

DRAFT

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 8, CREATING CHAPTER 8-F OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR THE REGULATION OF ELEVATORS, ESCALATORS, AND OTHER LIKE EQUIPMENT, INCLUDING IN PRIVATE RESIDENCES; PROVIDING FOR PERMITS, REQUIRED INSPECTIONS, CERTIFICATES OF USE, RELATED TO THE INSTALATION, MODIFICATION, MAINTENANCE AND OPERATION OF THE REGULATED EQUIPMENT; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY TO PROVIDE FOR ENFORCEMENT AND PENALTIES FOR VIOLATION OF CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

COME BACK

WHEREAS, the County is committed to ensuring the safety of its employees, citizens and visitors; and

WHEREAS, the County intends to incorporate responsible practices into the design, construction, and operation of elevators, escalators and other conveyance devices

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 8-F of the Code of Miami-Dade County, Florida, is hereby created to read as follows:¹

>>Chapter 8F Miami-Dade County Elevator, Escalator and other Conveyance Systems Safety Ordinance<<

>>8F-1 Short title and purpose:

This Chapter may be cited as the “Elevator Escalator and other Conveyance Systems Safety Ordinance.” The purpose of this chapter is to provide for the safety of the public and to promote public safety awareness. The use of unsafe and/or defective conveyance devices imposes a substantial risk of serious and preventable injury and exposes the public to unsafe conditions. The prevention of these injuries and the protection of the public from unsafe conditions is in the best interest of the public. This Chapter establishes the minimum standards for elevator installations, maintenance, inspection, registrations, permitting and personnel. This Chapter shall be applicable to unincorporated and incorporated Miami-Dade County, except in those cities operating under contract with the State of Florida, Department of Business and Professional Regulation as a contracted Authority Having Jurisdiction, as provided for under Section 399.013 of the Florida Statutes, except as specifically noted herein.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

8F-2 Definitions. — As used in this chapter, the term:

- (1) ”Alteration” means any change or addition to the elevator or conveyance device other than maintenance, repair, or replacement.
- (2) “Authority Having Jurisdiction” also used as AHJ in this Chapter, shall mean Miami-Dade County through the Office of Elevator Safety, except as specifically noted,
- (3) “Certified elevator inspector” is a natural person registered with and authorized by the State of Florida DBPR to construct, install, inspect, maintain, alter or repair any vertical regulated conveyance, after having properly acquired the qualified elevator inspector credential as prescribed by the American Society of Mechanical Engineers.
- (4) “Certified elevator technician” is a natural person registered with and authorized by the State of Florida DBPR to construct, install, maintain, alter or repair any vertical regulated conveyance, after having been issued an elevator certificate of competency by the DBPR.
- (5) “Certificate of completion” is a document issued by the AHJ which indicates that the conveyance equipment located within a private residence has been completed and has successfully completed the required safety inspections and tests performed, as provided in this Chapter.
- (6) “Certificate of operation” means a document issued periodically by the AHJ which indicates that the conveyance has successfully completed the required safety inspection and tests performed, and passed, and that fees have been paid as provided in this Chapter.
- (7) “Conveyance” means an elevator, dumbwaiter, escalator, moving sidewalk, platform lift, stairway chairlift, material lift or hoist, or any other power operated conveying device, including vertical conveyors, which moves people, and/or equipment, and/or material. This shall not include horizontal material conveyors.
- (8) “Department” means the Internal Services Department.
- (9) DBPR means the State of Florida, Department of Business and Professional Regulation, including its Division of Hotels and Restaurants, and the Bureau of Elevator Safety
- (10) “Elevator” where used in this chapter shall mean that as set forth in section 8F-4

(11) “Elevator certificate of competency” means a credential issued by the State of Florida DBPR to any individual natural person successfully completing an examination as prescribed by rule.

(12) “Elevator helper” means a natural person performing work under the direct supervision of an elevator certificate of competency holder to construct, install, maintain, alter or repair any vertical conveyance.

(13) “Elevator Safety Code” means the body of codes and laws adopted by this Chapter and Chapter 399 of the Florida Statutes, Chapter 61C-5 of the Florida Administrative Code, and all applicable parts of the Florida Building Code, including the American Society of Mechanical Engineers (ASME) A17.1 Safety Code for Elevators and Escalators, the ASME A17.2 Inspector’s Manual, the A17.3 Safety Code for Existing Elevators and Escalators, the ASME A17.5 Electrical Standards for Elevators and Escalators, the National Fire Protection Association (NFPA) 70 National Electric Code, and applicable adopted parts of the NFPA 13 Fire Suppression Systems and NFPA 72 Fire Alarm Systems.

(14) “Existing installation” means an installation defined as an “installation, existing” in the Florida Building Code.

(15) “Office” means the Office of Elevator Safety, which is empowered as the Authority Having Jurisdiction (AHJ) over the equipment regulated by this ordinance throughout Miami-Dade County, except in Cities otherwise contracted by the Department of Business and Professional Regulation as separate independent AHJs for their respective City.

(16) “Private residence” shall mean any dwelling unit designed to be inhabited by a single family whether free standing or combined with other structures or uses. This shall include but not be limited to condominiums, duplexes, town houses or detached houses.

(17) “Registered elevator company” means an entity registered with and authorized by the State of Florida DBPR, employing persons to construct, install, inspect, maintain, alter or repair any conveyance.

(18) “Service maintenance contract” means a contract that provides for routine examination, lubrication, cleaning, adjustment, replacement of parts, and performance of applicable code-required safety tests and any other service, repair, and maintenance sufficient to ensure the safe operation of the elevator.

(19) "Temporary operation inspection" means an inspection performed by a certified elevator inspector, the successful passage of which permits the issuance of a Temporary Certificate of Operation or Temporary Operating Permit by the AHJ of a noncompliant conveyance .

(20) "Temporarily dormant conveyance" means a conveyance which is inactive or has been made dormant, and meets the requirements for a dormant conveyance as set forth in this Chapter.

All other building transportation terms are defined in the current Florida Building Code.

8F-3 Adoption of State Statutes and Codes

Chapter 399 of the Florida Statutes, Chapter 61C-5 of the Florida Administrative Code and Chapter 30 of the Florida Building Code are adopted herein as may be amended from time to time.

8F-4- Applicability

(1) This chapter shall be applicable to the design, construction, operation, inspection, testing, maintenance, alteration, and repair of the following equipment and its associated parts and hoistways:

(a) Hoisting and lowering mechanisms equipped with a car, platform, or support mechanism which move between two or more landings. This equipment includes, but is not limited to, elevators, platform lifts, stairway chairlifts, materials lifts, automobile parking system elevators, and vertical conveyors, including movable and/or transportable equipment powered by building electrical power or portable power supply.

(b) Power-driven stairways and walkways for carrying persons between landings. This equipment includes, but is not limited to, escalators, moving walks and moving ramps, including movable and/or transportable equipment powered by building electrical power.

(c) Hoisting and lowering mechanisms equipped with a car, fork or sling which serves two or more landings and is restricted to the carrying of material by its limited size or limited access to the car, fork or sling. This equipment includes, but is not limited to, dumbwaiters, material lifts, and dumbwaiters with automatic-transfer devices.

(d) Permanently installed personnel hoists and material hoists within the scope of ASME A10, as adopted by the Florida Building Code.

(e) Elevators in television and radio towers.

(f) Elevators, inclined stairway chairlifts, inclined or vertical wheelchair lifts and any other power operated vertical conveyance devices located in private residences.

(h) Transportable vertical conveyance devices, which may be equipped with wheels, skids, or other non-permanent attachment or connection to a building or structure, connects to building power through a cord or is equipped with its own independent power supply, and can be moved from one location to another, which cannot be carried by a single person. This equipment includes, but is not limited to; elevators, escalators, platform lifts, stairway chairlifts, materials lifts, vertical conveyors and/or any other power operated vertical conveyance devices.

(2) The following equipment is excluded from this Chapter 8F:

(a) Amusement rides.

(b) Man lifts within the scope of ASME A90.1, as adopted by the Florida Building Code.

(c) Mobile scaffolds, towers, and platforms within the scope of ANSI A92, as adopted by the Florida Building Code.

(d) Powered platforms and equipment for exterior and interior maintenance within the scope of ASME A120.1, as adopted by the Florida Building Code.

(e) Horizontal conveyors and related equipment within the scope of ASME B20.1, as adopted by the Florida Building Code.

(f) Cranes, derricks, hoists, hooks, jacks, and slings within the scope of ASME B30, as adopted by the Florida Building Code.

(g) Industrial trucks within the scope of ASME B56, as adopted by the Florida Building Code.

(h) Personal Portable conveyance equipment, such as stair climbers, wheelchair lifts and/or vertical conveyance devices for the disabled, which are operated on self contained power or portable power, and can be lifted or carried by one person, and are owned, maintained and used by the disabled person.

(i) Tiered or piling machines used to move materials to and from storage located and operating entirely within one story.

(j) Equipment for feeding or positioning materials at machine tools and printing presses.

(k) Skip or furnace hoists.

(l) Wharf ramps.

(m) Railroad car lifts or dumpers.

(n) Line jacks, false cars, shafters, moving platforms, and similar equipment used for installing an elevator by a contractor licensed in this state.

(o) Automated people movers at airports and/or operated by transit systems.

(p) Manually operated personal portable stair climbers, or wheelchair lifts, requiring the assistance of another person for motive power.

(q) Hand-operated dumbwaiters.

(r) Sewage pump station lifts.

(s) Automobile parking lifts without elevators.

(t) Automobile hoists in garages or service stations

(u) Temporarily installed personnel hoists and material hoists used on construction sites, within the scope of ASME A10, as adopted by the Florida Building Code.

(u) Other Equipment covered in s. 1.2 of the Elevator Safety Code.

Sec. 8F- 5 Office of Elevator Safety

(1) General: The Office of Elevator Safety is hereby established and shall be the Authority Having Jurisdiction throughout the incorporated and unincorporated areas of Miami-Dade County, except in municipalities under contract with the DBPR as an AHJ, and is authorized to enforce Chapter 8F. The Office of Elevator Safety shall carry out and perform the functions as enumerated in Chapter 8F, and all of the applicable provisions of the Florida Building Code for elevator regulation. The position of the Chief Elevator Inspector is hereby established. The Chief Elevator Inspector shall be appointed by and shall serve at the will of the Mayor or the Mayor's designee, and shall be appointed on the basis of his/her qualifications and experience in the fields of elevator construction and maintenance and the development and enforcement of elevator regulations. Such individual shall hold a license as a Certified Elevator Inspector as provided for in Chapter 399 of the Florida Statutes and shall be a professional engineer licensed to practice in the State of Florida under the provisions of Chapter 471, Florida Statutes, or with the equivalent work experience in the elevator trade on a year for year basis. The Chief Elevator Inspector shall be responsible for the implementation of the directives of the State of Florida relating to the Elevator Safety Code, and of this Ordinance. The Chief Elevator Inspector shall also be responsible for the approval of construction materials and assemblies which are incorporated into elevators and/or conveyance systems pursuant to the provisions of the Florida Building Code and Elevator Safety Code.

(2) Duties and Functions: The Office of Elevator Safety shall perform the following duties and functions throughout the incorporated and unincorporated areas of Miami-Dade County, except in municipalities under contract with the DBPR to be an AHJ for their respective municipality:

- (a) Ensure that the Florida Elevator Safety Act and this Chapter 8F are uniformly enforced throughout Miami-Dade County;
- (b) Conducting inspections and investigations of potential code violations;
- (c) Providing guidance in the resolution of citizen complaints regarding Building Code and Elevator Code violations;
- (d) Investigation, preparation and prosecution of enforcement activities pursuant to this Chapter 8F, including actions pursuant to Chapter 8CC of the Code.;
- (e) Prevention of any imminent threat of any violation of this Chapter;
- (f) Approval, disapproval or conditional approval of the local use of construction products, materials and assemblies or alternate construction materials and assemblies on elevators and other such regulated conveyance devices.
- (g) Evaluation and issuance of variances as authorized under contract with the DBPR, from the Florida Building Code, Chapter 399, Florida Administrative Code 61C-5 and the ASME A17.1 Elevator Safety Code.

(3) Any authorized employee of the AHJ shall have reasonable access to all buildings and rooms or spaces in which an existing or newly installed conveyance and equipment are located.

(4) The AHJ is authorized to direct any law enforcement officer to enforce the provisions of this chapter.

(5) The AHJ may grant variances for undue hardship pursuant to s. 120.542 of the Florida Statutes and the rules adopted under this section. Such rules must include a process for requests for variances. The AHJ may grant a request for a variance unless it finds that the variance will adversely affect the safety of the public.

8F-6 Serial Number

Each elevator or regulated conveyance device shall have a permanent serial number assigned by the Authority Having Jurisdiction. Said serial number shall be permanently painted on or engraved into a metal plate permanently attached to each of the following: the elevator car in plain view, the main line power disconnect, the controller and the driving mechanism. This serial number shall be shown on all required certificates and permits and other official documents related to this equipment.

8F-7 Responsibility For Compliance

(1) The holder of a permit shall be responsible for the correction of violations and deficiencies until the elevator or conveyance device has passed a final inspection and a permanent Certificate of Operation has been issued by the AHJ. The holder of a permit shall be responsible for all tests of new and/or altered/repared equipment until the elevator or regulated conveyance device has passed a final inspection and/or a permanent Certificate of Operation has been issued by the AHJ.

(2) The elevator owner is responsible for the safe operation, proper maintenance, and inspection of the elevator after a Certificate of Operation has been issued by the AHJ. The elevator owner is responsible for the correction of code deficiencies found during inspections, within ninety (90) days following the inspection. The responsibilities of the elevator owner may be assigned by lease.

(3) A statement verifying the existence and performance of each service maintenance contract must be filed at least annually with the AHJ and as prescribed by implementing order. Cancellation of a service maintenance contract must be reported to the AHJ as prescribed by implementing order. A service maintenance contract shall be made available upon request of the AHJ for purposes of oversight and monitoring.

8F-8 Design, installation, and alteration of conveyances.—Permit Required

8F-8.1 - Permits – Elevators and Conveyance Devices

(1) No elevator or conveyance device shall be erected, constructed, or installed until a permit has been obtained from the AHJ.

(2) The relocation, removal or demolition of any existing elevator or conveyance device shall require a permit, before any work may be commenced. No existing elevator or conveyance device shall be relocated, removed or demolished until a permit has been obtained.

(3) Alteration or repair of equipment: In addition to any work conforming to work described in section 3011.1 of the Florida Building Code any of the following alterations or repair to any existing elevator or conveyance device, shall require a permit, before any work may be commenced,:

- (a) The addition of any device, or component which was not originally installed or previously added through a permit process to the existing equipment.
- (b) The repair or alteration of any device which will require a test to be performed, in conformance with ASME A17.1, prior to placing the equipment back in operation.

- (c) The repair or alteration of any component of a hydraulic supply system, except for jack packings.
- (d) Any repair or alteration exceeding \$1,000 in value paid by an owner, irrespective of whether the repair or alteration of which was considered maintenance.

Exception:

Work related solely to compliance with emergency access key requirements set forth in Section 399.15 of the Florida Statutes shall not require a permit, however, work may not be commenced until plans and drawings reflecting such work has been reviewed and approved by the AHJ.

(4) Permits must be applied for by a registered elevator company and may only be granted upon receipt and approval of an application to be made on a form prescribed by the AHJ, accompanied by proper fees, and such plans and drawings as may be required by the AHJ showing that all applicable elevator safety and building codes are complied with.. Permits may be granted only to registered elevator companies in good standing. A copy of the permit and plans shall be kept at the work site at all times while the work is in progress and until a Certificate of Operation is issued.

(a) Permits for alteration or repair to existing equipment shall also require the owner/lessee who is the holder of the Certificate of Operation, to be in good standing for payment of fees and/or applicable outstanding fines, before the AHJ may grant a permit.

(b) Permits for removal or demolition of any elevator or conveyance device may not be issued by the AHJ, unless the Building Official has issued authorization to remove the accessible device from the accessible route of a building, or has issued a permit for the demolition of the building.

(5) The AHJ shall provide forms and procedures for permit application requirements and permit fees. Fees shall be as approved by the Board of County Commissioners by implementing order.

(6) Permits may be revoked for the following reasons:

(a) The existence of any false statement or misrepresentation as to a material fact in the application, plans, specifications, or variance if applicable, upon which the permit was based.

(b) The permit was issued in error and not in accordance with the code or rules.

(c) The work detailed under the permit is not being performed in accordance with the provisions of the application, plans, specifications, the code or conditions of the permit.

(d) Failure or refusal to comply with a stop-work order.

(e) The failure, refusal, or dishonor of a monetary instrument presented to the AHJ in payment of fees related to the issuance of a permit.

(7) A permit expires if:

(a) The work authorized by the permit is not completed within twelve (12) months after the date of issuance, unless renewed for an additional twelve (12) month period prior to expiration. For good cause shown, additional extension may be granted by the AHJ.

(b) The work is suspended or abandoned for a period of not less than 60 days

(8) The holder of a permit shall notify the AHJ of the date and time of the final inspection for purposes of; monitoring the inspection process, acquiring a final certificate of operation, and/or in the case of a private residence acquiring a certificate of completion.

(9) All work on an elevator or conveyance device must be performed by a registered elevator company.

(10) All work performed on non-elevator conveyance systems, such as vertical conveyors, shall be performed by a properly qualified licensed contractor.

(11) All work must be performed by or under the direct supervision of properly licensed certified elevator technicians, or performed by duly authorized temporary elevator technicians.

(12) Each elevator shall comply with the edition of the Florida Building Code or Elevator Safety Code in effect at the time of application for the construction permit for the elevator. Existing equipment shall comply with the adopted edition of ASME A17.3.

(13) Each alteration to, or relocation of an elevator shall comply with the edition of the Florida Building Code or Elevator Safety Code in effect at the time of the application for the construction permit for the alteration or relocation.

(14) When any change is made in the classification of an elevator, the elevator shall comply with all of the requirements of the version of the Florida Building Code or Elevator Safety Code in effect at the time of the application for the construction and/or alteration permit for the change in classification.

8F-8.2 Building Permits

Notwithstanding any provision of this Code, no County or municipal officer, agent, employee or Board shall approve, grant or issue any operating permit, license, building permit, certificate of use and occupancy, municipal occupational licenses, platting action, or zoning action for any building or structure containing an elevator or conveyance device, unless the AHJ has reviewed and approved the building plans.

8F - 9 – Inspections:

(1) All elevators or other conveyance devices subject to this chapter shall successfully pass inspections and required tests prior to use, and thereafter must pass annual inspections, and must pass all required tests.

(a) All inspections shall be performed by, and all tests shall be witnessed by:

i. a certified elevator inspector employed by an AHJ under contract with the DBPR pursuant to s. 399.13 of the Florida Statutes; or

ii. where permitted by the AHJ, by a private Certified Elevator Inspector not employed by, or having a conflict of interest with the elevator maintenance company or holder of a permit to install, alter and/or repair an elevator or conveyance device, or

iii. where permitted by the AHJ, by a private Certified Elevator Inspector not employed by, or having a conflict of interest with the elevator owner.

(b) The registered elevator company performing tests, or having inspections performed shall notify the AHJ of the scheduled inspection and/or test date and time, at least 48 hours in advance of the scheduled inspection or test.

(c) Elevators or other regulated conveyance devices located wholly within a private residence are exempt from annual inspection and annual certification.

(d) Existing elevators or other regulated conveyance devices located wholly within a private residence must undergo an inspection and register with the AHJ upon the major repair and/or alteration of said equipment, or the sale and/or transfer of ownership of the property.

(e) An inspection is required for all underground buried cylinders and supply piping, prior to covering, or sealing the protective enclosures.

(f) Violations of code noted on an inspection report during a routine or annual inspection, of existing active equipment, shall be corrected and re-inspected within ninety (90) days following the prior inspection.

(2) The AHJ may employ its own elevator inspectors to inspect any elevator to ensure its safe operation. The AHJ may also employ its own elevator inspectors to conduct inspections required by this chapter and may charge a fee for each inspection in an amount sufficient to cover the costs of that inspection, as provided by implementing order. Each AHJ elevator inspector shall be properly qualified as a certified elevator inspector. Access shall be provided as required in or by Section 8F-4 (8).

(3) Whenever the AHJ determines from the results of any inspection that, in the interest of the public safety, an elevator or other regulated device is in an unsafe condition, the AHJ may seal the elevator or other regulated device or order the discontinuance of the use of the equipment until the AHJ determines by inspection that such elevator or other regulated device has been satisfactorily repaired or replaced so that the elevator or other regulated device may be operated in a safe manner. Any elevator or conveyance device being operated without a current certificate of operation shall be deemed unsafe for the purposes of this section.

(4) A certified elevator inspector or registered elevator company shall, upon the written request of the AHJ, provide a written response within fifteen (15) days, that explains the inspection discrepancies (if any), procedures and applications used to prepare an inspection report.

_____ (a.) If the written request is specifically to a certified elevator inspector, the inspector in question shall be the direct respondent.

_____ (b.) If the written request is to the registered elevator company and/or the certified elevator inspector, the company or the certified inspector may be the respondent.

(5) The AHJ may employ its own elevator inspectors to perform a monitoring inspection of any elevator or conveyance device to ensure the quality of private inspections (if permitted) at no charge or cost to the owners or elevator inspectors. Each AHJ elevator inspector shall be properly qualified as a certified elevator inspector. Access shall be provided as required in or by Section 8F-4 (8).

8F - 10 Certificates

Upon the successful completion of all required inspections and tests as required in Section 8F – 9, and the payment of all required fees, a certificate shall be issued for elevators and other regulated equipment as follows:

(1) Certificate of Operation

- i. Prior to use, all vertical conveyances must be inspected by a certified elevator inspector not employed, associated, or having a conflict of interest with the holder of a permit for elevator construction, alteration and/or repair, or an elevator owner and said conveyance shall be certified as meeting the safety provisions of the Florida Building Code, the Elevator Safety Code and this County Ordinance, including the successful passing of all required inspections and safety tests. The certified elevator inspector shall provide the original copy of the inspection report to the AHJ within 5 working days after the inspection. A Certificate of Operation may not be issued until the holder of a permit provides an affidavit signed by the construction supervisor attesting that the supervisor directly supervised the construction or installation of the elevator.
- ii. Annually thereafter, all elevators and/or vertical conveyances not within a private residence, must be inspected and tested by a certified elevator inspector not employed, associated, or having a conflict of interest with an elevator maintenance contractor or the holder of a permit for elevator construction, alteration and/or repair, or by a certified elevator inspector not employed, associated, or having a conflict of interest with the an elevator owner and said conveyance and must pass without violations, before a Certificate of Operation may be renewed.

(a) The certificate of operation is valid for a period not to exceed 1 year and shall expire at the end of the Certificate period unless renewed and/or revoked. The AHJ may adopt implementing orders establishing a procedure for certificate renewal. Certificates of operation may be renewed only upon proof of current satisfactory inspection and periodic tests. The owner of an elevator operating with an expired certificate of operation is in violation of this chapter. Certificate of operation renewal applications received by the AHJ after the date of expiration of the last current certificate shall be accompanied by a late fee in addition to the renewal fee and any other fees required by law. The AHJ shall adopt by implementing order, a fee schedule for the renewal of certificates of operation.

(b) The certificate of operation shall be posted in a conspicuous location on the elevator or regulated conveyance device and must be framed with a transparent cover.

(c) The certificate of operation shall contain the text of s. 823.12, relating to the prohibition against smoking in elevators.

(d) In addition to subsection (c), the designation "NO SMOKING" along with the international symbol for no smoking shall be conspicuously displayed within the interior of the elevator in the plain view of the public.

(e) Except for temporary use authorized by this chapter, the operation or use of any newly installed, relocated, or altered elevator is prohibited until the elevator has passed the tests and inspections required by this chapter and a certificate of operation has been issued.

(f) The AHJ may suspend any certificate of operation if it finds that the elevator is not in compliance with this chapter or of rules or implementing orders adopted under this chapter. The suspension remains in effect until the AHJ receives satisfactory results of an inspection performed by a certified elevator inspector indicating that the elevator has been brought into compliance.

(2) Certificate of Completion (applicable to private residences only)

(a) A certificate of Completion is issued only to elevators and other regulated conveyance devices located within private residences, after completion of a satisfactory inspection upon the completion of construction, repair or alteration, or sale or transfer of ownership. The AHJ may adopt implementing orders establishing a procedure for issuance of a renewal certificate. Certificates of completion may be renewed only for vertical conveyances having a current satisfactory inspection. The owner of an elevator or other regulated vertical conveyance in a private residence operating with a certificate of completion in the prior owner's name is in violation of this chapter. Certificate of completion applications and inspection report shall be submitted within thirty (30) days following the sale or transfer of ownership of the property. The AHJ shall adopt implementing order, a procedures and a fee schedule for the renewal of certificates of completion, conforming to this Chapter.

(b) The certificate of completion shall be posted in a location on the elevator equipment, in the car or on the controller in the machine room or control room, and must be framed with a transparent cover.

(c) The certificate of completion shall be a non-expiring certificate, valid until a permitted major repair or alteration of the equipment is performed, or the sale or transfer of property is executed, whichever occurs first.

(3) Temporary Certificate of Operation/Permit

(a) The temporary use of an elevator during installation or alteration may be authorized by the AHJ for a period of 30 days after the successful passing of a temporary operation inspection. Additional 30-day periods of temporary use may be authorized from the date of completion of each additional satisfactory temporary operation inspection. A satisfactory temporary operation inspection must satisfy the following criteria:

i. the elevator passes all required tests under contract load;

ii. the hoistway is fully enclosed;

iii. the hoistway doors and interlocks are installed and properly functioning;

iv. the car is completely enclosed, including door or gate and top;

v. all electrical safety devices are installed and properly functioning; and

vi. terminal stopping equipment is in place for a safe runby and proper clearance

8F - 11 Elevator accessibility requirements for the disabled.--

Any building (except private residences) that is more than three stories high or in which the vertical distance between the bottom terminal landing and the top terminal landing exceeds 25 feet must be constructed to contain at least one passenger elevator that is operational and equipment installed after July 1, 1990, shall accommodate an ambulance stretcher measuring 24" X 76" and equipment installed after July 1, 2012 shall accommodate an enhanced life support stretcher measuring 24" X 84", serving all landings within the building and any structure below or above connected to the building.

8F - 12 Registration of elevator companies, certified elevator inspectors and certified elevator technicians:

Prior to conducting business or operating in Miami-Dade County, the following shall occur:

(1) Registered Elevator Company: Each registered elevator company must register with the AHJ and show proof of general liability insurance coverage, by providing a

certificate of insurance in the minimum amounts set by implementing order, with the AHJ registered as a certificate holder, to be notified in the event of a change in insurance.

(2) Certified Elevator Inspector: Each registered elevator inspector must register with the AHJ and show proof of general liability insurance coverage, by providing a certificate of insurance in the minimum amounts set implementing order, with the AHJ registered as a certificate holder, to be notified in the event of a change in insurance.

(3) Certified Elevator Technician: Each certified elevator technician must register with the AHJ and show proof of general liability insurance coverage, by providing a certificate of insurance in the minimum amounts set implementing order, with the AHJ registered as a certificate holder, to be notified in the event of a change in insurance.

Each registration required herein shall be annually renewed.

8F - 13 Dormant elevator equipment; inspections; correction of deficiencies.--

(1) An elevator may be declared dormant and/or inactive by making application to the AHJ, and thereafter is exempt from an annual certificate of operation. A dormant unit is one that has been inspected by a Certified Elevator Inspector, to determine that the equipment meets the following criteria:

(a) The power supply has been properly disconnected by removing fuses and sealed by placing a padlock on the mainline disconnect switch in the "OFF" position.

(b) The car is safely parked, and the hoistway doors are in the closed and latched position.

(c) A wire seal is installed on the mainline disconnect switch by a certified elevator inspector.

(2) This conveyance may not be used again until it has been put in safe running order and is inspected and certified in an approved condition for use, and a Certificate of Operation has been issued. Annual inspections shall continue for the duration of the dormant or inactive status, conducted by a certified elevator inspector to ensure the unit is still properly locked out and sealed. The dormant or inactive status is renewable on an annual basis, and a registration fee equivalent to the Certificate fee must be paid, and renewals may not exceed a 5-year period, after which the unit must then be permanently removed, or restored to operation. The wire seal and padlock may not be removed for any purpose without permission from the AHJ.

8F - 14.1 Enforcement of law.--It shall be the duty of all County and municipal officials and the employees of the AHJ to enforce the provisions of this chapter. It shall be unlawful for any person to violate any of the provisions of this Chapter, any lawful rules and regulations promulgated under this Chapter, any lawful order of the AHJ, or any condition, limitation or restriction which is part of an installation, repair/modernization or operating permit. No building permit shall be issued for the installation of any improvements or facilities containing equipment governed by the provisions of this Chapter, without the prior approval of the AHJ.

- (1) In addition to any other remedies provided by this Chapter, the AHJ shall have the following judicial remedies available to the AHJ for violations of this Chapter, any lawful rule or regulation promulgated under this Chapter, any lawful order of the AHJ, or any condition, limitation or restriction which is a part of an installation, repair/modernization or operating permit:
 - (a) The AHJ may institute a civil action in a court of competent jurisdiction to establish liability and to order the immediate correction of a violation of code, which threatens the safety and well being of the public which is caused by said violation.
 - (b) The AHJ may institute a civil action in a court of competent jurisdiction to impose and recover a civil penalty for each violation in an amount not more than \$1,000 per offense, per elevator, per day. However the Court may receive evidence in mitigation. Each day during any portion of which such violation occurs constitutes a separate offense.
 - (c) The AHJ may institute a civil action in a court of competent jurisdiction to seek injunctive relief to enforce compliance with or prohibit the violation of this chapter, any lawful rules or regulations promulgated under this chapter, any lawful order of the AHJ, or any condition, limitation or restriction which is part of an installation, repair/modernization or operating permit; and to seek injunctive relief to protect human health, safety, and welfare caused or threatened by any violation.
- (2) The AHJ may issue an order of suspension of license and order to cease use of the equipment which may be in violation, the violation of which remains uncorrected by the owner.
- (3) This provision may also be enforced by Chapter 8CC.
- (4) When the AHJ determines that an elevator is in violation of this chapter or the Florida Building Code, the AHJ may issue an order to the elevator owner requiring correction of the violation and re-inspection of the elevator evidencing the correction.

- (5) Any violation of the terms and provisions of Chapter 8F may be enforced in accordance with the terms and provisions of Chapter 8CC of the Miami-Dade County Code.
- (6) Each day that a violation continues constitutes a separate violation.
- (7) Each elevator upon which work is performed without a permit shall constitute a separate subsequent violation.
- (8) The remedies in this section are not exclusive and may be imposed in addition to other remedies allowed by law.

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8F - 14.2 Violations:

(1) It shall be unlawful for any person, to commit any one or more of the following violations:

(a) Violation of any provision of this chapter.

(b) Any false statement as to a material matter in an application for registration, certification, or any permit or certificate issued under this chapter, or any inspection report or test report submitted to the AHJ.

(b) Failure by a certified elevator inspector to provide the AHJ and the certificate of operation holder with a copy of an inspection report within 5 days after the date of any inspection performed after the initial certificate of operation is issued.

(c) Engaging in fraud or deceit, negligence, incompetency, bribery or misconduct.

(2) It shall be unlawful for any person to remove, disable, vandalize, or otherwise render inoperative, any safety device of an elevator.

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8F - 14.3 Penalties:

Penalties generally:

If any person shall fail or refuse to obey or comply with, or violates any of the provisions of this chapter, or any lawful rule or regulation promulgated hereunder, or any lawful order of the AHJ, or any condition, limitation or restriction which is part of an installation, repair/alteration and/or an operating permit; issued or rendered under and pursuant to the provisions of this chapter, such person, upon conviction of such offense, shall be punished by a fine not to exceed five hundred dollars (\$500), or by imprisonment not to exceed sixty (60) days in the County Jail, or both in the discretion of the court. Each day of continued violation shall be considered as a separate offense.

Section 2 Chapter 8CC - 10 is hereby amended to read as follows: * * *

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
<u>8F-7(2)</u>	<u>Failure to properly maintain elevator (first offense)</u>	<u>250.00</u>
<u>8F-7(2)</u>	<u>Failure to properly maintain elevator (second offense)</u>	<u>500.00</u>
<u>8F-7(2)</u>	<u>Failure to properly maintain elevator (third or more offense)</u>	<u>1,000.00</u>
<u>8F-11</u>	<u>Failure to maintain operation of equipment as required by law (elevators serving 3 floors or more) (first offense)</u>	<u>250.00</u>
<u>8F-11</u>	<u>Failure to maintain operation of equipment as required by law (elevators serving 3 floors or more) (second offense)</u>	<u>500.00</u>
<u>8F-11</u>	<u>Failure to maintain operation of equipment as required by law (elevators serving 3 floors or more) (third or more offense)</u>	<u>1,000.00</u>
<u>8F-14.2(1)(b)</u>	<u>Late submittal of inspection report (first offense)</u>	<u>100.00</u>
<u>8F-14.2(1)(b)</u>	<u>Late submittal of inspection report (second offense)</u>	<u>500.00</u>
<u>8F-14.2(1)(b)</u>	<u>Late submittal of inspection report (third or more offense)</u>	<u>1000.00</u>
<u>8F-14.2(1)(a)</u>	<u>Falsification of inspection report (first offense)</u>	<u>250.00</u>
<u>8F-14.2(1)(a)</u>	<u>Falsification of inspection report (second offense)</u>	<u>500.00</u>
<u>8F-14.2(1)(a)</u>	<u>Falsification of inspection report (third or more offense)</u>	<u>1,000.00</u>

Section 2 amendment to Chapter 8CC cont'd:

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
8F-14.2(1)(a)	<u>Falsification of code required tags or labels (first offense)</u>	<u>250.00</u>
8F-14.2(1)(a)	<u>Falsification of code required tags or labels (second offense)</u>	<u>500.00</u>
8F-14.2(1)(a)	<u>Falsification of code required tags or labels (third or more offense)</u>	<u>1,000.00</u>
8F-14.2(1)(a)	<u>Falsification of Permit or Certificate of Operation (first offense)</u>	<u>250.00</u>
8F-14.2(1)(a)	<u>Falsification of Permit or Certificate of Operation (second offense)</u>	<u>500.00</u>
8F-14.2(1)(a)	<u>Falsification of Permit or Certificate of Operation (third or more offense)</u>	<u>1,000.00</u>
8F-5(3)	<u>Refusal to allow County Inspector access to equipment for inspection (first offense)</u>	<u>250.00</u>
8F-5(3)	<u>Refusal to allow County Inspector access to equipment for inspection (second offense)</u>	<u>500.00</u>
8F-5(3)	<u>Refusal to allow County Inspector access to equipment for inspection (third or more offense)</u>	<u>1,000.00</u>
8F-10(1)(e)	<u>Failure to obtain final inspection for permitted work (first offense)</u>	<u>250.00</u>
8F-10(1)(e)	<u>Failure to obtain final inspection for permitted work (second offense)</u>	<u>500.00</u>
8F-10(1)(e)	<u>Failure to obtain final inspection for permitted work (third or more offense)</u>	<u>1,000.00</u>
8F-9(1)	<u>Failure to obtain a valid inspection (first offense)</u>	<u>250.00</u>
8F-9(1)	<u>Failure to obtain a valid inspection (second offense)</u>	<u>500.00</u>
8F-9(1)	<u>Failure to obtain a valid inspection (third or more offense)</u>	<u>1,000.00</u>
8F-9(1)	<u>Operating equipment without a valid inspection (first offense)</u>	<u>250.00</u>
8F-9(1)	<u>Operating equipment without a valid inspection (second offense)</u>	<u>500.00</u>
8F-9(1)	<u>Operating equipment without a valid inspection (third or more offense)</u>	<u>1,000.00</u>
8F-9(1)(f)	<u>Operating equipment with reported violations over 90 days (first offense)</u>	<u>250.00</u>
8F-9(1)(f)	<u>Operating equipment with reported violations over 90 days (second offense)</u>	<u>500.00</u>
8F-9(1)(f)	<u>Operating equipment with reported violations over 90 days (third or more offense)</u>	<u>1,000.00</u>

Section 2 amendment to Chapter 8CC cont'd:

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
<u>8F-14.3(1)</u>	<u>Failure to maintain or report a change in maintenance contract (first offense)</u>	<u>250.00</u>
<u>8F-14.3(1)</u>	<u>Failure to maintain or report a change in maintenance contract (second offense)</u>	<u>500.00</u>
<u>8F-14.3(1)</u>	<u>Failure to maintain or report a change in maintenance contract (third or more offense)</u>	<u>1,000.00</u>
<u>8F-14.3(1)</u>	<u>Refusal to cooperate in determining responsible maintenance contractor (first offense)</u>	<u>250.00</u>
<u>8F-14.3(1)</u>	<u>Refusal to cooperate in determining responsible maintenance contractor (second offense)</u>	<u>500.00</u>
<u>8F-14.3(1)</u>	<u>Refusal to cooperate in determining responsible maintenance contractor (third or more offense)</u>	<u>1,000.00</u>
<u>8F-14.3</u>	<u>Refusal to obey a lawful order of compliance, issued by AHJ (first offense)</u>	<u>250.00</u>
<u>8F-14.3</u>	<u>Refusal to obey a lawful order of compliance, issued by AHJ (second offense)</u>	<u>500.00</u>
<u>8F-14.3</u>	<u>Refusal to obey a lawful order of compliance, issued by AHJ (third or more offense)</u>	<u>1,000.00</u>
<u>8F14.2(6)</u>	<u>Disabling or vandalizing a safety device (first offense)</u>	<u>250.00</u>
<u>8F14.2(6)</u>	<u>Disabling or vandalizing a safety device (second offense)</u>	<u>500.00</u>
<u>8F14.2(6)</u>	<u>Disabling or vandalizing a safety device (third or more offense)</u>	<u>1,000.00</u>
<u>8F-8.1 (9),(10),(11)</u>	<u>Performing work without a valid license (first offense)</u>	<u>250.00</u>
<u>8F-8.1 (9),(10),(11)</u>	<u>Performing work without a valid license (second offense)</u>	<u>500.00</u>
<u>8F-8.1 (9),(10),(11)</u>	<u>Performing work without a valid license (third or more offense)</u>	<u>1,000.00</u>
<u>8F-15(2)</u>	<u>Failure to remove equipment from service following an accident, as required (first offense)</u>	<u>250.00</u>
<u>8F-15(2)</u>	<u>Failure to remove equipment from service following an accident, as required (second offense)</u>	<u>500.00</u>
<u>8F-15(2)</u>	<u>Failure to remove equipment from service following an accident, as required (third or more offense)</u>	<u>1,000.00</u>
<u>8F-15(2)</u>	<u>Failure to obtain an inspection following an accident, as required (first offense)</u>	<u>250.00</u>
<u>8F-15(2)</u>	<u>Failure to obtain an inspection following an accident, as required (second offense)</u>	<u>500.00</u>
<u>8F-15(2)</u>	<u>Failure to obtain an inspection following an accident, as required (third or more offense)</u>	<u>1,000.00</u>

Section 2 amendment to Chapter 8CC cont'd:

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
<u>8F-15(1)</u>	<u>Failure to report an accident or late reporting (first offense)</u>	<u>250.00</u>
<u>8F-15(1)</u>	<u>Failure to report an accident or late reporting (second offense)</u>	<u>500.00</u>
<u>8F-15(1)</u>	<u>Failure to report an accident or late reporting (third or more offense)</u>	<u>1,000.00</u>
<u>8F-9(4)</u>	<u>Failure to respond to monitoring inspection, as required (first offense)</u>	<u>100.00</u>
<u>8F-9(4)</u>	<u>Failure to respond to monitoring inspection, as required (second offense)</u>	<u>500.00</u>
<u>8F-9(4)</u>	<u>Failure to respond to monitoring inspection, as required (third or more offense)</u>	<u>1,000.00</u>
<u>8F-14.3(5)</u>	<u>Failure to correct violations within 90 days (first offense)</u>	<u>100.00</u>
<u>8F-14.3(5)</u>	<u>Failure to correct violations within 90 days (second offense)</u>	<u>500.00</u>
<u>8F-14.3(5)</u>	<u>Failure to correct violations within 90 days (third or more offense)</u>	<u>1,000.00</u>
<u>8F-9(1)(a)</u>	<u>Performing inspection without a valid license (first offense)</u>	<u>250.00</u>
<u>8F-9(1)(a)</u>	<u>Performing inspection without a valid license (second offense)</u>	<u>500.00</u>
<u>8F-9(1)(a)</u>	<u>Performing inspection without a valid license (third or more offense)</u>	<u>1,000.00</u>

8F - 14.4 Civil Liability, Joint And Several Liability, Attorneys Fees:

(1) Whoever commits a violation of this chapter or any lawful rule or regulation promulgated under this chapter is liable to Miami-Dade County for any damage caused to an elevator or conveying device, within the geographical limits of Miami-Dade County in accordance with the provisions of this chapter, and furthermore is subject to the judicial imposition of a civil penalty for each offense in an amount of not more than one thousand dollars (\$1,000.00) per offense. Each day during any portion of which such violation occurs constitutes a separate offense. Nothing herein shall give the AHJ the right to bring an action on behalf of any private person.

(2) Whenever two (2) or more persons violate this chapter or any lawful rule or regulation promulgated under this chapter or any order of the AHJ so that the damage is indivisible, each violator shall be jointly and severally liable for such damage and for the reasonable cost and expenses of the County incurred in determining the damage, and in restoring the equipment to a safe and useful condition in accordance with the provisions of this chapter. However, if said damage is divisible and may be attributed to a particular violator or violators, each violator is liable only for that damage attributable to his violation.

(3) All the remedies in this chapter are independent and cumulative.

(4) Whenever a violation of this chapter occurs or exists, or has occurred or existed, any person, individually or otherwise, who has a legal, beneficial, or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which such violation occurs or exists, or has occurred or existed, shall be jointly and severally liable for said violation regardless of fault and regardless of knowledge of the violation. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all persons, individually or otherwise, who, although said persons may no longer have any such legal, beneficial or equitable interest in said facility or instrumentality or real property, did have such an interest at any time during which such violation existed or occurred or continued to exist or to occur. This provision shall be liberally construed and shall be retroactively applied to protect the public health, safety, and welfare and to accomplish the purposes of this chapter.

(5) Any person violating any provision of this chapter shall immediately correct the violation and restore the equipment, affected by said violation in accordance with the provisions of this chapter.

(6) Owners of real property shall be liable for the sums expended by the County pursuant to 8F – 14.1 when the violation of this chapter occurred or continued to exist or appeared imminent upon the real property aforesaid, regardless of fault and regardless of knowledge of the aforesaid violation. All sums expended by the County pursuant to 8F – 14.1 of this Code shall constitute and are hereby imposed as special assessments against the real property aforesaid, and until fully paid and discharged or barred by law, shall remain liens equal in rank and dignity with the lien of County ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved. All such sums shall become immediately due and owing to the County upon expenditure by the County and shall become delinquent if not fully paid within sixty (60) days after the due date. All such delinquent sums shall bear a penalty of fifteen (15) percent per annum. Unpaid and delinquent sums, together with all penalties imposed thereon, shall remain and constitute special assessment liens against the real property involved for the period of five (5) years from due date thereof. Said special assessment liens may be enforced by the AHJ by any of the methods provided in Chapter 85, Florida Statutes, or, in the alternative, foreclosure proceedings may be instituted and prosecuted by the AHJ pursuant to the provisions of Chapter 173, Florida Statutes, or the collection and enforcement of payment thereof may be accomplished by any other method provided by law. All sums recovered by the County pursuant to this provision shall be deposited by the County into the fund from which said sums were expended.

(7) Upon the rendition of a judgment or decree by any of the courts of this state against any person and in favor of the AHJ under any of the provisions of this chapter, the trial court, or, in the event of an appeal in which the AHJ prevails, the appellate court shall adjudge or decree against said person and in favor of the AHJ a reasonable sum as fees or compensation for the AHJ's attorney prosecuting the suit in which the recovery is had. Where so awarded, compensation or fees of the attorney shall be included in the judgment or decree rendered in the case. This provision shall apply to all civil actions, legal or equitable, filed after the effective date of this ordinance by the AHJ pursuant to this chapter. Cessation of a nuisance, or of any other violation of any of the provisions of this chapter whatsoever, prior to rendition of a judgment or of a temporary or final decree, or prior to execution of a negotiated settlement, but after an action is filed by the AHJ under any of the provisions of this chapter, shall be deemed the functional equivalent of a confession of judgment or verdict in favor of the AHJ for which attorneys' fees shall be awarded by the trial court as set forth hereinabove.

(8) Any person who authorized, permitted, suffered, or allowed said violation or whose agent, employee, servant, or independent contractor caused or contributed to the violation or who has a legal, beneficial or equitable interest in the real property upon which such violation occurs or exists, shall be jointly and severally liable for said violation regardless of fault and regardless of knowledge of the violation. This provision shall be construed to impose joint and several liability, regardless of fault and regardless of knowledge of the violation, upon all persons, individually or otherwise, who, although said persons may no longer have a legal, beneficial or equitable interest in said real property or may no longer have a relationship with such agent, employee, servant or independent contractor, did have such an interest or relationship at any time during which such violation existed or occurred or continued to exist or occur. This provision shall be liberally construed and shall be retroactively applied to protect public and to accomplish the purposes of this chapter.

8F – 15 Reporting of elevator accidents; penalties.—

(1) Within five (5) working days after any accident occurring in or upon any elevator or other regulated conveyance device, the holder of a permit to install or repair/alter an elevator, and/or the certificate of operation holder shall report the accident to the AHJ on a form prescribed by the AHJ.

(2) If the accident results in an injury to a person, requiring the transport to a hospital or emergency room by an ambulance or Emergency Medical Service, or the owner believes or reasonably should believe that an injury requires treatment by a medical professional, or the equipment is damaged to the extent requiring a repair in excess of \$1,000, the equipment shall be shut down and not returned to active operation until it has received a satisfactory inspection by a certified elevator inspector. The inspector may require tests and a complete inspection.

(3) If the accident results in a death or dismemberment, the AHJ shall be notified immediately, the equipment shall be shut down, sealed off, not disturbed or repaired and not returned to active operation until it has been released by the AHJ, except as required by law enforcement and/or rescue personnel.

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8F – 16 Countywide Lockbox

This section shall be applicable County wide in unincorporated and incorporated areas.

(1) In order to provide emergency access to all elevators:

(a) For each building in this County which has an elevator, on which a building permit was issued after September 30, 1996, shall have an approved lock box, which lock box shall be mounted as set forth herein and shall contain all keys as set forth herein.

(b) All existing buildings with an elevator, if not presently equipped with the Countywide lock box system, shall be retro-fitted with a lock box by not later than December 31, 2013.

(c) The lockbox is to be located in the ground floor or main elevator lobby for each group of elevators served by a common group hall call button. The box is to be mounted no higher than 68 inches from the finished floor and shall be located approximately above the main floor hall call station, or other pre-approved location determined by the Fire Marshal AHJ.

(d) The approved Countywide lockbox shall be as manufactured by Supra Systems, a division of GE Security. The lock box is to be keyed to the Miami-Dade County countywide master lockbox system, keyed under Title Code 6538.

(e) The keys contained within the lockbox shall include:

i. One key for each elevator for fire fighter service,

ii. One key for each group key switch that activates fire fighter service for that group,

iii. If the elevators are equipped with the Florida Regional Elevator Access Key as required in Section 399.15 of the Florida Statutes, a key for each switch shall be located within the lock box,

iv. The key for the elevator emergency power selection switch (if provided) a key to the emergency power generator room, and

v. A key for the elevator machine room.

(2) The following parties are the only parties permitted to possess a key which is keyed under Title Code 6538:

_____ a. Fire Fighters, Fire Inspectors and Fire Marshals within Miami-Dade County.

_____ b. County or Municipal AHJ elevator inspectors, employed by the County or Municipality.

(3) No person other than the authorities described herein above shall possess the Supra lock box key.

(4) This section shall be enforced by all AHJ within the County and by the Fire Marshal or equivalent of each respective Fire Jurisdiction within Miami-Dade County.

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8F – 17 Recovery of unpaid civil penalties and unpaid fees; unpaid penalties and unpaid fees to constitute a lien; interest to be paid on liens; foreclosure; prohibition of the issuance of permits, licenses, certificates of use and occupancy, or zoning approvals to violators with unpaid civil penalties, fees or liens.

(1) The Department Director may institute proceedings in any court of competent jurisdiction to compel compliance with the provisions of this Chapter 8F and/or to compel payment of civil penalties and/or fees.

(2) A certified copy of an order imposing a civil penalty or an electronic copy of such order, or a statement of unpaid fees payable under this Chapter 8F may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists or upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the sheriffs of this State, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After one (1) year from the filing of any such lien which remains unpaid, The Director may foreclose or otherwise execute on the lien.

(3) Liens created pursuant to this Section may be discharged and satisfied by paying to Miami-Dade County the amount specified in the lien, together with interest thereon from the date of the filing of the lien computed at the rate of twelve (12) percent per annum, together with the administrative costs, filing and recording fees and fees paid to file a satisfaction of the lien in the public records. When any such lien has been discharged, Miami-Dade County shall promptly cause evidence of the satisfaction and discharge of such lien to be recorded in the public records. Any person, firm, corporation or legal entity, other than the present owner of the property involved, who pays any such unsatisfied lien shall be entitled to receive an assignment of the lien held by the County and shall be subrogated to the rights of the County in respect to the enforcement of such lien, as permitted by law.

(4) Notwithstanding any provision of this Code, no County or municipal officer, agent, employee or Board shall approve, grant or issue any operating permit, license, building permit, certificate of use and occupancy, municipal occupational licenses, platting action, or zoning action to any named violator with (i) unpaid civil penalties; (ii) unpaid administrative costs of hearing; (iii) unpaid County investigative, enforcement, testing, or monitoring costs; (iv) unpaid fees; or (v) unpaid liens, any or all of which are owed to Miami-Dade County pursuant to the provisions of the Code of Miami-Dade County, Florida.