

ORDINANCE 2021-4

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING BUILDING REGULATIONS; AMENDING SECTION 82-40 BY REVISING BUILDING PERMIT DEFINITIONS AND EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Ocala, Florida as follows:

Section 1. That section 82-40 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 82-40. - Permit application; definitions; exemptions.

- (a) Permits are required for new construction and all additions, alterations or repairs unless exempted pursuant to subsections 82-40(e), (f), (g), (h) and (i).
- (b) Permits for single-family residences not exempted in subsection 82-40(h) that have project costs of less than \$5,000.00 shall not be subject to fees for permitting or inspections (no fee permit/inspection). These permits will be expedited by the building official.
- (c) Applications for building permits must be submitted in a form prescribed by the building official.
- (d) Terms used in this section have the following meanings:
 - (1) Additions - An extension or increase in the floor area or height of a building or structure.
 - (2) Alterations - Any construction or renovation to an existing structure other than a repair or addition.
 - (3) Electrical fixture - A part of an electrical system that allows power to be turned on or produces light or movement (120-volt switches, fans and lights).
 - (4) Exemptions - Construction work not requiring a permit as identified in this section. Exemptions shall not be subject to permit/inspection fees.

- (5) Like for like improvements - Replacement of an existing improvement or component part with a component part of the same type and in the same location (example: replacing an electric water heater with another electric water heater in the same location using the same fixtures).
 - (6) Nonresidential use --- Any use other than a single-family residence.
 - (7) Permits - An official document issued by the building official or designee authorizing performance of a specific building related activity regulated by the City's Code of Ordinances.
 - (8) Repairs - The reconstruction, renewal or replacement of any part of an existing building or structure.
 - (9) Single-family residences - Dwelling units occupied by the owner meeting the qualifications of a "homestead" property as required by the State of Florida.
 - (10) Special improvements - Alterations, repairs or build-out of an existing building or structure, or improvements made to a property without a building or structure.
 - (11) Standard improvements - All improvements other than special improvements, including, without limitation, new construction and additions.
- (e) All gas, mechanical and plumbing work described in the Florida Building Code, [A] 105.2 is exempt from the permitting requirements set forth herein.
- (f) When equipment replacements and repairs requiring a permit must be performed in an emergency, the building official may allow the permit application to be submitted the next working business day.
- (g) Ordinary minor repairs for nonresidential uses may be made with prior 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 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.

- (h) The following alterations or repairs of single-family residences as defined in this subsection shall not require a permit:
- (1) Interior non-load bearing wall alterations or repairs that do not contain or require any improvements to the electrical, mechanical, plumbing, or gas systems.
 - (2) Interior replacement or repair work to cabinets, countertops, trim work, drywall installation that is not fire rated, all types of painting and other types of non-load bearing finish work.
 - (3) Like for like replacement of electrical fixtures that does not include changing from a standard receptacle to a GFI type receptacle, new electrical runs, moving of electrical wiring or fixtures, new receptacle installations or new panel boxes.
 - (4) Like for like minor roofing repairs and patch work according to Florida Building Code (Existing Roofing-Subsection 1511.1.1) that does not exceed 25 percent of the total roof area or roof section of any existing building or structure in any 12-month period.
 - (5) Like for like replacement of electric and gas water heaters and other household appliances (electric/gas stoves, dishwashers, washing machines or electric/gas dryers). All like for like replacements of water heaters must be installed by a licensed plumbing contractor within the city. A plumbing contractor installing a like for like gas water heater shall be required to submit an integrity test/turn-on affidavit to the building official with three days of installation.
 - (6) Like for like exterior repairs of a building or structure under \$2,500 that does not contain or require any improvements to the electrical, mechanical, plumbing or gas systems, or requires structural changes.
 - (7) Alterations or repairs of outdoor spaces (patios, decks or gazebos) that are not part of or connected to the main square footage of a single-family residence.
 - (8) Prefabricated temporary structures (80 square feet or less) that are not metal container boxes, pre-engineered sheds or site-built sheds with trusses and foundations needing to meet wind loads requirements concerning tie downs, strapping and foundations.
- (i) Exemptions in subparagraph (h) do not apply to a single-family residence that is in a mapped flood zone defined in this code, unless the building official and the city engineer

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 residence.


- (j) Exemptions from permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the Florida Building Code or the City's Code of Ordinance.

Section 2. Severability Clause: Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.


Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect upon approval by the mayor, or upon becoming law without such approval.

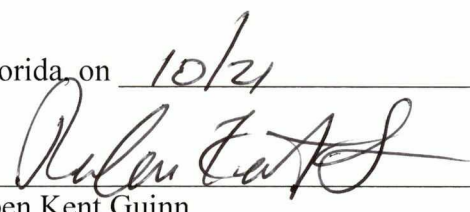
ATTEST:

By: 
Angel B. Jacobs
City Clerk

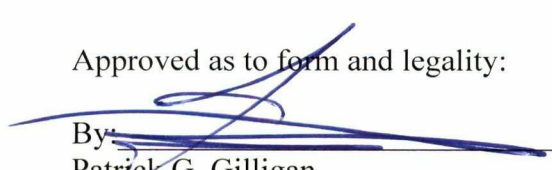
CITY OF OCALA

By: 
Jay A. Musleh
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on 10/21, 2020.

By: 
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: 
Patrick G. Gilligan
City Attorney

Ordinance No: 2021-4
Introduced: 10/6/2020
Adopted: 10/20/2020
Legal Ad No: A000973885 - 10/9/20