

Condominium Milestone Inspection Legislation

BoCC meeting 6/25/2024



CHARLOTTE COUNTY
FLORIDA



Background

- On June 9, 2023, Governor DeSantis signed Senate Bill 154
- The Florida Building Commission must adopt rules to establish a building safety program by December 31, 2024.
- Requires modifications of the language in the current effective edition of the Florida Building Code which was originally based on previous 2022 legislation, SB 4D.

SB 154 “Glitch Bill” Changes



The 2022 SB “4D” required buildings located within three miles of a coastline must first be inspected at 25 years, and every 10 years thereafter.

2023 SB 154 changed this 25-year requirement to an option for local officials to adopt depending on “local circumstances, including environmental conditions such as proximity to salt water.”

No change to the minimum requirement to inspect those buildings that have reached 30 years of age.

What are Milestone Inspections? What is the role of the County?



Owners of buildings subject to the condominium or cooperative form of ownership that are 3 stories or more in height must engage with an Architect or Engineer to perform Milestone Inspection at the prescribed times.



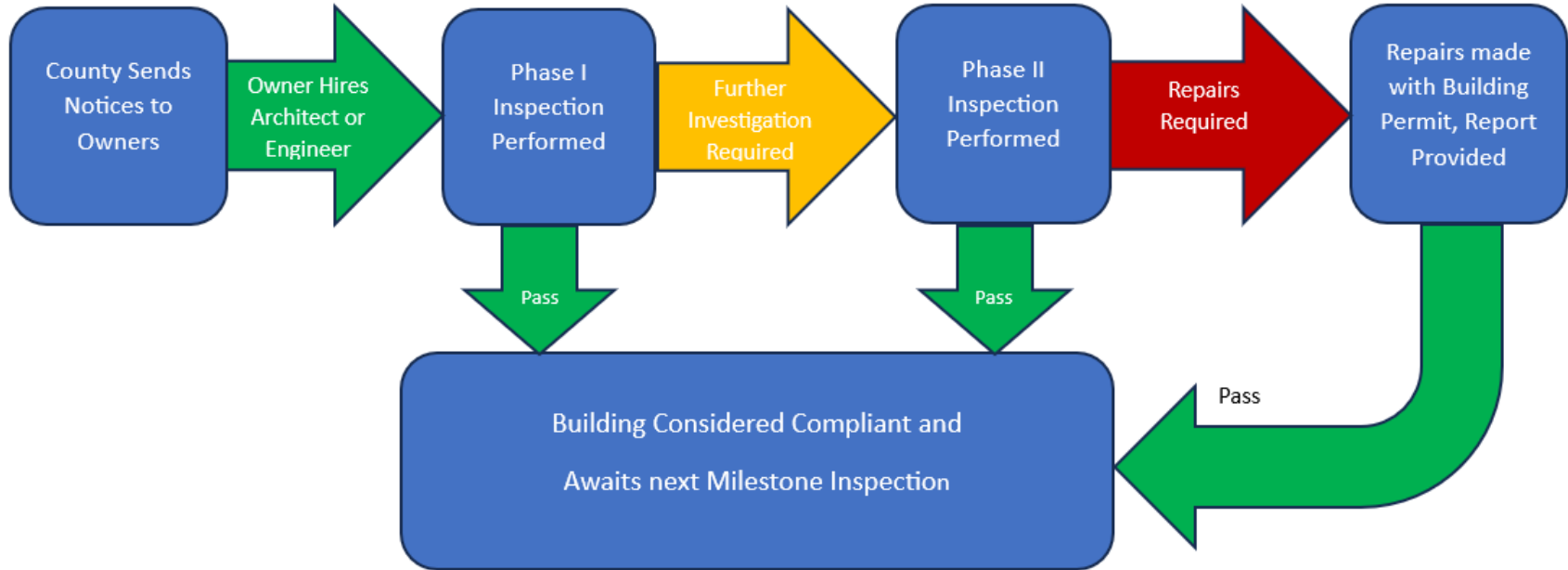
The County does not perform these inspections but tracks them to ensure compliance with the Law.



Owners Employ an Architect or Engineer to perform the Milestone Inspection of life safety and adequacy of the structural components.



What are Milestone Inspections? What is the role of the County?



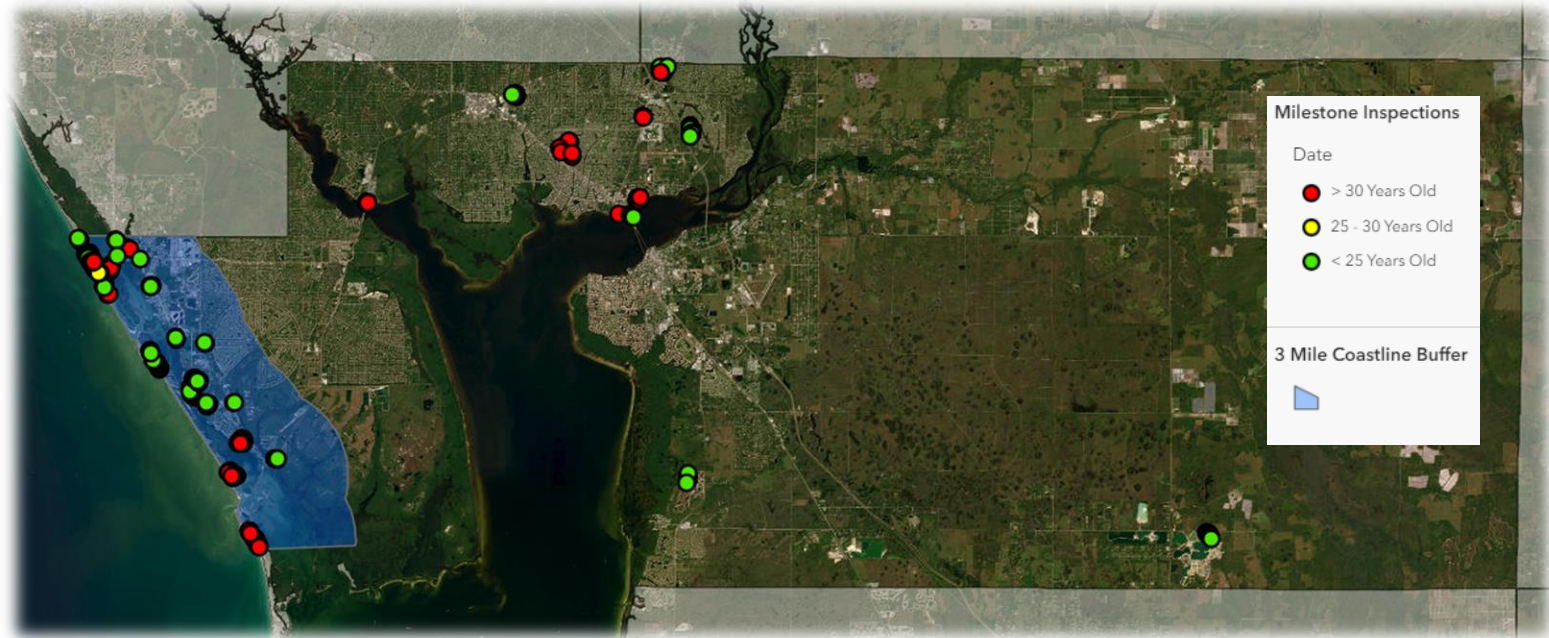
A milestone inspection consists of two phases:

Florida Statutes 553.899(7)

- For phase one, a licensed architect or engineer shall perform a visual examination a building, including the major structural components, and provide a qualitative assessment of the structural conditions of the building. If they find no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, is not required.
- A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building.



Effected Condos in Unincorporated Charlotte County





Effected Condos in Unincorporated Charlotte County

- 272 total buildings
- 168 buildings are 30 years or older in 2024
- 178 buildings are 25 years or older in 2024
- 2027-2032 will be the next years that the County has action to take for 10 buildings.

Effected Condos

- Any building 3 stories or more that is subject to the condominium or cooperative form of ownership.
- A building story is defined in the Florida Building Code.
- Two stories of living space above parking is considered three stories.



Summary

Based on Input in April 16 Board Workshop staff developed new code language to adopt a rule for a 25-year inspection requirement for a designated area of the County, within 3 miles of the coast, and 30-year inspection requirement for the remainder of the County pursuant to F.S. 553.899(3)(b).