

Robert Brown, CBO, Building Official  
PPM# WPBO-006  
Issued: 05/24/2017  
Effective: 05/24/2017  
Revised: 08/04/2025

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**SUBJECT:** USE OF PRIVATE PROVIDERS FOR PLAN REVIEW AND/OR INSPECTIONS

**AUTHORITY:** Section 553.791, Florida Statutes

**PURPOSE:** To establish guidelines to be followed when a fee owner or fee owner's contractor elects to have plan review and/or inspections performed by a private provider as authorized by Section 553.791, Florida Statutes.

**POLICY:** Maintain accurate and complete permit records, in accordance with statutory public record requirements, for all projects including those with private provider plan review and inspections.

Have all safety deficiencies corrected to minimize health and safety risk for people in and around the structures built or altered in the City.

It is the fee owner, or the fee owner's contractor, responsibility to inform Development Services, Building Division, of their intention to use a Private Provider by submitting a written notice to Building Official. Any applications submitted without such statutory notice are processed as a standard permit application.

A document submittal that does not meet the statutory definition of "permit application" in Section 553.791, Florida Statutes, cannot be considered as a permit application until the documents do meet that statutory definition. The requirements include a properly completed private provider affidavit, and documents having first obtained all other government approvals required by law.

During the course of construction, if a failure to follow the statutory requirements occurs, no certificate of occupancy or certificate of completion, as applicable, will be issued for the subject property until the statutory requirements are met. When statutory requirements are not met, code enforcement action and possible unsafe structure actions may be taken as appropriate.

**DEFINITIONS:** **Building;** means any construction, erection, alteration, demolition, or improvement of, or addition to, any structure or site work for which permitting by a local enforcement agency is required.

**Permit application;** means a properly completed and submitted application for the requested building or construction permit, including:

1. The plans reviewed by the private provider.

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2. The affidavit from the private provider required under subsection (6).
3. Any applicable fees.
4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

**Plans;** means building plans, site engineering plans, or site plans, or their functional equivalent, submitted by a fee owner or fee owner's contractor to a private provider or duly authorized representative for review.

**Site work;** means the portion of a construction project that is not part of the building structure, including, but not limited to, grading, excavation, landscape irrigation, and installation of driveways.

### PROCEDURE:

#### 1. PERMIT SUBMISSIONS AND AUDIT CRITERIA

For private provider plan review and inspections, the completed form for Notice to Building Official, available under Rule 61G20-2.005, Florida Administrative Code, must be submitted at the time of permit application or, for inspections, no less than 2 business days before the first scheduled inspection by the City.

For private provider plan review, the applicable documents must be submitted, and the applicable approvals from the following list must be obtained, before the submittal is a Permit Application as defined by Florida Statutes:

1. The plans reviewed by the Private Provider
2. The affidavit from the Private Provider
3. Any applicable fees
4. All approval documents from all other governmental agencies relating to the project attesting to the building official that the fee owner has secured all other government approvals required by law, including, but not limited to:
  - a. Fire Department approval
  - b. Health Department approval
  - c. Planning and Zoning approval
  - d. Water Utilities/Public Works approval
  - e. Engineering Services Department approval
  - f. Payment of Impact Fees, if applicable
  - g. Proof of any bonds or other payments that may be required

**A.** When the proposed project's application is missing the required government approvals as listed above, the Permit Librarian will route the application to those agencies. The application does not meet the definition of "permit application" until the owner has received all other government approvals required by law.

**B.** Concurrent with the plans being reviewed for other government approvals if that is required, an Assistant Building Official will review

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the applicant's submittal for compliance with the notification and insurance requirements of Section 553.791, Florida Statutes. The Assistant Building Official shall verify that "Notice to the Building Official" of Use of Private Provider has been properly completed, all qualification statements and resumes submitted, and a certificate of insurance evidencing appropriate coverage as outlined in Section 553.791 (18), F.S., has been submitted. The certificate of insurance must be written by an insurer authorized to do business in Florida with a minimum A.M. Best's rating of "A" per Section 553.791 (18), F.S.

- C. When all Private Provider documentation has been submitted and verified as correct, the Assistant Building Official will sign off the Private Provider stop in the application routing.
- D. The private provider affidavit shall be checked. If the affidavit is incorrect or not properly completed, the application does not meet the definition of "permit application". The affidavit must be corrected per Section 553.791, Florida Statutes. For public records, the private provider affidavit must be complete and correct.
- E. If the private provider affidavit lists plans that have a code deficiency affecting safety, the affidavit cannot be considered to be properly completed. The affidavit cannot certify that a plan complies with the applicable codes if there is a code deficiency affecting safety.
- F. When the fee owner or fee owner's contractor provides evidence that all other government agencies as listed above have approved the plans, and the private provider affidavit is complete and correct, the application is deemed complete. This event constitutes the transition of the application to a Building Permit Application, and the audit period starts if an audit is to be performed.
- G. Projects with a value of \$100,000 or more will be considered for potential audit. Audits will not be performed on a project if the private provider used has had audits in the prior year, and none of the audits found any code deficiency affecting safety.
- H. Which projects get selected for audit, from those that a private provider works on in any one year, will be determined based on the project complexity, and potential risk to people in and around the building in the event of a code deficiency affecting safety. The Chief Plans Examiner or an Assistant Building Official will select the projects that will be subject to audit.
- I. All code deficiencies affecting safety shall be documented with a comment entered so that the private provider can access it via the permitting portal, and get it corrected.

## 2. PLAN REVIEW

- A. Once a project has been selected for plan review audit and the application meets the criteria required for a Permit Application, a Permit Librarian will add plan review audit stops for routing to the appropriate trades. The audit must be completed within the statutory audit period, and either the permit will be issued, or audit comments will be entered so that the contractor and private provider can access them via the permitting portal.
- B. If plan review audit comments were previously issued and plans are resubmitted, the updated private provider affidavit must be reviewed and found to be complete and correct before the resubmitted plans go to plan review audit to confirm that the previous audit comments have been addressed. The audit must be completed within the statutory audit period, and either the permit will be issued, or audit comments will be entered so that the contractor and private provider can access them via the permitting portal.
- C. If the fee owner or the fee owner's contractor uses a private provider for plan review, the building official may require the fee owner or the fee owner's contractor to use a private provider to also provide the required building inspections.

## 3. INSPECTIONS

- A. The private provider must notify the City of West Palm Beach Development Services Department of the date and time of their inspection. Notification can be sent via email to the following email addresses:

- |                     |                  |  |
|---------------------|------------------|--|
| • Robert Brown      | (Bldg. Official) | rbrown@wpb.org   |
| • Richard Gathright | (Asst BO)        | <a href="mailto:regathright@wpb.org">regathright@wpb.org</a> |
| • James Baker       | (Asst BO)        | jbaker@wpb.org   |
| • Dick Brunelle     | (Building)       | rbrunelle@wpb.org  |
| • Phil Petty        | (Electrical)     | ppetty@wpb.org   |
| • Chris Montello    | (Mechanical)     | cmontello@wpb.org  |
| • Ryan Brown        | (Plumbing)       | rwbrown@wpb.org  |

- B. The notification email should include the following information:

- Project name and Owner information
- Project address and unit number (if applicable)
- Permit Number
- Contact phone number
- Contact email
- Type/stage of inspection to be performed
- Anticipated date and time of the inspection
- Anticipated inspector performing the inspection

**C. On-Site Inspection Log:**

The inspection log shall be kept on the site in a conspicuous location along with the City of West Palm Beach permit card, authorizing the work. All work is to be performed in compliance with the approved plans and conform to the governing codes. Deviations in the work product or changes to the plans shall be documented. Appropriate steps shall be taken immediately to stop work if the work deviates significantly, or non-conservatively, from the approved plans. Revised plans shall be submitted to the Development Services Department, Building Division, and any other affected departments or agencies. The revised plans shall pass those reviews prior to work continuing or being covered up.

**D. All inspections are to be recorded in the on-site logbook. The logbook must contain the name of the inspector in a legible and readable form, and include any deficiencies found. Deficiencies are to be noted and posted on site as required so that any City inspector performing an audit can see that such deficiency was noted and, as required by the statutes, the work will be re-inspected prior to being covered. All re-inspections shall be indicated on the inspection log.**

**E. Any evidence of work being covered without required inspection and code compliance shall be reported to the Assistant Building Official over inspections, and the trade chief inspector, for a STOP WORK decision. A decision to place a STOP WORK notice may trigger a request for a prompt meeting with all appropriate parties such as Owner, Contractor, Designer, and Private Provider.**

**F. Following the completion of each inspection, notice shall be provided to the building official in writing and in a format acceptable to the building official. This includes passed and failed or incomplete (partial) inspections. Such notice shall be emailed to the same list of email addresses as the request for inspection listed in this policy document. It shall include the information listed for inspection requests in addition to the inspection disposition and notes regarding inspection findings. The private provider shall provide a record of each inspection result within two business days following the inspection. The report shall contain information sufficient to ensure the locations of any "partial" inspections are identified.**

Any constructed work found to be noncompliant with the permitted plans, requires a revision to the permitted plans. Revised plans, along with the affidavits from the Private Provider as appropriate, shall be submitted for review and processing by the Development Service Department, Building Division, and any other required agencies.

**G. Request for Certificate of Occupancy or Certificate of Completion:**

1. Upon completion of the project, the private provider shall submit

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to the building official, a complete package of all inspection documents including the original inspection logs from the site, threshold inspector completion letter, etc.

2. Upon receiving the Private Provider's final affidavit, Building Division staff shall verify that all inspection records correspond to the logbook and City records, including date of inspections, and that any observed code deficiencies were resolved. Building Division staff will verify that all other agency requirements have been met, and that all appropriate fees have been paid prior to issuing a Certificate of Occupancy or Completion, or a Temporary Certificate of Occupancy or Completion.
3. All final inspections from Fire, Engineering, Zoning, Landscaping, and other departments, divisions, and agencies as may be applicable, must be performed, and the private provider's final affidavit must be submitted, before a Certificate of Occupancy or Certificate of Completion will be issued.
4. A certificate of occupancy/completion will be issued within the timeframe required by the statutes, unless cause exists to withhold the certificate. The cause for withholding the certificate will be documented and, once it has been corrected the certificate of occupancy/completion will be issued.

Attachments:

Supersession History:

1. PPM# WPBO-006, issued 05/24/2017



Robert Brown  
Division Manager