
1268.1 SUBJECT: DEMOLITION OF BUILDINGS AND STRUCTURES

:1 OBJECTIVE:

A procedure for administering and issuing building and structure demolition permits.

:2 AUTHORITY:

This procedure amended by City Council September 15, 2003.

:3 DIRECTION:

The Building Official, under the direction of the Permitting and Code Enforcement Division Director, shall be responsible for the enforcement of City Code Section 13.35. The officials listed shall be responsible for rendering services as provided herein.

Administrative Services/Management and Budget Director
Accounting and Control Division Chief
Public Works Director; Deputy Director, Parks Division Chief, City Engineer
City Planning Division Director; Building Official; Historic Preservation Officer

:4 METHOD OF OPERATION:

A. General

All persons planning to demolish a building or structure in the corporate limits of the City of Orlando must first obtain a Demolition Permit from the Building Official and pay the fees prescribed by City Code Chapter 13.

B. Definitions

For the purpose of this procedure, the following words or terms stated shall mean:

1. *Building* - that which is constructed or built and combined of parts joined together in some manner. A carport, garage or utility structure planned for demolition at the same time as the primary building shall be considered as a sub-unit thereof and shall not require a separate permit. A building not demolished at one time, but over a period of sixty days, shall be considered as one building and require only one permit.
2. *Demolition* - the act of destroying, wrecking or razing a building or structure, leveling same to the ground; removing all demolition refuse material from the site and restoring the area to a condition prescribed by City Code.
3. *Demolition Site* - the location as fixed by legal boundaries on which demolition takes place. The term shall include perimeter walls, fences, steps and similar appurtenances within the legal boundaries of the property.

C. Occupational License, Certificate of Competency Requirements, Insurance, Owner-Occupier, Liability of Contractor Insurance

1. License and Certificate Requirements - All persons engaged in demolition operations of buildings and structures must possess:
 - a) Occupational License - A current Occupational License issued in accordance with Florida Statutes, Chapter 205.

- b) Certificate of Competency - A Certificate of Competency as a Limited Specialty Contractor, issued by the City of Orlando (City Code Section 14.20-25) for Demolition Contractor or Land Clearing Contractor for the current license year.
2. Owners-Occupiers - Owners-occupiers of a single family residence may demolish their home, garage or shed-type structure without securing an Occupational License or Certificate of Competency. It shall be unlawful to employ any person, firm or corporation to assist in said demolition that does not first produce a current Occupational License and Competency Card issued to the person employed in the demolition. Such owners-occupiers must comply with all other provisions of the City Code.

Owners-occupiers demolishing their own homes shall submit to the Building Official or designee a private owners bond in the amount of five thousand dollars (\$5,000) payable to the City of Orlando in a form acceptable to the Office of Legal Affairs.

3. Liability of Contractor - The demolition contractor shall be responsible for all work and every part thereof and for all materials, tools, appliances and property of every description used in connection with demolition for which application is made. The demolition contractor shall assume all risks of and liability for damage or injury to any property or person, wherever located, resulting from any operation connected with the demolition for which the application is made.
- D. Application Form, Rodent Control Certificate, Permit Fee, Sewer Disconnect Fee, Release from Utility and Other Service Companies, Tree Removal Permit, Approval of Historic Preservation Officer.

Application for a demolition shall be filed on "Application for Building Demolition Permit" form. Application forms may be obtained from the Permitting and Code Enforcement Division. A separate application form is required for each demolition project. The application shall be accompanied by:

1. A Rodent Control Certificate issued by an authorized Pest Control Operator certified by the State of Florida to eradicate rodents. Certificate shall indicate that the building has been treated or baited in a trade-accepted manner and to the best knowledge of the certifier is free of rodent infestation.
2. Permit fees shall be in the amounts prescribed and approved by City Council for:
 - a) Demolition of Building.
 - b) Demolition of structures other than buildings, such as bridges, towers, and underground structures not otherwise classified as buildings - Fee shall be based on contractor's contract price for work to be performed. Contractor's price shall be shown on the application form.
3. Sewer Disconnect Charge - A fee as approved by the City Council shall be charged for each permit issued to cover the cost of disconnecting City sewer

service. If sewer disconnection is not required, the fee shall be returned to the applicant.

4. Release from utility and other service companies in the form of a certificate or a purchase order number which shall serve as evidence of an agreement between the contractor or the owner-occupier and the utility or other service company that respective service to the building or structure proposed for demolition shall cease and that all connections and equipment shall be removed, sealed, plugged or eliminated as a safety hazard in a manner approved by the Building Official before demolition is initiated.

Release may be obtained from the following:

- a) Southern Bell Company - to disconnect and remove telephone lines.
 - b) Peoples Gas Company - to close and remove gas lines.
 - c) Orlando Utilities Commission - to disconnect and remove electrical and water lines.
 - d) Orange Cablevision, Inc. - to disconnect and remove television cable.
 - e) Other - (LPG companies and other companies having connections of any kind to the premises which may constitute a safety or health hazard.)
5. Tree Removal Permit shall be obtained from the Parks and Special Facilities Division for the removal or destruction of a protected tree as prescribed in City Code Section 43.60. Should demolition include removal of a protected tree, the Tree Removal Permit Form shall be attached to the Demolition Permit Application Form.
 6. Approval shall be obtained from the Historic Preservation Officer for demolition of buildings within an historical district.

E. Processing of Application

1. Building Official or designee shall accept and process the application as follows:
 - a) Review application for completeness as herein provided.
 - b) Determine that applicant has a valid occupational license and competency card, if not an owner-occupier demolishing a single family dwelling. Requirements for an occupational license and competency card are waived if applicant is owner-occupier of a single family dwelling.
 - c) Determine that #1 through #4 are attached to the application and #5-6 are completed:
 - (1) Valid certificate from a licensed pest control operator.
 - (2) Workers' Compensation Insurance certificate from an insurance company authorized to do business in the State of Florida stating that Workers' Compensation Insurance has been issued to the applicant for all employees engaged in the work for which application is made.
 - (3) A Rodent Control Certificate issued by an authorized Pest Control Operator certified by the State of Florida to eradicate rodents.

- Certificate shall indicate that the building has been treated or baited in a trade-accepted manner and to the best knowledge of the certifier is free of rodent infestation.
- (4) Tree Removal Permit when line 7 of the application form indicates the removal of a protected tree is proposed in demolition work.
 - (5) Application has been signed by the Historic Preservation Officer, and the Certificate of Appropriateness is attached if required.
- d) Calculate fee using schedule approved by City Council.
 - e) Direct applicant to Revenue Collection for verification and payment of fees.
 - f) The Cashier shall provide a receipt to the applicant upon receiving payment of fees and deposits.
2. Building Official, or designee, shall review the application form and attachments for correctness, assign a number and validate the form as a permit by signing as Building Official if the application is found to be in compliance with the provisions of the City Code and the procedures provided for herein. The original copy of the Permit shall be retained by the Building Official with the certification from the Pest Control Operator, Tree Removal Permit (if applicable), and a receipt from the Cashier for a cash deposit or a damage bond in the amount of five thousand dollars (\$5,000) when demolition is performed by owner-occupier.

Copies of the Permit shall be distributed by the Building Official as follows:

- a) Applicant - Authority for the applicant to proceed with the demolition.
 - b) Permitting and Code Enforcement Division Staff - Initiation of the work Order; inspection of demolition sites that involve public right-of-way; inspection for barricades and lighting.
 - c) Building official - Inspection of site after demolition.
 - d) Wastewater Division - Cut-off of sewer lateral.
 - e) Fire Department - Fire prevention.
 - f) Police Department - Police training.
 - g) City Planning Division – Long Range Planning/Transportation Planning Section (Historic Preservation).
 - h) Parks and Special Facilities Division - Inspection of trees.
3. Work Order/Site Inspection
- a) Permitting and Code Enforcement Division, upon receipt of a copy of the permit from the Building Official, shall initiate a Work Order Form for a Demolition Permit.

A series of Work Order Forms shall be sent to Accounting, Wastewater, Parks Division, and Engineering - Inspection Services Division.

Upon completion of the demolition project, the Division performing the work shall return a copy of the Work Order providing the cost of service in detail to the Permitting and Code Enforcement Division for closing out of the Work Order.

The Permitting and Code Enforcement Division will provide an invoice to the remitter of payment and the following divisions shall verify payment electronically: Accounting; Revenue Collection; Permitting and Code Enforcement Division.

- b) Inspection of Site - The Building Official or designee shall inspect the site as soon as demolition is completed, but no later than fifteen (15) days after substantial completion of the demolition project or sixty (60) days from start of demolition, whichever comes first, to insure compliance with City Code Chapters 28 and 54. The City Engineer may extend this period for final inspection by an additional thirty (30) days. Request for additional extension beyond the thirty (30) day period must be submitted to the City Council by the permittee.
- 4. Wastewater Division - The Wastewater Division, upon receipt of a Work Order for demolition, shall arrange for the cut-off and plugging of the demolition site's sanitary sewer lateral. The Work Order shall be completed to show the work completed at a cost approved by City Council for each permit issued. If work is not required, a request by the Wastewater Division shall be made on the Work Order copy to the Permitting and Code Enforcement Division to return the deposit to the permittee. Any services provided in addition to those required of a normal single lateral cutoff shall be billed as provided in Procedure 412.4, Invoicing for Special Services or Supplies Furnished by City to Non-City Entities, indicating such costs on the Work Order form.
- F. Work Performed by City - If the wrecking, demolition or restoration work as prescribed by City Code for which the permittee is responsible is not completed within the time prescribed, the Building Official may suspend such other permits issued to the permittee. The Building Official, after written notification to the permittee, may have such work performed at the expense of the permittee and owner of the property, jointly and/or individually.

Should the cost not be paid within 10 days after invoicing by the Permitting and Code Enforcement Division, the Comptroller shall be advised by the Revenue Collection Section; and no other demolition permit shall be issued to the contractor until the charge has been paid. Should the costs not be paid within thirty (30) days after receipt of the billing, the Comptroller shall request the City Attorney to place a claim by the City against the Company's surety agent. Any cost not covered by bond or paid in cash shall be processed as a property improvement lien, and the Treasurer shall take the necessary action.

G. Right of Appeal

Whenever the Building Official shall reject or refuse to approve the mode or manner of the demolition of a building or structure or when it is claimed that the provisions of City Code Section 13.35 do not apply, the owner of such building or structure or duly authorized agent may appeal as provided by the Standard Building Code or as provided by City Code Chapter 30A -Minimum Standards Code.

:5 FORMS:

Application for Building Demolition Permit Form, Work Order Form.

:6 COMMITTEE RESPONSIBILITIES:

None.

:7 REFERENCE:

City of Orlando Code Section 13.35, Procedure approved by City Council June 10, 1972, Item 62; amended April 16, 1973, Item 28; amended November 3, 1975, Item 21; amended May 23, 1977, Item 2; amended August 23, 1982, Item 19A; amended October 20, 1986, Item 14, A-14; amended March 28, 1988, Item 13, A-1; amended August 29, 1988, Item 20, A-2; amended April 24, 1989, Item 22A-2; amended June 26, 1989, Item 18A-4; amended June 14, 1993; amended March 5, 2001, Item A-12; amended September 15, 2003; re-formatted only April 2004.

:8 EFFECTIVE DATE:

This procedure effective September 15, 2003.