



BROWARD COUNTY PUBLIC SCHOOLS
BUILDING DEPARTMENT

Position Statement # 04 – 100 - 02

Subject: Notice of Commencement
Applicable Code: 2004 FBC 105.8
Date: August 1, 2006

Question: Are contractors working on school campuses (under contract) required to file Notice of Commencements?

Answer: No. If you read FS 713.01 (22) & (25) it specifically excludes any governmental entity.

713.01.1 Definitions.--As used in this part, the term:

- (22) "Owner" means a person who is the owner of any legal or equitable interest in real property, which interest can be sold by legal process, and who enters into a contract for the improvement of the real property. The term includes a condominium association pursuant to chapter 718 as to improvements made to association property or common elements. The term does not include any political subdivision, agency, or department of the state, a municipality, or other governmental entity.
- (25) "Real property" means the land that is improved and the improvements thereon, including fixtures, except any such property owned by the state or any county, municipality, school board, or governmental agency, commission, or political subdivision.

Comment: None.

This interpretation has been accepted and approved by the BCPS Chief Building Official

A handwritten signature in black ink, appearing to read "R F Morgan", written over a horizontal line.

Ronald F. Morgan Acting Chief Building Official

8-1-06

Date: