

All of Melbourne Beach

	Individual Responses	Percentage of Total
Keep	239	20.38%
Remove	787	67.09%
Keep 1, Remove 1	56	4.77%
No Opinion	9	0.77%
Inconclusive Response	3	0.26%
Invalid (not MB proper or missing name/addr)	79	6.73%
Total Responses	1173	
Total Cards Returned	653	

Area-Specific*

	Individual Responses	Percentage of Total
Keep	73	34.60%
Remove	113	53.55%
Keep 1, Remove 1	21	9.95%
No Opinion	2	0.95%
Inconclusive Response	2	0.95%
Total Responses	211	
Total Cards Returned	124	

*Riverside, Andrews, Sunset, Ave B, Ave A, Ocean

alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

102.2 Building. The provisions of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the *Florida Building Code, Existing Building*. The following buildings, structures and facilities are exempt from the *Florida Building Code* as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

Sheds not listed.

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Sections 553.501-553.513, *Florida Statutes*) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures.
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.
- (i) Family mausoleums not exceeding 250 square feet (23 m²) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

- (j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (k) A building or structure having less than 1,000 square feet (93 m²) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:
 1. Is not rented or leased or used as a principal residence;
 2. Is not located within the 100-year flood plain according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and
 3. Is not connected to an off-site electric power or water supply.

102.2.1 In addition to the requirements of Sections 553.79 and 553.80, *Florida Statutes*, facilities subject to the provisions of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, and the certification requirements of the federal government.

102.2.2 Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

1. The building or structure is structurally sound and in occupiable condition for its intended use;
2. The occupancy use classification for the building or structure is not changed as a result of the move;
3. The building is not substantially remodeled;
4. Current fire code requirements for ingress and egress are met;
5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the *Florida Building Code, Building* for all residential buildings or structures of the same occupancy class.

102.2.3 The building official shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

Select Year: 2023

The 2023 Florida Statutes (including Special Session C)

Title XXXIII

REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND
SOLICITATIONS

Chapter 553

BUILDING CONSTRUCTION
STANDARDS

[View Entire
Chapter](#)

553.38 Application and scope.— The department shall enforce every provision of the Florida Building Code adopted pursuant hereto, except that local land use and zoning requirements, fire zones, building setback requirements, side and rear yard requirements, site development requirements, property line requirements, subdivision control, and onsite installation requirements, as well as the review and regulation of architectural and aesthetic requirements, are specifically and entirely reserved to local authorities. Such local requirements and rules which may be enacted by local authorities must be reasonable and uniformly applied and enforced without any distinction as to whether a building is a conventionally constructed or manufactured building. A local government shall require permit fees only for those inspections actually performed by the local government for the installation of a factory-built structure. Such fees shall be equal to the amount charged for similar inspections on conventionally built housing.

History.—s. 4, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; s. 3, ch. 78-323; ss. 1, 6, ch. 79-152; ss. 2, 4, ch. 80-86; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429; s. 60, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372.

Copyright © 1995-2024 The Florida Legislature • [Privacy Statement](#) • [Contact Us](#)

Select Year: 2023

The 2023 Florida Statutes (including Special Session C)

Title XXXIII
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND
SOLICITATIONS

Chapter 553
BUILDING CONSTRUCTION
STANDARDS

[View Entire
Chapter](#)

553.35 Short title.—This part shall be known and may be cited as the “Florida Manufactured Building Act of 1979.”
History.—s. 1, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429.

Copyright © 1995-2024 The Florida Legislature • [Privacy Statement](#) • [Contact Us](#)

Select Year: 2023

The 2023 Florida Statutes (including Special Session C)

Title XXXIII
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND
SOLICITATIONS

Chapter 553
BUILDING CONSTRUCTION
STANDARDS

[View Entire
Chapter](#)

553.355 **Minimum construction requirements established.**—The Florida Building Code and the Florida Fire Prevention and Lifesafety Codes shall be the minimum construction requirements governing the manufacture, design, construction, erection, alteration, modification, repair, and demolition of manufactured buildings.

History.—s. 54, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372.

Copyright © 1995-2024 The Florida Legislature • [Privacy Statement](#) • [Contact Us](#)

Select Year: 2023 ▼

The 2023 Florida Statutes (including Special Session C)

[Title XXXIII](#)
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND
SOLICITATIONS

[Chapter 553](#)
BUILDING CONSTRUCTION
STANDARDS

[View Entire
Chapter](#)

553.37 Rules; inspections; and insignia.—

- (1) The Florida Building Commission shall adopt within the Florida Building Code requirements for construction or modification of manufactured buildings and building modules, to address:
- Submittal to and approval by the department of manufacturers' drawings and specifications, including any amendments.
 - Submittal to and approval by the department of manufacturers' internal quality control procedures and manuals, including any amendments.
 - Inspection criteria, which shall require the approved inspection agency to:
 - Observe the first building built, or with regard to components, observe the first unit assembled, after certification of the manufacturer, from start to finish, inspecting all subsystems: electrical, plumbing, structural, mechanical, or thermal.
 - Continue observation of the manufacturing process until the approved inspection agency determines that the manufacturer's quality control program, in conjunction with the application of the plans approved by the approved inspection agency, will result in a building and components that meet or exceed the applicable Florida Building Code requirements.
 - Thereafter, inspect each module produced during at least one point of the manufacturing process and inspect at least 75 percent of the subsystems of each module: electrical, plumbing, structural, mechanical, or thermal.
 - With respect to components, inspect at least 75 percent of the manufactured building components and at least 20 percent of the storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less.
- (2) The department shall adopt rules to address:
- Procedures and qualifications for approval of third-party plan review and inspection agencies and of those who perform inspections and plan reviews.
 - Investigation of consumer complaints of noncompliance of manufactured buildings with the Florida Building Code and the Florida Fire Prevention Code.
 - Issuance, cancellation, and revocation of any insignia issued by the department and procedures for auditing and accounting for disposition of them.
 - Monitoring the manufacturers', inspection agencies', and plan review agencies' compliance with this part and the Florida Building Code. Monitoring may include, but is not limited to, performing audits of plans, inspections of manufacturing facilities and observation of the manufacturing and inspection process, and onsite inspections of buildings.

(e) The performance by the department and its designees and contractors of any other functions required by this part.

(3) After the effective date of the Florida Building Code, no manufactured building, except as provided in subsection (12), may be installed in this state unless it is approved and bears the insignia of approval of the department and a manufacturer's data plate. Approvals issued by the department under the provisions of the prior part shall be deemed to comply with the requirements of this part.

(4) All manufactured buildings issued and bearing insignia of approval pursuant to subsection (3) shall be deemed to comply with the Florida Building Code and are exempt from local amendments enacted by any local government.

(5) No manufactured building bearing department insignia of approval pursuant to subsection (3) shall be in any way modified prior to installation, except in conformance with the Florida Building Code.

(6) Manufactured buildings which have been issued and bear the insignia of approval pursuant to this part upon manufacture or first sale shall not require an additional approval or insignia by a local government in which they are subsequently sold or installed. Buildings or structures that meet the definition of "open construction" are subject to permitting by the local jurisdiction and are not required to bear insignia.

(7) If the department determines that the standards for construction and inspection of manufactured buildings prescribed by statute or rule of another state are at least equal to the Florida Building Code and that such standards are actually enforced by such other state, it may provide by rule that the manufactured building which has been inspected and approved by such other state shall be deemed to have been approved by the department and shall authorize the affixing of the appropriate insignia of approval.

(8) The department, by rule, shall establish a schedule of fees to pay the cost of the administration and enforcement of this part. The rule may provide for manufacturers to pay fees to the administrator directly via the Building Code Information System.

(9) The department may delegate its enforcement authority to a state department having building construction responsibilities or a local government and may enter into contracts for the performance of its administrative duties under this part. The department may delegate its plan review and inspection authority to one or more of the following in any combination:

- (a) A state department having building construction responsibilities;
- (b) A local government;
- (c) An approved inspection agency;
- (d) An approved plan review agency; or
- (e) An agency of another state.

(10) The department shall develop an insignia to be affixed to all newly constructed buildings by the manufacturer or the inspection agency prior to the building leaving the plant. The department may charge a fee for issuing such insignias. Such insignias shall bear the department's name, the state seal, an identification number unique to that insignia, and such other information as the department may require by rule.

(11) The department shall by rule develop minimum criteria for manufacturer's data that must be affixed to all newly constructed buildings by the manufacturer prior to the building leaving the plant.

(12) Custom or one-of-a-kind prototype manufactured buildings are not required to have state approval, but must be in compliance with all local requirements of the governmental agency having jurisdiction at the installation site.

History.—s. 3, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 1, 4, ch. 80-86; ss. 2, 3, ch. 81-318; ss. 1, 3, 4, ch. 84-32; s. 4, ch. 91-429; s. 1, ch. 98-145; ss. 57, 58, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372; s. 6, ch. 2008-191; s. 28, ch. 2010-176; s. 16, ch. 2014-154.



Town of Melbourne Beach Solid Waste & Recycling Contract Renewal

Rate Request

Due to these pricing escalations, Waste Pro of Florida requests a residential rate of \$37.75 per home, commercial rate of \$7.48 per cubic yard, and \$375.00 per pull for rolloff containers.

As an alternative to a one-time rate increase, we propose the following options for residential:

Residential Rate \$28.90 per home Effective 5/1/2024

Rates to be adjusted annually for the following two years of the contract extension. Future adjustments would be \$5.64 + CPI per home for years 2 & 3 of the extension period. Years 4 – 7 of the extension period will adjust according to CPI.

OR

Residential Rate \$28.90 per home Effective 5/1/2024

Rates to be adjusted annually for the remainder of the contract extension. Future adjustments would be \$2.95 + CPI per home for years 2 -7 of the extension period.

Commercial and rolloff rates will be adjusted according to CPI for years 2 – 7 of the extension period.

All rates for the extension period are also subject to adjustment (+ / -) based on the fuel and recycling components currently in place.

Indialantic Comparison

We acknowledge that the rate to Indialantic residents is less than our proposal. However, after thorough review of the Indialantic contract, review of the Indialantic website, and direct observation of collection activities, we believe that we provide a distinct service advantage to the Town of Melbourne Beach, especially regarding yard waste collection.

Indialantic residents are required to place yard waste inside a cart. Items outside the cart will not be collected. Bulk yard waste piles must be called in by the resident to request clam shell pickup. It appears that bulk yard waste piles must exceed 3 cubic yards to request clam shell service. There may be an extra charge for this service, but we are not certain. Waste Pro runs dedicated grapple truck routes to touch each street weekly, at no additional charge. We feel that our yard waste service is superior to what is provided by our competitors.

Here are a few excerpts from the Indialantic contract:

“The Collector shall not be responsible for MSW and Yard Waste not placed in Garbage Receptacles, or any other item placed in or about the designated service area.”

“Materials placed outside the Recycling Cart shall not be collected.”

“Loose Yard Waste and all MSW must be placed in a Cart. Tree trimmings and palm fronds that are 3 cubic yards or greater and require a Clam Shell Truck shall be placed in bundles...”