



Informal Interpretation Report Number 6703



Date April 19, 2011

Edition 2007

Section 114

Question:

Is it the intent of the Code for the Building Official to issue a Stop Work order if the work complies with the minimum requirements of the Code but not with the approved plans submitted with the permit application?
Example #1: the approved plans show 3 coat 7/8" thick stucco on CMU but the contractor installs a 2 coat 1/2" stucco which fully complies with ASTM C 926 and Section 2512. Example #2: The structural engineer of record indicates on the approved plans that the minimum design pressure for components and cladding is +/-60psf but the Architect specifies a window which has a Florida Product Approval for +/- 100 psf. The contractor installs a window with a FPA of +/-65psf. What authority, if any does the Building Official have in these cases? Is non-compliance with the plans a "code violation" even though the work as installed complies with the minimum requirements of the Code?

Answer

NO, it's not the intent of this section to "require" the Building Official to issue a stop work order. But in accordance with section 114.1 the Building Official has the discretionary authority to issue a stop work order if he/she determines that the work is being performed in a manner either contrary to the provisions of the code or is dangerous or unsafe.

According to 106.4 If work does not match the "approved" plans it must be "resubmitted for approval as an amended set of construction documents."

Commentary:

Inspection Holds can be an effective way to control these types of situations without stopping work altogether. The contractor should be aware that at the end of the project the designers may not agree to a field change that deviates from their design requirements which could result in delays, and removal/replacement of components or material.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.