

Private Provider Manual

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About Private Provider Services

Under Section 553.791, Florida Statutes, the owner of a building or structure may choose to use a Private Provider to provide plans review or building code inspection services for the purpose of ensuring compliance with the Florida Building Code. The purpose of Section 553.791, Florida Statutes, is to provide an alternative mechanism for building code plan review and inspection services by allowing Private Providers (further defined by statute and in our Definitions section) to perform these functions instead of local government officials.

A Private Provider may not provide plans review or inspection services upon any building designed or constructed by the Private Provider or the Private Provider's firm. Section 553.791(3), Florida Statutes.

In addition to the Submittal Information section, please consult the section of this manual corresponding to the services sought. Different documents are required depending on the service.

Definitions

This Private Provider Manual uses the following words which have the meanings further defined below.

"Audit" means checking to make sure the private provider has completed all required building code inspections and submitted the necessary affidavit with the permit. It also confirms that all required inspections were done and properly documented. The local building official cannot repeat the same reviews or inspections unless this law specifically allows it.

"Authority having jurisdiction" or "AHJ" means the governmental agency or official responsible for enforcing codes, ordinances, or regulations, particularly in the context of building, fire safety, environmental, or public health regulations.

"Certificate of Completion" or "CC" means a certificate issued when the project work is complete, but not necessarily for occupancy (e.g., for shell buildings or infrastructure work).

"Certificate of Occupancy" or "CO" means a certificate issued when building is suitable for occupancy per code.

"Fast Track Online Services" means the Orange County Government website used for online permitting and plan submission located at <https://fasttrack.ocfl.net/OnlineServices/>

For more information on how to utilize the Fast Track website see the following resources:

1. **Fast Track User Guide**

<https://fasttrack.ocfl.net/OnlineServices/helpdocs/ElectronicPlanSubmittalUploadGuide.pdf?31202334105PM>

2. **Fast Track Training Videos**

<https://fasttrack.ocfl.net/OnlineServices/videos.aspx>

"Fee owner" means a person or entity holding legal title to real property in fee simple title to the property—that is, the full legal ownership of the land and any structures on it.

"Immediate threat to public safety and welfare" means a building code violation that could quickly lead to death, serious injury, or major property damage if not fixed.

"Local building official" means the person in charge of reviewing plans, enforcing codes, and inspecting construction projects to make sure they follow the building rules. This can also include someone the official has officially assigned to do these tasks. A local building official retains the

authority to issue stop-work orders if the construction or plans do not comply with applicable codes, and the violation poses an immediate threat to public safety and welfare.

“Private Provider” means a Licensed architect, licensed engineer, or a licensed or certified building code administrator. *See also* Section 553.791(1)(n) of Florida Statutes (defining the legal term and conditions associated with it).

“Stop-work order” means a written document issued (typically by a local building official) that halts construction work due to a violation or unsafe condition. The order must explain why the work is being stopped and must specify what needs to be done or corrected before work can resume.

“Temporary Certificate of Occupancy” or **“TCO”** means a certificate issued when certain work is complete, allowing limited use and occupancy under conditions.

Submittal Information

‘Notice to Building Official’ packets must be submitted to PrivateProvider@ocfl.net.

Required Submittal Documents

1. ‘Notice to Building Official of Use of Private Provider’ (NTBO) Form 61G20-2.005; Effective 1/1/2025, filled out with the required attachments.
 - https://www.floridabuilding.org/fbc/committees/Private_Providers/61G20-2-005_Form_61G20-2-005-2002-01.pdf
2. Plans Compliance Affidavit (when utilizing private provider plan review).
 - Content must comply with the requirements of Section 553.791, Florida Statutes.
3. A Certificate of Insurance (COI) that demonstrates active professional liability insurance coverage for the Private Provider’s firm, the Private Provider, and any duly authorized representative in the amounts required by Section 553.791(18), Florida Statutes.

Intake: The intake team will identify the NTBO packet. Once reviewed and processed, the parent and child sub-permits (Mechanical, Electrical, Plumbing/Gas and Roofing) will be updated to reflect Private Provider status. Any deficiencies with the NTBO packet will be relayed to the individual(s) submitting the NTBO.

Deferred Submittals: Check with the Division of Building Safety.

Additional Permits:

A building permit is required for each separate structure or address. Separate plans and construction documents will be required for each standalone permit.

Trade specific sub-permits: Once a building permit has been issued, the required trade sub-permits will be listed on the building permit and each individual permit may be applied for by the subcontractor at this time.

A complete NTBO packet will be required for each separate building permit, or each standalone permit.

Plans Review Information

To be eligible to use a private provider for plan review, the NTBO Packet must be submitted with the Permit Application. Once the construction documents, including the Plans Compliance Affidavit, are uploaded into the Fast Track Online Services permitting portal, Orange County staff will confirm that all sheets on the construction documents have been listed on the Plans Compliance Affidavit or stamped with the Private Provider's stamp. In accordance with section 553.791, Florida Statutes, the Orange County Division of Building Safety shall not begin its review until all governmental reviewing agencies have approved their review. If any reviewing agency identifies deficiencies and new sheets are needed to clear the deficiency, a new Plans Compliance Affidavit is required to be uploaded into the Fast Track Online Services permitting portal, listing the new sheets or stamped sheets and the plans examiner(s) who are performing the reviews. This will continue until all deficiencies have been satisfied, excluding the Division of Building Safety's review, as the Authority Having Jurisdiction.

The Private Provider must upload a signed and notarized affidavit by the fee owner into the Fast Track Online Services permitting portal, stating that all governmental agency approvals have been secured. *The affidavit must be dated and received after the last governmental reviewing agency approval.*

This process must be repeated for any necessary corrections or revisions. The Private Provider must include the qualifications of all plans examiners with the NTBO packet. Their license will be verified by the Department of Business and Professional Regulation (DBPR) to ensure that it is active, and they are qualified to perform the necessary review within the discipline.

A Private Provider may not provide Building Code inspection services upon any building designed or constructed by the Private Provider or the Private Provider's firm. Building Code inspection services shall include plan review services per section 553.791, Florida Statutes.

Inspections Information

To be eligible for Private Provider inspection services, the NTBO and all supporting documents must be submitted either with the Permit Application or no later than 2:00 p.m. local time, two business days prior to the first scheduled inspection, in accordance with Section 553.791, Florida Statutes. Once the documents have been approved and the required inspection notification has been made (see Inspection Notifications section), the Private Provider may proceed with their inspection.

Work started prior to permit issuance, or inspections performed prior to the NTBO being received and processed, are not authorized. Any work or inspections falling under these categories will result in a Stop-work order being placed on the project. All unauthorized work must be reinspected by an independent third party, as approved by the Building Official. Repeated infractions may result in the Private Provider and project's license holder being reported to the Department of Business and Professional Regulation and their governing agency.

The inspections performed by the Private Provider shall closely mirror the inspections performed by the County and must meet or exceed the requirements outlined in Section 110 of the 8th Edition of the Florida Building Code, Building (FBC-B), and Chapter 9, *Building and Construction Regulations*, of the Orange County Code. Inspection codes are available online and on the backside of the printable inspection card issued with each permit. A list of required inspections and their codes is also available to view on the permit's details page found in Fast Track.

- Additional required inspections: The appropriate inspection code will be entered into the "inspection type" area when providing notice of inspections. In addition to inspections outlined in Section 110, FBC-B, and in Chapter 9 of the Orange County Code, the Private Provider shall perform the following additional inspections, as applicable: finished floor elevation at 190 framing inspection, final survey inspection including building setbacks, sidewalk locations and grading elevations.
- Sidewalks are required on all lots within unincorporated Orange County, unless Orange County Public Works has waived this requirement in writing for each permit. Sidewalk locations shall be within the right-of-way, as designed. A tolerance of 2 to 3 inches of encroachment into private lots is allowed. Any deviation beyond this must be approved by the Orange County Public Works Department prior to approval of the final compliance package. Please note that all sidewalks must comply with FBC prescribed Accessibility standards, such as width, cross slope, running slope and grade changes.
- Grading elevations must be within plus or minus two tenths of a foot (2/10') of approved grading design. All swales and water flow shall be as designed – any deviation shall be

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approved by the Orange County Public Works Department prior to approval of the final compliance package.

Common inspections issues:

- Missed Notification of Inspection: Any missed notifications of inspection shall be accompanied by a note from the Private Provider explaining why the required Notification of Inspection was not provided in accordance with Section 553.791(9), Florida Statutes.
- Missed inspections are to be rescheduled and performed prior to any of the work being covered. If work was covered prior to inspection, the area or areas covered must be exposed for inspection unless exempted by Orange County. Refer to Orange County Policy BI-125 for further directions.
- Affidavits and photographs are not accepted in place of required inspections.
- Engineers' letters are not accepted in place of required inspections unless authorized by Orange County.

A Private Provider is required to post a notice for each inspection performed in accordance with Section 553.791, Florida Statutes. The notification must include the name of the inspector, a description of the inspection, and the results.

* If a partial or in-progress inspection was performed, a brief description of what was inspected must be included. For example: truss engineering, roof sheathing only, master bath shower, garage electric.

A Private Provider may not provide Building Code inspection services upon any building designed or constructed by the Private Provider or the Private Provider's firm. Section 553.791, Florida Statutes.

Inspection Notifications: All Private Provider inspections must be scheduled through the Orange County Fast Track Online Services portal in accordance with Section 553.791, Florida Statutes. Notification is required for each inspection, in every discipline. If Fast Track Online Services is briefly unavailable, inspection notifications must be scheduled at your earliest convenience. Use the inspections scheduling tool to notify Orange County of your inspection: <https://fasttrack.ocfl.net/OnlineServices/Inspections.aspx>

Certificate of Completion/Occupancy

Once all inspections have been completed and the project is ready to request the Certificate of Completion or Occupancy, the Private Provider must email the Certificate of Compliance and final compliance package to PrivateProvider@ocfl.net

The final compliance package must include:

- A Certificate of Compliance signed by the Private Provider.
- A copy of all inspections performed and the inspector's name who performed each inspection.
- The date the inspections was performed.
- The inspection results along with a brief description of what was inspected. Any deficiencies must include code references.
- Final survey, final termite treatment certificate, blower door test if applicable, completed insulation certificate for blown or sprayed insulation, spray foam and Insulated siding, temporary elevator certificate if applicable.
- Any field-accepted engineered letters, final threshold letter and threshold inspection reports if applicable.

Final compliance package: Once the final compliance package is received, it will be reviewed by the County. Any deficiencies will be identified, and notification of deficiencies will be sent to the applicant. Final compliance package reviews are performed in accordance with Section 553.791, Florida Statutes. Residential compliance package reviews will be completed within two (2) business days while commercial compliance package reviews will be completed within ten (10) business days.

Section 553.791(n), Florida Statutes, defines Private Provider as a person, not persons, as defined under Private Provider firm. The Private Provider listed on the NTBO is required to be the same Private Provider signing the final compliance package.

Building Safety Staff will:

- Review the submitted packet for compliance with Section 553.791, Florida Statutes.
- Verify plan review comments are satisfied.
- Verify that all required child permits are complete.
- Verify that all fees have been paid and that all governmental reviewing agency holds have been released on permits requesting Temporary Certificate of Occupancy (TCO), Certificate of Occupancy (CO), or Certificate of Completion (CC).
- Review the private provider inspection history to verify private provider notification dates correlate with private provider inspection dates.
- Review audit history, if applicable, to verify that any audit comments have been addressed.

- Approve or deny request(s) based on the Private Provider's compliance with Section 553.791, Florida Statutes, and the results of the inspections performed. Ensure code references are provided for any denial comments.
- Send final correspondence or notification to the Private Provider of the TCO, CO, or CC confirming approval or denial, after all trades/disciplines have completed and submitted the routing sheet.

Note: Field inspection reports with no description of what was inspected will be required to be updated to include the scope of inspection.

Temporary Certificate of Occupancy Information

TCO requests: Contractors may request a TCO after the Private Provider has submitted the final compliance packet and it has been approved by the County. TCO applications shall be submitted to privateprovider@ocfl.net.

Private Provider Auditing Procedure

Purpose

A fee owner of a building or their contractor may elect to use a Private Provider to provide alternative plans review and/or inspections in place of the Orange County Division of Building Safety for the purpose of enforcing the Florida Building Code. Building permits must be obtained from the Orange County Division of Building Safety, as required under the Florida Building Code, and all applicable Florida Building Codes must be adhered to and enforced. The purpose of an audit is to confirm that the Building Code plans review and inspection services have been properly performed and that all required documentation has been properly recorded.

Scope

The auditing of plans review and/or inspections performed by a Private Provider is intended to ensure compliance with the Florida Building Code and shall be performed on an as-needed basis. The audit of a Private Provider or Private Provider Firm may take place up to a maximum of four (4) times per year, unless a condition is identified that poses an immediate threat to public safety and welfare, as defined in Section 553.791, Florida Statutes.

Audit Criteria

An audit may be performed at any time during construction. Such audits may occur without prior notice once the required inspection notice from the Private Provider, indicating the approximate date and time, has been received. An audit may occur at critical milestones of the construction project where inspections of key building components are being performed. Plan Review audits

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may be performed as needed, especially when special conditions exist. The audit may include but is not limited to occupancy type, occupant load, means of egress, fire barriers, life safety systems, structural systems, critical components, mechanical, electrical and plumbing components, etc. as required for the purpose of auditing plans review.

Process and Objections

Audits performed of private providers on construction projects shall be documented on a form developed by the Orange County Division of Building Safety and made available on the County website for the preceding two quarters. In the event of a failed inspection and/or plans review audit, a notice with detailed findings will be provided to the contractor and the private provider as soon as possible. Orange County Division of Building Safety staff will make every effort to assist in the resolution of the deficiencies with the private provider and the contractor. A stop work order may be issued by the Building Official or their representative should the nature of the deficiency constitute an immediate threat to public safety and welfare.