



FLORIDA DEPARTMENT OF HEALTH – BREVARD COUNTY
Environmental Health Services
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Florida Department of Health Permit Application Sequence

For New Construction and Modifications

Specific Authority: 514.03(1) & 553.79, F.S, effective October 1, 2014

For Resurfacings – effective July 20, 2016

Purpose: Establish procedures to coordinate public pool/spa permitting reviews with Florida Department of Health and the Building Department Authority. In addition, synchronize final construction inspection with the Florida Department of Health and the Building Department Authority to assure construction standards per Section 454.1, Florida Building Code are met, and assure regulations established in Chapter 514, Florida Statutes (F.S.) protect the health, safety, or welfare of persons using public swimming pools and spas are met. (*Electronic plans/specs preferred*)

Important Legislation: Building Code Chapter of Florida Statutes section 553.79(11) “The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to s. 514.031. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct its review of the building permit application upon filing and in accordance with this chapter. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.”

PRIOR TO COMMENCEMENT OF ANY PROPOSED WORK:

- **STEP 1:** Applicant submits the following items based on application type:
 - *New Construction:* submit DH4159, 2 sets of plans/specs and \$200 fee
 - *Modification:* submit DH4159, prior to commencement of work with plans/specs and no fee
- **STEP 2:** DOH-Brevard will review application and based on application type:
 - *New Construction:* will issue an “Application Receipt Letter” to applicant
 - *Modification:* will issue an “Application Receipt Letter” to applicant.
 - *Letter will be emailed to applicant and building department if applicant furnishes an email address for both parties.*
- **STEP 3:** Applicant submits DOH-Brevard’s “Application Receipt Letter” with permit application to Building Department Authority.
- **STEP 4:** DOH-Brevard will conduct the below plan review process based on application type:
 - *New Construction:* forward DH4159 and plans/specs to FDOH Engineer in Orlando* for review of any critical health or safety issues** that require correction before a DOH initial operating permit can be issued. FDOH Engineer will review and submit a response to applicant and DOH-Brevard within 30 days or receipt.
 - *Modification:* same as new construction unless work is minor and can be reviewed by DOH-Brevard.
- **STEP 5:** Building Department Authority will issue construction permit after plan review process.
- **STEP 6:** Applicant submits plans/specs for new construction and modifications approved by the Building Department Authority along with their approval date and number to DOH-Brevard.

*DOH-Brevard uses EH Bureau Pool Engineering. Our department is required to route all applications and plans to the Orlando Office for review for new construction and some modifications. **Critical health and safety issues include items that cannot be corrected without major redesign or reconstruction activities to the pool or replacement of water treatment equipment. See additional document regarding an itemized list of these items.

UPON COMPLETION OF WORK:

- **STEP 7:** Applicant notifies DOH-Brevard and Building Department Authority of completion of work and request for inspection in writing. Based on application type following will be conducted:
 - *New Construction:* FDOH Engineer, DOH-Brevard, & Building Department Authority coordinates joint inspection (if possible) of pool construction.
 - If violations exist: DOH-Brevard will deny the initial operating permit and notify applicant of the violations. Once the violations have been corrected or a variance is approved, the applicant shall re-apply for the initial operating permit. DOH will re-inspect the pool for compliance.
 - When no violations remain or exist: DOH-Brevard will sign DH4159 and issue the initial operating permit to applicant.
 - Applicant will submit a copy of the initial operating permit to the Building Department Authority for the issuance of the certificate of occupancy or completion.
 - *Modification:* Either FDOH Engineer or DOH-Brevard will conduct an inspection.
 - If violations exist: Either FDOH Engineer or DOH-Brevard will notify the applicant of the violations. Once the violations have been corrected or a variance is approved, the applicant shall re-apply for approval. DOH will re-inspect the pool for compliance.
 - When no violations remain or exist: Either FDOH Engineer or DOH-Brevard will sign DH4159 and notify applicant of acceptance.
 - Applicant will submit a copy of this department notification approval to the Building Department Authority for the issuance of the certificate of occupancy or completion.

Resurfacing Protocol Update

Resurfacing of pools (pre and post notification to this department, required upgrades, etc) has been removed from both Chapter 64E-9 *FAC* and the Chapter 454 *FBC*. Therefore, this department will no longer be providing an "Application Receipt Letter", reviews and approvals, etc for resurfacing projects.

However, building departments have the jurisdiction to call any resurfacing a repair under the *FBC* definition of repair and can require a permit and have the pool be restored to current code. Contractors are still required to ensure that the work completed meets the *FBC*. When a public pool/spa is resurfaced, it must be either restored to the approved condition it was in when it was first approved by FDOH or must meet current code. During this department's routine inspection, if a pool/spa was modified from its original approval or not completed per current rule the facility will be marked out of compliance and be required to make the corrective actions.