneys and vents~~

~~5. Appliances~~

~~6. Type of gas~~

~~7. Fireplaces~~

~~8. LP tank location~~

~~9. Riser diagram/shutoffs~~

~~10. Design flood elevation~~

~~*107.3.5.1.6 Energy Calculations*~~

~~*107.3.5.2 Demolition*~~

~~1. Asbestos removal~~

~~*107.3.5.3 Residential (One and Two-Family)*~~

~~1. Site requirements~~

~~Set back/separation (assumed property lines)~~

~~Location of septic tanks~~

~~2. Fire-resistant construction (if required)~~

~~3. Smoke detector locations~~

~~4. Egress~~

~~Egress window size and location stairs construction requirements~~

~~5. Structural requirements shall include:~~

~~Wall section from foundation through roof, including assembly and materials connector tables~~

~~Termite protection~~

~~Design Loads~~

~~Wind requirements~~

~~Building envelope~~

~~Structural calculations (if required)~~

~~Foundation~~

~~Wall systems~~

~~Floor systems~~

~~Roof systems~~

~~6. Accessibility requirements: show/identify accessible bath~~

~~7. Impact resistant coverings or systems~~

~~8. Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials~~

~~9. Electrical:~~

~~Electric service riser with wire sizes, conduit detail and grounding detail. Complete load calculations, Panel schedules~~

~~10. Mechanical:~~

~~Equipment and location, Duct systems~~

~~11. Plumbing:~~

~~Plumbing riser~~

~~12. Gas:~~

~~Gas piping~~

~~Venting~~

~~Combustion air~~

~~Chimneys and vents~~

~~Appliances~~

~~Type of gas~~

~~Fireplaces~~

~~LP tank location~~

~~Riser diagram/shutoffs~~

~~13. Energy Calculations~~

~~*107.3.5.4 Swimming Pools*~~

~~1. Barrier requirements~~

~~2. Spas~~

~~3. Wading pools~~

~~*107.3.5.5 Exemptions.*~~

~~Plans examination by the building official shall not be required for the following work:~~

~~1. Replacing existing equipment such as mechanical units, water heaters, etc.~~

~~2. Minor electrical, plumbing and mechanical repairs~~

~~3. Annual maintenance permits~~

~~4. Manufactured buildings or prototype building plans except for local site adaptations and foundations of buildings, which are constructed on site, and modifications or structures that require waiver.~~

~~a. Site requirements~~

~~setback/separation (assumed property lines)~~

~~location of septic tanks (if applicable)~~

~~b. Structural~~

~~wind zone~~

~~anchoring~~

~~blocking~~

~~c. Plumbing~~

~~List potable water source and meter size (if applicable)~~

~~d. Mechanical~~

~~exhaust system~~

~~clothes dryer exhaust~~

~~kitchen equipment exhaust~~

e. Electrical

exterior disconnect location

107.4 Amended construction documents. Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the reviewed construction documents shall be resubmitted for review as an amended set of construction documents.

107.5 Retention of construction documents. One set of official construction documents shall be retained by the building official as required by Florida Statutes.

107.6 Affidavits. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The building official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes.

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

SECTION 108
TEMPORARY STRUCTURES AND USES

108.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 6 months. The building official is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

108.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in Chapter 27 of the Florida Building Code, Building.

108.4 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109
FEES

109.1 Prescribed fees. A permit shall not be issued until fees authorized under Section 553.80, Florida Statutes, have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical or gas systems has been paid.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the Town Council.

109.3 Building permit valuations. If, in the opinion of the building official, the claimed valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed, quantity estimates, and/or bona fide signed contracts (excluding land value) to meet the approval of the building official. For permitting purposes, valuation of buildings and systems shall be total replacement value to include structural, electric, plumbing, mechanical, interior finish, relative site work, architectural and design fees, marketing costs, overhead and profit; excluding only land value. Valuation references may include the latest published data of national construction cost analysis services (Marshall-Swift, Means, etc.), as published by International Code Congress. Final building permit valuation shall be set by the building official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty fee in addition to the required permit fees, as set in approved schedule of fees.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law[.]

109.6 Refunds. The building official is authorized to establish a refund policy.

SECTION 110
INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this

code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the building official, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.2 Preliminary inspection. Subject to the limitations of F.S. Chapter 553, before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.2.1 Existing building inspections. Before issuing a permit, the building official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy. He/she may inspect the buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, before, during and upon completion of the work for which a permit was issued. He/she shall make a record of every such examination and inspection and of all observed violations of the technical codes. Additional regulations in Florida Building Code, Existing Building may apply.

110.3 Required inspections. The building official upon notification from the permit holder or his or her agent, shall make the following inspections, and such other inspections as deemed necessary, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. A complete survey, or special purpose survey may be required before an inspection is approved.

A.Building

1. Foundation inspection. To be made after trenches are excavated and forms erected and required reinforcing steel is in place and, shall at a minimum include the following building components:

   - Stem-wall
   - Monolithic slab-on-grade
   - Pilings and pile caps
   - Footings/grade beams

   1.1 Slab/Floor Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel or framing members installed and all building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

A foundation/Form board survey prepared and certified by a registered surveyor may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector.

1.2 In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification, required in Section 1612.5, shall be submitted to the building official.

2. Construction Inspections

2.1 Lintel/tie beams/columns/masonry units. To be made after masonry units, forms, reinforcing steel, shoring, conduit, piping accessories, and other ancillary equipment items are in place, but before any concrete is placed.

2.2 Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:

- Roof sheathing
- Wall sheathing
- Floor sheathing
- Sheathing fasteners
- Roof/wall dry-in.
- Gypsum board, as required
- Sheathing/cladding inspection

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be corrected prior to installation of the dry-in material.

2.3 Framing inspection. To be made after the roof deck or sheathing, all framing, fire blocking and bracing is in place, all concealed wiring, all pipes, chimneys, ducts and vents are complete and shall at a minimum include the following building components:

- Window/door framing and installation. Verify rough opening dimensions are within tolerances, buck and attachments
- Lintel/tie beams complete, if applicable.
- Framing/trusses/bracing/connectors (including truss layout drawings)
- Draft stopping/fire blocking
- Curtain wall framing
- Fire resistant assemblies, joints and penetrations, as required
- Accessibility.

3. Roofing inspection. Shall at a minimum include the following building components:

   - Dry-in
   - Insulation
   - Roof coverings (including in-progress)
   - Flashing

4. Energy insulation, thermal and ignition barriers

5. Lath/Drywall. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

   Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly, unless otherwise determined by the building official.

6. Final inspection. To be made after the building is completed and ready for occupancy.

   6.1. Lowest floor elevation. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.

7. Swimming pool inspection.

   - First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain, and prior to placing of concrete shell.
   - Underground electric inspection
   - Underground piping inspection including a pressure test
   - Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in placed.
   - Final electric inspection to be made prior to filling the swimming pool with water.
   - Final permanent barrier inspection is to be made prior to filling the swimming pool with water.
   - In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 424.2.17.
   - Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

8. Demolition inspections.

   - First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.

- Final inspection to be made after all demolition work is completed.

9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the Florida Building Code. Additional inspections may be required for public educational facilities (See Section 423.27.20).

10. Where impact-resistant coverings or impact resistant systems are installed to meet requirements of this code, the building official shall schedule adequate inspections of impact-resistant coverings or impact resistant systems to determine the following:

    - The system indicated on the plans was installed.
    - The system is installed in accordance with the manufacturer's installation instructions and the product approval.

B.Electrical

1. Underground inspection (including bonding and ground). To be made after trenches or ditches are excavated, conduit or cable is installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the building is dried-in, framing, fire-blocking and bracing is in place, and prior to the installation of insulation (if applicable), or wall or ceiling membranes.
3. Low Voltage: To be made for security, alarm, elevator, and special uses.
4. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

C.Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping is installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of insulation (if applicable), or wall or ceiling membranes.
3. Final inspection. To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the Florida Building Code, Plumbing for required tests.

D.Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping is installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the building is dried-in, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of insulation (if applicable), or wall or ceiling membranes.

3. Final inspection. To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

E.Gas

1. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.

2. Final piping inspection. To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.

3. Final inspection. To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

F.Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles prior to receiving final inspection approval. Construction job sites must be kept clean.

2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

110.3.1 Footing and foundation inspection. Reserved.

110.3.2 Concrete slab and under-floor inspection. Reserved.

110.3.3 Reinforcing steel and structural frames. Reinforcing steel or structural frame work of any part of any building or structure shall not be covered or concealed without first obtaining a release from the building official. Certification that field welding and structural bolted connections meet design requirements shall be submitted to the building official, upon request.

110.3.4 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.6, Section 2304.13 or Section 2304.11.6, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the building official has been received. (Also refer to Sections 105.10 and 105.11)

110.3.5 Shoring. For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer, employed by

the permit holder or subcontractor, prior to any required mandatory inspections by the threshold building inspector.

110.3.6 Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.3.7 Threshold building.

110.3.7.1 The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

110.3.7.2 The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification or number-of-stories criteria which would result in classification as a threshold building under s. 553.71, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the Florida Building Code.

110.3.7.3 The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, Florida Statutes, as an engineer or under Chapter 481, Florida Statutes, as an architect.

110.3.7.4 Each enforcement agency shall require that, on every threshold building:

110.3.7.4.1 The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

110.3.7.4.2 Any proposal to install an alternate structural product or system to which building codes apply shall be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of permit documents.

110.3.7.4.3 All shoring and reshoring procedures, plans and details shall be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

110.3.7.4.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and Chapter 633, Florida Statutes.

110.3.7.5 No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a), Florida Statutes, or to a licensed building contractor, as defined in Section 489.105(3)(b), Florida Statutes, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

110.3.7.6 The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, Florida Statutes, without duplicative inspection by the building department. The building official is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes, or certified as a special inspector under Chapter 471 or 481, Florida Statutes. Inspections of threshold buildings required by Section 553.79(5), Florida Statutes, are in addition to the minimum inspections required by this code.

110.3.8 Reserved.

110.3.9 Other inspections services. The building official may make, or cause to be made by others, the inspections required by Section 109. He/she may accept reports of inspectors of recognized inspection services, provided that after investigation he/she is satisfied as to their qualifications and reliability. A certificate called for by any provision of the technical codes shall not be based on such reports unless the same are in writing and certified by a responsible officer of such service. The building official may require the owner to employ an inspection service in the following instances:

1. For buildings or additions of Type I construction
2. For all major structural alterations
3. Where the concrete design is based on compressive strength (f 'c) in excess of 3000 pounds per square inch
4. For pile driving
5. For buildings with area greater than 20,000 square foot
6. For buildings more than 2 stories in height

7. For buildings and structures of unusual design or methods of construction

Such inspectors shall be adequately present at times work is underway on the structural elements of the building. Such inspectors shall be a registered architect, or engineer, or a person licensed under Chapter 468, Part XII, Florida Statutes. Such inspectors shall submit weekly progress reports including the daily inspections to the building official, and including a code compliance opinion of the Resident Inspector.

At the completion of the construction work or project, such inspectors shall submit a certificate of compliance to the building official, stating that the work was done in compliance with this code and in accordance with the permitted drawing. Final inspection shall be made by the building official before a Certificate of Occupancy or Certificate of Completion is issued; and confirmation inspections may be made at any time to monitor activities and resident inspectors.

110.3.9.1 Affidavit for Inspection. With specific prior approval of, and in a format acceptable to the building official, an affidavit for certification of inspection may be accepted from the permit qualifier; when accompanied by extensive photographic evidence of sufficient detail to demonstrate code compliance. The photographic evidence shall be comprehensive in the display of the installation and/or construction and job location identifiers. The affidavit and accompanying photographs shall be provided to the inspector onsite, at the next scheduled inspection. If the photographs are found to be insufficient by the building official to demonstrate compliance with this code and/or the permitted document, or clearly display location identifiers, or are missing, the inspector shall require the contractor to obtain the services of a Registered Florida Professional Engineer to inspect and certify the installation and/or construction.

110.3.10 Inspections prior to issuance of Certificate of Occupancy or Completion. The building official shall inspect or cause to be inspected, at various intervals, all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the Certificate of Occupancy or Certificate of Completion. In performing inspections, the building official shall give first priority to inspections of the construction, addition, or renovation to, any facilities owned or controlled by a state university, state community college or public school district.

110.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability[.]

110.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building inspector. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be

corrected and such portion shall not be covered or concealed until authorized by the building official.

110.7 Impact of construction. All construction activity regulated by this code shall be performed in a manner so as not to adversely impact the condition of adjacent property, unless such activity is permitted to affect said property pursuant to a consent granted by the applicable property owner, under terms or conditions agreeable to the applicable property owner. This includes, but is not limited to, the control of dust, noise, water or drainage run-offs, debris, and the storage of construction materials. New construction activity shall not adversely impact legal historic surface water drainage flows serving adjacent properties, and may require special drainage design complying with engineering standards to preserve the positive drainage patterns of the affected sites. Accordingly, developers, contractors and owners of all new residential development, including additions, pools, patios, driveways, decks or similar items, on existing properties resulting in a significant decrease of permeable land area on any parcel or has altered the drainage flow on the developed property shall, as a permit condition, provide a professionally prepared drainage plan clearly indicating compliance with this paragraph. Upon completion of the improvement, a certification from a licensed professional shall be submitted to the inspector in order to receive approval of the final inspection.

SECTION 111
CERTIFICATES OF OCCUPANCY AND COMPLETION

111.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a Certificate of Occupancy therefore as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing and fire protection systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the building official.

Exception: Certificates of occupancy are not required for work exempt from permits under Section 105.2.

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the Community Development Department or other agency whose approval is inherent in the building permitting process, the building official shall issue a Certificate of Occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the Community Development Department.

7. The name of the building official.

8. The edition of the code under which the permit was issued.

9. The use and occupancy, in accordance with the provisions of Chapter 3.

10. The type of construction as defined in Chapter 6.

11. The design occupant load.

12. If an automatic sprinkler system is provided, whether the sprinkler system is required.

13. Any special stipulations and conditions of the building permit.

111.3 Temporary/partial occupancy. A temporary/partial Certificate of Occupancy or Certificate of Completion may be issued for a portion or portions of a building that may safely be occupied prior to final completion of the building. The building official may require, once all life safety issues have been complied with, an applicant to provide adequate cash surety for unfinished work or revision of plans until a permanent Certificate of Occupancy or Certificate of Completion is granted. The purpose of the cash surety is to insure completion of work under this permit. Such cash surety shall be equal to one hundred ten percent (110%) of the estimated value of the remaining work, including labor and material, as determined by the design professional. The design professional shall submit a signed and sealed document attesting to the amount required to cover the cash surety. If work has not been completed and all finals requested within 90 days of issuance of the initial Temporary/Partial Certificate of Occupancy or Certificate of Completion, the jurisdiction retains the right to have the applicant surrender the cash surety. The jurisdiction then may use the surety to finish the remaining work. The surety shall be in the form of cash money, certified check, or cashiers check. Surety shall be returned upon approval of all final inspections and upon written request that has been approved by the building official. This provision is only for the Florida Building Code, all other Agency approvals necessary for construction must be secured prior to this provision being applied.

111.4 Certificate of Completion. Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a Certificate of Completion may be issued. This certificate is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a Certificate of Occupancy.

111.5 Revocation. The building official is authorized to, in writing, suspend or revoke a Certificate of Occupancy or Completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 112
SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official and a Certificate of Occupancy or Completion is issued. The servicing utility company shall not connect the power supply until notified by the building official.

112.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a temporary Certificate of Occupancy.

112.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life, or property, or unsafe condition, or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The building official shall notify the serving utility, and whenever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113
BUILDING BOARD OF ADJUSTMENT AND APPEALS

113.1 Appointment. The Building Board of Adjustment and Appeals the .(the "Board") has been established by the Code of Ordinances for the Town of Lantana as set forth in Chapter 2. Administration. at Division 7. Of Article IV. Boards and Commissions.

113.2 Membership and Terms

113.2.1 Quorum and voting. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. In modifying a decision of the building official, not less than four affirmative votes shall be required.

113.2.2 Secretary of board. The Clerk for the Planning and Zoning Commission shall act as secretary of the board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

113.3 Powers. The Building Board of Adjustments and Appeals shall have the power, as further defined in 116.4, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.

113.4 Appeals[.]

113.4.1 Decision of the building official. The owner of a building, structure or service system, or duly authorized agent, may appeal a decision of the building official to the Building Board of Adjustment and Appeals whenever any one 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 code do not apply to this specific case.

3. That an equally good or more desirable form of installation can be employed in any specific case, which the building official has rejected or refused.

4. The true intent and meaning of this code or any of the regulations hereunder have been misconstrued or incorrectly interpreted.

113.4.2 Variances. The Building Board of Adjustments and Appeals, when upon written request, has been so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.

2. That the special conditions and circumstances do not result from the action or inaction of the applicant.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures or service system.

4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.

5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

113.4.2.1 Conditions of the variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.

113.4.3 Notice of appeal. Notice of appeal shall be in writing and filed within 30 calendar days after the building official renders the decision. Appeals shall be in a form acceptable to the building official.

113.5 Procedures of the board.

113.5.1 Rules and regulations. The board may establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet on call of the Mayor. The board shall meet within 30 calendar days after notice of appeal has been received.

113.5.1.1 Rules of Evidence. Formal rules of evidence shall not apply, but fundamental due process should be observed and govern the proceedings. Upon determination by the Chairperson, irrelevant, immaterial, or unduly repetitious evidence may be excluded, but all other evidence of a type commonly relied upon by reasonable, prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form. The Board may request certain evidence be provided by an architect or engineer registered in the State of Florida, in which case said evidence shall be signed, sealed, and dated.

113.5.1.2 Testimony. Any member of the Board or the Town Attorney may inquire of, or question, any witness before the Board. Any member of the Board, the petitioner or his/her attorney, and/or the building official shall be permitted to inquire of any witness before the Board. The Board may consider testimony presented by the building official, the petitioner, or any other witness.

113.5.2 Decisions. The Building Board of Adjustment and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final; subject however to such remedy as any aggrieved party might have at law or in equity.

113.6 Local Construction Regulation Board. The local government may also utilize this Board to convene as the Local Construction Regulation Board (LCRB), as provided in F.S. 489.113. The LCRB may deny, suspend, revoke or limit the authority of a certified contractor to obtain a building permit or permit with specific conditions, if the board has found such contractor, through public hearing, to be guilty of fraud or a willful building code violation within the county or municipality that the board represents. The board may also, deny, suspend, revoke or limit the authority of a certified contractor to obtain a building permit or permit with specific conditions, if it has proof through the public hearing process, that a contractor has been found guilty in another county or municipality within the past 12 months, of fraud or a willful building code violation and after providing notice of an opportunity to be heard to the contractor, finds that such fraud or violation would have been fraud or a violation if committed in the county or municipality that the local construction board represents. Notification of and information concerning such permit denial shall be submitted to the department within 15 days after the local construction regulation board decides to deny the permit.

SECTION 114
VIOLATIONS

Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas,

mechanical or plumbing system, without full compliance with applicable codes, laws, ordinances, rules and regulations, shall be found in violation of this code. Each such person shall be considered in violation of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of applicable codes, laws, ordinances, rules and regulations is committed or continued, and upon a finding of any such violation such person shall be punished within the limits and as provided by state laws. Nothing in this section shall prevent the authority having jurisdiction from imposing fines, liens, or seek injunction relief, or exercising other enforcement powers as permitted by law. Code enforcement and penalties of 162 Florida Statutes Part I shall be authorized if building work begins without payment of all required fees, and for the purposes of enforcing this code, code officials licensed under Florida Statute 468 Part XII are deemed "Code Inspectors", as defined in Florida Statute 162.04.

SECTION 115
STOP WORK ORDER

115.1 Stop work orders. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner, shall immediately cease.

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116
UNSAFE STRUCTURES AND EQUIPMENT

116.1 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be ordered by the building official to be abated by the owner, through repair and rehabilitation or by demolition in accordance with the this Code. The extent of repairs shall be determined by the building official.

116.1.1 When the building official determines a building, structure, electrical, gas, mechanical or plumbing system or portion thereof is unsafe, as set forth in this Code he/she shall provide the owner, agent or person in control of such building, structure, electrical, gas, mechanical or plumbing system a written notice of violation stating the defects thereof. This notice shall require the owner within a stated time either to complete specified repairs or improvements, or to demolish and remove the building, structure, electrical, gas, mechanical or plumbing system or portion thereof. At the option of the local government,

~~the processes and procedures for code enforcement under Florida Statute 162 may be utilized to abate a violation under this section. If this statutory method of enforcement is invoked, the building official, or authorized designee, shall act in the role of code inspector as authorized in Section 104 of this code to initiate enforcement proceedings, and notice shall be in accordance with the provisions of the Statute.~~

~~*116.1.2 If necessary, the notice shall also require* the building, structure, electrical, gas, mechanical, plumbing systems or portion thereof to be vacated and/or disconnected, and not reoccupied and/or reconnected until the specified repairs and improvements are completed, inspected and approved by the building official. The building official shall post at each entrance to the building a placard stating: THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL. This placard shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or its officers, agents, or other servants, to remove the posting without written permission of the building official, or for any person to enter the building, or use the building or system(s) except for the purpose of making the required repairs or of demolishing same.~~

~~*116.1.3 In case the owner, agent, or person in control cannot be found* within the stated time limit, or, if such owner, agent, or person in control shall fail, neglect, or refuse to comply with notice to repair, rehabilitate, or to demolish, and remove said building, structure, electrical, gas, mechanical or plumbing system or portion thereof, the building official, acting as a code inspector, shall notify an enforcement board and request a hearing. In the case of the violation posing a serious threat, and after having ascertained the cost, the building official may take action to cause such building, structure, electrical, gas, mechanical or plumbing system or portion thereof, to be demolished, secured, repaired, or required to remain vacant or unused. Taking such action does not create a continuing obligation on the part of the building official to continue with maintaining such building, structure, or system; or create liability for any damage to the property.~~

~~*116.1.4 The decision of the building official shall be final* in cases of emergency, which, in the opinion of the building official, involve imminent danger to human life or health, or the property of others. He/she shall promptly cause such building, structure, electrical, gas, mechanical or plumbing system or portion thereof to be made safe or cause its removal. For this purpose he/she may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He/she may order the vacating of adjacent structures and may require the protection of the public by appropriate fence or such other means as may be necessary, and for this purpose may close a public or private way.~~

~~*116.2 Enforcement proceedings; hearings.* Violation proceedings and hearings for unsafe structures and equipment will be conducted before the code enforcement board or special magistrate in accordance with the provisions set forth in Florida Statute 162. The owner of property that is subject to an enforcement proceeding before an enforcement board, special magistrate, or court is required to make disclosures as outlined in Florida Statute 162 before a transfer of property, and failure to make the required disclosures creates a presumption of fraud.~~

~~*116.3 Administrative fines; costs to repair; liens.* All costs associated with taking a case before the enforcement board shall be recovered where the jurisdiction prevails. Whenever one of the~~

~~orders of the enforcement board or the special magistrate has not been complied with by the time set for compliance, for each day thereafter during which each violation continues past the date set for compliance, the enforcement board or the special magistrate may impose a fine. All costs incurred as a result of actions taken per Section 116.1.3 are charged to the violator. A certified copy of an order imposing a fine, or a fine plus repair, and the costs of prosecuting the case, may be recorded in the public records and shall thereafter constitute a lien against the land where the violation exists and upon any other real or personal property owned by the violator. If an order is recorded in the public records pursuant to this subsection, and it has been complied with by the date subsequent to the recording of the order, the enforcement board or special magistrate may issue an order releasing such lien that shall be recorded in the public record. A hearing is not required for the issuance of such recorded document.~~

~~*116.4 Appeal.* An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board or special magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.~~

~~SECTION 117~~
~~VARIANCES IN FLOOD HAZARD AREAS~~

~~*117.1 Flood hazard areas.* Pursuant to section 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.~~

~~SECTION 118~~
~~TESTS~~

~~The building official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner, or agent, by an approved testing laboratory or other approved agency.~~

~~SECTION 119~~
~~SEVERABILITY~~

~~If any section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.~~

~~(Ord. No. O-12-2013, § 1(Exh. A), 9-23-13)~~

~~Editor's note(s)—Ord. No. O-12-2013, § 1, adopted Sept. 23, 2013, repealed § 6-17, in its entirety. Section 1, Exhibit A, of said ordinance, enacted new provisions to read as herein set out. Prior to this amendment, § 6-17 pertained to similar subject matter. See Code Comparative Table for derivation.~~

Secs. 6-1~~7~~8~~—~~6-25. Reserved.

SECTION 2. AMENDMENTS

Chapter 6 – Buildings and Building Regulations, Article VII - Floodplain Management. is hereby amended by the following amendments.

ARTICLE VII. - FLOODPLAIN MANAGEMENT

Sec. 6-101. - Floodplain ordinance.

The town council of the Town of Lantana hereby adopts the Floodplain Management Ordinance through the adoption of the following chapters and sections generally conforming to the format of the Florida Building Code which is referenced therein. Further administrative amendments to Chapter 1. Administration, of the Florida Building Code related to Floodplain Management Ordinance may also be found at section 6-17 of the Town Code.

CHAPTER 1 ADMINISTRATION
SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the Floodplain Management Ordinance of the Town of Lantana, hereinafter referred to as "this ordinance." These regulations are arranged to reflect the organization of the Florida Building Code ~~(2010)~~, with administrative provisions in Chapter 1, definitions in Chapter 2, and technical provisions in Chapter 3.

101.2 Scope. The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

101.3 Intent. The purposes of this ordinance and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities;

6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;

7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and

8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

101.4 Coordination with the Florida Building Code. This ordinance is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

101.5 Warning. The degree of flood protection required by this ordinance and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on the Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, may be revised by Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

101.6 Disclaimer of Liability. This ordinance shall not create liability on the part of the Town Council of the Town of Lantana or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 102 APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Areas to which this ordinance applies. This ordinance shall apply to all flood hazard areas within the Town of Lantana as established in Section 102.3 of this ordinance.

102.3 Basis for establishing flood hazard areas. The Flood Insurance Study for ~~the Town of Lantana~~ Palm Beach County and Incorporated Areas (including the Town of Lantana) dated ~~October 5, 2017~~ December 20, 2024, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the office of the Town Clerk.

102.3.1 Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Section 105 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed

topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.
2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

102.4 Other laws. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

102.5 Abrogation and greater restrictions. This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances, including but not limited to, land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

102.6 Interpretation. In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION 103 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

103.1 Designation. The building official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

103.2 General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 107 of this ordinance.

103.3 Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

1. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;

2. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;

3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;

4. Provide available flood elevation and flood hazard information;

5. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;

6. Review applications to determine whether proposed development will be reasonably safe from flooding;

7. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and

8. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

103.4 Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, substantial improvements, repairs of substantial damage, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and

4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this ordinance is required.

103.5 Modifications of the strict application of the requirements of the Florida Building Code. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction

requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 107 of this ordinance.

103.6 Coordination of Notices and orders. The Floodplain Administrator and the Building Official shall coordinate with the appropriate local agencies the issuance of all necessary notices or orders to ensure compliance with this ordinance.

103.7 Inspections. The Floodplain Administrator shall make the required inspections as specified in Section 106 of this ordinance for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

103.8 Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:

1. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 103.4 of this ordinance;
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
4. Review required design certifications and documentation of elevations specified by this ordinance and the Florida Building Code and this ordinance to determine that such certifications and documentations are complete;
5. Notify the Federal Emergency Management Agency when the corporate boundaries of Town of Lantana are modified; and
6. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

103.9 Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and

denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the office of the Town Clerk at Town Hall in the Town of Lantana.

SECTION 104 PERMITS

104.1 Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

104.2 Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

104.2.1 Buildings, structures and facilities exempt from the Florida Building Code. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this ordinance:

1. Railroads and ancillary facilities associated with the railroad.
2. Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
3. Temporary buildings or sheds used exclusively for construction purposes.
4. Mobile or modular structures used as temporary offices.
5. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

9. Structures identified in Section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established in Flood Insurance Rate Maps.

104.3 Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

1. Identify and describe the development to be covered by the permit or approval.
2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
3. Indicate the use and occupancy for which the proposed development is intended.
4. Be accompanied by a site plan or construction documents as specified in Section 105 of this ordinance.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the Floodplain Administrator.

104.4 Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

104.5 Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

104.6 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

104.7 Other permits required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits must be obtained before commencement of the permitted development, including but not limited to the following:

a. The South Florida Water Management District; section 373.036, F.S.

b. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.

c. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, F.S.

1. d. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.

e. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

f. Federal permits and approvals.

SECTION 105 SITE PLANS AND CONSTRUCTION DOCUMENTS

105.1 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), and base flood elevation(s), and ground elevations if necessary for review of the proposed development.

2. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 105.2.2 or 105.2.3. of this ordinance.

3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 105.2.1. of this ordinance.

4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.

5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

7. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.

8. Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.

9. Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

105.2 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source;

3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

    a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or

    b. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.

4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

105.3 Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 105.4 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 105.4 of this ordinance.

4. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

105.4 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 106 INSPECTIONS

106.1 General. Development for which a floodplain development permit or approval is required shall be subject to inspection.

106.1.1 Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

106.1.2 Buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect buildings, structures, and facilities exempt from the Florida Building Code to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

106.1.2.1. Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator.

1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or

2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 105.2.3.b. of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

106.1.2.2. Buildings, structures and facilities exempt from the Florida Building Code, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 106.1.2.1. of this ordinance.

106.1.3. Manufactured homes. The Floodplain Administrator or Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator or Building Official.

SECTION 107 VARIANCES AND APPEALS

107.1 General. The Construction Board of Adjustments and Appeals shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to Section 553.73(5), F.S., the Construction Board of Adjustments and Appeals shall hear and decide on requests for appeals and requests for variances form the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to Section 3109 of the Florida Building Code.

107.2 Appeals. The Construction Board of Adjustments and Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of the Construction Board of Adjustments and Appeals may appeal such decision to the Circuit Court, as provided by Florida Statutes.

107.3 Limitations on authority to grant variances. The Construction Board of Adjustment and Appeals shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 107.6 of this ordinance, the conditions of issuance set forth in Section 107.7 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Construction Board of Adjustment and Appeals has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

107.3.1 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 105.3 of this ordinance.

107.4 Historic buildings. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter ~~11~~ 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

107.5 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 107.3.1, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

107.6 Considerations for issuance of variances. In reviewing requests for variances, the Construction Board of Adjustments and Appeals shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this ordinance, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
6. The compatibility of the proposed development with existing and anticipated development;
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

107.7 Conditions for issuance of variances. Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
2. Determination by the Construction Board of Adjustments and Appeals that:
    a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
    b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
    c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as $25 for $100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

SECTION 108 VIOLATIONS

108.1 Violations. Any development that is not within the scope of the Florida Building Code but that is regulated by this ordinance, that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance or the Florida Building Code, as applicable, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

108.2 Authority. For development that is not within the scope of the Florida Building Code but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

108.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

CHAPTER 2 DEFINITIONS
SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

201.2 Terms defined in the Florida Building Code. Where terms are not defined in this ordinance and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.

201.3 Terms not defined. Where terms are not defined in this ordinance or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 202 DEFINITIONS

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance ~~or a request for a variance~~.

ASCE 24. A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Coastal construction control line. The line established by the State of Florida pursuant to section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V. ~~[Note: The FBC, B defines and~~

~~uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."]~~

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 1612.2.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and *existing structure*. Any buildings and structures for which the "start of construction" commenced before March 12, 1971. [Also defined in FBC, B, Section 1612.2.]

~~*Existing manufactured home park or subdivision*. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before March 12, 1971.~~

~~*Expansion to an existing manufactured home park or subdivision*. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodway. The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

Floodway encroachment analysis. An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter ~~11~~ 12 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1. Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

2. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

3. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle; or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
3. Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. ~~The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market~~ The value of buildings and structures, excluding the land and other improvements on the parcel. Market value ~~may be established by a qualified independent appraiser,~~ is the Actual Cash Value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the County Property Appraiser.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after March 12, 1971 and includes any subsequent improvements to such structures.

~~*New manufactured home park or subdivision*. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 12, 1971.~~

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in Section 320.01, F.S.]

Recreational vehicle. A vehicle, including a park trailer, which is: [See section 320.01, F.S.]

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. The term also includes areas shown on other flood hazard

maps, if such maps are adopted by Town of Lantana or otherwise legally designated. [Also defined in FBC, B Section 1612.2.]

Start of construction. The date of issuance of permits for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns. [Editor's Note: delete hard return] Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions. [Also defined in FBC, B, Section 1612.2]

Variance. A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this ordinance or the Florida Building Code.

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

CHAPTER 3 FLOOD RESISTANT DEVELOPMENT
SECTION 301 BUILDINGS AND STRUCTURES

301.1 All construction. All new construction or substantial improvement of any building (or manufactured home) shall have the lowest floor, including basement (A) elevated no lower than ~~six (6) inches~~ one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the equalization of hydrostatic forces on two (2) sides of exterior walls.

301.2 Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to Section 104.2.1 of this ordinance, buildings, structures, and facilities

that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 307 of this ordinance.

301.3 Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

1. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 and Section 1612 or Florida Building Code, Residential Section R322.
2. Minor structures and non-habitable major structures as defined in section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.

SECTION 302 SUBDIVISIONS

302.1 Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

302.2 Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
2. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 105.2.1. of this ordinance; and
3. Compliance with the site improvement and utilities requirements of Section 303 of this ordinance.

SECTION 303 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

303.1 Minimum requirements. All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

303.2 Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

303.3 Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

303.4 Limitations on sites in regulatory floodways. No development, including but not limited to, site improvements, and land disturbing activity involving fill or regrading shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 105.3(1) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

303.5 Limitations on placement of fill. Fill shall not be used to elevate buildings or structures except where used to backfill stem wall foundations. No permit shall be issued for development involving the use of fill unless it has been demonstrated through appropriate engineering analyses that the subject fill does not cause any adverse impacts to other properties. Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

303.6 Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 105.3(4) of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 307.8.3. of this ordinance.

SECTION 304 MANUFACTURED HOMES

304.1 General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located

seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

304.2 Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

1. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and this ordinance.
2. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and this ordinance.

304.3 Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

304.4 Elevation. ~~Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 304.4.1 or 304.4.2 of this ordinance, as applicable.~~ All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R3222.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone).

~~*304.4.1 General elevation requirement.* Unless subject to the requirements of Section 304.4.2 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).~~

~~*304.4.2 Elevation requirement for certain existing manufactured home parks and subdivisions.* Manufactured homes that are not subject to Section 304.4.1 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~

~~1. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or~~

~~2. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.~~

304.5 Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322 for such enclosed areas, as applicable to the flood hazard area.

304.6 Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.

SECTION 305 RECREATIONAL VEHICLES AND PARK TRAILERS

305.1 Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

1. Be on the site for fewer than 180 consecutive days; or
2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

305.2 Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in Section 305.1 of this ordinance for temporary placement shall meet the requirements of Section 304 of this ordinance for manufactured homes.

SECTION 306 TANKS

306.1 Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

306.2 Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 306.3 of this ordinance shall:

1. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
2. Not be permitted in coastal high hazard areas (Zone V).

306.3 Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

306.4 Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

SECTION 307 OTHER DEVELOPMENT

307.1 General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the Florida Building Code, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the limitations of Section 303.4 of this ordinance if located in a regulated floodway;
3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

307.2 Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 303.4 of this ordinance.

307.3 Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 303.4 of this ordinance.

307.4 Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 303.4 of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 105.3.3. of this ordinance.

307.5 Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V). In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

1. Structurally independent of the foundation system of the building or structure;

2. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and

3. Have a maximum slab thickness of not more than four (4) inches.

307.6 Decks and patios in coastal high hazard areas (Zone V). In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

1. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.

2. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

3. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.

4. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

307.7 Other development in coastal high hazard areas (Zone V). In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

1. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;

2. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and

3. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

307.8 Nonstructural fill in coastal high hazard areas (Zone V). In coastal high hazard areas:

1. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
2. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
3. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

(Ord. No. O-05-2014, § 1(Exh. A), 5-12-14; Ord. No. O-07-2015, § 1, 7-27-15; Ord. No. O-09-2017, § 1, 8-14-17)

Secs. 6-102, 6-15003. - Reserved.

~~Sec. 6-104. - Applicability.~~

~~For the purposes of jurisdictional applicability, this ordinance shall apply within the Town of Lantana. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after March 15, 2012.~~

(Ord. No. O-05-2014, § 1(Exh. A), 5-12-14)

~~Secs. 6-105—6-150. - Reserved.~~

SECTION 3. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the Town of Lantana. This ordinance shall apply to all applications for development in flood hazard areas submitted on or after the effective date of this ordinance.

SECTION 4. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the Town Council that the provisions of this ordinance shall become and be made a part of the Town of Lantana's Code of Ordinances, and that the sections of this ordinance may be renumbered or re-lettered. The word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

FIRST READING this 28th day of October 2024.

SECOND AND FINAL READING this 9th day of December 2024.

TOWN OF LANTANA

_____	_____	_____
Aye	Nay	Mayor Karen Lythgoe
_____	_____	_____
Aye	Nay	Vice Mayor Mark Zeitler
_____	_____	_____
Aye	Nay	Vice Mayor Pro Tem Kem Mason
_____	_____	_____
Aye	Nay	Councilmember Christopher Castle
_____	_____	_____
Aye	Nay	Councilmember Lynn J. Moorhouse, D.D.S.

ATTEST: (SEAL)

_____

Kathleen Dominguez, CMC, TOWN CLERK

Approved as to form and legal sufficiency.

_____

R. Max Lohman, TOWN ATTORNEY

TOWN OF LANTANA

A White Paper Report On The Town of Lantana's Voluntary Participation In The Community Rating System

November 20, 2024

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Information about the Community Rating System (CRS)

The following information about the CRS has been taken from the FEMA website: https://www.fema.gov/floodplain-management/community-rating-system.

The CRS is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP). Over 1,500 communities participate in the program nationwide.

In CRS communities, flood insurance premium rates are discounted (see "**EXHIBIT A**" on page 2) to reflect the reduced flood risk resulting from the community's efforts that address the program's goals which are as follows:

1. Reduce and avoid flood damage to insurable property
2. Strengthen and support the insurance aspects of the NFIP
3. Foster comprehensive floodplain management

Our Town's Historical Participation in the CRS

- As early as 1994, official CRS records indicate the Town was active in the program, however we do not have much in the way of records that demonstrate what our participation looked like at that time.
- Our records do indicate that the Town was designated as a Class 9 rating as early as 08/04/2010, which would have provided our residents with a 5% discount on their flood insurance premiums.
- In 2021, after years of working with the NFIP, CRS and property owners, Town staff was able to demonstrate that our community met the criteria to achieve a Class 8 rating, which currently provides our residents with a 10% discount on their flood insurance premiums.

Cycle Recertification vs. Cycle Verification

Both processes are aimed to ensure that communities are maintaining their floodplain management practices and earning the appropriate points for their rating.

Cycle Recertification

- Comprehensive review, required every five (5) years.
- If recertification is obtained, the community retains their class rating and associated discount. If not, the community may lose points and/or their rating can be downgraded, thus reducing their discount.
- Opportunities exist to achieve a higher class rating during this cycle.

Cycle Verification

- Less comprehensive.
- A routine annual check, to ensure the community is still actively performing its floodplain management activities for which CRS points were earned. It is designed to verify ongoing compliance with CRS requirements in between recertification cycles.
- Communities may be downgraded during this cycle if practices have not been upheld.

CRS Credit Points, Classes, Premium Discounts and Comparisons to Surrounding Communities

- The biggest incentive for a community to participate in the CRS program is the discount (premium reduction) that may be offered to the NFIP participants of that community.
- The CRS operates on a points-based system, where communities earn points for various floodplain management activities such as improving floodplain regulations, conducting public education on flood risks and implementing drainage system improvements.
- The total points a community earns determine its CRS Class, which corresponds to a percentage discount on flood insurance premiums for residents. For example, a Class 1 community (the highest rating) can earn up to a 45% discount, while a Class 10 community (the lowest rating) receives no discount (see "**EXHIBIT A**" below).

EXHIBIT A

CRS Credit Points, Classes and Premium Discounts

CRS Credit Points	CRS Class	CRS Discount (Premium Reduction)	(Premium Reduction)
4,500+	1	45%	
4,000 – 4,499	2	40%	
3,500 – 3,999	3	35%	
3,000 – 3,499	4	30%	
2,500 – 2,999	5	25%	City of West Palm Beach
2,000 – 2,499	6	20%	City of Lake Worth Beach
1,500 – 1,999	7	15%	
1,000 – 1,499	8	10%	Town of Lantana
500 – 999	9	5%	City of Greenacres
0 – 499	10	0	City of Palm Beach Gardens

- The Town is currently a Class 8 Community, thus all NFIP policy holders within our community receive a 10% discount on the cost of their flood insurance premium. Each improvement in "class" results in an incremental 5% discount up to an aggregate total discount of 45%.

Potential Impacts of the Town's Decision to Adopt/Not Adopt the Manufactured Homes Regulations as Presented

- If the Town adopts the manufactured homes regulations presented to the Town Council during the 10/28/2024 Town Council meeting, the Town is expected to retain its Class 8 rating and will attempt to earn a Class 7 rating at its next five (5) year Cycle Recertification (2026).
    - Assuming adoption of the Ordinance, (effective 12/20/2024), going forward, all Manufactured Homes installed or replaced in the SFHA must be elevated to or above at least the Base Flood Elevation plus one (1) additional foot.
- If the Town does not adopt the manufactured homes regulations as presented and continues to participate in the CRS program, it is our understanding that we will automatically be downgraded from a Class 8 to a Class 9 rating and will only be eligible for a 5% discount on flood insurance premiums instead of the 10% that we are currently receiving.

Recommendation

Over time, the Town has invested a great deal of time and effort to enter into the CRS program and to maintain and improve our overall class rating. Although the requirement to hold manufactured homes to the same elevation standards as other buildings in the SFHA is not a requirement of participation in the CRS program, it is a prerequisite for maintaining a Class 8 rating or higher in the CRS program. If the Town chooses not to meet this standard, it is our understanding that we can continue to participate in the CRS program but we will be immediately downgraded to a Class 9 rating, resulting in a reduction of our discount on flood insurance premiums from 10% to 5%.

According to the information that we have received from the CRS Program (see "**EXHIBIT B**") there are 887 flood insurance policies in force, within our community, that are receiving the 10% discount. If the Town were to "Not Approve" the pre-requisite language, all 887 policies would be negatively impacted by a reduction in the discount of 5% (i.e., our 10% discount would be reduced to 5%).

Given the following, Town staff recommends adopting the Class 8 pre-requisite language:

- The proposed language is designed to better protect the life and property.
- The vast majority of policy holders would continue to monetarily benefit from adopting the proposed language, and
- The Town will continue working toward a Class 7 rating which may result in higher yielding discounts.

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EXHIBIT B

The following information is supplementary in nature.

Policies by Occupancy Type

Occupancy Type	Policies In Force	Coverage In Force	Losses	Net Payments	Adjustments to Payments
1-4 Family	221	$ 70,155,000	119	$ 3,177,756	$ 83,276
Non-Residential	11	6,395,000	21	343,237	15,213
Business	2	797,000	2	-	765
Small Business	8	3,009,000	-	-	-
Other Residential	645	142,859,000	20	223,616	5,770
Totals	**887**	**$ 223,215,000**	**162**	**$ 3,744,609**	**$ 105,024**

Program Type

Program Type	Policies In Force	Coverage In Force
Emergency	-	$ -
Regular	887	223,215,000
Totals	**887**	**$ 223,215,000**

Policies and Losses by Flood Zone

Flood Zone	Policies In Force	Losses
B,C,X Zone	104	45
A01-A30,AE	783	117
Totals	**887**	**162**

Miscellaneous

FIRM & SFHA	
Post-FIRM Policies in Force	592
Pre-FIRM Policies in Force	295
Substantial Damage Losses	2
Base Flood Elev. Less Than 0	-
SFHA Premium	$ 404,375
Non-SFHA Premium	$ 55,754
Total Premium	$ 460,129

Source:
Community Details
Data as of: 11/11/2024
State: FLORIDA
Community: 120214 - LANTANA, TOWN OF

EXHIBIT C

Property Information Regarding 1 View Street

The above-referenced property is the Town's only parcel that contains "manufactured homes" that would be impacted by our decision to adopt/not adopt the aforementioned prerequisite. The information below regarding this parcel has been obtained from the Palm Beach County Property Appraiser's website:

https://pbcpao.gov/Property/Details?parcelId=40434434320000000.

- Owner, View Street Hmowners Assn Inc.
- Ken Matthews, HOA President
- Treated as one (1) large property (i.e., Parcel Control Number, 40-43-44-34-32-000-0000 for the entire site) with 53 Parcels or dwellings within it that have unique Parcel Control Numbers
- Legally described as a Mobile Home Park

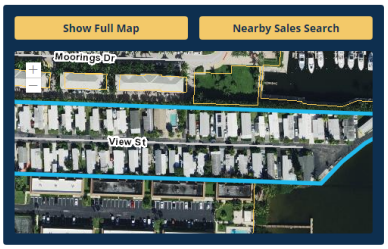
It is important to note that this entire property is and has been deemed as a Nonconforming Property by the Town for some time due in part to the following:

- Setbacks
- Lot coverage
- Density

Any significant development changes outside of what has been discussed above would likely require Code Revisions which are not being considered at this time. Additionally, under the current code, none of the existing uses may be re-established if discontinued for any reason.

PROPERTY DETAIL

LOCATION ADDRESS	1 VIEW ST
MUNICIPALITY	LANTANA
PARCEL CONTROL NUMBER	40-43-44-34-32-000-0000
SUBDIVISION	VIEW STREET MOBILE HOME PARK 746 N DIXIE HWY LANTANA FL
OFFICIAL RECORDS BOOK/PAGE	05058 / 1904
SALE DATE	OCT-1986
LEGAL DESCRIPTION	VIEW STREET MOBILE HOME PARK COMMON AREA A/K/A 34-44-43, N 165 FT OF GOV LT 4 E OF RY &TR OF SUBMRG LAND LYG ELY THEREOF & EXTENDING TO TOWN OFLANTANA BULKHEAD LI IN TIITF DEED NO 24489 IN OR1505P58 K/A MOBILE HOME LT 28



OWNER INFORMATION

OWNER(S)	MAILING ADDRESS
VIEW STREET HMOWNERS ASSN INC	KEN MATTHEWS-HOA PRES C/O 34 VIEW ST APT 24 LAKE WORTH FL 33462 1814

Change of Mailing Address

SALES INFORMATION

SALES DATE	PRICE	OR BOOK/PAGE	SALE TYPE	OWNER
OCT-1986	$1,170,000	05058 / 01904	WARRANTY DEED	VIEW STREET HMOWNERS ASSN INC

NOTE: Sales do not generally appear in the PAPA database until approximately 1 to 3 weeks after the closing date.
If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

EXEMPTION INFORMATION

No Exemption Information Available.

Exemption E File

PROPERTY INFORMATION

SUBAREA AND SQUARE FOOTAGE FOR BUILDING 0

Number of Units	0
Total Square Feet*	0
Acres	3.41
Property Use Code	0900—RESIDENTIAL COMMON AREA/ELEMENT
Zoning	MHP—MOBILE HOME PARK (40-LANTANA)

Request Structural Details Change

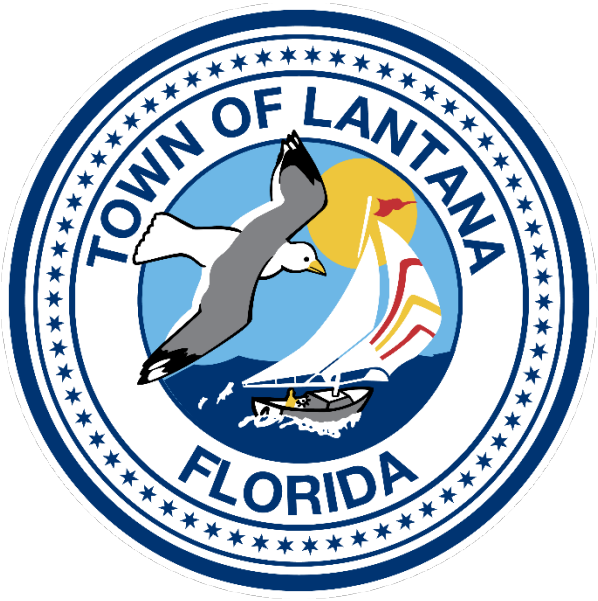
*May indicate living area in residential properties.

STRUCTURAL ELEMENT FOR BUILDING 0

No Data Found

SKETCH FOR BUILDING 0

No Data Found



Town of Lantana
500 Greynolds Circle
Lantana, FL 33462
(561) 540-5000
www.lantana.org

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 8a

PREPARED BY: Eddie Crockett, Public Services Director

REVIEWED BY: Brian K. Raducci, ICMA-CM, Town Manager

MEETING DATE: December 9, 2024

AGENDA ITEM: Consideration of CSA 2024-07 with Baxter & Woodman, Inc., authorizing engineering services in the amount of $399,683 for Lift Station No. 3, 4, 8 and 9 Rehabilitation.

ISSUE/BACKGROUND:

The Town owns and operates a wastewater collection system that includes the following Wastewater Lift Stations; No. 3 at 314 E Ocean Ave, No. 4 at 1001 S Lake Dr, No. 8 at 119 Lakeview Ave and No. 9 at 610 Ridge Rd. These are dry pit lift stations that have been identified in the Town's 2023 Integrated Master Plan as Wastewater System Goals to convert to modern submersible lift stations. Dry pit lift stations are considered hazardous due to the confined spaces; requiring special precautions, training and equipment to perform maintenance. In addition, these facilities were constructed in the late1960's and have exceeded their useful service lives.

CSA No. 2024-07 provides the scope of work, schedule and fees for data collection, design, permitting and bidding for site, mechanical, structural and electrical improvements at Lift Station No. 3, 4, 8 and 9. It has been reviewed by our professional staff as well as our consultant and is recommended for approval.

Please note that only $350,000 of the $399,683 necessary funds were budgeted in the capital portion of the FY 2024/25 Utility Fund. Any related costs that result in an unfavorable impact to the FY 2024/25 Annual Budget (i.e., the use of reserves) will be addressed in a future budget amendment, if necessary.

ATTACHMENT(S):

1. CSA 2024-07 LS 3 4 8 9 Rehabilitation 20241120.pdf

SAMPLE MOTION:

I move to (approve) (disapprove) CSA No. 2024-07 with Baxter & Woodman, Inc., authorizing engineering services for Lift Station No. 3, 4, 8 and 9 Rehabilitation in an amount not to exceed $399,683 and to authorize the Town Manager to execute the CSA and any amendments thereto; and to acknowledge that should the subject expenditure negatively impact the FY 2024/25 Annual Budget (i.e., the use of reserves) that such impact will be addressed in a future budget amendment, as necessary.

TOWN OF LANTANA
BAXTER & WOODMAN, INC.
CONSULTANT SERVICE AUTHORIZATION NO. 2024-07

"Lift Station No. 3, 4, 8, and 9 Rehabilitation"

Date: November 20, 2024

CSA NO. 2024-07 FOR PROFESSIONAL CONSULTING SERVICES: Engineering services for the Lift Station No. 3, 4, 8, and 9 Rehabilitation project.

The Town of Lantana has entered into an engineering consulting services agreement entitled "Agreement for Professional Engineering Services" with Baxter & Woodman ("B&W") on the 12th day of March, 2001, as extended by a "First Addendum" dated February 27th, 2006, as amended by a "Second Addendum" dated November 27, 2006, as amended by a "Third Addendum" dated February 14, 2011, as amended by a "Fourth Addendum" dated January 25, 2016, as amended by a "Fifth Addendum" dated August 22, 2016, as amended by a "Sixth Addendum" dated September 9, 2019, and as amended by a "Seventh Addendum" dated March 12, 2021 and as amended by an "Eighth Addendum" dated March 22, 2022 (the "Agreement"). This B&W Services Authorization ("CSA") shall be performed under the terms and conditions described in that Agreement.

PROJECT DESCRIPTION

The Town owns and operates a wastewater collection system that includes Wastewater Lift Station No. 3, 4, 8, and 9. These stations are dry pit lift stations that have been identified in the Town's 2023 Integrated Master Plan as Wastewater System Goals to convert to modern submersible lift stations. Dry pit lift stations are considered hazardous due to the confined spaces; requiring special precautions, training, and equipment to perform maintenance. In addition, these facilities were constructed in the late 1960's and have exceeded their useful service lives.

This CSA No. 2024-07 provides the scope of work, schedule, and fees for data collection, design, permitting, and bidding for site, mechanical, structural, and electrical improvements at Lift Station No. 3, 4, 8, and 9.

SCOPE OF SERVICES

B&W proposes to convert each of the dry pit lift stations to submersible lift stations by constructing the submersible lift stations near the dry pit lift stations per the 2023 Integrated Master Plan. These improvements will require modifications to the gravity sewer system to divert wastewater flows from the dry pit lift stations to the submersible lift stations. The discharge force mains will be modified to connect the submersible lift stations to the existing force mains.

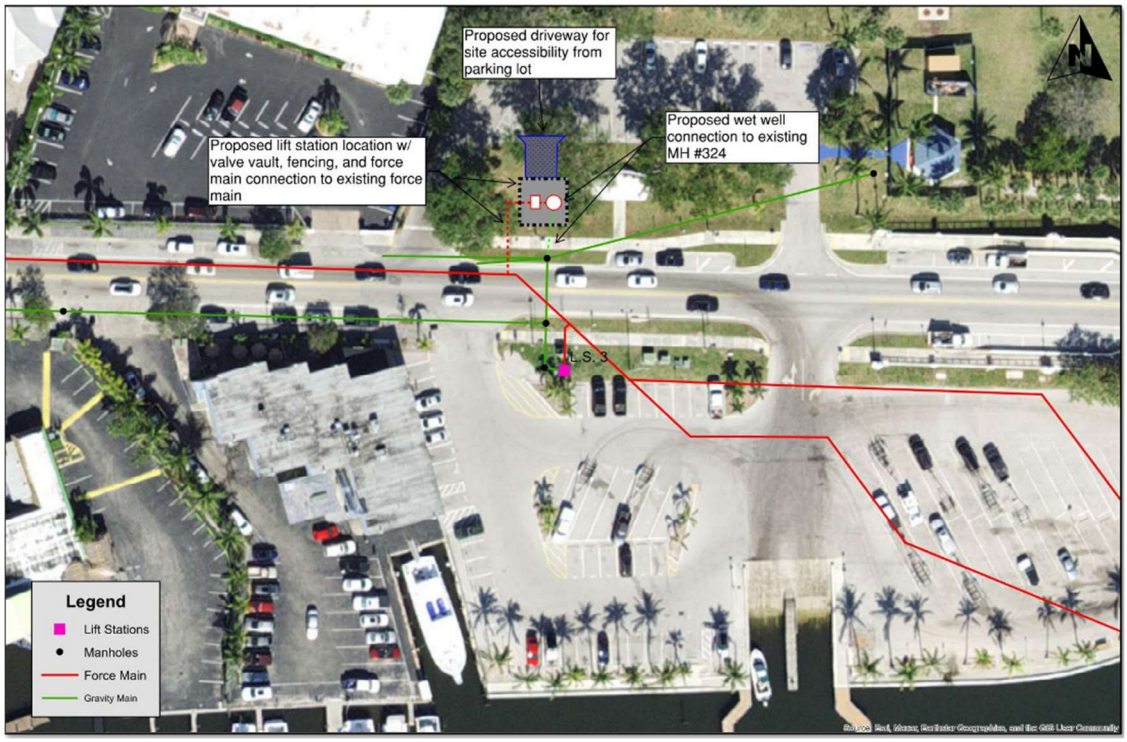
Lift Station No. 3:

- Location: 320 East Ocean Avenue, within a landscape island at Sportsman Park adjacent to East Ocean Avenue.
- Proposed Location per the Integrated Master Plan: Within the Bicentennial Park adjacent to East Ocean Avenue.

Figure 1: Lift Station No. 3



Figure 2: Lift Station No. 3 Proposed



Lift Station No.4:

- Location: Located within the bullnose of the median of East Central Boulevard, west of the intersection of East Central Boulevard and South Lake Drive.
- Proposed Location per the Integrated Master Plan: Within the median, west of the existing location.

Figure 3: Lift Station No. 4

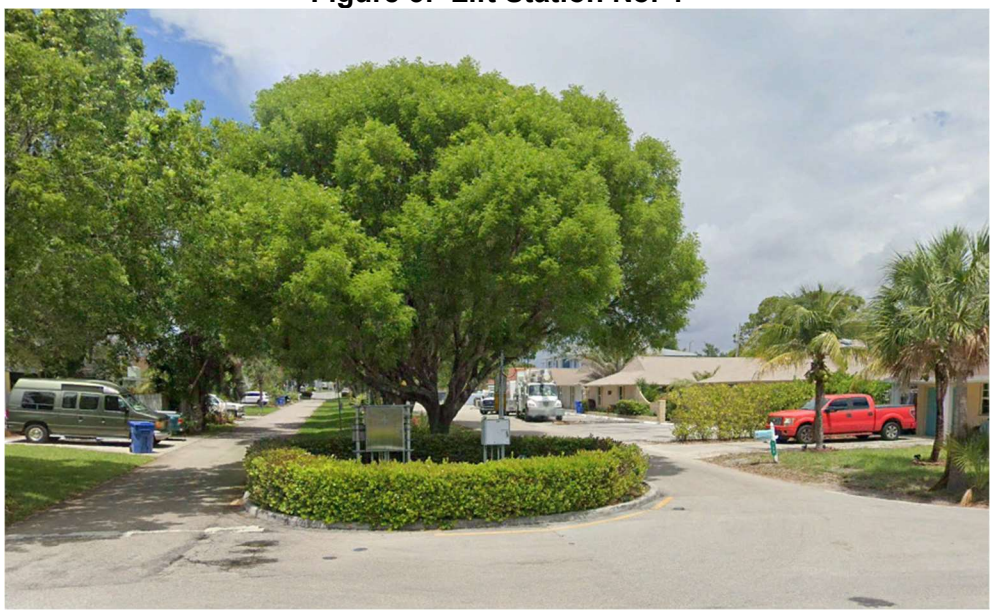


Figure 4: Lift Station No. 4 Proposed



Lift Station No. 8:

- Location: Adjacent to 119 Lakeview Avenue 1
- Proposed Location per the Integrated Master Plan: To be determined based on design and the acquisition of an easement from private properties to relocate the lift station if necessary.

Figure 5: Lift Station No. 8



Lift Station No. 9:

- Location: Southeast corner of Ridge Road and Alho Drive behind the Lantana Shopping Center
- Convert from dry pit to submersible lift station.

Figure 6: Lift Station No. 9

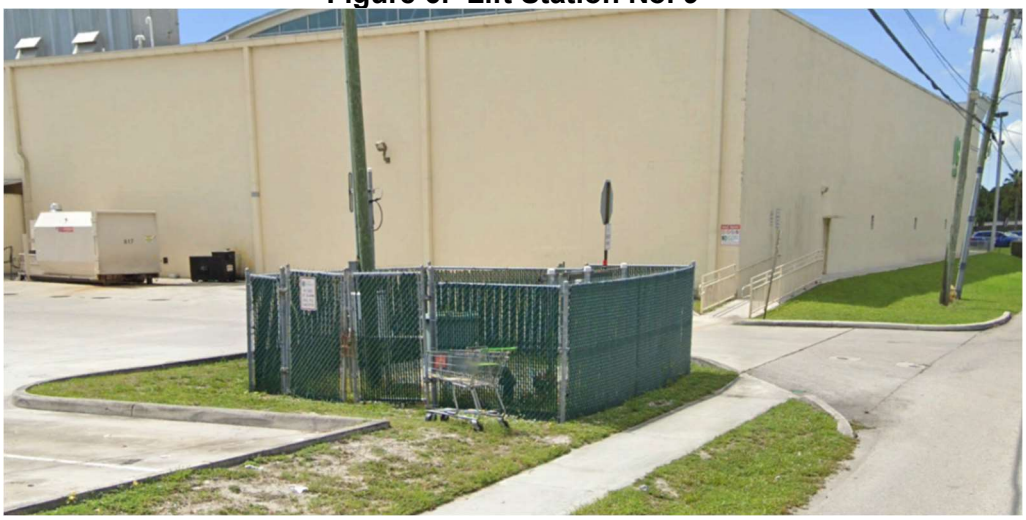
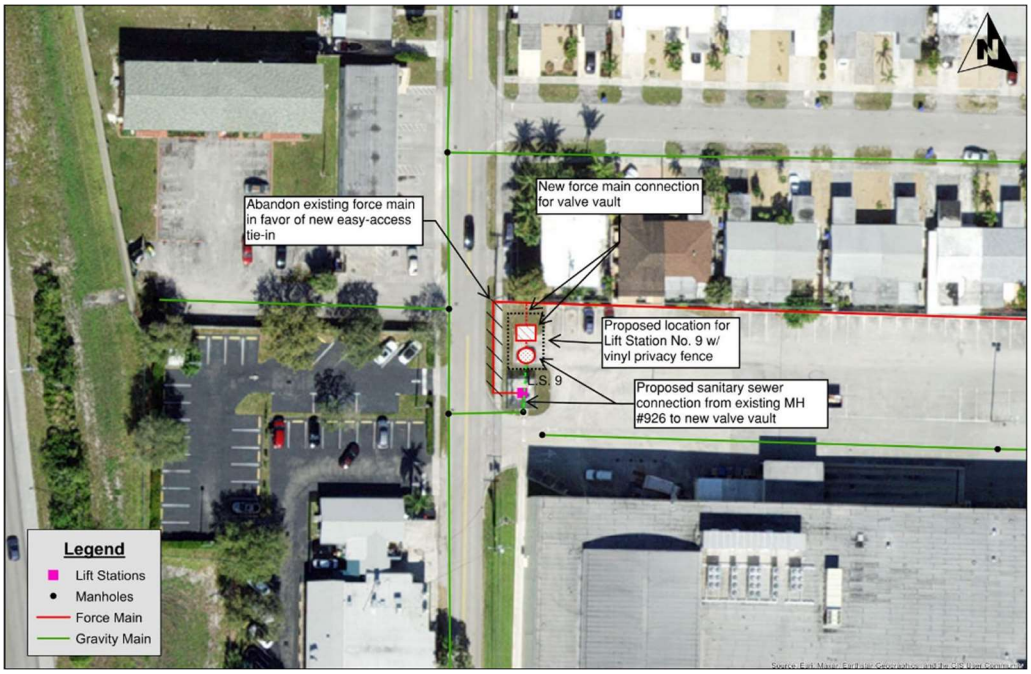


Figure 7: Lift Station No. 9 Proposed



Task No. 1 – Project Management and Client Workshops/Meetings

Item 1.1 Project Management

Overall project management. B&W shall provide overall project management, which includes monitoring progress of work on a weekly basis for billing and compliance with established schedule, budget, and work quality requirements, and coordination with team sub-consultant(s) to ensure timely project deliverables and budget management.

Up to four (4) client workshops/meetings shall be attended by B&W with Town staff. B&W shall provide a written summary of the issues discussed at the workshop meetings. These meetings are as follows:

Item 1.2 Kickoff Meeting

Review the Town's goals, objectives, and design standards for the project. Lines of communication for the project will also be established.

Item 1.3 50% Design Stage Review Meeting

50% Design stage review of Contract Drawings (plan view), Contract Technical Specifications, Construction Cost Opinion, and project schedule.

Item 1.4 75% Design Stage Review Meeting

75% Design stage review of Construction Drawings (plan and profile view), Technical Specifications, Construction Cost Opinion, and project schedule.

Item 1.5 100% Design Stage Review Meeting

Final Design stage review of Construction Drawings (plan and profile view), Technical Specifications, Construction Cost Opinion, and project schedule.

Item 1.6 Public Outreach Meetings

Lift Station No. 8 may require coordination with private property owners along Lakeview Avenue to determine a new location for Lift Station No. 8. Up to two (2) meetings have been included in this task which includes the development of a maximum of two (2) alternative layouts at each meeting (total of four (4) layouts) to discuss with the property owners for approval.

Task No. 2 – Data Collection

Item 2.1 Utility Coordination

B&W shall coordinate with utility agencies (Electric, Telephone, Gas, and Cable TV) which have infrastructure within the areas within the selected pipeline corridor to collect record information. This Item includes reconciling apparent discrepancies between record information and existing photographic and field-verification information.

Item 2.2 Survey Verification

B&W shall provide survey services through its subconsultant, consisting of site boundary and field topography including vertical and horizontal locations for the existing site features and structures. The survey control will be referenced from the Palm Beach County Control Network which is the North American Datum of 1983 and the 1990 adjustment for horizontal control and the North American Vertical Datum of 1988 for vertical control. All existing facilities and utilities within the project area (design limits) will be referenced and will include the following:

1. Topographic surveys shall be performed at all lift station sites (total of four (4)). Topographic survey data shall be collected at 25-foot intervals and at major ground elevation changes to depict existing ground profile within the proposed project areas. This shall be accomplished by collecting pertinent data which shall include the following:

    a. Location of all visible fixed improvements within the rights-of-way (R-O-W) (including visible fixed improvements that would pertain to engineering design lying 10 feet outside of R-O-W on each side or up to existing privacy fence/wall), easements and parcels of the project limits, including physical objects, roadway pavement, driveways, sidewalks, walls, curb, drainage swales, shrubs, trees, sprinkler heads and control valves, lift stations, signs, fences, power poles, buildings, and any other encumbrances, including point of curvature and point of tangency.

    b. Location of all known above and below ground existing utilities: FP&L, AT&T, cable TV, natural gas, potable water (pipe diameter, top of pipe, valves top of nut, fire hydrants, and meters), force mains (pipe diameter, top of pipe, and valves top of nut), sanitary sewer (pipe diameter, manhole inverts and direction, rim elevations, laterals, and clean-outs w/in 5-ft. R-O-W, lift station top slab elevation, emergency pump out, electrical control panel, RTU antennae, lift station suction and discharge elevation, lift station dry-pit interior

dimension, depth), Storm Sewers (pipe diameter, manhole inverts and direction, catch basins, and rim/grate elevations), and all other accessible structures.

This will include coordination with Sunshine (i.e. One Call) and the Town. Locations of underground piping that located during soft-digs under Item 2.3, Field Verification, shall be survey data collected to denote the actual horizontal location of all utilities located.

c. Identify all platted R-O-W lines within the project limits (including bearing and distances for centerline), lot numbers, house/building address, ownership lines, block numbers and dedicated easements according to recorded plats. A title/records search is not included in the project scope.

d. Cross-section elevations shall be indicated every 50 feet, at a minimum, to indicate centerline grades, edge of pavement grades and shoulder grades, low points R-O-W lines. Intermediate grades shall be indicated at all grade breaks, driveways and sidewalks. Two grades (one at the R-O-W line and one 10 feet back) shall be indicated on the driveways to indicate direction of grade.

e. Provide and reference benchmarks at maximum 400-foot intervals. Elevations to be referenced to an existing established County Benchmark.

2. The above topographical survey data will be prepared in AutoCAD (Version 2020 minimum) format at a plan scale of 1"=20' horizontal, as one continuous file. Baxter & Woodman's standard layering system shall be followed.

3. In addition to the lump sum fee for Survey Verification, B&W has budgeted a not-to-exceed amount of $8,760 (4 sketch and descriptions at $2,190 per lift station) for the project should utility easements be required for the relocation of the existing lift stations.

Item 2.3 Field Verification

B&W shall furnish the services of a professional subsurface utility engineering company to provide utility targeting and underground field locations (i.e. soft-digs) of affected existing utilities. Utility targeting will be performed using ground penetrating radar (GPR) or similar technology to locate subsurface utilities after the 50% design has been completed. Soft-digs shall consist of measuring and recording the approximate horizontal, vertical, width and depth data of affected utilities within the project limits. B&W shall determine the number of field locations required after the 50% design has been completed. B&W shall meet with the Town to discuss the number of field verifications that should be charged under this subtask. Only actual soft-digs taken and approved by the Town will be billed. In addition to the lump sum fee for utility targeting, B&W has budgeted a not-to-exceed amount of $28,750 (50 soft-digs at $575 per soft-dig) for the project.

Item 2.4 Geotechnical Investigation

B&W shall use the services of a professional geotechnical engineer to provide subsurface investigations of the project area that will include:

1. Perform up to four (4) standard penetration test (SPT) borings (one (1) per lift station site) to an average depth of forty (40) feet.
2. Maintenance of traffic for all geotechnical fieldwork.

3. Coordination with Sunshine (i.e. One Call) prior to performing SPT borings. Evaluate field data collected and provide geotechnical engineering evaluation report. The soil boring locations will be shown on the design drawings and the geotechnical report will be included in the Contract Documents.

Task No. 3 – Final Design

Final design shall consist of the preparation of Contract Documents consisting of Contract Drawings, Contract Technical Specifications, and Construction Cost Opinion for Lift Stations 3, 4, 8, and 9 (50%, 75%, and 100% Design Stages). A summary of the work items to be performed as part of Task No. 3 are included herein.

Item 3.1 Contract Documents

Preparation of Contract Documents shall include Contract Drawings and Contract Technical Specifications. Contract Drawings shall include: cover sheet, general notes, plan drawings, and miscellaneous detail sheets. The drawing scale shall be 1-inch equals 20 feet minimum on 22”x34” sized drawings. B&W shall prepare the engineering design elements on topographic survey information in an AutoCAD release 2020 format.

Construction drawings (two copies) shall be submitted for Town review at 50%, 75%, and 100% design stages. Technical Specifications (two copies) shall be submitted for Town review at 50% (table of contents), 75% (edited), and 100% (final) design stages. B&W shall meet with the Town to discuss comments on the 50%, 75%, and 100% design stage submittals and incorporate comments into the Bid Set documents. B&W shall furnish with the Bid Set, Contract Drawings in portable document format (PDF) and native AutoCAD release 2020 files and Contract Technical Specifications in PDF and .doc format on a flash drive.

Item 3.2 Construction Cost Opinion

Preparation of construction cost opinion at 50%, 75%, and 100% design stages. The construction cost opinion shall reflect changes in general scope, extent or character of design requirements incorporated during the various design review stages.

Task No. 4 – Permitting

During the Final Design Phase, B&W shall meet with the potential permitting and other interested agencies to determine all potential permitting requirements. Associated permit application fees shall be determined by B&W and paid by Town. In addition to preparing the permit applications for appropriate regulatory agencies, B&W shall assist the Town in consultations with the appropriate authorities. Consultation services shall include the following:

1. Attend up to one (1) pre-application meeting with the staff the regulatory agency.

2. Attend up to two (2) meetings with each of the regulatory agencies during review of the final permit applications.

3. Respond to request(s) for additional information from the regulatory agency.

Item 4.1 Palm Beach County Health Department

1. Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System
    a. Lift Station No. 3
    b. Lift Station No. 4
    c. Lift Station No. 8
    d. Lift Station No. 9

Item 4.2 Town of Lantana Building Department

1. Cursory review of design drawings prior to Contractor submittal for Building Permits
    a. Lift Station No. 3
    b. Lift Station No. 4
    c. Lift Station No. 8
    d. Lift Station No. 9

Item 4.3 Palm Beach County Roadway

1. Utility R-O-W Permit
    a. Lift Station No. 3

Task No. 5 – Bidding Services

Item 5.1 Bid Advertisement

"Front-end" documents and advertisement shall be prepared by B&W utilizing the latest template to be provided by the Town. The Town shall review and provide comments as necessary. B&W will assemble Bid Set by combining the final "front-end" documents with the Bid Set contract documents.

The Town shall be responsible for any required advertising and will solicit the bid by use of their electronic bidding system. It is anticipated that a single base bid will be utilized.

Item 5.2 Pre-Bid Conference

B&W shall prepare agenda and conduct a mandatory pre-bid conference with interested potential bidders and Town staff. B&W shall provide a written summary of issues discussed and include in the first addenda.

Item 5.3 Bid Clarification

B&W shall issue additional addenda and shall provide supplemental information or clarification, as appropriate, to interpret, clarify, or expand the bidding documents to all prospective bidders during the bid period.

Item 5.4 Contract Award Recommendation

Town shall open bids and prepare bid tabulation. Town shall provide B&W with bid tabulation and bid responses received, either electronic copy or a hard copy. B&W shall assist Town in evaluating bids,

including reference checks, for an award recommendation to the lowest responsive bidder. B&W shall submit to Town written recommendation concerning contract award.

Item 5.5 Conformed Contract Documents

B&W shall prepare conformed Contract Documents (construction drawings and technical specifications) for use by the Contractor and Town during construction.

ASSUMPTIONS

Work described herein is based upon the assumptions listed below. If conditions differ from those assumed in a manner that will affect schedule of Scope of Work, B&W shall advise Town in writing of the magnitude of the required adjustments. Changes in completion schedule or compensation to B&W will be negotiated with Town.

1. Town shall make available all data required for implementation of this scope of services.

2. Town will provide B&W available record drawings of existing facilities and proposed facilities within the project areas.

3. Town personnel will assist in field verification of affected existing Town utilities. This includes painting the locations of water mains & services, raw water mains, sanitary sewers and laterals, and force mains in the field in a timely manner.

4. Town is responsible for coordinating with all private property owners to acquire legal use of their property for the construction of the submersible lift stations should it be required.

5. Town is responsible for all permitting fees, including costs of public notification in local newspapers.

6. B&W based this scope of work on the proposed locations for the submersible lift stations being per the 2023 Integrated Master Plan. Any changes to the proposed locations after issuance of the Notice-to-Proceed shall be evaluated if there are financial impacts to the contract fee. Any work deemed to be beyond the intent of the executed contract will be considered additional services.

7. B&W assumes that the location for Lift Station No. 8 will be within the R-O-W of Lakeview Avenue. If Lift Station No. 8 is located on private property or anywhere else beyond Lakeview Avenue, additional services will be required to complete the design.

8. B&W has included the development of four (4) legal sketch and descriptions, one (1) for each lift station should new utility easements be required for the submersible lift stations.

9. B&W assumes a single bidding effort for the project. Re-bidding of the project is considered an Additional Services item.

10. B&W bases the design on the Federal, State, and local codes and standards in effect at the beginning of the project. Revisions required for compliance with any subsequent changes to those regulations is considered an Additional Services Item.

11. B&W assumes that there are no contaminated soils or groundwater in the project area.

12. Contractor will be required to secure any dewatering permits.

13. Contractor will be required to secure any building or electrical permits.

ADDITIONAL SERVICES

B&W shall provide additional engineering and inspection services not covered under this Service Authorization. These additional services may be required due to unanticipated and/or unknown deficiencies discovered during the field inspection and evaluation of the ground storage tanks.

Services performed under this task will be on an as-directed basis in accordance with a written Notice-to-Proceed from the Town Manager. The Notice-to-Proceed issued shall contain the following information and requirements.

- A detailed description of the work to be undertaken.
- A budget establishing the amount of the fee to be paid in accordance with the Agreement.
- A time established for completion of the work.

CONTRACT PERFORMANCE

Proposed fees and schedule for completion of tasks listed above are summarized below:

COMPLETION DATES

The duration of work tasks is summarized below:

Engineering Services	Task Duration	Completion Time from NTP (Weeks)
Task No. 1 – Project Management and Client Workshops/Meetings	52 Weeks	52 Weeks (1)
Task No. 2 - Data Collection	12 Weeks	12 Weeks (2)
Task No. 3 – Final Design	40 Weeks	40 Weeks
Task No. 4 – Permitting	8 Weeks	8 Weeks (3)
Task No. 5 – Bidding Services	12 Weeks	52 Weeks
	Total Time:	**52 Weeks**

(1) Occurs during the entire duration of the project.
(2) Data Collection occurs concurrently with Final Design.
(3) Permitting occurs concurrently with Final Design 75% Design Stage.

SUMMARY OF PROPOSED FEES

Proposed labor costs and associated expense for engineering services are tabulated below and provided in **Attachment A**.

Engineering Services	Fees (Lump Sum)
Task No. 1 – Project Management and Client Workshops/Meetings	$14,704.00*(1)*
Task No. 2 - Data Collection	*$141,663.00(1)(2)*
Task No. 3 – Final Design	$213,795.00*(1)*
Task No. 4 – Permitting	$13,437.00*(1)*
Task No. 5 – Bidding Services	$15,584.00*(1)*
Out-of-Pocket Expenses	$500.00*(3)*
TOTAL PROJECT COST	**$399,683.00**

(1) Sub-Consultant Fees includes 10% mark-up per Master Agreement.
(2) Test Holes and Sketch and Descriptions are a "not-to-exceed" item which are included in this cost.
(3) Out-of-Pocket Expenses include the following: printing/reproduction, postage, and mileage.

The Consultant may not commence work on any Consultant Service Authorization approved by the Town without a further written notice to proceed.

Approved by:

TOWN OF LANTANA

Date: _____

_____
Town Manager

Attest: _____

_____
Reviewed by: Town Attorney

BAXTER & WOODMAN, INC.

Date: 11/20/2024

_____
Rebecca Travis, P.E., Exec. Vice President

Attest: _____

State of Florida

County of Palm Beach

The foregoing instrument was acknowledged before me this 20th day of November, 2024 by Rebecca Travis, Executive Vice President of Baxter & Woodman, Inc., an Illinois corporation, on behalf of the corporation. He/She is (personally known to me) or (has produced identification), Florida Driver's License _____ _____ and (did/did not) take an oath.

_____
Signature of person taking Acknowledgement

Lisa Alonso
_____
Signature of Acknowledger Typed, Printed or Stamped

Notary Public State of Florida
Lisa Alonso
My Commission HH 451811
Expires 10/5/2027

Attachment A

Town of Lantana

Lift Station No. 3, 4, 8, and 9 Rehabilitation

Baxter & Woodman, Inc. Fee Table

Task No.	Task Description	Labor Classification and Hourly Rates Principal Engineer $178.61	Sr. Engineer $162.37	Engineer $124.49	Sr. Inspector $119.07	Inspector $97.42	Sr. Engineer Tech $119.07	Cadd $102.84	Clerical $75.78	Total Labor	Sub-Consultant Services	Sub-Consultant Services w/ 1.1 Multiplier	Total
1	**Project Management and Client Workshops/Meetings**												
1.1	Project Management	6	12						12	$3,929.00			$3,929.00
1.2	Kickoff Meeting		2	3					1	$774.00			$774.00
1.3	50% Design Stage Review Meeting		2	3					1	$774.00			$774.00
1.4	75% Design Stage Review Meeting		2	3					1	$774.00			$774.00
1.5	100% Design Stage Review Meeting		2	3					1	$774.00			$774.00
1.6	Public Outreach Meetings	4	8	16					2	$4,157.00			$4,157.00
	Subconsultant - EDA (Electrical)										$3,201.60	$3,521.76	$3,521.76
	Subtotal:	**10**	**28**	**28**	**0**	**0**	**0**	**0**	**18**	**$11,182.00**	**$3,202.00**	**$3,522.00**	**$14,704.00**
2	**Data Collection**												
2.1	Utility Coordination		2	8						$1,321.00			$1,321.00
2.2	Survey Verification		2	8		8				$2,100.00			$2,100.00
2.3	Field Verification		2	4						$823.00			$823.00
2.4	Geotechnical Investigation		2	2						$574.00			$574.00
	Subconsultant - EDA (Electrical)										$3,242.42	$3,566.66	$3,566.66
	Subconsultant - Ritzel-Mason (Survey)										$35,230.00	$38,753.00	$38,753.00
	Subconsultant - Ritzel-Mason (Sketch & Descriptions))										$8,760.00	$9,636.00	$9,636.00
	Subconsultant - Ritzel-Mason (Utility Targeting)										$12,990.00	$14,289.00	$14,289.00
	Subconsultant - Ritzel-Mason (Soft-Digs)										$28,750.00	$31,625.00	$31,625.00
	Subconsultant - Radise International (Geotech)										$35,432.00	$38,975.20	$38,975.20
	Subtotal:	**0**	**8**	**22**	**0**	**8**	**0**	**0**	**0**	**$4,818.00**	**$124,404.00**	**$136,845.00**	**$141,663.00**
3	**Final Design**												
3.1	Contract Documents												
3.1a	50% Design Stage Submittal		108	212				256		$70,255.00			$70,255.00
3.1b	75% Design Stage Submittal		54	106				128		$35,127.00			$35,127.00
3.1c	100% Design Stage Submittal		54	106				128		$35,127.00			$35,127.00
3.2	Construction Cost Opinion		4	16						$2,641.00			$2,641.00
	Subconsultant - EDA (Electrical)										$64,223.08	$70,645.39	$70,645.39
	Subtotal:	**0**	**220**	**440**	**0**	**0**	**0**	**512**	**0**	**$143,150.00**	**$64,223.00**	**$70,645.00**	**$213,795.00**
4	**Permitting**												
4.1	Palm Beach County Health Department		4	12			2			$2,382.00			$2,382.00
4.2	Town of Lantana Building Department		4	12			2			$2,382.00			$2,382.00
4.3	Palm Beach County Roadway		4	16			4			$3,118.00			$3,118.00
	Subconsultant - EDA (Electrical)										$5,049.80	$5,554.78	$5,554.78
	Subtotal:	**0**	**12**	**40**	**0**	**0**	**8**	**0**	**0**	**$7,882.00**	**$5,050.00**	**$5,555.00**	**$13,437.00**
5	**Bidding Services**												
5.1	Bid Advertisement		2	4					12	$1,732.00			$1,732
5.2	Pre-Bid Conference		1	2						$411.00			$411
5.3	Bid Clarification		2	8						$1,321.00			$1,321
5.4	Contract Award Recommendation		2	4	4					$1,299.00			$1,299
5.5	Conformed Contract Documents			2				4		$660.00			$660
	Subconsultant - EDA (Electrical)										$9,237.66	$10,161.43	$10,161.43
	Subtotal:	**0**	**7**	**20**	**4**	**0**	**0**	**4**	**12**	**$5,423.00**	**$9,238.00**	**$10,161.00**	**$15,584.00**
	Labor Subtotal Hours	10	275	550	4	8	8	516	30				
	Labor Subtotal Costs	$1,786.00	$44,652.00	$68,470.00	$476.00	$779.00	$953.00	$53,065.00	$2,273.00	**$172,455.00**	**$206,117.00**	**$226,728.00**	**$399,183.00**
	Labor Total Costs	**$172,455.00**											
	Subconsultant Costs Total	$206,117.00											
		1.1											
	Subconsultant Total	**$226,728.00**											
	Reimbursable Expenses	**$500.00**											**$500.00**
	Project Total (Lump Sum)	**$399,683.00**											**$399,683.00**

July 8, 2024

Electrical Design Associates

Mr. Sira Prinyavivatkul, P.E.
Baxter and Woodman
1601 Forum Place, Suite 400
West Palm Beach, Florida 33401

Re: Lift Station No. 3, 4, 8, and 9 Rehabilitation
Town of Lantana, Florida
CSA No. 2024-07

Dear Mr. Prinyavivatkul:

We are pleased to submit our revised proposal for electrical and instrumentation and controls (I&C) engineering design services for the above project. The following serves to provide an overview of the engineering services Electrical Design Associates, Inc. (EDA) intends to furnish on the above referenced project to Baxter and Woodman (BW). Your signature on this agreement will serve as your letter of intent and official notice to proceed with the referenced work. Our services shall include data collection, completed drawings for the work, project specifications, opinion of probable construction cost estimate, permitting, and bidding services covering all phases of our design in a format determined by you as outlined below.

PROJECT DESCRIPTION:

It is our understanding that the Town owns and operates a wastewater collection system that includes Wastewater Lift Station No. 3, 4, 8, and 9. These stations are dry pit lift stations that have been identified in the Town's 2023 Integrated Master Plan as Wastewater System Goals to convert to modern submersible lift stations. Dry pit lift stations are considered hazardous due to the confined spaces; requiring special precautions, training, and equipment to perform maintenance. In addition, these facilities were constructed in the late 1960's and have exceeded their useful service lives.

SCOPE OF WORK:

Lift Station Locations:

1. Lift Station No. 3: 320 East Ocean Avenue, within a landscape island at Sportsman Park adjacent to East Ocean Avenue.

2. Lift Station No. 4: Located within the bullnose of the median of East Central Boulevard, west of the intersection of East Central Boulevard and South Lake Drive.

3. Lift Station No. 8: Adjacent to 119 Lakeview Avenue 1.

4. Lift Station No. 9: Southeast corner of Ridge Road and Alho Drive behind the Lantana Shopping Center.

7284 WEST PALMETTO PARK RD, SUITE 302-C • BOCA RATON, FL • 33433
PHONE: 561-819-5556 • FAX: 561-819-5557

Our scope of work for the related Tasks will include the following electrical and I&C improvements at each of the Lift Stations:

TASK 1 – Project Management and Client Workshops/Meetings

Item 1.1 – Project Management

1. By others.

Item 1.2 – Kick-Off Meeting

1. EDA shall attend a Kick-Off Meeting with BW and the Town staff for the purpose of verifying the Town's goals, objectives and design standards for the project.

Item 1.3 – 50% Design Stage Review Meeting

1. EDA shall attend a 50% Design stage review of Contract Drawings (plan view), Contract Technical Specifications, Construction Cost Opinion, and project schedule.

Item 1.4 – 75% Design Stage Review Meeting

1. EDA shall attend a 75% Design stage review of Construction Drawings (plan view), Contract Technical Specifications, Construction Cost Opinion, and project schedule.

Item 1.5 – 100% Design Stage Review Meeting

1. EDA shall attend a Final Design stage review of Construction Drawings (plan view), Contract Technical Specifications, Construction Cost Opinion, and project schedule.

TASK 2 – Data Collection

Item 2.1 – Utility Coordination

1. By others.

Item 2.2 – Survey Verification

1. By others.

Item 2.3 – Geotechnical

1. By others.

Item 2.4 – Field Verification

1. EDA shall collect and review available documents for the existing lift stations as provided by the Town (e.g. record drawings and data sheets).

2. EDA shall perform a site investigation and gather data including but not limited to existing conditions and FPL available service. It is our understanding that a representative from the Town will accompany us to the site and open the panels for our review.

TASK 3 – Final Design Phase

Final design shall consist of the preparation of Contract Documents consisting of Contract Drawings, Contract Technical Specifications, and Construction Cost Opinion for Lift Stations 3, 4, 8, and 9 (50%, 75%, and 100% Design Stages). A summary of the work items to be performed as part of Task No. 3 are included herein.

Item 3.1 – Contract Documents

EDA shall assist BW with the electrical and I&C Contract Drawings and Contract Technical Specifications. The electrical and I&C Contract Drawings shall include; electrical notes, electrical site plan, single line diagrams, equipment front views, elementary diagrams/control panel drawings, power/grounding plan, equipment racks, electrical details, and process and instrumentation diagrams conforming to the requirements of the Town's Standards, if applicable.

Construction Drawings (two copies, one (1) large 22x34 and one (1) small 11x17 copies and a PDF) shall be submitted for Town review at 50%, 75%, and 100% (final) design stages. Base drawings shall be prepared by BW and provided to EDA for completion of electrical engineering work required to finalize the drawings. EDA shall meet with BW and the Town to discuss comments on the 50%, 75%, and 100% design stage submittals and incorporate comments into the Bid Set documents. EDA shall furnish the Bid Set, Contract Drawings to BW in portable document format (PDF) and native AutoCAD release 2020 files and Contract Technical Specifications in PDF and .doc format.

1. Electrical design associated with the demolition of existing FPL meter can, main disconnect switch, PCP, RTU, and the dry pit electrical equipment.

2. Electrical and I&C design associated with the new submersible lift station.

    a. It is our understanding that the lift stations will be duplex lift stations with across-the-line starters for each pump. Sizes for each proposed pump assumed to be less than 50-horsepower.

    b. Electrical and I&C design to include an upgraded FPL service, new electrical equipment rack, utility meter, main disconnect switch, pump control panel (PCP), remote telemetry unit (RTU), and field instruments (level probe and back-up float switch).

    c. No standby generator is anticipated or included in this scope of work.

    d. All electrical equipment shall be installed outdoors.

3. EDA shall coordinate with the local power company as required to bring service to the site.

Item 3.2 – Construction Cost Opinion

1. EDA shall assist BW with the preparation of construction cost opinion at 50%, 75%, and 100% design stages. The construction cost opinion shall reflect changes in general scope, extent or character of design requirements incorporated during the various design review stages.

TASK 4 – Permitting

BW shall assist the Town in obtaining permits for the construction of the lift station improvements. The agencies anticipated to have jurisdiction over the project include: (1) Palm Beach County Health Department (PBCHD), Town of Lantana Building Department, and Florida East Coast Railroad. BW shall assist the Town in consultations with the appropriate authorities.

Item 4.1 – Palm Beach County Health Department

1. EDA shall assist BW in the preparation of documents for the submittal of the permit application to PBCHD. Submittal and permit application shall be by others.

2. Any additional permit assistance required beyond the above will be considered as outside the scope of this proposal.

Item 4.2 – Town of Lantana Building Department

1. EDA shall assist BW in the preparation of documents for the submittal of the permit application to the Building Department. Submittal and permit application shall be by others. EDA shall provide one (1) individually electronically signed and sealed drawing sheets in PDF for the Building Department and assist in answering any comments raised by the permitting agency.

2. Any additional permit assistance required beyond the above will be considered as outside the scope of this proposal.

Item 4.3 – Florida East Coast Railroad

1. By others.

TASK 5 – Bidding Services

Item 5.1 – Bid Documents Advertisement

1. EDA to provide Final Bid Set (contract drawings and technical specifications) to BW. EDA to provide BW with Word files for the technical specifications and one PDF file for the drawings.

2. Advertisement shall be by others.

Item 5.2 – Pre-Bid Conference

1. EDA will attend a pre-bid conference with BW, Town staff and potential bidders.

Item 5.3 – Bid Clarification / Addenda

1. EDA shall prepare responses to prospective bidder questions received during the bidding comment period and prepare addenda as required.

Item 5.4 – Contract Award Recommendation

1. Town will open bids and prepare bid tabulations. Town will provide BW with bid tabulations and bid responses received, either electronic copy or a hard copy. EDA shall assist BW and the Town in evaluating the electrical and instrumentation and controls bids for an award recommendation to the lowest responsive and responsible bidder.

Item 5.5 – Conformed Contract Documents

1. EDA shall assist BW with preparation of conformed Contract Documents (construction drawings and technical specifications) for use by the Contractor and Town during construction.

ASSUMPTIONS

In addition to the work items discussed above, the following assumptions were made in establishing the scope of this Contract and associated fee. Changes and/ or modifications in the above work items or these assumptions are considered an Additional Services Item under the terms of the contract. Assumptions include:

1. The design is to be based on the Federal, State and local codes and standards in effect at the beginning of the project. Revisions required for compliance with any subsequent changes to those regulations is considered an Additional Services Item and is not currently included in this Scope of Work.

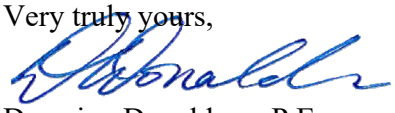
2. Construction services are specifically excluded from this scope of work.

3. EDA assumes a single bidding effort for the project. Re-bidding of the project is considered an Additional Services item.

SUPPLEMENTAL SERVICES - Any work requested by the Town that is not included in one of the items listed in any other phase will be classified as supplemental services. The attached spreadsheet provides an estimate of our anticipated work effort. Our fee for this work shall be lump sum and shall be billed monthly based on percentage of completion. Our fee shall be payable as follows:

Task 1 – Project Management and Client Workshops/Meetings	$	3,201.60
Task 2 – Data Collection	$	3,242.42
Task 3 – Final Design Phase	$	64,223.08
Task 4 – Permitting	$	5,049.80
Task 5 – Bidding Services	$	9,237.66
Total:	**$**	**84,954.56**

Very truly yours,



Dameion Donaldson, P.E.

ACCEPTED_____ DATE_____

BW-24-007D.Rev1

Lift Station No. 3, 4, 8, and 9 Rehabilitation
Town of Lantana, Florida

Estimate of Work Effort & Fee

Date: 7/8/2024

	Principal		Senior Engineer		Electrical Engineer		Cadd Technician		Clerical/Admin		Totals	
	Hourly Rate	$230.88	Hourly Rate	$200.10	Hourly Rate	$153.92	Hourly Rate	$118.40	Hourly Rate	$86.73		
	man-hours	Total	man-hours	Total	man-hours	Total	man-hours	Total	man-hours	Total	man-hours	Total
Task 1 - Project Management:												
Item 1.1 - Project Management - By Others	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
Item 1.2 - Kick-Off Meeting (1 @ 4hrs)	0	$ -	4	$ 800.40	0	$ -	0	$ -	0	$ -	4	$ 800.40
Item 1.3 - 50% Design Stage Review Meeting (1 @ 4hrs)	0	$ -	4	$ 800.40	0	$ -	0	$ -	0	$ -	4	$ 800.40
Item 1.4 - 75% Design Stage Review Meeting (1 @ 4hrs)	0	$ -	4	$ 800.40	0	$ -	0	$ -	0	$ -	4	$ 800.40
Item 1.5 - 100% Design Stage Review Meeting (1 @ 4hrs)	0	$ -	4	$ 800.40	0	$ -	0	$ -	0	$ -	4	$ 800.40
Task 1 Total:	**0**	**$ -**	**16**	**$ 3,201.60**	**0**	**$ -**	**0**	**$ -**	**0**	**$ -**	**16**	**$ 3,201.60**
Task 2 - Data Collection:												
Item 2.1 - Utility Coordination - By Others	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
Item 2.2 - Survey Verification - By Others	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
Item 2.3 - Geotechnical - By Others	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
Item 2.4 - Field Verification	1	$ 230.88	8	$ 1,600.80	8	$ 1,231.36	2	$ 236.80	2	$ 173.46	21	$ 3,242.42
Task 2 Total:	**1**	**$ 230.88**	**8**	**$ 1,600.80**	**8**	**$ 1,231.36**	**2**	**$ 236.80**	**2**	**$ 173.46**	**21**	**$ 3,242.42**
Task 3 - Final Desing Phase												
Item 3.1 - 50% Contract Documents	8	$ 1,847.04	60	$ 12,006.00	40	$ 6,156.80	80	$ 9,472.00	8	$ 693.84	196	$ 30,175.68
Item 3.1 - 75% Contract Documents	4	$ 923.52	30	$ 6,003.00	20	$ 3,078.40	40	$ 4,736.00	4	$ 346.92	98	$ 15,087.84
Item 3.1 - 100% Contract Documents	4	$ 923.52	30	$ 6,003.00	20	$ 3,078.40	40	$ 4,736.00	4	$ 346.92	98	$ 15,087.84
Item 3.2 - 50% Construction Cost Opinion	1	$ 230.88	4	$ 800.40	4	$ 615.68	0	$ -	2	$ 173.46	11	$ 1,820.42
Item 3.2 - 75% Construction Cost Opinion	1	$ 230.88	2	$ 400.20	2	$ 307.84	0	$ -	1	$ 86.73	6	$ 1,025.65
Item 3.2 - 100% Construction Cost Opinion	1	$ 230.88	2	$ 400.20	2	$ 307.84	0	$ -	1	$ 86.73	6	$ 1,025.65
Task 3 Total:	**19**	**$ 4,386.72**	**128**	**$ 25,612.80**	**88**	**$ 13,544.96**	**160**	**$ 18,944.00**	**20**	**$ 1,734.60**	**415**	**$ 64,223.08**
Task 4 - Permitting:												
Item 4.1 - Palm Beach County Health Department	2	$ 461.76	4	$ 800.40	4	$ 615.68	4	$ 473.60	2	$ 173.46	16	$ 2,524.90
Item 4.2 - Town of Lantana Building Department	2	$ 461.76	4	$ 800.40	4	$ 615.68	4	$ 473.60	2	$ 173.46	16	$ 2,524.90
Item 4.3 - Florida East Coast Railroad - By Others	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -	0	$ -
Task 4 Total:	**4**	**$ 923.52**	**8**	**$ 1,600.80**	**8**	**$ 1,231.36**	**8**	**$ 947.20**	**4**	**$ 346.92**	**32**	**$ 5,049.80**
Task 5 - Bidding Assistance:												
Item 5.1 - Bid Documents Advertisement	1	$ 230.88	6	$ 1,200.60	4	$ 615.68	6	$ 710.40	2	$ 173.46	19	$ 2,931.02
Item 5.2 - Pre-Bid Conference	0	$ -	4	$ 800.40	0	$ -	0	$ -	0	$ -	4	$ 800.40
Item 5.3 - Bid Clarification / Addenda	2	$ 461.76	6	$ 1,200.60	6	$ 923.52	6	$ 710.40	4	$ 346.92	24	$ 3,643.20
Item 5.4 - Contract Award Recommendation	1	$ 230.88	1	$ 200.10	0	$ -	0	$ -	0	$ -	2	$ 430.98
Item 5.5 - Conformed Contract Documents	1	$ 230.88	2	$ 400.20	1	$ 153.92	4	$ 473.60	2	$ 173.46	10	$ 1,432.06
Task 5 Total:	**5**	**$ 1,154.40**	**19**	**$ 3,801.90**	**11**	**$ 1,693.12**	**16**	**$ 1,894.40**	**8**	**$ 693.84**	**59**	**$ 9,237.66**
Tasks 1 thru 5 Total:	**29**	**$ 6,695.52**	**179**	**$ 35,817.90**	**115**	**$ 17,700.80**	**186**	**$ 22,022.40**	**34**	**$ 2,948.82**	**543**	**$ 84,954.56**

May 31, 2023

Sira “Jockey” Prinyavivatkul, PSM
Baxter & Woodman Consulting Engineer
1601 Forum Place, Suite 400
West Palm Beach, Florida 33401

Ritzel-Mason, Inc.

5119 Beechwood Road
Delray Beach, FL 33484

Phone: 786.472.0358

www.ritzel-mason.com

Subject: Fee Proposal for Survey and Utility Investigation Services

Project: Lantana Lift Stations 3, 4, 8 and 9 Rehab

Dear Mr. Prinyavivatkul:

Ritzel-Mason appreciates the opportunity to prepare this fee proposal for providing topographic and subsurface utility engineering (SUE) services on the above referenced project. Ritzel-Mason is registered and licensed in the state of Florida. This letter will serve as our official scope of services and is accompanied by the included fee estimate. The combination of our resources and experience will provide Baxter & Woodman (the Client) with the confidence that Ritzel-Mason is the right choice to complete the project on time and on budget. Ritzel-Mason has been requested by the Client to provide utility designating and locating services to verify the horizontal and vertical positions of existing utilities.

Project Limits: The limits of our investigation will include four (4) lift stations and a forcemain pipe in Lantana, Palm Beach County, Florida. See attached exhibits for project locations:

Lift Station No.3 – 200-foot by 200-foot area centered on the lift station at 320 East Ocean Avenue within a landscape island at Sportsman Park to East Ocean Avenue

Lift Station No.4 – 200-foot by 200-foot area centered on the lift station within the bullnose of the median of East Central Boulevard, west of the intersection of East Central Boulevard and South Lake Drive

Lift Station No.8 – 200-foot by 200-foot area centered on the lift station adjacent to 119 Lakeview Avenue

Lift Station No.9 – 200-foot by 200-foot area centered on the lift station at the southeast corner of Ridge Road and Alho Drive behind the Lantana Shopping Center

Forcemain pipe – Right-of-way to right-of-way plus 10 feet of Lakeview Avenue from the west right-of-way line of US Highway 1 (Federal Highway) to the intracoastal waterway. Total linear footage is 835 feet.

Scope of Services: Ritzel-Mason proposed **topographic services** as described below:

Topography survey at 25-foot intervals and at major ground elevation changes to depict existing ground within the proposed project area. This shall be accomplished by collecting pertinent data which shall include the following:

a. Location of all visible fixed improvements within the project limits, including physical objects, roadway pavement, driveways, sidewalks, curb, trees, signs, fences, power poles, buildings (including finished floor elevations), and other encumbrances, including point of curvature and point of tangency.

b. Elevations within project area shall be indicated on a minimum 25-foot grid (based on NAVD88 datum), and will indicate centerline grades, edge of pavement grades and shoulder grades, low points and all property or easement lines. Intermediate grades shall be indicated at all grade breaks, driveways, and sidewalks.

c. Provide and reference a benchmark within the project area. Elevation to be referenced to an existing established City or County Benchmark.

d. Lift station information will be obtained such as dry pit depth, top of slab elevation, top of suction pipe and discharge pipe elevations, interior dimensions of dry pit and wet well interior dimensions.

The above topographical survey data will be prepared in AutoCAD (Version 2023) format at a scale of 1"=20'.

Ritzel-Mason proposes **drainage & gravity sanitary services** as described below:

Ritzel-Mason will locate drainage and gravity sanitary features and pipes including invert elevations, top of structure elevations, bottom of structure elevations, pipe directions, pipe connectivity, pipe sizes and pipe materials. Upstream and downstream structures will be located.

Ritzel-Mason proposes **right-of-way services** as described below:

Identify platted rights-of-way and dedicated easements. Line work will be added to the survey and utilized for the sketch and legal.

Ritzel-Mason proposes **MOT services** as described below:

Maintenance of traffic is included. Minor MOT services will be handled in-house by Ritzel-Mason. Lane closures will be out sourced to Bon's Barricades.

Ritzel-Mason proposed **SUE services** as described below:

Ritzel-Mason will complete a SUE investigation in general accordance with ASCE Standard 38-02: Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data. Ritzel-Mason will search for the existence and approximate location of subsurface utilities within the project limits except those listed under Exclusions below. The specific work includes:

A. Records Research through customary means:

   a. Identify utilities anticipated to exist in the project limits.

b. Document responses and compile record information.

B. Field Investigation using appropriate surface geophysical techniques:

a. Documented conductive utilities – designate with the objective of achieving Quality Level B for conductive utilities. Where not possible, lower Quality Levels will be established. Utilities of non-conductive material installed with serviceable tracer wire or tape will be considered conductive. It is important to note, however, that the depicted location of such utilities represents the tracer rather than the actual utility.

b. Documented non-conductive utilities – investigate with the objective of achieving Quality Level C. Where not possible, depict at Quality Level D.

c. Undocumented utilities – are those utilities that may exist in the project area that have not been previously identified, are not discovered during records research, and for which there is no prior knowledge. Ritzel will use our standard search protocol in an attempt to determine the existence and approximate location of undocumented utilities; however, this work cannot guarantee that all utilities will be found and depicted.

C. Quality Level exceptions – the following utilities will be investigated with the objective of achieving the specific Quality Level stated:

a. Gravity sanitary sewers – Quality Level C.

b. Non-conductive utilities with ready access allowing sonde, metal tape or detection rod insertion and tracking – Quality Level B.

c. Subaqueous crossings – Quality Level D.

D. Exclusions – the following utilities and/or components will not be investigated:

a. Utility vault or manhole interiors
b. Service lines
c. Traffic control loops
d. Signage wiring
e. Irrigation lines
f. Cathodic protection
g. Thrust blocks.
h. Septic systems.
i. Underground storage tanks, piping and wiring.

E. Vacuum Excavation – Test holes

a. Ritzel-Mason proposes to use vacuum excavation equipment to perform **up to 60 test holes** at locations as directed by the client. Vacuum excavation methods will enable Ritzel-Mason to visualize the utility in question for a high degree of certainty. Ritzel-Mason will make every effort to vacuum excavate to a depth of eight (8) feet using high pressure air methods. However, vacuum excavation will cease when these methods are unable to progress below refusal, such as bedrock or flowable fill. Ritzel-Mason will not employ destructive methods, such as jackhammers or chipping hammers, to break up bedrock or other refusal within a test hole due the high risk of damage to buried utilities and safety risk to employees. Utilities deeper than 8 feet may not be found.

b. At the completion of each excavation Ritzel-Mason will place an iron rod and cap or a nail and disk at the test hole location and further identify the test hole location with paint marks on the ground surface. We will backfill with native material and compact the soil in 6”-12” lifts as well as provide a permanent restoration of the pavement or ground surface within the limits of the original excavation. We will record maximum depth of the test hole as well as vertical depth of any utility encountered. If a utility is encountered, we will also provide utility type, size, shape, material and orientation to the extent we are able to ascertain this information.

c. Ritzel-Mason will notify Sunshine 811 2 full business days in advance of excavation.

d. Due to mobilization costs a minimum of 4 test holes can be requested or mobilization costs will be charged.

e. Ritzel-Mason cannot provide vacuum excavation in areas where obstructions, such as unmovable vehicles or storage exist.

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Sketch and legal services as described below:

Ritzel-Mason will prepare four (4) sketch and legals for new easements as directed by the Client. A legal description of the above-mentioned area only will be prepared to accompany the sketch.

Basis and Assumptions: Unless specifically stated otherwise in the Scope of Services, this proposal is conditioned on the following. Differences may result in necessary changes to the proposed scope and fee.

- Ritzel-Mason will have ready access to the project area. Construction or clearing activities required for access to perform field services are not included.
- Field work can be completed within normally accepted business hours and without the need for overnight or weekend work.
- Possible delays due to weather conditions will be discussed with the client and may affect schedule.
- Hazardous material, if encountered, will immediately stop work and Ritzel-Mason will not be responsible for any disposal.
- Confined space entry is excluded.
- Entry onto private property beyond incidental, or where prohibited, is not included.
- Entry into buildings is not included.
- Permits are not included but can be requested, if needed at additional cost.

Client Responsibilities:

- Identify specific survey control if any.
- Participate in permit applications as needed.
- Provide all available records depicting owned utilities in the project area.
- Assist Ritzel-Mason as able in obtaining records of utilities in the project area owned by others.
- Provide or facilitate access to project area for field investigations.

Lantana Lift Station Rehab

May 31, 2024

Deliverables:

- Paint marks and flags will depict the approximate horizontal position of underground utilities detected
- AutoCAD 2023 DWG file will be provided of the surveyed topography and utility designated marks. A signed and sealed survey will be included.
- Test hole data sheets

Schedule:

We propose to mobilize for this work 15 business days from receipt of this proposal duly signed and barring any unforeseen condition.

Fees:

Topographic services as described above for a lump sum fee of **$18,990.**

Drainage & gravity sanitary services as described above for a lump sum fee of **$6,450.**

Right-of-way services as described above for a lump sum fee of **$4,890**.

Utility Designating Services (Marking and sketch only) as described above for a lump sum fee of **$12,990.**

Vacuum Excavation Services in as described above for a not-to-exceed fee of **$28,750 for 50 test holes** ($575 each – hard or soft surface)

Maintenance of Traffic (MOT) for a not-to-exceed fee of **$4,900.** Bon's Barricades will be used.

Sketch and Legal Services in as described above for a not-to-exceed fee of **$8,760** ($2,190 per lift station site)

Invoices: All invoices are due and payable in full upon receipt of survey. Surveyor reserves the right to withhold certified prints and files to client or client's consultants until payment is made in full. CAD file (if part of deliverables) will not be released until invoice is paid in full. If payment is not received within 35 days of the invoice date, a late charge may be added to the invoice in an amount not to exceed 1½ percent per month on the outstanding balance. If payment is not received within 60 days of the invoice date, Surveyor may terminate this agreement or suspend work under the agreement until payments have been made in full. The undersigned agrees to pay reasonable attorney fees up to 50% and all costs and expenses incurred by Ritzel-Mason in the collection of any past due obligation of the undersigned pursuant hereto.

Basis: The fees listed above are based on Ritzel-Mason's crews being able to work during the hours of 7:00am to 6:00pm and being granted access to the site. Nighttime or weekend work may incur additional fees. Nighttime work shall be any time outside of regular work hours being 7:00am to 6:00pm. Ritzel-Mason is equipped to supply minor MOT services. The client will be responsible for providing major MOT assistance, such as lane or runway closures. Ritzel-Mason's field crews and equipment are not equipped or prepared to work in any area that possibly are, or may have been, contaminated with hazardous materials at any time. Any fee or permit requested in order to perform the work will be submitted to the client at cost.

Again, we appreciate the opportunity to provide our surveying services for Baxter & Woodman. Please call me directly at 786.472.0358, if you have any questions or comments. We look forward to beginning work on this project upon receiving your authorization to proceed.

Sincerely,

Dennis Ritzel, PSM
Director of Business Operations
786.472.0358
Email: dennis@ritzel-mason.com

Date Accepted:	
Company:	
Signature:	
Title:	

Figure 1: Lift Station No. 3



Figure 2: Lift Station No. 4



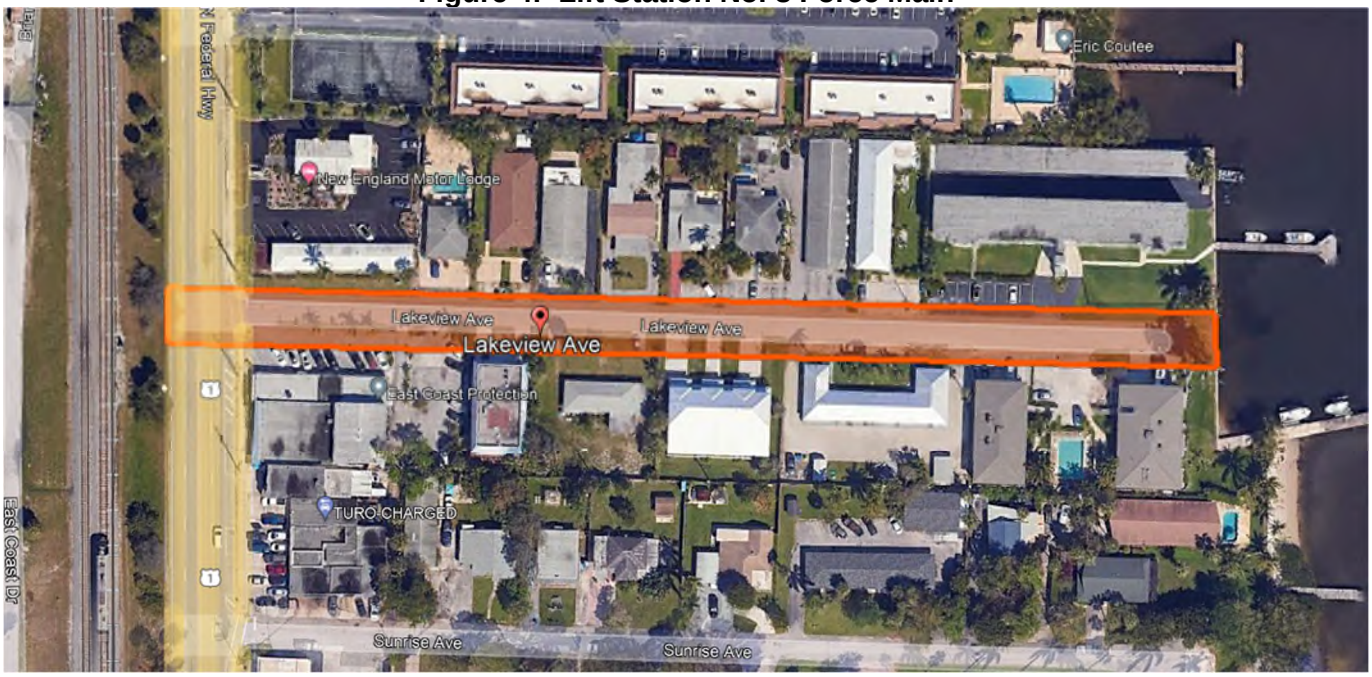
Figure 3: Lift Station No. 8



Figure 5: Lift Station No. 9



Figure 4: Lift Station No. 8 Force Main



April 19, 2024

Baxter & Woodman
1601 Forum Place, Suite 400
West Palm Beach, FL 33401

Attention: Sira "Jockey" Prinyavivatkul, P.E.
Phone: 561-425-7718
Email: sprinyavivatkul@baxterwoodman.com

Ref: Proposal for Geotechnical Engineering Services
Town of Lantana – Lift Station 3
Lantana, Florida

Dear Mr. Prinyavivatkul,

RADISE International, L.C. (RADISE) is pleased to submit this proposal to provide geotechnical engineering services for the above referenced project. This proposal discusses our understanding of the project, presents our proposed scope of work, and establishes our schedule and fee for performing the work.

PROJECT INFORMATION

We understand that the Town of Lantana has retained Baxter & Woodman for the *Lift Station 3 Improvement Project*, located in Lantana, FL. We also understand that it is proposed to convert the existing dry pit lift station with a submersible lift station. The purpose of the proposed Geotechnical Engineering Services described herein is to determine the subsurface soil conditions within the project limits.

GEOTECHNICAL SCOPE OF WORK

We understand that our geotechnical scope of work will involve the following tasks:

1. Visit the site to field stake the planned boring location and observe the existing site conditions.
2. Contact Sunshine 811 to request field location and clearance of underground utilities in the areas of the boring as per Florida Statutes.
3. Implement MOT procedures (i.e. signs and cones) for traffic control and safety purposes.
4. Mobilize truck-mounted drilling rig and crew to the project site.

5. Perform one (1) Standard Penetration Test (SPT) boring to a depth of 40 feet below the existing ground surface in accordance with the procedures recommended in ASTM D-1586. These boring will be performed in an area of the site accessible to the drilling equipment.
6. Following the completion of the drilling operations, the borehole will be backfilled with grout.
7. Visually classify the collected soil samples in the field, with subsequent laboratory confirmation/QC verification of classifications using the Unified Soil Classification System (USCS) in general accordance with the visual-manual method of ASTM D 2488.
8. Assign laboratory testing of selected soil samples for index property determinations limited to moisture content, fines content, and organic content tests to assist in classifying the soils for engineering purposes (ASTM 2487).
9. Perform a geotechnical analysis and prepare a geotechnical engineering report which will include, but not necessarily be limited to:
    - Overall site map showing the location of the soil boring.
    - Soil boring profile showing soil identifications, depth, groundwater, and standard penetration "N-values".
    - Soil classification per USCS.
    - Results of soil laboratory testing.
    - Pipeline bedding, backfill and compaction recommendations.
    - Recommendations for groundwater control during pipeline trenching.
    - Estimates of engineering parameters of the soil.
    - Lift station foundation recommendations.

SCHEDULE/DELIVERABLES

Upon receiving written authorization to proceed, we will commence with field marking of the boring location and preparation of the utility locate request. Mobilization for the drilling operations will occur soon after Sunshine 811 clearance of boring location is received from the contacted utilities. These two upfront activities are expected to require no more than 2 weeks to complete.

The specified field drilling work is expected to require 1 day to complete. Laboratory visual classification of the soils and report preparation will require about 5 to 6 weeks to complete following completion of field work. We expect to provide the final report signed and sealed by a registered professional engineer within 8 weeks of notice to proceed; however, accelerations of this schedule may be facilitated if needed.

COMPENSATION

Based upon our understanding of the project and interpretation of your requirements, we propose to perform the scope of work outlined previously as detailed in the Fee Breakdown on Attachment A.

CLOSING

RADISE appreciates the opportunity to submit this proposal, and look forward to the opportunity of working with you. If you have any questions or would like to discuss the details of this proposal, please do not hesitate to give us a call at (561) 841-0103.

Sincerely,
RADISE International, LC



Nitesh Goli, E.I., PMP, ENV SP
Project Manager



Akash Bissoon, P.E.
Geotechnical Department Manager

Attachment: A – Fee Breakdown

RADISE INTERNATIONAL

Attachment A - Fee Breakdown

Geotechnical Engineering Services
Town of Lantana Lift Station 3
Lantana, Florida

		Qty	Unit	Unit Price	Total
1.0	**FIELD EXPLORATION**				
1.1	Field Marking & Utility Locate / Clearance Coordination				
1.1.1	Geotechnical Engineer	8	Hour	$ 125.00	$ 1,000.00
1.2	Mobilization of drilling equipment to project (Minimum Charge): 50 mile travel	1	Trip	$ 450.00	$ 450.00
1.3	SPT Boring				$ -
1.3.1	Standard Penetration Test - Truck Rig (0' - 50')	40	LF	$ 17.00	$ 680.00
1.3.2	Casing (0' - 50')	40	LF	$ 6.00	$ 240.00
1.3.3	Grout bore holes (0' - 50')	40	LF	$ 5.50	$ 220.00
			Total Field Work		**$ 2,590.00**
2.0	**LABORATORY SERVICES**				
2.1	Visual Classification (Geotechnical Engineer)	2	Hour	$ 125.00	$ 250.00
2.2	Natural Sample Moisture Content	4	Test	$ 12.00	$ 48.00
2.3	Grain size determination - Wash through (#200)	2	Test	$ 36.75	$ 73.50
2.4	Organic Content Test	2	Test	$ 45.00	$ 90.00
			Total Laboratory Services		**$ 461.50**
3.0	**PROFESSIONAL SERVICES & DELIVERABLES**				
3.1	Senior Geotechnical Engineer	6	Hour	$ 150.00	$ 900.00
3.2	Geotechnical Engineer	12	Hour	$ 125.00	$ 1,500.00
3.3	Staff Engineer	16	Hour	$ 105.00	$ 1,680.00
3.4	Drafter / CADD	8	Hour	$ 75.00	$ 600.00
			Total Professional Services		**$ 4,680.00**
				Total Amount	**$ 7,731.50**

April 19, 2024

Baxter & Woodman
1601 Forum Place, Suite 400
West Palm Beach, FL 33401

Attention: Sira "Jockey" Prinyavivatkul, P.E.
Phone: 561-425-7718
Email: sprinyavivatkul@baxterwoodman.com

Ref: Proposal for Geotechnical Engineering Services
Town of Lantana – Lift Station 4
Lantana, Florida

Dear Mr. Prinyavivatkul,

RADISE International, L.C. (RADISE) is pleased to submit this proposal to provide geotechnical engineering services for the above referenced project. This proposal discusses our understanding of the project, presents our proposed scope of work, and establishes our schedule and fee for performing the work.

PROJECT INFORMATION

We understand that the Town of Lantana has retained Baxter & Woodman for the *Lift Station 4 Improvement Project*, located in Lantana. We also understand that it is proposed to convert the existing dry pit lift station with a submersible lift station featuring a submersible pump housed in a wet well with associated piping/valves, control panel and portable generator arranged on a concrete slab. The purpose of the proposed Geotechnical Engineering Services described herein is to determine the subsurface soil conditions within the project limits.

GEOTECHNICAL SCOPE OF WORK

We understand that our geotechnical scope of work will involve the following tasks:

1. Visit the site to field stake the planned boring location and observe the existing site conditions.
2. Contact Sunshine 811 to request field location and clearance of underground utilities in the areas of the boring as per Florida Statutes.
3. Implement MOT procedures (i.e. signs and cones) for traffic control and safety purposes.
4. Mobilize truck-mounted drilling rig and crew to the project site.

5. Perform one (1) Standard Penetration Test (SPT) boring to a depth of 40 feet below the existing ground surface in accordance with the procedures recommended in ASTM D-1586. These boring will be performed in an area of the site accessible to the drilling equipment.
6. Following the completion of the drilling operations, the borehole will be backfilled with grout.
7. Visually classify the collected soil samples in the field, with subsequent laboratory confirmation/QC verification of classifications using the Unified Soil Classification System (USCS) in general accordance with the visual-manual method of ASTM D 2488.
8. Assign laboratory testing of selected soil samples for index property determinations limited to moisture content, fines content, and organic content tests to assist in classifying the soils for engineering purposes (ASTM 2487).
9. Perform a geotechnical analysis and prepare a geotechnical engineering report which will include, but not necessarily be limited to:
    - Overall site map showing the location of the soil boring.
    - Soil boring profile showing soil identifications, depth, groundwater, and standard penetration "N-values".
    - Soil classification per USCS.
    - Results of soil laboratory testing.
    - Pipeline bedding, backfill and compaction recommendations.
    - Recommendations for groundwater control during pipeline trenching.
    - Estimates of engineering parameters of the soil.
    - Lift station foundation recommendations.

SCHEDULE/DELIVERABLES

Upon receiving written authorization to proceed, we will commence with field marking of the boring location and preparation of the utility locate request. Mobilization for the drilling operations will occur soon after Sunshine 811 clearance of boring location is received from the contacted utilities. These two upfront activities are expected to require no more than 2 weeks to complete.

The specified field drilling work is expected to require 1 day to complete. Laboratory visual classification of the soils and report preparation will require about 5 to 6 weeks to complete following completion of field work. We expect to provide the final report signed and sealed by a registered professional engineer within 8 weeks of notice to proceed; however, accelerations of this schedule may be facilitated if needed.

COMPENSATION

Based upon our understanding of the project and interpretation of your requirements, we propose to perform the scope of work outlined previously as detailed in the Fee Breakdown on Attachment A.

CLOSING

RADISE appreciates the opportunity to submit this proposal, and look forward to the opportunity of working with you. If you have any questions or would like to discuss the details of this proposal, please do not hesitate to give us a call at (561) 841-0103.

Sincerely,
RADISE International, LC



Nitesh Goli, E.I., PMP, ENV SP
Project Manager



Akash Bissoon, P.E.
Geotechnical Department Manager

Attachment: A – Fee Breakdown

Attachment A - Fee Breakdown

Geotechnical Engineering Services
Town of Lantana Lift Station 4
Lantana, Florida

		Qty	Unit	Unit Price	Total
1.0	**FIELD EXPLORATION**				
1.1	Field Marking & Utility Locate / Clearance Coordination				
1.1.1	Geotechnical Engineer	8	Hour	$ 125.00	$ 1,000.00
1.2	Mobilization of drilling equipment to project (Minimum Charge): 50 mile travel	1	Trip	$ 450.00	$ 450.00
1.3	MOT for project				
1.3.1	Cones, Sign, Flags	1	Day	$ 350.00	$ 350.00
1.3.2	Flagmen (2 man crew. Technicians) - 1 Day	16	Hour	$ 72.00	$ 1,152.00
1.4	SPT Boring				$ -
1.4.1	Standard Penetration Test - Truck Rig (0' - 50')	40	LF	$ 17.00	$ 680.00
1.4.2	Casing (0' - 50')	40	LF	$ 6.00	$ 240.00
1.4.3	Grout bore holes (0' - 50')	40	LF	$ 5.50	$ 220.00
			Total Field Work		**$ 4,092.00**
2.0	**LABORATORY SERVICES**				
2.1	Visual Classification (Geotechnical Engineer)	2	Hour	$ 125.00	$ 250.00
2.2	Natural Sample Moisture Content	4	Test	$ 12.00	$ 48.00
2.3	Grain size determination - Wash through (#200)	2	Test	$ 36.75	$ 73.50
2.4	Organic Content Test	2	Test	$ 45.00	$ 90.00
			Total Laboratory Services		**$ 461.50**
3.0	**PROFESSIONAL SERVICES & DELIVERABLES**				
3.1	Senior Geotechnical Engineer	6	Hour	$ 150.00	$ 900.00
3.2	Geotechnical Engineer	12	Hour	$ 125.00	$ 1,500.00
3.3	Staff Engineer	16	Hour	$ 105.00	$ 1,680.00
3.4	Drafter / CADD	8	Hour	$ 75.00	$ 600.00
			Total Professional Services		**$ 4,680.00**
				Total Amount	**$ 9,233.50**

May 30, 2024

Baxter & Woodman
1601 Forum Place, Suite 400
West Palm Beach, FL 33401

Attention: Sira "Jockey" Prinyavivatkul, P.E.
Phone: 561-425-7718
Email: sprinyavivatkul@baxterwoodman.com

Ref: Proposal for Geotechnical Engineering Services
Town of Lantana – Lift Station 8
Lantana, Florida

Dear Mr. Prinyavivatkul,

RADISE International, L.C. (RADISE) is pleased to submit this proposal to provide geotechnical engineering services for the above referenced project. This proposal discusses our understanding of the project, presents our proposed scope of work, and establishes our schedule and fee for performing the work.

PROJECT INFORMATION

We understand that the Town of Lantana has retained Baxter & Woodman for the *Lift Station 8 Improvement Project*, located in Lantana. We also understand that it is proposed to convert the existing dry pit lift station into a submersible lift station. The purpose of the proposed Geotechnical Engineering Services described herein is to determine the subsurface soil conditions within the project limits.

GEOTECHNICAL SCOPE OF WORK

We understand that our geotechnical scope of work will involve the following tasks:

1. Visit the site to field stake the planned boring locations and observe the existing site conditions.
2. Contact Sunshine 811 to request field location and clearance of underground utilities in the areas of the boring as per Florida Statutes.
3. Implement MOT procedures (i.e. signs and cones) for traffic control and safety purposes.
4. Mobilize truck-mounted drilling rig and crew to the project site.

5. Perform one (1) Standard Penetration Test (SPT) boring to a depth of 40 feet below the existing ground surface in accordance with the procedures recommended in ASTM D1586. These boring will be performed in an area of the site accessible to the drilling equipment.
6. Following the completion of the drilling operations, the borehole will be backfilled with grout.
7. Visually classify the collected soil samples in the field, with subsequent laboratory confirmation/QC verification of classifications using the Unified Soil Classification System (USCS) in general accordance with the visual-manual method of ASTM D2488.
8. Assign laboratory testing of selected soil samples for index property determinations limited to moisture content, fines content, and organic content tests to assist in classifying the soils for engineering purposes (ASTM 2487).
9. Perform a geotechnical analysis and prepare a geotechnical engineering report which will include, but not necessarily be limited to:
    - Overall site map showing the location of the soil boring.
    - Soil boring profile showing soil identifications, depth, groundwater, and standard penetration "N-values".
    - Soil classification per USCS.
    - Results of soil laboratory testing.
    - Pipeline bedding, backfill and compaction recommendations.
    - Recommendations for groundwater control during pipeline trenching.
    - Estimates of engineering parameters of the soil.
    - Lift station foundation recommendations.

SCHEDULE/DELIVERABLES

Upon receiving written authorization to proceed, we will commence with field marking of the boring location and preparation of the utility locate request. Mobilization for the drilling operations will occur soon after Sunshine 811 clearance of boring location is received from the contacted utilities. These two upfront activities are expected to require no more than 2 weeks to complete.

The specified field drilling work is expected to require 1 day to complete. Laboratory visual classification of the soils and report preparation will require about 5 to 6 weeks to complete following completion of field work. We expect to provide the final report signed and sealed by a registered professional engineer within 8 weeks of notice to proceed; however, accelerations of this schedule may be facilitated if needed.

COMPENSATION

Based upon our understanding of the project and interpretation of your requirements, we propose to perform the scope of work outlined previously as detailed in the Fee Breakdown on Attachment A.

CLOSING

RADISE appreciates the opportunity to submit this proposal, and look forward to the opportunity of working with you. If you have any questions or would like to discuss the details of this proposal, please do not hesitate to give us a call at (561) 841-0103.

Sincerely,
RADISE International, LC



Nitesh Goli, E.I., PMP, ENV SP
Project Manager



Akash Bissoon, P.E.
Geotechnical Department Manager

Attachment: A – Fee Breakdown

Attachment A - Fee Breakdown

Geotechnical Engineering Services
Town of Lantana Lift Station 8
Lantana, Florida

		Qty	Unit	Unit Price	Total
1.0	**FIELD EXPLORATION**				
1.1	Field Marking & Utility Locate / Clearance Coordination				
1.1.1	Geotechnical Engineer	8	Hour	$ 125.00	$ 1,000.00
1.2	Mobilization of drilling equipment to project (Minimum Charge): 50 mile travel	1	Trip	$ 450.00	$ 450.00
1.3	MOT for project				
1.3.1	Cones, Sign, Flags	1	Day	$ 350.00	$ 350.00
1.3.2	Flagmen (2 man crew. Technicians) - 1 Day	16	Hour	$ 72.00	$ 1,152.00
1.4	SPT Boring (1 to 40 feet)				$ -
1.4.1	Standard Penetration Test - Truck Rig (0' - 50')	40	LF	$ 17.00	$ 680.00
1.4.2	Casing (0' - 50')	40	LF	$ 6.00	$ 240.00
1.4.3	Grout bore holes (0' - 50')	40	LF	$ 5.50	$ 220.00
				Total Field Work	**$ 4,092.00**
2.0	**LABORATORY SERVICES**				
2.1	Visual Classification (Geotechnical Engineer)	2	Hour	$ 125.00	$ 250.00
2.2	Natural Sample Moisture Content	4	Test	$ 12.00	$ 48.00
2.3	Grain size determination - Wash through (#200)	2	Test	$ 36.75	$ 73.50
2.4	Organic Content Test	2	Test	$ 45.00	$ 90.00
				Total Laboratory Services	**$ 461.50**
3.0	**PROFESSIONAL SERVICES & DELIVERABLES**				
3.1	Senior Geotechnical Engineer	6	Hour	$ 150.00	$ 900.00
3.2	Geotechnical Engineer	12	Hour	$ 125.00	$ 1,500.00
3.3	Staff Engineer	16	Hour	$ 105.00	$ 1,680.00
3.4	Drafter / CADD	8	Hour	$ 75.00	$ 600.00
				Total Professional Services	**$ 4,680.00**
				Total Amount	**$ 9,233.50**

April 19, 2024

Baxter & Woodman
1601 Forum Place, Suite 400
West Palm Beach, FL 33401

Attention: Sira "Jockey" Prinyavivatkul, P.E.
Phone: 561-425-7718
Email: sprinyavivatkul@baxterwoodman.com

Ref: Proposal for Geotechnical Engineering Services
Town of Lantana – Lift Station 9
Lantana, Florida

Dear Mr. Prinyavivatkul,

RADISE International, L.C. (RADISE) is pleased to submit this proposal to provide geotechnical engineering services for the above referenced project. This proposal discusses our understanding of the project, presents our proposed scope of work, and establishes our schedule and fee for performing the work.

PROJECT INFORMATION

We understand that the Town of Lantana has retained Baxter & Woodman for the *Lift Station 9 Improvement Project*, located in Lantana. We also understand that it is proposed to convert the existing dry pit lift station into a submersible lift station. The purpose of the proposed Geotechnical Engineering Services described herein is to determine the subsurface soil conditions within the project limits.

GEOTECHNICAL SCOPE OF WORK

We understand that our geotechnical scope of work will involve the following tasks:

1. Visit the site to field stake the planned boring location and observe the existing site conditions.
2. Contact Sunshine 811 to request field location and clearance of underground utilities in the areas of the boring as per Florida Statutes.
3. Implement MOT procedures (i.e. signs and cones) for traffic control and safety purposes.
4. Mobilize truck-mounted drilling rig and crew to the project site.

5. Perform one (1) Standard Penetration Test (SPT) boring to a depth of 40 feet below the existing ground surface in accordance with the procedures recommended in ASTM D-1586. These boring will be performed in an area of the site accessible to the drilling equipment.
6. Following the completion of the drilling operations, the borehole will be backfilled with grout.
7. Visually classify the collected soil samples in the field, with subsequent laboratory confirmation/QC verification of classifications using the Unified Soil Classification System (USCS) in general accordance with the visual-manual method of ASTM D 2488.
8. Assign laboratory testing of selected soil samples for index property determinations limited to moisture content, fines content, and organic content tests to assist in classifying the soils for engineering purposes (ASTM 2487).
9. Perform a geotechnical analysis and prepare a geotechnical engineering report which will include, but not necessarily be limited to:
    - Overall site map showing the location of the soil boring.
    - Soil boring profile showing soil identifications, depth, groundwater, and standard penetration "N-values".
    - Soil classification per USCS.
    - Results of soil laboratory testing.
    - Pipeline bedding, backfill and compaction recommendations.
    - Recommendations for groundwater control during pipeline trenching.
    - Estimates of engineering parameters of the soil.
    - Lift station foundation recommendations.

SCHEDULE/DELIVERABLES

Upon receiving written authorization to proceed, we will commence with field marking of the boring location and preparation of the utility locate request. Mobilization for the drilling operations will occur soon after Sunshine 811 clearance of boring location is received from the contacted utilities. These two upfront activities are expected to require no more than 2 weeks to complete.

The specified field drilling work is expected to require 1 day to complete. Laboratory visual classification of the soils and report preparation will require about 5 to 6 weeks to complete following completion of field work. We expect to provide the final report signed and sealed by a registered professional engineer within 8 weeks of notice to proceed; however, accelerations of this schedule may be facilitated if needed.

COMPENSATION

Based upon our understanding of the project and interpretation of your requirements, we propose to perform the scope of work outlined previously as detailed in the Fee Breakdown on Attachment A.

CLOSING

RADISE appreciates the opportunity to submit this proposal, and look forward to the opportunity of working with you. If you have any questions or would like to discuss the details of this proposal, please do not hesitate to give us a call at (561) 841-0103.

Sincerely,
RADISE International, LC



Nitesh Goli, E.I., PMP, ENV SP
Project Manager



Akash Bissoon, P.E.
Geotechnical Department Manager

Attachment: A – Fee Breakdown

Attachment A - Fee Breakdown

Geotechnical Engineering Services
City of Lantana Lift Station 9
Lantana, Florida

		Qty	Unit	Unit Price	Total
1.0	**FIELD EXPLORATION**				
1.1	Field Marking & Utility Locate / Clearance Coordination				
1.1.1	Geotechnical Engineer	8	Hour	$ 125.00	$ 1,000.00
1.2	Mobilization of drilling equipment to project (Minimum Charge): 50 mile travel	1	Trip	$ 450.00	$ 450.00
1.3	MOT for project				
1.3.1	Cones, Sign, Flags	1	Day	$ 350.00	$ 350.00
1.3.2	Flagmen (2 man crew. Technicians) - 1 Day	16	Hour	$ 72.00	$ 1,152.00
1.4	SPT Boring				
1.4.1	Standard Penetration Test - Truck Rig (0' - 50')	40	LF	$ 17.00	$ 680.00
1.4.2	Casing (0' - 50')	40	LF	$ 6.00	$ 240.00
1.4.3	Grout bore holes (0' - 50')	40	LF	$ 5.50	$ 220.00
				Total Field Work	**$ 4,092.00**
2.0	**LABORATORY SERVICES**				
2.1	Visual Classification (Geotechnical Engineer)	2	Hour	$ 125.00	$ 250.00
2.2	Natural Sample Moisture Content	4	Test	$ 12.00	$ 48.00
2.3	Grain size determination - Wash through (#200)	2	Test	$ 36.75	$ 73.50
2.4	Organic Content Test	2	Test	$ 45.00	$ 90.00
				Total Laboratory Services	**$ 461.50**
3.0	**PROFESSIONAL SERVICES & DELIVERABLES**				
3.1	Senior Geotechnical Engineer	6	Hour	$ 150.00	$ 900.00
3.2	Geotechnical Engineer	12	Hour	$ 125.00	$ 1,500.00
3.3	Staff Engineer	16	Hour	$ 105.00	$ 1,680.00
3.4	Drafter / CADD	8	Hour	$ 75.00	$ 600.00
				Total Professional Services	**$ 4,680.00**
				Total Amount	**$ 9,233.50**