MEMO

TO: Appointing Authorities of Building Officials

FROM: Herminio F. Gonzalez, P.E.,
Director Building Code Compliance

DATE: September 29, 2003

SUBJECT: Appointment of Building Officials

At their September meeting the Board of Rules and Appeals (BORA) ruled that
Building Officials must be directly employed by the municipality they serve. The
Boards decision was based on a review of Chapter 8 Code of Miami-Dade County as
well as requirements contained in Florida Statue 468. The applicable definition of
“employee” is as follows:

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD
CHAPTER 61G19, F.A.C.
61G19-1.009 Definitions
(7) “Employee” means a person who receives compensation from, and is
under the supervision and control of, an employer who regularly deducts the
F.I.C.A. and withholding tax and provides workers’ compensation, all as
prescribed by law.

The annual re-certification process for BORA certified personnel, including
Building Officials, will take place later this year. At that time each
municipality will be asked to supply a letter verifying that their Building
Official is an employee of the municipality, as defined above. If any action is
necessary on your part, please take appropriate steps prior to the annual
recertification process.

If you have any questions or if the Building Code Compliance Office may be
of any assistance, please contact Mr. Michael Goolsby of my staff, at (305)
375-4496.

HFG:MG

Cc: Stephanie Miller, Assistant County Attorney
Thomas Utterback, Chairperson, Board of Rules and Appeals
All Building Officials in Miami-Dade County