



PRIVATE PROFESSIONAL INSPECTION PROGRAM AND PROCEDURES

I. GENERAL INFORMATION

- A. All construction in unincorporated Fulton County is to be made under the provisions of the current codes adopted by the Fulton County Board of Commissioners, including but not limited to the Fulton County Zoning Resolution, the Metropolitan River Protection Act, Tree Protection Ordinance, Subdivision Regulations and the Erosion and Sedimentation Regulations. All approved Private Inspectors will be required to have copies of the above mentioned documents. Periodically, the Board makes amendments and/or adopts additional regulations.
- B. Employees of private professional firms may work only in their "scope of expertise" in accordance with the qualifications chart attached.
- C. FULTON COUNTY WILL AUTHORIZE AND ACCEPT PRIVATE PROFESSIONAL INSPECTIONS FOR THE FOLLOWING:
1. Commercial: NONE except for footings, column pads, concrete slabs, floor, tilt up panels and foundation walls (~~only~~). Professionals conducting these inspections do not need to be on the approved Professional Inspectors' List. All other inspections for Commercial properties must be made by County Personnel
 2. Residential: All inspections, if certified in accordance with the qualifications chart.
- D. Definitions:
1. **Principal Professional** – an officer of a firm or organization for which an application has been tendered to perform services within the scope of this program.
 2. **Professional** – one who holds a license from the State of Georgia to practice engineering or architecture.

II. PROCEDURES FOR APPROVAL AS PRIVATE PROFESSIONAL INSPECTOR FIRMS

- A. Applicants must complete a Private Professional Inspector Program application form and submit current résumé containing education and work history to:

Fulton County Department of Environment and Community Development
Deputy Director, Development Services
ATTN: Private Professional Inspections Program
141 Pryor Street, S.W., Suite 2085
Atlanta, Georgia 30303

- B. Terms of approval for a Firm will be a two (2) year period. Review for compliance and qualifications will occur bi-annually by the County on March 1 of each alternate year, beginning in 2006.
- C. Requirements for Firms and Individual Inspectors to be approved for the Private Professional Inspector Program for Fulton County are as follows:
1. The Principal Professional must be an officer of the company making application.
 2. All participants' conducting inspections must demonstrate that they are licensed Professional Engineers and/or registered Architects ~~shall be registered~~ in the State of Georgia.
 3. Professionals shall also be certified by the International Code Conference **(Please note qualifications chart attached)**.
 4. Professionals shall have completed "Fundamentals of Erosion and Sediment Control" course from the University System of Georgia or an equivalent course approved in advance by the County which shall be renewed bi-annually.
 5. All participants of the program must be familiar with all Fulton County Codes and Regulations.
 6. Engineers and/or Architects must possess and carry Fulton County Photo Identification during any inspection. Said identification must be provided upon request.
- D. Signature and seal of the Professional in charge must appear on the monthly summary of inspections report.

E. Insurance Requirements:

1. **WORKERS COMPENSATION - STATUTORY (In compliance with the Georgia Workers Compensation Act)**

EMPLOYER'S LIABILITY INSURANCE :

BY ACCIDENT - EACH ACCIDENT - \$500,000.

BY DISEASE - POLICY LIMIT - \$500,000. (Aggregate)

BY DISEASE - EACH EMPLOYEE - \$500,000.

2. **COMMERCIAL GENERAL LIABILITY INSURANCE (Including contractual Liability Insurance)**

Bodily Injury and Property Damage Liability Each Occurrence - \$1,000,000.

(Other than Products/Completed Operations) General Aggregate - \$2,000,000.

Products\Completed Operation Aggregate Limit - \$1,000,000.

Personal and Advertising Injury Limits - \$1,000,000.

Fire Damage Limits - \$ 100,000.

3. **BUSINESS AUTOMOBILE LIABILITY INSURANCE Combined Single Limits**

Each Occurrence - \$1,000,000

(Including operation of non-owned, owned, and hired automobiles).

4. **PROFESSIONAL LIABILITY** Each Occurrence - \$1,000,000

III. PARTICIPATION REQUIREMENTS

A. All participants must comply with the participation and training requirements as set forth herein. The disqualification for any reason of a principal engineer or licensed professional identified by the application of the firm for participation in the program will disqualify the firm and all employees of said firm previously certified to perform inspections by Fulton County.

B. All participants must provide the County with evidence that they have accumulated appropriate Professional training to maintain their license

and/or registration in their respective disciplines bi-annually.

- C. Fulton County will offer three (3) meetings/training sessions per year in January, May and September. Attendance at each one of these sessions is mandatory. In the event of an emergency, the Principle of the firm must notify the County prior to the commencement of the meeting of any absences. An arrangement will be made for remedial training to make up the time missed by the individual inspector. This appeal may be sought for each inspector for only one of the three mandatory meetings within one calendar year.
- D. An Overview Committee comprised of representation from the Greater Atlanta Homebuilders Association, five (5) participating firms and staff of the Department of Environment and Community Development will meet the month prior to each regularly scheduled training sessions to discuss and advice on processes and procedures. Participating Firms will be rotated off the Committee bi-annually, at the April meeting of the Overview Committee. These vacancies will be filled by appointment, election or volunteer at the immediately following May meeting. There are no restrictions to the number of terms any one Firm may serve.

IV. PROCEDURES FOR CONDUCTING PRIVATE ENGINEER INSPECTIONS

- A. Builders may request inspections at their own discretion. The builder/developer will contact the Approved Firm directly to request an inspection.
- B. The foundation, footing and plumbing slab inspections for any site MUST be approved prior to conducting any other inspection. In addition, the Firm must:
 - 1. Confirm all required permits have been issued for that site;
 - 2. Verify if there are any "holds" or "stop work orders" on the construction project; and,
 - 3. Verify all other required inspections have been completed. (all rough inspections must be approved before a framing inspection may be ~~conducted~~ approved).
- C. **NEITHER THE FIRM, NOR ANY OF THE EMPLOYEES THEREOF, SHALL MAKE AN INSPECTION OF A PROJECT WHICH HAS NOT BEEN ISSUED ALL REQUIRED PERMITS, INCLUDING ANY**

SEPARATE TRADE PERMITS, OR IF EROSION CONTROL MEASURES ARE NOT SATISFACTORY, OR IF A "STOP WORK ORDER" OR "STOP INSPECTION ORDER" IS ISSUED.

D. Once it is determined there are no "HOLDS" on the project and none of the conditions listed in paragraph C exist, the site may be visited and the inspection performed. The following must be verified at the job site before conducting the inspection:

1. The building permit with the approved site plan is posted.
2. Erosion Control measures are in place per the Soil Erosion and Sediment Control Ordinance (**Including silt fence and tree save fences**).
3. **IF THESE ITEMS ARE NOT IN PLACE THE BUILDER AND FULTON COUNTY INSPECTIONS DIVISION MUST BE NOTIFIED.**

E. After the inspection has been completed, the following shall occur:

1. The inspector will sign their name on the building permit ~~card~~ in the appropriate block to indicate approval or denial (Effective January, 2003, stickers will no longer be allowed to indicate inspections).
2. If there are discrepancies, convey your findings to the builder in writing.
3. For all permits issued prior to December 3, 2002, within three (3) days of the date of the inspection, email the results of the inspection to Inspections.ReportDSD@co.fulton.ga.us for posting.
4. For all permits issued after December 3, 2002, post the results via the Fulton County Interactive Voice Response (IVR) system within three (3) days date of the inspection
5. A paper summary of the inspections bearing an original seal of the inspector or responsible professional, for those inspections reported through the IVR system, must be received via regular mail or delivery at Fulton County for file maintenance no later than the 5th of the month following the date of the inspection. Electronic records may be submitted if the software presents the signature and seal as originals that can not be tampered with and the engineer has submitted a disclaimer of responsibility to the County.

A. Signature and seal of the Professional conducting the

inspection must appear on a monthly summary of inspections report which is to be delivered via delivery or US Postal service or via electronic transmission if said seal and signature are permanently attached.

B. Only a Principal in the Firm or a designated contact, the identification of whom has been approved by the County, will respond to Fulton County when procedural or inspection problems occur.

NOTE: EFFECTIVE APRIL 21, 2003, NO INSPECTION REPORT SENT VIA FACSIMILE WILL BE POSTED TO THE FULTON COUNTY PERMITTING SYSTEM.

F. Any inspection performed by a Private Professional Inspector that has been previously rejected by a Fulton County Inspector shall meet the following criteria:

1. Private Professional Inspector must document in detail that items rejected by Fulton County inspectors were corrected. These items must be addressed individually (item by item) in a ~~notarized~~ letter or email message addressed to the Fulton County Inspector that denied the inspection.
2. The Fulton County Inspectors will review said letter and, if acceptable, will approve and post the report or perform a ~~re-~~ follow up inspection, along with the Private Professional Inspector, within two (2) days of the receipt of the letter.
3. If the Fulton County Inspector is unable to accept the inspection, the Private Professional Inspector will be contacted to devise a plan for resolution. This plan is to be communicated to the builder by the Private Professional Inspector. The Private Engineer must require the builder to meet the standards assessed by the County Inspector. The Private Engineer must re-inspect and document compliance in a follow-up letter or email to the Fulton County Inspector. The Fulton County Inspector will review said follow-up letter and will approve and post the report or perform a re-inspection within two (2) days.
4. The Private Professional Inspector shall not post the inspection

using the IVR system. To do so may be grounds for immediate dismissal from the program without the opportunity to be reinstated.

G. AFTER THE FACT INSPECTIONS:

1. When called upon to conduct an inspection of any element that has been covered up prior to inspection or which falls in secession to an inspection that is not posted for approval pursuant to a previous inspection, the Private Professional Inspector is to contact the Fulton County Chief Inspector for that discipline and ask, in writing (preferably by email), for permission to perform the inspection. In this request the Private Professional Inspector is to specify in what way they will ensure that the elements that have been covered will be assessed to be in compliance with applicable codes. Not until that inspector receives written permission for the Fulton County Chief are they to proceed with the inspection.
2. If the Private Professional Inspector is found to be responsible for the fact that a previous inspection which they performed was not properly posted and are now required to assess the compliance to code for an element that has been subsequently covered up; that inspector shall provide a written report, sealed with their professional seal, for the Fulton County Chief stating the steps that will be taken to ensure that the previous standards were in place prior to any additional work being done in that area or discipline. Not until the Chief has accepted the report can the inspection be posted or any subsequent inspections are posted to the permit by the Private Professional Inspector. This is not considered an "After-The Fact" inspection as described above.

H. FLOOD PLAIN CERTIFICATION:

(Effective for all permits issued on, or after, March 1, 2005, all foundation type inspections will include, where applicable, requiring that the Flood Plain Elevation Certificate be provided.)

1. Upon arriving at the site the inspector will view the approved site plan to determine if an Elevation Certificate is required. When an Elevation Certificate is required it will be noted on the approved site plan. The notation method will be; a sticker stating "C.O.-Hold for: () Certificate of Elevation" "DH-C", "MFFE", or "LFFE" printed or written on the plan. The hold will also be noted on Permits Plus.
2. The inspector may perform the foundation inspection. If the foundation meets all other applicable requirements the inspector may grant a "partial approval" until the Elevation Certificate is provided.
3. An Elevation Certificate (blank copy included) can only be accepted if it contains a valid seal (P.E., Registered Land Surveyor, or Registered Architect), signature and statement that the lowest floor level is a minimum of ***three feet*** above the flood plan.
4. When a partial approval is granted the inspector will enter the partial approval through the IVR system. Private Engineers will send an email to Inspection.ReportDSD@co.fulton.ga.us stating that an Elevation Certificate is required, identify any other issues found, and send this information for Permits Plus entry by Fulton County staff.
5. Once the inspector receives the Certificate of Elevation, and there are no other outstanding issues, the status is to be changed from partial approval to "Approved" and notify staff, using Inspection.ReportDSD@co.fulton.ga.us that the "HOLD" is to be released.
6. All elevation certificates are to be sent to the attention to Mary Louise Upshaw for placement in Permits Plus. Engineers will email (preferred) or fax (404 843-6423) the certificates to Mary Louise Upshaw's office where staff will complete the Permits Plus portion of the process and forward the certificates to Public Works.

7. Failure to comply with this policy once during one annual period will result in a notice of non-compliance asking for an explanation and plan for recompense.
8. As this is a Federal policy, the County has no flexibility in allowance of non-compliance. Therefore, no more than three total errors will be allowed and such accumulation will result in separation from the program without opportunity for re-instatement.

IV. PENALTIES FOR VIOLATION OF PROCEDURES

- A. The following are the penalty procedures for violation of the guidelines as set forth in these Private Professional Inspector procedures for Approved Firms.
 1. Citizen Complaint:
 - A. Firm will be notified by the County, with a set time for resolution.
 - B. Firm will provide response, i.e., if there is a violation, state the code(s) that were violated and in what way, and what the builder has done or is not willing to do to correct the problem.
 - C. If the builder complies, the issue is closed.
 - D. If the builder does not comply, a County Inspector will follow up, through court action, if necessary, and notify the Program Manager that a warning letter ~~will~~ should be sent to the **individual** who originally performed the inspections, with copies to the Firm.
 2. Procedural Violations:
 - A. Email describing the discrepancy will be sent to the firm and individual asking for a plausible explanation.
 - B. If the explanation is accepted, the issue is closed.
 - C. If the explanation is not accepted, the inspector will be issued a warning letter and may be placed on temporary suspension during which no inspections are to be conducted. A four (4) hour re-training session with designated County personnel or equivalent formal County approved training will be required for release from the temporary suspension. Written notification by the designated County personnel of completion of this re-training will release the Inspector from temporary suspension.
 - D. If a repeat of the same procedural discrepancy should occur

within one three (3) year period, a letter of warning will be written to the individual as the first level of discipline for failure to follow the program and procedures contained herein.

3. Code Violations:
 - A. The individual will be notified by the County, with a set time for resolution.
 - B. The individual will provide a written response within the set time for resolution, explaining in what way, and what the builder has done or is willing to do to correct the problem.
 - C. If the builder complies, the issue is closed.
 - D. If the builder does not comply, a County Inspector will follow up, through court action, if necessary, and notify the Program Manager that a warning letter should be sent to the individual who originally performed the inspections with copies to the Firm.
 - E. If the individual does not perceive the notice to be valid based on sound engineering, architectural or life safety practices, a meeting with the Assistant Director of Inspections, the Chief Code Enforcement Officer for that (or those) discipline(s) will be convened to discuss and resolve the issue.
 1. If the County representatives are convinced, then the individual will write a letter outlining their justification and submit said letter for the record and the issue will be closed.
 2. If the County representatives are not convinced, the Deputy Director will review and evaluate all evidence provided by both parties for a final decision. If the position of the County representatives is upheld, then discipline action as spelled out below will be followed.
4. Three warning letters within three years, for any individual, will result in a letter of reprimand.
5. When an individual receives a letter of reprimand, he/she must have up to eight (8) hours of re-training with a County Inspector, the exact time to be determined by the Fulton County Assistant Director for Inspections, **and** a minimum of one (1) ICC training class/seminar chosen or verified by the County. During this re-training, no additional inspection may be conducted by the inspector under discipline. This training must be over and beyond

any training used to accumulate the necessary hours for license and/or registration renewal of any professional license and must be undertaken within 30-days of the receipt of the letter of reprimand, or as may be approved by the County.

5. If a second reprimand is issued, the individual will be dismissed from the program without the opportunity for reinstatement. Should the principle engineer for the firm, as registered in the Private Professional Inspections Program of Fulton County, be dismissed, then the firm and all the inspectors within the program certified to conduct inspections shall also be dismissed.
6. An independent body of professionals, ~~as~~ selected by the County, will hear appeals from any individual who feels that he has received a letter of warning, reprimand, or dismissal without due cause.
7. Letters of reprimand and dismissal for professional deficiencies will be copied to the Georgia State Board of Licenses.
8. There will be zero tolerance for inspections ~~not~~ performed by anyone other than an approved professional within the firm certified by the Fulton County program for Private Professional Inspectors. Such inspections will not be accepted and elements that have been covered will be required to be uncovered. This will include, but is not limited to, drywall and/or concrete removal. The firm for whom the individual inspector is working will be dismissed from the program with no opportunity to be reinstated.

B. The following is a non-exclusive list of problem areas that will result in disciplinary action:

- Inspection Report(s) Not reported within three days of inspection
- Monthly Inspection Report(s) Not Dated/Signed
- Professional's Seal Not on Monthly Inspection Report(s)
- Building Permits Not Signed
- Conducting an Inspection When Erosion Control Measures Not Properly Installed
- Inspection(s) Passed With Hold on Project

C. Automatic dismissal from the program will occur if:

- Any inspections are performed when a “stop work order” or “stop inspection order” is posted; or
- Any inspections are performed on work in which the inspector and/or firm has a fiduciary interest; or
- Unauthorized Employees Performing Inspection(s); or
- Performing Unauthorized Inspections; or
- Failure to follow procedure by posting an inspection to the IVR system when re-inspecting following a “turn-down” by a County Inspector; or
- Failure to follow procedures for mandatory attendance at Required Training Sessions; or
- Falsification of records, i.e., certification of an inspection without actually going to the site and performing a personal on-site inspection personally; or
- Errors and omissions which are clearly and obviously negligence of the inspector.
- Accumulating three total error in enforcement of the Flood Plain Certification procedure.

**QUALIFICATIONS CHART
FOR PROFESSIONAL INSPECTION PROGRAM**

Type of Inspection to be Performed	Professional Qualifications
Footing inspections	State of Georgia Registered Engineer
Framing and Final Building Inspections	State of Georgia Registered Architect or Engineer and I CC certified Residential Building Inspector
Electrical Inspection	State of Georgia Registered Architect or Engineer and I CC certified Residential Electrical Inspector
Mechanical Inspection	State of Georgia Registered Architect or Engineer and I CC certified Residential Mechanical Inspector
Plumbing Inspection	State of Georgia Registered Architect or Engineer and I CC certified Residential Plumbing Inspector