

## Policies and Procedures

### **40/50 Years or Older Building Recertification**

#### POLICY

All buildings that have been in existence for Forty/Fifty (40/50) years or older, except single-family residences, duplexes, and minor structures as defined below, shall be recertified as specified by Miami Dade County Code section 8-11(f), in the manner described below. Minor structures are defined as any occupancy group having an occupant load of 10 or less and having a gross area of 2,000 square feet or less.

#### PROCEDURE

##### **Determination of recertification requirement**

The initial 40/50 years or older recertification pursuant to Section 8-11(f)(ii)(1) is completed within 40 years of the completion of the building structure. The subsequent 10 years recertification, Sec. 8-11(f)ii (2), is completed every 10 years, again based on the year of completion of the structure. Miami Dade County provides a list of the buildings that require recertification. This list is reviewed prior to sending out notices of recertification.

##### **Owner Notification**

Miami Beach Building Department sends a recertification package via certified mail to *Notify* Owners or Owner's representative and posts a notice on site. This package includes a recertification notice requesting the Owner or Owners Representative to hire a License Engineer/or Architect to perform an Electrical and Structural inspection for the Building/Structure, and file a signed and sealed report with the Recertification Section in the City of Miami Beach Building Department for review and approval.

##### **After notification**

In accordance with the Miami Dade County Code, section 8-11 (f). The Owner of a building or structure subject to recertification shall furnish, or cause to be furnished, within ninety (90) days of Notice of Required Inspection, a written report to the Building Official, prepared by a Licensed Engineer/or Architect in the State of Florida, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals. Note: If the Engineer/Architect report is not submitted to the Building Department in 60 days, then a 30 days reminder (Red-Tag) will be posted on site.

The Owner or Owner's representative must hire a Licensed Engineer /or Architect to perform an Electrical and Structural inspection for the building and file a signed and sealed report with the "Recertification Section" in the City of Miami Beach Building Department for review and approval. Upon receipt of the Recertification reports (structural and electrical), verify that all related fees have been paid. The report will be routed to the Chief Structural Engineer and Chief Electrical Inspector for review. After Structural and Electrical approval, the Recertification requested will be sent to the Building Official for final approval. Once approval, and after applicable fees paid the "Recertification Section" will process in the 40/50-year Recertification in the EnerGov system.

### **Extensions (Buildings Requiring Repairs)**

A 90 days extension may be granted if the Engineer/Architect inspected the building and determines that it does not pose harm to the occupants, and provides a written statement allowing the continued occupancy, and submits a request for an extension to obtain permits for repairs. A \$600.00 fee will be required prior to the approval of the extension.

**NOTE:** To facilitate expeditious compliance, the building department will fast-track the repair/restoration permits required for the building recertification.

### **Notice of Violation**

If the Forty/Fifty (40/50) years or older Recertification Report for a particular building is not submitted within the time limitation (90 days) established by the Miami-Dade County Ordinance, or an extension letter submitted, a building recertification violation will be issued with a \$500.00 fine and a late fee of \$260.00 is assessed on the 40YR record. The Notice of Violation will be posted on the building, and pictures of the posting will be taken as proof of delivery. After the posting of the Notice of Violation, a copy will be sent certified mail to the Owner or Owners Representative.

Failure to comply with the requirements of the Building Recertification Violation within 30 days' notice, the Building Recertification Violation (US record) will be forward to Miami Beach's Special Master. Non-compliance with the Special Master case in 90 days will result in the case being escalated to the Miami-Dade County Unsafe Structure Board (USB) and may result in an order for demolition of the structure.

### **Approved Structural and Electrical Reports**

Building recertification cannot be approved if the property has open building violations and open or expired permits. If there are no open building violations, no open or expired permits, no outstanding fees due, and the recertification reports are approved, a *Letter of Building Recertification* is issued. This letter shall be mailed to the Property Owner or Owner Representative.

Based on the year of the building/or structure original completion, after a period of 10 years,

the Forty/Fifty (40/50) years or older Recertification process will start again, as per Miami Dade County Sec. 8-11(f)ii (2)

## REFERENCE

- *Miami Dade County Code section 8-11(f)*
- *Miami Dade County Code section 8-11(f)ii(2)*
- *Florida Building Code, 2020*

PREPARED BY: Building Department

APPROVED BY: \_\_\_\_\_  
Building Director/Building Official

DATE: \_\_\_\_\_

Revised 06-27-2021