



Pinellas County

Staff Report

File #: 24-0749A, Version: 1

Subject:

Ordinance of Pinellas County, Florida, providing for the administration of state statute FS.553.899 Mandatory structural inspections for condominium and cooperative buildings. (Companion to Item No. 41)

Recommended Action:

Conduct a public hearing to adopt an ordinance entitled Article II. Pinellas County Mandatory Inspection of Aging Condominium and Cooperative Buildings Ordinance and to approve an update to the Building Services fee schedule to include Milestone Report fees to administer state statute FS.553.899.

This ordinance is consistent with FS.553.899 with the following additional provisions:

- Requirement for architect/engineer to furnish a letter at specific submissions confirming the building is “safe to occupy.”
- Self-registration is required for all qualifying buildings.
- Enforcement actions.
- Fees to administer program.
 - The total estimated (additional) revenue to the Building Services Fund is \$67,375.00 in FY24.
 - \$275 for Phase One
 - \$275 for Phase Two

Strategic Plan:

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community.

Foster Continual Economic Growth and Vitality

4.4 Invest in infrastructure to meet current and future needs

Summary:

This ordinance is in response to legislative mandate FS.553.899 and SB154. Signed into law June 9th, 2023, which requires mandatory inspection of aging condominium and cooperative buildings of three stories or higher. The ordinance references the statute with three changes: 1) Has request for architect/engineer to furnish a letter at specific submissions confirming the building is “safe to

occupy”, 2) Requirement for all new qualifying buildings three stories or higher to register via the Pinellas County online system prior to issuance of certificate of occupancy, 3) allows for an avenue to charge fees to administer the mandate, 4) allows for an avenue to enforce the requirement of the mandate.

Background Information:

On June 9th, 2023, the State of Florida adopted Senate Bill 4D (SB 4D), then SB154, creating chapter 553.899, Florida, Statute, requiring mandatory and periodic structural assessments called “Milestone Inspections” for all condominium and cooperative association buildings of three (3) stories or more of a certain age as measured by the date its certificate of occupancy was issued.

Within 180 days after receiving notice from the Pinellas County Building Division impacted condominium and cooperative associations must complete a phase one milestone inspection.

Phase one milestone report will be due December 31, 2024. Milestone staff will need to notify of inspection requirement by June 31, 2024.

Phase two milestone inspection will be required if any substantial structural deterioration is identified during a phase one inspection.

The County will establish a new fee to cover the cost of managing the milestone inspection report process as allowed by statute (New Fee added to the building services fee schedule under File 24-0751A

Key Changes:

- Requirement for architect/engineer to furnish a letter at specific submissions confirming the building is “safe to occupy”
- Association to self-register
- Milestone Report Fees
- Enforcement

Fiscal Impact:

Zero fiscal impact based on costs of services to administer and enforce the state statute offset by milestone report fees.

Fees to be added to existing Building Services Fee Schedule by resolution at approval of this ordinance.

- The total estimated (additional) revenue to the Building Services Fund is \$67,375 in FY24.
- \$275 for Phase One
- \$275 for Phase Two

Staff Member Responsible:

Eve Spencer, Manager, Building Services

Partners:

N/A

Attachments:

Milestone Ordinance

Fee Schedule modification to include fees for the enforcement of the legislation and ordinance (Milestone Report Fee - \$275/phase report).