

How does a contractor get registered with the Town of Fort Myers Beach?

A contractor registration form. They will also need to supply a copy of their State of Florida contractor's license or Lee County Certificate of Competency license, proof of worker's compensation insurance/ exemption, and proof of liability adding the Town of Fort Myers Beach, 2525 Estero Boulevard, Fort Myers Beach, FL 33931. Please email the documentation to contractorregistration@fmbgov.com
Link to forms and applications: <https://www.fortmyersbeachfl.gov/1069/Building-Services-Applications-Forms>
Link to permitting FAQ's: <https://www.fortmyersbeachfl.gov/Faq.aspx?TID=23>

How do I access existing permit information on the Town website?

You can access information from the website: fortmyersbeachfl.gov. You will see a dark blue sand dollar icon on the bottom of the page titled Building Permits & Zoning. Clicking on this will bring you to the Building Services & Permitting Services. Scroll down to the IWorQ logo and click on the **PERMIT SEARCH** link directly below the logo. This will take you to the IWorQ existing permits portal link below where you can search by permit address, permit type, contractor name, or issued date.
<https://portal.iworq.net/FORTMYERSBEACH/permits/600>

How do I apply for a building permit?

All building permit applications must be submitted through the IWorQ online permitting system. Navigate to the Town of Fort Myers Beach Building Services Division at <http://www.fortmyersbeachfl.gov>, then click on the dark blue sand dollar for Building, Permits, and Zoning located in the bottom right corner of the page. Click on the Building Permit Applications and Forms link and the various permit documents will advise you of the requirements. This page is found at the following link:
<https://www.fortmyersbeachfl.gov/1069/Building-Services-Applications-Forms>

Once you have completed your application and supporting documents, they will need to be uploaded electronically through the IWorQ online permitting system.

What are the procedures for debris removal?

The removal of debris from on or inside a structure may begin immediately and does not require a building permit. For more information regarding debris placement, please see the debris removal guidelines included in the October 11, 2022 Hurricane Ian daily update at the following link:
<https://www.fortmyersbeachfl.gov/CivicAlerts.aspx?AID=874>

Can I put a tarp on my roof and is there help available?

You may apply a tarp to your roof immediately to temporarily reduce the risk of further water intrusion. No permit is required to apply temporary tarps.

Also, Operation Blue Roof is active in Lee County. This is a free program where a contractor installs a fiber-reinforced flexible sheeting to protect storm-damaged roofs until property owners can make permanent repairs. Property owners can sign up in three ways: Call 888-766-3258; visit BlueRoof.us; or go to the mobile sign-up location. The deadline to apply is October 23, 2022.

Note that the US Army Corps of Engineers (USACE) administers this program. Please contact the USACE as the Town of Fort Myers Beach does not have specific information on the program.

Can I occupy a structure and/or connect electric service?

The structures located in the Town of Fort Myers Beach have been severely impacted by Hurricane Ian with widespread visible damage to one or more structural and electrical components. Due to the severity of the storm and with the intent of protecting against further loss of life, it is the position of the Town of Fort

Myers Beach that all structures are currently considered unsafe until a certification of safety can be completed for the structure and electrical systems.

Prior to occupying a structure or proceeding with building, renovating, or adding to a structure, a structural inspection and an electrical inspection must be completed.

The structural inspection must be performed by a professional engineer with structural experience licensed in the State of Florida. Upon completing the inspection, the structural engineer must offer their findings and expert opinion in the form of a post-inspection report. This report must be signed, sealed, and dated by the structural engineer and must certify the following:

- 1) The integrity of the structure has been maintained
- 2) The structure is currently in a condition to securely withstand the weight of its anticipated loads
- 3) The structure will continue to perform safely as intended for the foreseeable future.

The electrical inspection must be performed by either an electrical engineer licensed in the State of Florida or a Florida-licensed electrical contractor. The report must certify that in the expert opinion of the Florida-licensed electrical professional, the electrical system is safe to reconnect to electrical service.

Note that it is the property owners' responsibility to arrange for these inspections with the licensed professionals of their choice and to ensure that the documents are submitted to the Town of Fort Myers Beach. A list of contractors registered with the Town of Fort Myers Beach is available at the Town website at <http://www.fmbgov.com>. However, the property owner may also select a professional that is not currently registered with the Town but is licensed in the State of Florida. The post-inspection reports must be emailed to the Town of Fort Myers Beach Building Services Division at buildingpermits@fmbgov.com. After submittal and approval of the documents, the structure may be legally occupied.

After submitting the two inspection reports and applying for a building permit, the contractors and design professionals associated with the permit must be registered with the Town of Fort Myers Beach. Note that any person engaging in contracting services in the State of Florida must be currently registered, certified, or possess a certificate of authority through the Department of Business and Professional Regulation (DBPR). Under section 489.127 Florida Statutes, anyone providing unlicensed contracting services during a state of emergency commits a felony of the third degree.

Due to structures throughout the Town of Fort Myers Beach being located in the special flood hazard area, the FEMA "50% Rule" for substantial improvement or substantial damage will continue to be enforced during plan review. Please consult with your design professional to determine whether this rule will impact the design of your construction project.

Is there a recommended or approved list of engineers or contractors available?

The Town of Fort Myers Beach does not specifically recommend any particular professional or firm. However, to assist the public with obtaining contact information, a list of professionals who have registered with the Town of Fort Myers Beach is posted at the Building Services division webpage below:

<https://www.fortmyersbeachfl.gov/DocumentCenter/View/19617/FMB-Registered-Contractor-list-as-of-10-10-22?bidId=>

Does the professional engineer or electrical contractor need to be licensed in Florida?

Yes, the engineer and electrical contractor must hold an active license as an engineer or electrical contractor in the State of Florida. Any Florida-licensed professional engineer may perform the structural inspection and submit a signed, sealed, and dated after-inspection report via email to buildingpermits@fmbgov.com. Similarly, a property owner may select any Florida-licensed electrical engineer or electrical contractor to perform the electrical inspection.

How can I verify that someone holds an active license as an engineer or electrical contractor in the State of Florida?

Navigate to the website [myfloridalicense.com](https://www.myfloridalicense.com), click on the "Verify a License" icon, or click on the direct link below:

<https://www.myfloridalicense.com/wl11.asp?mode=0&SID=>

What is the "50% rule" for substantial improvement or substantial damage?

1. This is in effect and will continued to be enforced during building permit plan review.
1. **Basic rule:** If the cost of improvements or the cost to repair the damage exceeds 50% of the market value of the building prior to sustaining damage, it must be brought up to current floodplain management standards.

The Town of Fort Myers Beach, following the National Flood Insurance Program (NFIP) requirements, must determine "substantial damage" and "substantial improvement" for structures.

1. **Substantial damage** is defined as damage of any origin sustained by a structure whereby the cost of restoring the structure to its "before damage" condition would equal or exceed 50% of the market value of the structure. *(Note: The cost of the repairs must include all costs necessary to fully repair the structure to its "before damage" condition.)*
2. **Substantial improvement** is defined as any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure (before any improvements are performed).
3. Historic structures may be exempt from these requirements if the compliance would threaten the structure's continued eligibility for historic designation.

These laws are required by the NFIP to protect lives and investments from future flood damages. The Town must enforce these laws in order for federally backed flood insurance to be made available to Town residents and property owners.

Where can I get more information regarding Substantial Improvement/Substantial Damage (the 50% rule)?

For more detailed information about SI/SD, please see the following FEMA publications:

Substantial Improvement and Substantial Damage Desk Reference:

https://www.fema.gov/sites/default/files/documents/fema_nfip_substantial-improvement-substantial-damage-desk-reference.pdf

Questions about Substantial Improvement / Substantial Damage:

https://www.fema.gov/sites/default/files/2020-07/fema_p213_08232018.pdf

If your structure is located in the Special Flood Hazard Area (SFHA) and is not flood compliant, meaning that the lowest floor elevation of the structure is below the base flood elevation plus 1 foot of freeboard elevation (BFE + 1'), the Town of Fort Myers Beach (the Town) has flood damage prevention regulations that may affect how you remodel, renovate, or add on to your building.

The NFIP (National Flood Insurance Program) requires that any structure located in the SFHA (flood zones beginning with A and V) where the cost of proposed improvements or repairs equals or exceeds 50% of the value of the structure must be brought into full compliance with current flood damage prevention regulations.

These laws are required by the NFIP to protect lives and investment from future flood damages. Our community must enforce these laws for federally backed flood insurance to be made available to Town residents and property owners. The Town, following the NFIP requirements, has the responsibility to determine "substantial damage" and "substantial improvement," and has implemented the procedures to do so. (Historic structures may be exempt from these requirements if the compliance would threaten the structure's continued eligibility for historic designation).

SUBSTANTIAL DAMAGE definition: means damage of any origin sustained by a structure whereby the cost of restoring the structure to its 'before damage' condition would equal or exceed 50% of the market

value of the structure. (Note: The cost of the repairs must include all costs necessary to fully repair the structure to its “before damage” condition.)

SUBSTANTIAL IMPROVEMENT definition: means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure (before any improvements are performed).

What is the Base Flood Elevation (BFE) and what is freeboard?

If your home or business is in the Special Flood Hazard Area (SFHA), meaning that the property lies in a flood zone which begins with an A or a V, and the structures’ lowest floor is located below the elevation represented by the base flood elevation (BFE) plus an additional 1 foot of freeboard elevation (BFE+1’), you will need to consider whether your proposed improvements or repairs will trigger the substantial improvement/substantial damage rule (aka “the 50% Rule”).

At the time of permitting, if your structure is already flood compliant (if the lowest floor of the structure, including electrical and mechanical equipment and bathroom are already above the freeboard elevation, and enclosed areas below BFE+1’ elevation have proper hydrostatic relief vents (flood vents), the building can be repaired and reconstructed without having to comply with the 50% Rule. Flood compliance may be confirmed through an elevation certificate (see Tip below).

At the time of permitting, if your structure is NOT flood compliant and the total value of the work being proposed exceeds the 50% rule, the lowest floor of the structure must be elevated to at least the freeboard elevation. Likewise, all electrical and mechanical equipment (heating and cooling, etc.), bathrooms, and laundry rooms must be elevated to at least the freeboard (BFE+1’) elevation. Only parking, building access and limited, incidental storage is allowed below the freeboard elevation.

Note that there is an exception for non-residential buildings in flood zones beginning with “A”. These non-residential structures may be “dry floodproofed” instead of being elevated (wet floodproofing). (Dry flood proofing is not permitted in V zones.)

Tip: Before purchasing a new elevation certificate from a Florida-licensed surveyor, check to see if the proposed work will even come close to breaching the 50% rule.

How do I find the assessed value of my structure and calculate my total cost of proposed construction work?

At the time of permit application, the Town will use the assessed value of your structure (excluding the land) recorded by the Lee County Property Appraiser’s Office. The value of your structure can be found by navigating to <http://www.leepa.org>, entering in the structure address into the Quick Property Search—Site Address field, clicking on Parcel Details, and clicking on the 2022 link for “TRIM (proposed tax) Notices” at the bottom of the screen. The predamaged valuation is for the structure only. The cost of improvements or repairs does not include items not considered a permanent part of the structure (i.e., plans, surveys, permits, sidewalks, pools, screens, sheds, gazebos, fences, etc.).

If you disagree with the Lee County Property Appraiser’s Valuation of the structure, you may engage a State of Florida licensed property appraiser to submit a private structure appraisal to obtain the pre-damaged depreciated value of the structure.

The Town will evaluate the cost of improvements or repairs and determine if they are fair and reasonable. For damage repairs, pre-storm prices and rates will be utilized.

If your structure is determined to have “substantial damage” or is proposed to be “substantially improved,” an elevation certificate must be submitted to the Town to determine the lowest floor certified elevations to determine if structure is flood compliant. Garages and carports are not considered to be the “lowest floor.” (If structure is not flood compliant, flood compliance must be planned for and obtained as part of the permit process.)

If your proposed project is too close to the 50% threshold to determine if work is considered to be a substantial improvement, then you will be asked to obtain and submit to us a detailed and complete cost estimate for the addition, remodeling, reconstruction of the structure, prepared and signed by the contractor. The contractor must sign an affidavit indicating that the cost estimate submitted includes all damages or all improvements to your structure, not just structural. The signed contract document must be submitted. If the owner is the contractor, the owner is responsible for submitting the cost estimate and providing documentation, including subcontractor bids, to document the cost estimate.

If the proposed project is not flood compliant, the building plans must be prepared to show how the building is to meet compliance. These building plans must be prepared and certified by a registered professional engineer or architect.

Donated or Discounted Materials

The value placed on materials should be equal to the actual or estimated cost of all materials to be used. Where materials or servicing equipment are donated or discounted below normal market values, the value should be adjusted to an amount equivalent to that estimated through normal market transaction.

Self-Labor or Volunteer Labor

The value placed on labor should be equal to the actual or estimated labor charge for repairs of all damages sustained by the structure. Where non-reimbursed (volunteer) labor is involved, the value of the labor should be estimated based on applicable minimum hourly wage scale for the type of construction work. The local permitting official, based on his/her professional judgment and knowledge of local/regional wages scales, can provide additional guidance to determine reasonable labor rates for professional trades (i.e. electricians, plumbers, block masons, framing, HVAC).

Minor damage

Permits for minor damage, consisting of roof covering, screen enclosures, wood decks, doors, windows and other non-structural components may be obtained upon the submission of an itemized list from the contractor or owner-builder stating the items to be repaired, with an accurate cost estimate of the repairs. It will be the responsibility of the owner-builder or contractor to request the required inspections from the Town of Fort Myers Beach using the IWorQ online permitting system or use an approved architect or engineer to perform the inspections and provide inspection reports to the Town of Fort Myers Beach Building Services Division.

Major damage

Permits for minimal structural components such as damaged glass rooms, trusses on single family houses, cladding (roof and wall sheathing) and non-structural components, including mechanical (air conditioning), electrical and insulation, may be issued to a contractor or owner-builder upon submission of an itemized list signed and sealed by an approved architect or engineer.

Major structural damage:

Permits for collapsed roofing systems, destroyed walls, foundation damage, damage to beams and other major structural components, will only be issued upon submission of detailed construction drawings which have been signed, sealed, and dated sealed by a Florida-licensed architect or professional engineer. All permit applications will be reviewed for possible "substantial damage or substantial improvement."

What requires a building permit?

The Florida Building Code (FBC) requires any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by the FBC, or to cause any such work to be performed, to first make application to their local building department and obtain the required permit(s).

The Town also recommends that you consult with one or more licensed Florida contractors or design professionals (engineers and/or architects) who are specialists in the construction discipline(s) you would like

assessed to perform a thorough flood damage assessment. This will minimize risk of damage or complications while getting the electric, plumbing, and heating or air conditioning systems working again.

You may find the following guide useful as well:

https://inspectapedia.com/Building_Damage/Flood_Response_Step5.php

What does not require a permit?

- Removal of debris from on or inside a structure
- Minor demolition to prevent injury or prevent further damage to buildings
- Structural shoring and bracing
- Replacement of broken glass within existing framing for windows and doors
- Repair/Replacement of soffit and gutters
- Roof Shingle replacement of one square of shingles (10-foot by 10-foot area, or less)
- Minor non-structural repairs made to the exterior of structures
- Repair of minor water leaks that do not involve structural, mechanical or electrical systems
- Previously permitted fences destroyed due to the storm may be re-installed, like for like, in the exact same location

Do you have any tips for rebuilding?

1. Homeowners have the option of performing their own repairs as an “owner-builder” per [state statute 489.103](#).
2. Anyone hired to do repairs for the property owner must be a Florida licensed contractor. The homeowner should visit the Florida Department of Business & Professional Regulation (DBPR) website at www.myfloridalicense.com to ensure that the contractor is actively licensed to perform the work being requested.
3. Getting a permit for permanent repairs will help prevent post-storm scams and price-gouging. Your community’s permitting process can help ensure that repairmen are licensed and performing repairs to code.

How do I extend my building permit?

As the Governor declared a state of emergency for Hurricane Ian, expiration dates for building permits within the geographic area where the state of emergency applies will be extended to six months after the state of emergency expires.

Within 90 days of the state of emergency expiring, the permit holder must deliver written notice to the Town of Fort Myers Beach of their desire to extend the permit. The notice must be in writing and identify the relevant permits or authorizations that qualify.

The current state of emergency, if not extended, will expire on November 22nd, 2022. Therefore, a person must deliver written notice to the Town Building Services Division no later than February 20th, 2023.