

**BEFORE THE CONTRACTORS' EXAMINING BOARD
FOR THE CITY OF KEY WEST, FLORIDA**

IN RE:

**Keys Cooling LLC
1712 Bahama Drive
Key West, FL 33040**

**Case No. 17-CEB-002
620 Thomas Street #286
Key West, FL 33040**

STAFF REPORT

Contractor:

**Keys Cooling LLC
1712 Bahama Drive
Key West, FL 33040**

Code Officer: Jorge Lopez

Property Address: 620 Thomas Street #286

Code Violation(s):

Count-1: Sec.14-325. Permit required.

Permits are required for refrigeration and air conditioning equipment installed in commercial buildings, motels, hotels, stores, apartments and residences regardless of the horsepower rating of the units.

Count-2: Sec.14-37 Building permits; professional plans; display of permits; address; exceptions.

(a) Building permit required; display. Building permits shall be procured from the chief building official before performance of any work or construction of any character, whether permanent or temporary. Within 48 hours after it is issued, the applicant must cause the permit to be posted and displayed at the work site so that it is readily visible from an adjacent public street throughout the term of the work. No work shall be performed unless a proper permit is so posted.

Inspections may not be performed if the permit is not posted and address numbers are not a minimum of 4" high and clearly visible from the street.

Exception 1: Total contract price less than \$1,000.00 per FBC Sect. 105.2.2 Minor Repairs. Ordinary minor repairs may be made with the approval of the chief building official without a building 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 rearrangements of parts of a structure affecting the egress requirements; additionally, ordinary minor repairs shall not include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical circuit 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.

Any new electrical circuits or wiring will require a permit.

Any new plumbing fixtures or piping will require a permit.

Exception 2: Painting, both interior and exterior, residential or commercial does not require a permit. Tile repair or installation, floor covering, including carpet, laminate, resilient, and wood, both residential and commercial, do not require a permit.

Work that falls under the \$1,000.00 threshold for a building permit may be performed only by the property owner or a licensed contractor. Unlicensed workers, including 'handymen' are not allowed to conduct any type of work to a residential or commercial structure.

(b) Professional plans required. Professional plans shall be required as follows:

(1) Plans for work requiring a building permit shall be submitted in multiple sets, as determined by the chief building official, to the chief building official and shall be prepared by, and bear the seal of, an architect or structural engineer duly registered in the state, except if the work is by the owner-occupant upon a one- or two-family residence, and the work is cosmetic, nonstructural repair, alteration or addition.

(2) Notwithstanding subsection (b)(1) of this section, plans for work which requires a building permit and which involves mechanical, plumbing or electrical repairs, alterations or additions shall be prepared by and shall bear the impress seal of an engineer duly registered in the state, as reasonably required in the interest of health and safety by the chief building official.

(3) The chief building official may waive the requirements in [subsection] (b)(1) and/or (2) by special permission.

Count-3: 14-40 Permits in historic districts.

(a) Requirements. No building or work permit required by this Code for work in the historic zoning districts of the city or in tidal waters contiguous to and within 600 feet of the historic zoning districts shall be issued until a certificate of appropriateness has been granted by vote of the historic architectural review commission (HARC), attested by signature of its presiding member, and until the chief building official finds that the building or work permit conforms to all laws and regulations of the city.

(b) Contents. All permits issued by the city shall show the nature and extent of the intended work in detail sufficient to demonstrate that the project is consistent with all city laws and regulations and of HARC.

(c) [Scope, etc.] Building permit application shall be identical in scope, description and elevation views of the HARC project.

(d) Stop work order; penalty. The chief building official is authorized to post a signed and dated notice to stop work on any site on which work is being performed in violation of the city laws and regulations or of HARC. Any person shall be guilty of an offense punishable as provided in section 1-15 if the person:

(1) Performs work with actual or constructive knowledge that the work site has been posted by such notice, which notice has not been withdrawn by a dated, signed order of the chief building official; or

(2) Removes, defaces, conceals or alters such notice to stop work, without a dated, signed authorization of the chief building official.

Where such offenses are of a continuing nature, no two separate offenses shall be charged against the same person within any one-hour period.

Count-4: Sec.14-262 Request for inspection.

A request for the inspection of electrical work, such as roughing-in, equipment installations, final inspection or electrical work for light, heat or power of any character, must be made at the building department as soon as the job is ready. The request for inspection must be made by the person installing the wiring, and failure to request such inspection constitutes a violation of this Code.

Prior violations: NONE

Factual Allegations:

(Code Officer **Jorge Lopez** 1/18/2017) "**Count-1:** Responding to this complaint I conducted a site visit on January 18, 2017. I met with the property manager Mathew Greenblatt who indicated Keys Cooling installed the HVAC units at the subject property. I observed and photographed the HVAC units that have been installed in the front yard of the subject property without the required permits. On February 10, 2017 the building department requested additional information to process your application and has not been received as of today.

Count 2: Electrical work was conducted when the HVAC units were installed in the front yard of the subject property without first applying and obtaining a mechanical permit.

Count-3: The HVAC units were installed in the front yard of the subject property without first applying and obtaining a certificate of appropriateness.

Count-4: The HVAC units were installed in the front yard of the subject property without the required permits and inspections."

Signed this 26th day of April 2017 by the for the Contractors' Examining Board.