



# PINELLAS COUNTY CONSTRUCTION LICENSING BOARD

## **HOW TO SOLVE A DISPUTE OR FILE AN APPEAL**

The procedures for filing an appeal are quite simple and informal, and are as follows:

1. A code dispute should first be discussed with the inspector or person making the initial ruling. If it cannot be settled with that person, it should be appealed to his/her superiors in the department, until it has been appealed as far as possible. Usually this will be at the building official or fire chief level.
2. If there exists a local board of appeals within the jurisdiction over the code dispute, appeal must first be made to that body. Frequently no board exists, but there may be an appeal process through an administrator (e.g., city manager) or through city council or commission. In that case, appeal must first be made through that channel.
3. Any person aggrieved by the ruling of a building director or fire marshal of any municipality, or the county may file an appeal to the Countywide Board of Adjustment and Appeals under the jurisdiction of the Pinellas County Construction Licensing Board.
4. The non-refundable filing fee is \$100.00, paid by cash or check payable to the PCCLB, submitted together documentation giving the applicant's name, address, telephone number, email address and a statement detailing the basis of the appeal, together with copies of all supporting documentation of evidentiary value, including but not limited to permit applications, signed and sealed drawings or plans, emails, and other relevant correspondence.
5. The appeal will normally be scheduled in about ten (10) working days, although every effort is made to accommodate the parties and the board members' schedules.
6. All parties are notified by mail of the time and place of the hearing, which is usually held at the offices of the PCCLB, 440 Court Street, First Floor, Clearwater, FL 33756. At the hearing, which is informal, both sides present their arguments. The appeal boards are interested in matters of substance rather than form, and while use of legal counsel is, of course, permissible, it is usually the exception rather than the rule.
7. After the hearing, a written decision is issued, usually within a few days. The parties in attendance at the hearing will normally be informed of the decision at the hearing itself and will also receive the written decision when published.
8. The codes shall be interpreted liberally to provide safe, economic, and sound buildings and structures. Code interpretations shall be based on substantial, competent evidence, specific findings of fact and may be made when any provision of the code is ambiguous as applied to an activity subject to the code or to allow alternate materials and types of construction if found to be in conformity with the intent

of said code. Code interpretations are final administrative actions and are not subject to review by the Pinellas County Construction Licensing Board. Final decisions shall be subject to review by the Florida Building Commission or the Florida State Fire Marshal. The decisions of the Board are subject to appeal pursuant to Chapter 553.73, Florida Statutes.

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