

# WAKULLA COUNTY BUILDING DEPARTMENT

3095 Crawfordville Highway  
Office: 850-926-7636

Crawfordville, Florida 32327  
Fax: 850-926-8086

## Re-Roofs/Repair Roofs

*This document is subject to change without notice*

|  |  |
|--|--|
| <b>Must</b> Have Copy of Recorded Deed   | Clerk of Court(850)926-0905  |
| Development Permit Application (DPA)   | Planning & Zoning (850)926-3695  |
| <i>**If the property is located within the city limits of St Marks or Sopchoppy you must bring an approval letter from St. Marks or Sopchoppy City Hall.</i> |  |
| Roofing Affidavit  | Signed be Licensed Roofer or Home Owner  |
| Sub Contractors List   | To be signed by certified Roofing Contractor or homeowner  |
| Metal Roof   | Must submit manufacture installation at time of permit   |
| Notice of Commencement   | As of July 1, 2006 the N O C is no longer required at the time of pick up, However, <b>NO</b> inspections will be given until we have an <b>original blue or red stamped copy</b> on file in our office from the clerk of court. |
| Home owners affidavit  | Signed by homeowner if permit is issued to homeowner.  |
| Product Approval Sheet<br>Fl Statute 553 842 & Fl Administrative Code 9B-72  | This form must be completed for products requiring a FL Product Approval Number and Signed   |

*If application does not include all of the above documents and all lines filled in on the Development Permit Application, you will not be able to submit this paperwork for a "Building Permit."*

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT  
DIVISION OF BUILDING INSPECTIONS  
3095 Crawfordville Hwy, Crawfordville, FL 32327  
Office: 850-926-7636 Fax: 850-926-8086

**AFFIDAVIT OF ROOFING CONTRACTOR**

STATE OF FLORIDA  
COUNTY OF WAKULLA

JOB ADDRESS: \_\_\_\_\_

**Structure:** Single Family Dwelling:  Replacement-Tear off existing and replace  Re-Cover/New roof over exist  
\*\*\*\*\*IF DAMAGED: DECKING REPLACEMENT IS REQUIRED, INSPECTION IS REQUIRED\*\*\*\*\*

I \_\_\_\_\_, as a Florida Licensed contractor or Homeowner hereby affirm, that all of the foregoing information is true and accurate, and that the sheathing nailing, dry-in and flashing at the above referenced address, has been installed in accordance with all applicable codes and standards set forth in the manual prepared by Florida Building Commission entitled " Hurricane Mitigation Retrofit Manual for existng Site Built SFD Structures. (Based on 553.844 F.S.) Affiant's roofing contractor license number: \_\_\_\_\_

**FURTHER AFFIANT SAYETH NOT.**

DATE: \_\_\_\_\_

PERMIT#: \_\_\_\_\_

\_\_\_\_\_  
(AFFIANT SIGNATURE)

The foregoing information was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, who is personally known to me or has produced I.D. \_\_\_\_\_ as identification, and who did take an oath.

SEAL

\_\_\_\_\_  
(Notary Public)

# SUB-CONTRACTOR LIST

Wakulla County Building Inspection Department will not issue any permits for the construction of Single Family Dwelling - Commercial - Additions - Misc. unless, we have an approved list of the sub-contractors that will be working on your job as listed below.

**IT IS YOUR RESPONSIBLY**  
**TO NOTIFY THE BUILDING DEPARTMENT**  
**IMMEDIATELY IF ANY CHANGES**  
**OCCUR w/ YOUR SUB-CONTRACTORS**

All CONTRACTORS doing work in Wakulla County "MUST BE STATE CERTIFIED OR CARRY WAKULLA COUNTY COMPETENCY CARD" and registered in WAKULLA COUNTY prior to performing any work in this county.

**Complete & Return w/Plans**

**PLANS WILL NOT BE REVIEWED UNLESS**

CONTRACTORS ARE APPROVED AND THEIR LICENSE - INSURANCE - WORKERS COMPENSATION - OCCUPATIONAL ARE UP TO DATE

|            | COMPANY & QUALIFIER | LICENSE # | TELEPHONE#<br>FAX# | FOR OFFICE USE ONLY |
|------------|---------------------|-----------|--------------------|---------------------|
| CONTRACTOR |                     |           |                    |                     |
| OWNER      |                     |           |                    |                     |
| ELECTRICAL |                     |           |                    |                     |
| PLUMBING   |                     |           |                    |                     |
| A/C-MECH   |                     |           |                    |                     |
| ROOFING    |                     |           |                    |                     |
| FRAMING    |                     |           |                    |                     |
| MASON      |                     |           |                    |                     |
| FIRE       |                     |           |                    |                     |
| OTHER      |                     |           |                    |                     |

Signature \_\_\_\_\_

This Instrument Prepared By:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tax Folio #: \_\_\_\_\_

Permit # \_\_\_\_\_ Rec #: \_\_\_\_\_

Notice of Commencement

State of Florida - County of Wakulla

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

- 1 Description of property: (legal description, & street address if available) \_\_\_\_\_
- 2 General description of improvement: \_\_\_\_\_
- 3 Owner information: Name & address \_\_\_\_\_  
Phone: \_\_\_\_\_  
Interest in property: \_\_\_\_\_  
Name and address of fee simple titleholder (if other than owner): \_\_\_\_\_  
Phone: \_\_\_\_\_
- 4 Contractor: Name & address \_\_\_\_\_  
Phone: \_\_\_\_\_
- 5 Surety: Name & address \_\_\_\_\_  
Amount of bond \$ \_\_\_\_\_ Phone: \_\_\_\_\_
- 6 Lender: Name & address \_\_\_\_\_  
Phone: \_\_\_\_\_
- 7 Persons within the State of Florida designated by Owner upon notice or other documents may be served as Section 713.13(1) (b), Florida Statutes: Name & address \_\_\_\_\_  
Phone: \_\_\_\_\_
- 8 In addition to himself, Owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13 (1) (b), Florida Statutes: Name & address \_\_\_\_\_  
Phone: \_\_\_\_\_
- 9 Expiration date of Notice of Commencement (the expiration date is 1 year from the date of recording unless a different date is specified) \_\_\_\_\_

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

\_\_\_\_\_  
Signature of Owner or Owner Authorized Officer/Director  
Partner/Manager  
Signatory's Title/Office \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (year) by \_\_\_\_\_ (Name of Person) as \_\_\_\_\_ (type of authority, e.g. officer, trustee, attorney in fact) for \_\_\_\_\_ (name of party on behalf of whom instrument was executed)

Notary Seal

\_\_\_\_\_  
Signature of Notary Public - State of Florida  
Print, type, or Stamp Commissioned Name of Notary Public  
Commission Number

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_  
ID: \_\_\_\_\_

Verification Pursuant to Section 92.525, Florida Statutes

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true to the best of my knowledge and belief

\_\_\_\_\_  
Signature of Natural Person Signing Above

REVISED MANDATORY PROVISION FOR RESIDENTIAL  
CONSTRUCTION CONTRACTS EFFECTIVE 7/1/2007

713.015 Mandatory provisions for direct contracts. Any direct contract greater than \$2,500 between an owner and a contractor; related to improvements to real property consisting of single or multiple family dwellings up to and including four units; must contain the following provision printed in no less than 12-point, capitalized, boldfaced type on the front page of the contract:

**ACCORDING TO FLORIDA'S CONSTRUCTION LIEN LAW (SECTIONS 713.001-713.37, FLORIDA STATUTES) THOSE WHO WORK ON YOUR PROPERTY OR PROVIDE MATERIALS AND SERVICES AND ARE NOT PAID IN FULL HAVE A RIGHT TO ENFORCE THEIR CLAIM FOR PAYMENT AGAINST YOUR PROPERTY. THIS CLAIM IS KNOWN AS A CONSTRUCTION LIEN. IF YOUR CONTRACTOR OR A SUBCONTRACTOR FAILS TO PAY SUBCONTRACTORS, SUB-SUBCONTRACTORS OR MATERIAL SUPPLIERS, THOSE PEOPLE WHO ARE OWED MONEY MAY LOOK TO YOUR PROPERTY FOR PAYMENT, EVEN IF YOU HAVE ALREADY PAID YOUR CONTRACTOR IN FULL. IF YOU FAIL TO PAY YOUR CONTRACTOR, YOUR CONTRACTOR MAY ALSO HAVE A LIEN ON YOUR PROPERTY. THIS MEANS IF A LIEN IS FILED YOUR PROPERTY COULD BE SOLD AGAINST YOUR WILL TO PAY FOR LABOR, MATERIALS, OR OTHER SERVICES THAT YOUR CONTRACTOR OR A SUBCONTRACTOR MAY HAVE FAILED TO PAY. TO PROTECT YOURSELF, YOU SHOULD STIPULATE IN THIS CONTRACT THAT BEFORE WRITTEN RELEASE OF LIEN FROM ANY PERSON OR COMPANY THAT HAS PROVIDED TO YOU A "NOTICE TO OWNER." FLORIDA'S CONSTRUCTION LIEN LAW IS COMPLEX AND IT IS RECOMMENDED THAT YOU CONSULT AN ATTORNEY.**

NOTE: This provision is not required if the owner of the property is a contractor licensed pursuant to Chapter 489 or is a developer, or if the direct contract is for \$2,500 or less. If the contract is oral or implied, this warning must be provided in a separate document that is signed by the owner and dated.

# OWNER BUILDER STATEMENT/AFFIDAVIT

Wakulla County, Florida

Florida Statutes 489.103, Exemptions; are quoted here in part for your information to indicate the authority for exemptions for homeowners from qualifying as contractors and to express any applicable restrictions and responsibilities.

## OWNERS MUST PERSONALLY APPEAR AT THE BUILDING DIVISION TO SIGN THIS DOCUMENT

BY SIGNING THIS STATEMENT, I ATTEST THAT: *(Initial to the left of each statement)*

|  |   |
|--|---|
|  | I understand that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.  |
|  | I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.   |
|  | I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on all permit and contracts.  |
|  | I Understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within in 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates this exemption.                                     |
|  | I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.   |
|  | I understand that I may not hire an unlicensed individual person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county ordinance.   |
|  | I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property. |
|  | I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. <u>Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee.</u> I understand that my failure to follow  |

|  |   |
|--|---|
|  | I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations  |
|  | I am of aware of construction practices and I have access to the Florida Building Code.   |
|  | I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at 1-850-487-1395 or at <a href="http://www.myflorida.com/dbpt/pro/cilb/">www.myflorida.com/dbpt/pro/cilb/</a> for more information about licensed contractors.   |
|  | I am aware of, and consent to, an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the address listed below.   |
|  | I agree to notify the building department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure or in the permit application package.   |
|  | Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board, the Department of Business and Professional Regulation and the building department may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage. |

Property Address: \_\_\_\_\_

I, \_\_\_\_\_, do hereby state that I am qualified and capable of performing the requested construction involved with the permit application filed and agree to the conditions specified above.

Signature of Owner-Builder \_\_\_\_\_ Date \_\_\_\_\_  
 ID # \_\_\_\_\_

Notary Signature \_\_\_\_\_ Seal \_\_\_\_\_

A violation of this exemption is a misdemeanor of the first degree punishable by a term of imprisonment not exceeding 1 year and a \$1,000.00 fine in addition to any civil penalties. In addition, the local permitting jurisdiction shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued.

### PRODUCT APPROVAL SPECIFICATION SHEET

As required by Florida Statute 553.842 and Florida Administrative Code 9B-72, please provide the information and approval numbers on the building components listed below if they will be utilized on the construction project for which you are applying, for a building permit. We recommend you contact your local product supplier should you not know the product approval number for any of the applicable listed products.

| Category/Subcategory             | Manufacturer | Product Description | Approval Number(s) |
|----------------------------------|--------------|---------------------|--------------------|
| 1. EXTERIOR DOORS                |              |                     |                    |
| A. SWINGING                      |              |                     |                    |
| B. SLIDING                       |              |                     |                    |
| C. SECTIONAL                     |              |                     |                    |
| D. ROLL UP                       |              |                     |                    |
| E. AUTOMATIC                     |              |                     |                    |
| F. OTHER                         |              |                     |                    |
|                                  |              |                     |                    |
| 2. WINDOWS                       |              |                     |                    |
| A. SINGLE HUNG                   |              |                     |                    |
| B. HORIZONTAL SLIDER             |              |                     |                    |
| C. CASEMENT                      |              |                     |                    |
| D. DOUBLE HUNG                   |              |                     |                    |
| E. FIXED                         |              |                     |                    |
| F. AWNING                        |              |                     |                    |
| G. PASS THROUGH                  |              |                     |                    |
| H. PROJECTED                     |              |                     |                    |
| I. MULLION                       |              |                     |                    |
| J. WIND BREAKER                  |              |                     |                    |
| K. DUAL ACTION                   |              |                     |                    |
| L. OTHER                         |              |                     |                    |
|                                  |              |                     |                    |
| 3. PANEL WALL                    |              |                     |                    |
| A. SIDING                        |              |                     |                    |
| B. SOFFITS                       |              |                     |                    |
| C. EIFS                          |              |                     |                    |
| D. STOREFRONTS                   |              |                     |                    |
| E. CURTAIN WALLS                 |              |                     |                    |
| F. WALL LOUVER                   |              |                     |                    |
| G. GLASS BLOCK                   |              |                     |                    |
| H. MEMBRANE                      |              |                     |                    |
| I. GREENHOUSE                    |              |                     |                    |
| J. OTHER                         |              |                     |                    |
|                                  |              |                     |                    |
| 4. ROOFING PRODUCTS              |              |                     |                    |
| A. ASPHALT SHINGLES              |              |                     |                    |
| B. UNDERLAYMENTS                 |              |                     |                    |
| C. ROOFING FASTENERS             |              |                     |                    |
| D. NON-STRUCTURAL METAL ROOFING  |              |                     |                    |
| E. WOOD SHINGLES AND SHAKES      |              |                     |                    |
| F. ROOFING TILES                 |              |                     |                    |
| G. ROOFING INSULATION            |              |                     |                    |
| H. WATERPROOFING                 |              |                     |                    |
| I. BUILT UP ROOFING-ROOF SYSTEMS |              |                     |                    |
| J. MODIFIED BITUMEN              |              |                     |                    |

**TURN OVER AND SIGN**



|                                   |  |  |  |
|-----------------------------------|--|--|--|
| K. SINGLE PLY ROOF SYSTEMS        |  |  |  |
| L. ROOFING SLATE                  |  |  |  |
| N LIQUID APPLIED ROOF SYSTEMS     |  |  |  |
| O. ROOF TILE ADHESIVES            |  |  |  |
| P SPRAY APPLIED POLYURETHANE ROOF |  |  |  |
| Q. OTHER                          |  |  |  |
|                                   |  |  |  |
| 5. SHUTTERS                       |  |  |  |
| A. ACCORDION                      |  |  |  |
| B. BAHAMA                         |  |  |  |
| C. STORM PANELS                   |  |  |  |
| D. COLONIAL                       |  |  |  |
| E. ROLL UP                        |  |  |  |
| F. EQUIPMENT                      |  |  |  |
| G. OTHERS                         |  |  |  |
|                                   |  |  |  |
| 6. SKYLIGHTS                      |  |  |  |
| A. SKYLIGHT                       |  |  |  |
| B. OTHER                          |  |  |  |
|                                   |  |  |  |
| 7. STRUCTURAL COMPONENTS          |  |  |  |
| A. WOOD CONNECTORS/ANCHORS        |  |  |  |
| B. PLASTICS                       |  |  |  |
| C. DECK-ROOF                      |  |  |  |
| D. WALL                           |  |  |  |
| E. SHEDS                          |  |  |  |
| F. TRUSS PLATES                   |  |  |  |
| G. ENGINEERED LUMBER              |  |  |  |
| H. RAILING                        |  |  |  |
| I. COOLERS/FREEZERS               |  |  |  |
| J. CONCRETE ADMIXTURES            |  |  |  |
| K. MATERIAL                       |  |  |  |
| L. INSULATION FORMS               |  |  |  |
| M. OTHER                          |  |  |  |
|                                   |  |  |  |
| 8 NEW EXTERIOR ENVELOPE PRODUCTS  |  |  |  |
| A.                                |  |  |  |
| B.                                |  |  |  |

The products listed below did not demonstrate product approval at plan review. I understand that at the time of inspection of these products, the following information must be available to the inspector on the jobsite; 1) Copy of the product approval. 2) The performance characteristics, which the product was tested and certified to comply with. 3) Copy of the applicable manufacturers installation requirements  
 Further, I understand these products may have to be removed if approval cannot be demonstrated during inspection

ADDRESS

SUBDIVISION LOT BLOCK

APPLICANT SIGNATURE DATE

## QUESTIONS/ANSWERS ABOUT NEW ROOF REPLACEMENT REGULATIONS AS REQUIRED BY F.S. 553.844

On August 21, 2007, the Florida Building Commission (as directed by the Legislature through House Bill 7057) adopted significant changes to the way certain roofing will be regulated statewide. As required by law, effective October 1, 2007, all roof replacements on existing site built single family residential structures constructed prior to implementation of the Florida Building Code (March 1, 2002) must include a secondary water barrier as defined by the new regulations. Additionally, the existing roof decking must comply with section 507.2.2 of the Florida Existing Building Code or be re-nailed utilizing fasteners on a specified spacing (again as defined by the new regulations). Also, in wind borne debris areas, up to 15% of the cost of the roof replacement must be used to enhance the intersection of the roof framing with the wall below by adding metal connectors, clips, straps and fasteners such that the performance level equals or exceeds the uplift capacities as specified in the new regulations. The following questions were submitted to and constitute the combined response of the Building Officials Association of the Florida Big Bend and Suwannee River Chapters; specifically Florida State University, City of Tallahassee, City of Quincy, Gadsden County, Gilchrist County, Hamilton County, Jefferson County, Lafayette County, Leon County, Madison County, Suwannee County, and Wakulla County.

1. When do the new roof replacement regulations become effective? **The new regulations become effective October 1, 2007, therefore permits applied for after that date will be required to meet the new regulations.**
2. To what type of roof replacement projects does the new law apply? **Existing site built single family residential structures constructed prior to implementation of the Florida Building Code (March 1, 2002).**
3. Which local jurisdictions in Florida have adopted the new roofing laws? **Local governments did not adopt this law. It was adopted by the Florida Legislature through House Bill 7057, signed by the Governor and applies throughout Florida. Local governments are required to enforce this new unfunded statutory mandate.**
4. Will the cost of roof replacement projects increase in order to comply with these new regulations? **Yes, current estimates from roofing contractors indicate average increases of 30% above what they were prior to implementation of the new regulations.**
5. When do I call for inspection under the new roofing requirements? **Given that the state provided no resources to local government to implement the new requirements, each jurisdiction will have to develop their own compliance process. You will need to contact the jurisdiction where the roof replacement project is located to find out how they are handling the permitting and inspection process.**
6. Are there new inspection codes for requesting inspections through the automated inspection request line? **You should contact the local jurisdiction where the roof replacement project is located to find out how they are handling this issue. In Tallahassee and Leon County, the new inspection code to request a roof deck nailing inspection is 115, and the new inspection code for the secondary water barrier is 116.**

7. What areas of Florida are considered wind-borne debris regions? **Regions within one mile of the coastal average high water line where basic wind speed is 110 mph or greater, OR anywhere that the basic wind speed is 120 mph or greater.**
8. When are improvements required for wall to roof connections? **When the home is located in a wind borne region and has a value of \$300,000 or more.**

Who?  
9.

How much do I have to spend on improvements for wall to roof connections? **The new law requires you to spend a minimum of 15% of the cost of the re-roofing project on improvements to the roof to wall connections.**

10. Are there any priorities for spending the 15% for improvements for wall to roof connections? **For houses with both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections, unless the width of the hip end is more than 1.5 times greater than the width of the gable end. Priority shall be given to connecting the corners of roofs to walls below where the spans of the roofing members are greatest.**

11. Can a roofing contractor perform the gable end bracing and improvements for wall to roof connections? **The best information currently available from the State Construction Industry Licensing Board is that roofing contractors cannot perform this type activity. A residential, building, or general contractor is required to perform the gable end bracing and improvements to the roof to wall connections.**
12. What is a secondary water barrier? **The law defines it as: 1) all joints in roof decking shall be covered with a minimum 4 in. wide strip of self-adhering polymer modified bitumen tape applied directly to the sheathing or decking. The deck and self adhering polymer modified bitumen tape shall be covered with one of the underlayment systems approved for the particular roof covering to be applied to the roof; OR 2) The entire roof deck shall be covered with an approved self-adhering polymer modified bitumen cap sheet. No additional underlayment shall be required on top of this cap sheet for new installations; OR 3) An asphalt impregnated 30# felt underlayment installed with nails and tin-tabs as required for the HVHZ, and covered with either an approved self-adhering polymer modified bitumen cap sheet or an approved cap sheet applied using an approved hot-mop application shall be deemed to meet the requirements for the secondary water barrier.**
13. What is a self-adhering polymer modified bitumen cap sheet? **The new roofing regulations do not define specifically what this product is; however, the Florida Building Code, Building, defines it as a leak barrier complying with ASTM D 1970.**

14. What are the new nailing requirements for the roof decking? The specific nailing requirements are contained in the following chart. However, generally speaking, in all areas of Florida if the existing roof decking is fastened with either staples or 6D nails, the entire roof deck will need to be re-nailed with 8D round head ring shank nails spaced no greater than 6 inches on center. Additionally, in all areas of Florida if the existing roof decking is fastened with 8D round head ring shank nails spaced no greater than 6 inches on center, no additional nailing will be required. In wind zones of 110mph or less, if the existing roof decking is fastened with 8D clipped head or round head nails, supplemental 8D round head ring shank nails will have to be added such that the maximum spacing between existing and supplemental fasteners is not greater than 6 inches on center. In wind zones greater than 110mph where the existing roof deck is fastened with 8D clipped head or round head fasteners, the entire roof deck must be re-nailed with 8D round head ring shank nails. OR Documentation must be provided to substantiate compliance with Section 507.2.2 of the Florida Existing Building Code. All supplemental fasteners must be 8D round head ring shank nails meeting the following specifications:

1. 0.113 inch nominal shank diameter
2. Ring diameter of 0.012 over shank diameter
3. 16 to 20 rings per inch
4. 0.280 inch full round head diameter
5. 2-1/4 inch nail length

**Supplement Fasteners at Panel Edges and Intermediate Framing**

| Existing fasteners                         | Existing spacing     | Wind speed 110 mph or less supplemental fastening shall be no greater than | Wind speed greater than 110 mph supplemental fastening shall be no greater than |
|--|----------------------|--|---|
| Staples or 6d                              | Any                  | 6" o.c. <sup>b</sup>   | 6" o.c. <sup>b</sup>  |
| 8d clipped head, round head, or ring shank | 6" o.c. or less      | None necessary   | None necessary  |
| 8d clipped head or round head              | Greater than 6" o.c. | 6" o.c. <sup>a</sup>   | 6" o.c. <sup>b</sup>  |
| 8d round head ring shank                   | Greater than 6" o.c. | 6" o.c. <sup>a</sup>   | 6" o.c. <sup>a</sup>  |

a. Maximum spacing determined based on existing fasteners and supplemental fasteners.

b. Maximum spacing determined based on supplemental fasteners only.

15. Do the enhanced roof requirements apply to new construction? No.

16. Do the roofing requirements apply to commercial or industrial structures? No.

17. Do the roofing requirements apply to multi-family structures? **No.**
  18. When is gable end bracing required? **As currently written, gable end bracing retrofits are not required. They are completely voluntary.**
  19. I cannot find many of the requirements in the Statute? **Most of the actual specifications are contained in Administrative Rule 9B-3.0475, which can be viewed at [www.floridabuilding.org](http://www.floridabuilding.org)**
  20. Can a roofing contractor include the wall to roof improvements and/or gable end bracing in their contract with the owner and sub-contract this work to a properly licensed residential, building, or general contractor? **Yes, provided the majority (more than 50%) of the work performed under the contract is within the scope of the roofing contractors' license.**
  21. Can we continue re-roofing over existing roof coverings? **Yes, provided the existing roof covering is suitable as a base for the installation of the additional roofing as stipulated by section 511.3 of the Florida Existing Building Code.**
- 
22. If the homeowner chooses to re-roof over the existing roof covering do they still have to comply with these new regulations? **No. Based on the definition of Roof Replacement as contained in the Florida Building Code, installation of a new roof covering over an existing roof covering without removing the existing roof covering does not constitute a roof replacement, which is the trigger that initiates the new roofing regulations.**

## Florida's Construction Lien Law

### Protect Yourself and Your Investment

According to Florida law, those who work on your property or provide materials, and are not paid-in-full, have a right to enforce their claim for payment against your property. This claim is known as a construction lien.

If your contractor fails to pay subcontractors or material suppliers, the people who are owed money may look to your property for payment, even if you have paid your contractor in full.

This means that if a lien is filed against your property, your property could be sold against your will to pay for labor, materials, or other services which your contractor may have failed to pay.

This document provides information regarding Florida Statute 713, Part I, as it pertains to home construction and remodeling, and provides tips on how you can avoid construction liens on your property.

#### Protecting Yourself

If you hire a contractor and the improvements cost more than \$2,500, you should know the following:

- You may be liable if you pay your contractor and he then fails to pay his suppliers or contractors. There is a way to protect yourself. A Release on Lien is a written statement that removes your property from the threat of lien. Before you make any payment, be sure you receive this waiver from suppliers and subcontractors covering the materials used and work performed on your property.
- Request from the contractor, via certified or registered mail, a list of all subcontractors and suppliers who have a contract with the contractor to provide services or materials to your property.
- If your contract calls for partial payments before the work is completed, get a Partial Release of Lien covering all workers and materials used to that point.
- Before you make the last payment to your contractor, obtain an affidavit from your contractor that specifies all unpaid parties who performed labor, services or provided services or materials to your property. Make sure that your contractor provides you with final releases from these parties before you make the final payment.
- Always file a Notice of Commencement before beginning a home construction or remodeling project. The local authority that issues building permits is required to provide this form. You must record the form with the Clerk of the Circuit Court in the county where the property being improved is located. Also post a certified copy at the job site. (In lieu of a certified copy, you may post an affidavit stating that a Notice of Commencement has been recorded. Attach a copy of the Notice of commencement to the affidavit.)
- In addition, the building department is prohibited from performing the first inspection if the Notice of Commencement is not also filed with the building department. You can also supply a notarized statement that the Notice has been filed, with a copy attached.

The Notice of Commencement notes the intent to begin improvements, the location of the property, description of the work and the amount of bond (if any). It also identifies the property owner, contractor, surety, lender and other pertinent information. Failure to record a

Notice of Commencement or incorrect information on the Notice could contribute to your having to pay twice for the same work or materials

#### Notice to Owner

Prior to filing a lien, a lienor who does not have a direct contract with the owner, must serve the owner with a Notice to Owner. The Notice to Owner must state the lienor's name and address and a description of the real property and the nature of the services or materials being furnished. The Notice to Owner must be served before commencing, or within 45 days of commencing, to furnish the services or materials (but before owner's final payment or the contractor). A lien cannot be enforced unless the lienor has served the Notice to Owner as described above.

#### Whose Responsibility is it To Get These Releases?

You can stipulate in the agreement with your contractor that he must provide all releases of lien. If it is not a part of the contract, however, or you act as your own contractor, YOU must get the releases.

If you borrow money to pay for the improvements and the lender pays the contractor(s) directly without obtaining releases, the lending institution may be responsible to you for any loss.

#### What Can Happen if I Don't Get Releases of Lien?

You will not be able to sell your property unless all outstanding liens are paid. Sometimes a landowner can even be forced to sell his property to satisfy a lien.

#### Who Can Claim A Lien On My Property?

Contractors, laborers, materials suppliers, subcontractors and professionals such as architects, landscape architects, interior designers, engineers or land surveyors all have the right to file a claim of lien for work or materials. Always get require a release of lien from anyone who does work on your home.

#### Contesting A Lien

A lien is valid for one year, unless a lienor files a lawsuit to enforce the lien prior to the expiration of the year. An owner has a right to file a Notice of Contest of Lien during the one year period. Upon the filing of a Notice of Contest of Lien, a lienor must file a lawsuit to enforce the lien within 60 days. Failure of the lienor to timely file a lawsuit renders the lien invalid.

---

THE CONSTRUCTION LIEN LAW IS COMPLEX AND CANNOT BE COVERED COMPLETELY IN THIS DOCUMENT. WE RECOMMEND THAT WHENEVER A SPECIFIC PROBLEM ARISES, YOU CONSULT AND ATTORNEY.

To register a complaint (or loan if complaints have been filed against a prospective contractor), contact the Florida Department of Business and Professional Regulation's Customer Contact Center at: (850) 487-1395 or [CallCenter@dbpr.state.fl.us](mailto:CallCenter@dbpr.state.fl.us) or write to:

Florida Department of Business and Professional Regulation  
1940 North Monroe Street  
Tallahassee, Florida 32399-1027

Or visit online at: [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com)

License verification is available 24 hours a day and 7 day a week by calling our Customer Contact Center at (850) 487-1395 or going online to [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com) Search for a Licensee. You may also contact your local building department or the Better Business Bureau.

**WARNING!**

## **Pulling Owner/Builder Permits is Risky Business!**

If you do not intend to do the work yourself and have been asked by someone without a contractor's license to pull the permit, you are at risk of financial harm both by penalty and injury.

Chapter 489.103 (7), Florida Statutes: Owners of property must supervise the work being performed. Any person working on your building who is not licensed must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee.

Without workers' compensation insurance, you could be held liable for injuries received on your property. Typically, your homeowners' insurance policy will not honor your claim if the work being performed required a licensed contractor. You could end up responsible for thousands of dollars of medical bills.

**Not only is it dangerous, but it's also a crime.**

Chapter 455.227, Florida Statutes: Any person who knowingly aides, assists, procures, employs or advises an unlicensed individual can be charged with a first degree misdemeanor and may face fines of up to \$5,000 for each offense.

## **Is it worth it?**

For more information, speak with your local building department before you apply for a permit or contact the Department of Business and Professional Regulation at 850.487.1395 or online at [www.MyFlorida.com/dbpr](http://www.MyFlorida.com/dbpr).