



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final - Final

Contractors Examining Board

Wednesday, May 10, 2017

3:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting To Order - 3:02 P.M.

Roll Call

Present 5 - Balbuena Sr, Mr. Millelli, Ms. Norris, Mr. Vazquez, and Mr. Castellanos

Pledge of Allegiance to the Flag

Approval of Agenda

The Agenda was approved as amended

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 September 14, 2016 (Regular)

Attachments: [Minutes](#)

A motion was made by Mr. Richard Millelli, seconded by Mr. Frank Balbuena, Sr, that the Minutes be Approved. The motion passed by an unanimous vote.

Action Items

2 Proposed 2017 Meeting Dates

Sponsors: Budde

Attachments: [Meeting Dates](#)

Withdrawn

3 (Hearing) CASE NO. 17-CEB-001 - 1317 & 1319 Whitehead Street

Contractor: PP KW, LLC

Code Officer: Scott Fraser

Property: 1317 Whitehead Street & 1319 Whitehead Street

FACTUAL ALLEGATIONS:

Code Officer Scott Fraser on 12/2/2016 stated: "Installation of wooden louvers below the Degin Flood Elevation without first seeking floodplain management approval and related building permit."

CODE: Section 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.

LICENSING: PP KW LLC, Paul Misch, Qualifier, is a Certified Residential Contractor with active State and City licenses.

HISTORY: **None**

Attachments: [Notice of Hearing](#)
 [Staff Report](#)

This Case was Dismissed

4 (Hearing) Case NO. 17-CEB-002 - 620 Thomas Street

Contractor: Keys Cooling LLC

Code Officer: Jorge Lopez

Property: 620 Thomas Street #286

FACTUAL ALLEGATIONS:

Code Officer **Jorge Lopez**

Count-1: Section 14-325: "Responding to this complaint, I conducted a site visit on January 18, 2017. I met with the property manager Matthew 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: Section 14-37: 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: Section 14-40: The HVAC units were installed in the front yard of the subject property without first applying and obtaining a certificate of appropriateness.

Count-4: Section 262: The HVAC units were installed in the front yard of the subject property without the required permits and inspections.”

CODE VIOLATIONS

Count-1: Section 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. Section 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. Section 14-40. Permits in the 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. Section 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.

LICENSING: Keys Cooling LLC, Chris Gazzale, Qualifier, is a Certified AC Contractor Class B with active State and City licenses.

HISTORY: **None**

Attachments: [Notice of Hearing](#)
 [Staff Report](#)

A motion was made by Mr. Raymond Vazquez, seconded by Ms. Kathryn Norris, that the Action Item be Passed with a written reprimand. The motion passed by an unanimous vote.

5

(Hearing) CASE NO. 17-CEB-003 - 1616 Atlantic Boulevard #6

Contractor: Curry A/C

Code Officer: G.L. Leggett

Property: 1616 Atlantic Boulevard #6

FACTUAL ALLEGATIONS:

Code Officer **G.L. Leggett and J.W. Waite** 3/7/2017:

Count-1: On 3/7/2017: The City of Key West received an anonymous complaint regarding construction work at the subject address. Code Officers Leggett and Waite arrived on site to investigate. City Building Inspector David Ray observed findings. City records show the vendor has failed to apply and obtain the proper permitting required for work observed.

CODE VIOLATIONS

Count-1: Section 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.

LICENSING: Curry Refrigeration and AC Inc, Patrick Theodore Curry, Qualifier, is a Certified AC Contractor Class B with active State and City licenses

HISTORY: 1 violation before the Board on September 16, 2015 where a letter of reprimand and a \$100.00 Administrative Fee were imposed.

Attachments: [Notice of Hearing](#)

[Report](#)

[Photo](#)

[Photo](#)

[Photo](#)

A motion was made by Mr. Vazquez, seconded by Mr. Balbuena, Sr, that the Contractor is not guilty of the charges and that the Action Item be Passed. The motion carried by the following vote:

No: 1 - Mr. Millelli

Yes: 4 - Mr. Balbuena Sr, Ms. Norris, Mr. Vazquez, and Chairman Castellanos

6

(Hearing) CASE NO. 17-CEB-005, 1209 Laird Street

Contractor: Crystal Clear Pools of Big Pine

Code Officer: Sophia Doctoche

Property: 1209 Laird Street

FACTUAL ALLEGATIONS:

Code Officer **Sophia Doctoche**

Count-1: On 4/20/2017, "Code Compliance received an anonymous complaint that the subject property, has begun work on a pool without permits. I issued a Stop Work Order at the subject property after I observed and photographed two (2) employees of Crystal Clear Pools of Big Pine working. The permit is in Simultaneous Plan Review. After placing the Red Tag, the business owner Charles Wicht arrived and stated he was told the permit would be done by this week. I explained to him that the permit is in Plan Review and either way the permit needs to be displayed."

CODE VIOLATIONS

Count-1: Section 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.

LICENSING: Crystal Clear Pools of Big Pine, Al Wicht, Qualifier, is a Certified Commercial Pool Contractor with active State and City licenses.

HISTORY: 1 violation before the Board on July 13, 2016 where a letter of reprimand and a \$100.00 Administrative Fee were imposed.

Attachments: [Notice of Hearing](#)

[Report](#)

[Photo](#)

[Photo](#)

[Photo](#)

[Photo](#)

A motion was made by Mr. Raymond Vazquez, seconded by Ms. Kathryn Norris, that the Action Item be Passed as amended to include a \$100.00 Administrative fee and a \$150.00 fine. The motion passed by the following vote:

Yes: 5 - Mr. Balbuena Sr, Mr. Millelli, Ms. Norris, Mr. Vazquez, and Chairman Castellanos

7

(Hearing) CASE NO. 17-CEB-004 - 1023 Johnson Street

Contractor: Crystal Clear Pools of Big Pine

Code Officer: G.L. Leggett

Property: 1023 Johnson Street

FACTUAL ALLEGATIONS:

Code Officer **G.L. Leggett and J.W. Waite:**

Count-1 & 2: "On February 13, 2017, Code Officers Leggett and Waite traveled to the subject property in response to a complaint. Upon arrival Officers Leggett and Waite observed work being performed without the benefit of a permit. City Building Inspector David Ray was contacted to observed findings".

Count-3: "Failed to see any direct inspection for the mechanical and or plumbing of the pool which should have been prior to completion"

CODE VIOLATIONS:

Count-1: Section 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-2: Section 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-3: Section 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.

LICENSING: Crystal Clear Pools of Big Pine, Al Wicht, Qualifier, is a Certified Commercial Pool Contractor with active State and City licenses.

HISTORY: 1 violation was before the Board on July 13, 2016 where a letter of reprimand and a \$100.00 Administrative Fee was imposed.

Attachments: [Notice of Hearing](#)
 [Report](#)
 [Photo](#)
 [Photo](#)
 [Photo](#)
 [Photo](#)
 [Inspection Report](#)

A motion was made by Mr. Raymond Vazquez, seconded by Mr. Frank Balbuena, Sr, that the Action Item be Continued. The motion passed by an unanimous vote.

8

(Hearing) CASE NO. 17-CEB-006 - 618 Free School Lane

Contractor: Genfron General Contracting, LLC

Code Officer: Sophia Doctoche

Property: 618 Free School Lane

FACTUAL ALLEGATIONS:

Code Officer **Sophia Doctoche**

Count-1: "Code Compliance received a complaint that work to the pool is going on at the subject property. During investigation, Office Waite and I observed a work truck leavint the property, and construction done to the pool without the required permits. A Red Tag was placed on the subject Address.

Count-2: Code Compliance received a complaint that work to the pool is going on at the subjecdt property without the required permits. During investigation, Officer Waite and I observed a work truck leaving the property and futher conostruction to the pool witout permits awaiting HARC approval"

CODE VIOLATIONS

Count-1: Section 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-2: Section 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.

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(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.

LICENSING: Gendron General Contracting LLC, Bradly Gendron, Qualifier, is a Registered Contractor with an active State license. His city license is current but his Worker's Comp exemption expired 3 Feb 2017.

HISTORY: **None**

Attachments: [Notice of Hearing](#)
 [Report](#)
 [Photo](#)
 [Photo](#)

A motion was made by Mr. Frank Balbuena, Sr, seconded by Mr. Raymond Vazquez, that the Action Item be Continued. The motion passed by an unanimous vote.

9

CONTRACTOR IS REQUESTING FOR A CONTINUANCE

(Hearing) CASE NO. 17-CEB-007 - 618 Free School Lane (Pool)

Contractor: Island City Pools

Code Officer: Sophia Doctoche

Property: 618 Free School Lane

FACTUAL ALLEGATIONS:

Code Officer **Sophia Doctoche**

Count 1: "Code Compliance received a complaint that work to the pool is going on at the subject property. During investigation, Office Waite and I observed a work truck leaving the property, and further construction done to the pool with permits awaiting HARC approval.

Count-2: Code Compliance received a complaint that work to the pool is going on at the subject property without the required permits. During investigation, Officer Waite and I observed a work truck leaving the property and further construction to the pool without permits awaiting HARC approval"

CODE VIOLATIONS

Count-1: Section 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.

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Unlicensed workers, including 'handymen' are not allowed to conduct any type of work to a residential or commercial structure.

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(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-2: Section 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.

LICENSING: Island City Pools, Donald Barton Jr., Qualifier, is a Registered Pool Contractor with active State and City licenses. Mr. Barton's competency card expired on 30 Sept 2015.

HISTORY: **None**

A motion was made by Mr. Frank Balbuena, Sr, seconded by Mr. Raymond Vazquez, that the Action Item be Continued. The motion passed by an unanimous vote.

Staff Report

Board Comments

Adjournment - 4:00 P.M.