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Cracking the Code



By Bob Chisholm, FAIA, chairman of the board, R.E. Chisholm Architects

How many times have you had your project "held up" at the building department?

All of us are in agreement that building codes and permits are necessary to protect the health, safety, and welfare of our citizens. At the same time, we could ask any professional architect or engineer (a/e) to provide narrative on frustrating accounts with our regulatory process from incompetent to vindictive. It is a fact that the licensed (and

legally liable) a/e must be knowledgeable in the using building codes and provide well executed, code-complaint documents for building permit processing, period.

On the other hand, it is also a fact that the building official and/or building plans reviewer (not legally liable) must be trained and knowledgeable in reviewing plans, the building code, and provide any interpretation or comments and defer to the professional a/e to respond and complete the submission to the objective approval of the reviewer.

So, why does this not happen as smoothly as the concept above?

There are many, many, reasons.

Focusing on the essence, we tried to come up with a couple of logical and descriptive observations:

"Each of us has a job to do, what we want is uniformity and consistency from people who are competent".... quite a logical comment by a Florida architect who has been involved in untangling procedural issues in the building permitting process.

And of course, any observation easily applies to both sides of the process. An observation that speaks volumes on turf protection is voiced by another involved Florida architect, who comments "lack of communication," definitely from both sides.

(For the record, we tried to get building officials to also provide comment, but we were unable to.)

The above observations and actions are extremely significant to a process that should be a public/private partnership between the building official and the a/e.

Unfortunately, the perceptions are opposite to each side. The public sector feels the documents submitted by the a/e are incomplete and sloppy, insufficient details, no knowledge of the codes, and untimely responses by the a/e and to pour salt, the attitude is that building plan reviewers are actually getting the job done properly. In other words, the a/e is submitting deficient documents and is incapable of providing proper solutions.

However, the a/e feel that many reviewers are flexing their position of authority by mandating solutions that belong to the arena of the professional a/e and merely empowering a bureaucracy, shamelessly generating revenue. In other words, the building plans reviewers are abusing their job description.

There is most likely a lot of truth to the feelings of both sides. What must be realized is that dysfunctional patterns easily become standard procedures, and that is complicating matters substantially. How about some old-fashioned defined accountability and responsibility?

Concepts are being tried in order to bring serenity to the process, some of them are:

- Uniformity in content and minimum information required on submitted documents along with a check-off list submitted with the documents.
- Reviewers get one pass per department to a set of documents, no new comments after the fact.
- The building code rules, so no biased interpretations, maybe using a local licensed third party to make a final interpretation ruling.
- A mandatory pre-submission meeting to review plans prior to building permit submission.
- Time limitations for the review process, two weeks maximum on any set of documents.
- Uniform building codes for entire state along with emphasis on thoroughly coordinated fire and building codes to avoid contradictions, which cause continuous revisions and new code versions.

All these issues are not prevalent everywhere. Granted, in some areas of the country, the process is much easier or difficult than others. So if both sides work together in partnership and the rules of the game are adhered to, everybody wins—sounds so simple...

About the Author:

Bob Chisholm, FAIA, is chairman of the board of R.E. Chisholm Architects. Headquartered in Miami, Fla., the firm has completed numerous high-profile projects since 1982. Current and other notable projects include Art Deco Historic Preservation Master Plan, Miami Baseball Park Stadium, Cuban Exile Museum and Library, U.S. Century Bank Headquarters Building, Everglades Farmworker Village (largest affordable housing community for the U.S. Department of Agriculture) and three comprehensive facilities for the homeless in Miami-Dade and Broward counties. He can be reached at bob@chisholmarchitects.com or (305) 661-2070.

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