



## Memorandum

**Memorandum No: 21-070**

**Date:** July 15, 2021

**To:** Honorable Mayor and Commissioners

**From:** Chris Lagerbloom, ICMA-CM, City Manager

**Re:** Broward County Safety Inspection Program (40 Year Inspection)

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Due to the tragedy in Surfside, there has been a substantial uptick in neighbors reaching out to the City of Fort Lauderdale expressing concerns for their safety and interest in how the Broward County Building Safety Inspection Program (commonly referred to as the 40-year inspection) works.

The Broward County Building Safety Inspection Program (the program) was established in 2005 and became effective throughout Broward County in 2006. The program is modeled after Miami-Dade County's program that was established in the 1970's. Both Counties initiated the programs with the intent of minimizing the possibility of future building failure and to be better prepared for high velocity wind events, such as hurricanes. It is important to note the program is administered through Broward County Board of Rules and Appeals (BORA).

The program requires electrical and structural safety inspections for buildings over 40-years old and every ten years thereafter, with the following exemptions:

- 1 & 2 Family Dwellings
- U.S. Government Buildings
- State of Florida Buildings
- Schools Under the Jurisdiction of the Broward County School Board
- Buildings on Native American Land
- Building Under 3,500 Square Feet

The following outlines how the process works:

1. Annually in June – BORA releases a list of structures that meet the criteria of the program. Lists are transmitted to each municipality.
2. June/August – Based on the list provided by BORA, Building Officials notify property owners whose buildings are subject to the program for that specific calendar year.
3. 90-Day Period – The property owner has up to 90-days to provide a response to the requirements of the program. This is generally done through an engineer's report that outlines deficiencies that have to be addressed. The deficiencies can range from issues that require immediate attention, due to life/safety issues or more cosmetic in

nature, that may not be an immediate life/safety issue, but that could become more problematic if left unaddressed.

4. 180-Day Period – The program allows for up to 180-days for the owner to address the issues outlined in the report and correct any of the electrical or structural issues found. A 180-day extension can be requested if more time is needed. Extension is dependent on whether the owner has initiated pulling permits to start the work and has a valid reason for the extension request.

If the owner does not submit a report listing the deficiencies or does not pull a permit to correct issues in the time allotted, a code case is opened to follow up and code enforcement staff contacts the owner. The violation can result in daily fines and if not corrected in a timely manner, can result in the owner being taken to Special Magistrate where fines can be imposed, or additional enforcement actions can be taken.

If the Building Official is not satisfied with the state of the repairs and determines that the building is unsafe, the Florida Building Code grants the owner with the ability to take further action to ensure life/safety is addressed.

However, typically an owner will submit the report and apply for the correct permits to address each. Staff will then review the application and permit plans and perform inspections to ensure the items listed in the report are corrected.

A thorough review of all the buildings in the City of Fort Lauderdale that are subject to the program revealed that there are no imminent life/safety issues that would result in needed evacuations of buildings. There were, however, some issues found that required certain areas to be restricted until they were resolved. One of these was a grounding issue for a pool electrical panel, that needed to be corrected. However, in the described case, the issue had been corrected and the owner only needed to submit the revised report to close out the case.

In addition to the lists that are provided by BORA on an annual basis, staff has been contacted by the public multiple times about 40-years inspections since the tragedy occurred. Regardless of whether or not these calls relate to a building on the described list, staff goes out and performs an inspection. If they find anything of concern, they may open a code case for it and work with the Building Official on ensuring life/safety issues are addressed. At time of drafting this memo, the City has responded to roughly 100 requests of this type.

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