

## FLORIDA ADMINISTRATIVE CODE

### Rule 61G4-12.011 – Definitions.

(1) For purposes of Section 489.105(3)(b), F.S., the term “story” is defined to mean that portion of a building included between the upper surface of a floor or average grade, finished or unfinished, open or enclosed, and the upper surface of the floor or roof next above and having a minimum clear height of seven (7) feet or more.

(2) For purposes of the exemption provided by Section 489.103(9), F.S., activities which are not casual, minor, or inconsequential, include, but are not limited to, any work affecting structural components, any work involving use of toxic or hazardous chemicals or substances, any work affecting access or egress to a structure, any work affecting accommodations for the physically disabled, any work for which a building permit is required and any work affecting life-safety matters as defined in the applicable building code.

(3) The terms “advertise” and “advertises” shall apply to business cards, business proposals, contracts, construction site signs, all newspapers, airwave transmission (other than internal company communications), any electronic media including Internet sites, phone directory, and other media including handbills, billboards, flyers, shopping and service guides (coupon offerings), magazines (including trade associations publications), classified advertisements, manufacturer’s “authorized dealer” listings, and signs on vehicles. They shall not apply to balloons, pencils, pens, hats, articles of clothing, shirts, or other promotional novelties. Neither shall the terms apply to any single line phone directory listing; nor to free phone directory listings (regardless of page color) of one, two or three lines, which display nothing more than the proper name, company name, address, and telephone numbers in whole and in part in an unbolded or unhighlighted print or without further textual or pictorial elaboration or touting in its overall display.

(4) Main Sanitary Sewer Collection System: That part of a sewer system starting at the end of the building sewer and extending through and including the treatment plant whether the system is public or private, including any conveyance of sewage under pressure, and pumping facilities. The only exception to this definition are one, two, three or four family structures; in these structures the Main Sanitary Sewer Collection System begins at the lot line and extends through and includes the sewer treatment facilities.

(5) Building Drain: That part of the lowest piping of a drainage system which receives the discharge from soil pipe, waste pipe and other drainage pipes inside the perimeter walls of the building and conveys it to the building sewer 5 feet outside the building’s exterior wall.

(6) Building Sewer: That part of the horizontal piping of a drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a public sewer, private sewer, individual sewage-disposal system or to any other point of disposal.

(7) Main Water Distribution System: The water service line, water distribution systems and all appurtenances on public or private property which shall terminate no closer than 5 feet from a building or at the secondary meter whichever is further from the building. For the purpose of this definition master site meters and backflow preventers shall not constitute the secondary meter nor shall they be the contractor’s point of work termination. One, two, three and four family structures shall have their Main Water Distribution System terminate at the meter.

(8) Storm Sewer System: The collection, conveyance and disposal of rain water from public or private property to the storm sewer system at a structure or other point of connection.

(9) “Services incidental thereto” shall for the purpose of Section 489.103(1), F.S., only, mean all work on bridges, roads, streets, highways, and railroads except building construction and those subcontractor categories, defined in Section 489.105(3)(d)-(q), F.S. However, notwithstanding the previous provision, services incidental thereto specifically includes storm drainage and excavation work necessary for the construction of bridges, roads, streets, highways, and railroads.

(10) "Incidental to their business" shall for the purposes of Section 489.103(5), F.S., only, mean work performed exclusively on the supply side of the end use metering device and shall specifically exclude all work described in Section 489.105(3), F.S., on the commercial side, house side, or customer side of the end use metering device except that specifically provided for below. Those tasks considered "incidental to their business" which occur on the commercial side, house side, or customer side of the end use metering device are inspections for leaks and the repair thereof, testing of water quality, ignition of pilot lights, and termination of or activation of natural gas flow.

(11) A "credit report from a nationally recognized credit agency that reflects the financial responsibility of the applicant, certificateholder or registrant" shall, for the purposes of Section 489.115(6), F.S., mean a current consumer credit report that provides a current consumer credit score derived from the Fair Isaac Corporation's (FICO) scoring method and:

- (a) Payment history;
- (b) Credit rating;
- (c) Public filings in county, state and federal courts;
- (d) Bankruptcies, business history, suits, liens, and judgments, all on a nationwide basis;

(12) A "nationally recognized credit agency" shall mean a credit agency that:

- (a) Obtains credit information both within and outside the State of Florida;
- (b) Validates, updates, and maintains the accuracy of credit information obtained; and
- (c) Obtains credit reports from at least two (2) credit bureaus.

(13) "Current mailing address" and "current address of record" shall mean the address at which the United States Postal Service delivers mail to the licensee.

(14) System: As it pertains to central air conditioning, refrigerating, heating and ventilating systems, pursuant to Section 489.105(3)(f)(g)(h), F.S., the term "system" is defined as starting at the distribution and return air grills and ending at the HVAC (heating, ventilating, or air conditioning) unit, including all duct work in connection therewith. The replacement of filters shall not constitute the partial disassembly of the system.

(15) "Services" for purposes of sanitary sewer collection systems, main water distribution systems, storm sewer collection systems and utility lines as defined in Section 489.105(3)(n), F.S., shall include, the construction, installation, and repair of vertical improvements above grade, such as headwalls, end-walls, and retaining walls. Vertical improvements shall not exceed twenty feet in elevation above grade and vertical improvements below grade shall not be restricted. In addition, vertical improvements above grade shall also include structures designed to house pumps, lift stations, or other related equipment. In no case should said structures exceed 500 square feet.

*Specific Authority 489.103(5), 489.105(3), 489.108, 489.113(3) FS. Law Implemented 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS. History—New 9-16-80, Formerly 21E-12.11, Amended 1-1-89, 4-18-89, 7-4-89, 4-22-90, 7-3-91, 12-21-92, Formerly 21E-12.011, Amended 11-4-93, 11-22-94, 10-10-95, 4-29-96, 9-18-96, 12-3-96, 11-25-97, Amended 10-4-99, 2-12-08, 11-9-08.*