

Gwinnett County Third Party Inspections Program Rules of Operation

I. Definitions

- A. Department. Gwinnett County Department of Planning and Development which is responsible for providing inspection services for construction projects within unincorporated Gwinnett County and for administration of the Gwinnett County Third Party Inspections Program.
- B. Employee. Individual that has satisfied the application and renewal requirements of the Gwinnett County Third Party Inspections Program and is authorized to perform third party inspections under the direct supervision of a principal inspector employed by the same third party inspection firm in accordance with the Rules stated herein.
- C. Principal Inspector. A professional engineer or architect, registered in the state of Georgia, that has satisfied the application and renewal requirements of the Gwinnett County Third Party Inspections Program and is authorized to perform third party inspections in accordance with the Rules stated herein.
- D. Program. Gwinnett County Third Party Inspections Program is a system by which qualified individuals employed by third party inspection firms are authorized by Gwinnett County Department of Planning and Development to perform third party inspections.
- E. Third Party Inspection. Inspection performed by a third party inspector in accordance with the Gwinnett County Third Party Inspections Program.
- F. Third Party Inspection Firm. Business establishment that employs third party inspectors and provides third party inspection services.
- G. Third Party Inspector. An individual authorized by Gwinnett County Department of Planning and Development to perform third party inspections in accordance with the requirements of the Gwinnett County Third Party Inspections Program either as a principal Inspector or as an employee of a third party inspection firm.

II. Purpose and Scope

- A. The purpose of the Gwinnett County Third Party Inspections Program Rules of Operation is to define the procedural requirements for actions taken by individuals authorized by the Department as third party inspectors to fulfill their responsibilities prescribed by the Program.

- B. The Rules of Operation specify the steps required for third party inspectors to conduct inspections, types of inspections that third party inspectors are not allowed to perform, and penalties that may be assessed to third party inspectors for violations to the Rules of Operation presented herein.
- C. The Department retains the authority to render construction code interpretations which must be observed by third party inspectors and to monitor the quality of third party inspections performed.
- D. The Gwinnett County Third Party Inspections Program is administrated by the Department of Planning and Development as set forth in the Program Policy.

III. Authorized Third Party Inspections

- A. The Department allows third party inspectors to perform construction inspections required by the Gwinnett County Construction Code under each of the following conditions:
 - 1. Foundation inspections for one and two-family residential construction including but not limited to basement slabs, footings, foundation walls, garage slabs, monolithic slabs, piers, and retaining walls.
 - 2. Foundation inspections for commercial and multifamily residential construction excluding special inspections per Chapter 17 of the International Building Code.
 - 3. Department inspections staff are unable to provide the requested inspection services within two (2) business days from the date of the scheduled inspection.
 - 4. The Department has received formal notification, "Notification of Plan Review/Inspection Services by Private Professional Provider", from a principal inspector of his/her intent to provide the building inspection services for a specific construction project regardless of the ability of Department inspections staff to provide the required inspection services within the time frame specified in section III.A.3. [Note: The third party inspector is required to perform all required construction inspections in this case.]
- B. Principal inspectors, which must be a registered professional engineer or architect in the state of Georgia and maintain ICC certification for Residential or Commercial Building Inspector, may perform inspections for compliance with the following applicable requirements of the Gwinnett County Construction Code as summarized in the "Third Party Inspector Minimum Credentials" table in section III.C provided each inspection performed is within the individual's scope of competency:
 - 1. Foundation inspections only for residential and commercial construction per authorized category F.
 - 2. Building requirements for one and two-family residential construction per authorized category RS.
 - 3. Building requirements for commercial and multifamily residential construction excluding special inspections per Chapter 17 of the International Building Code per authorized category CS.

4. Electrical, fuel gas, mechanical, and plumbing requirements for all types of construction excluding special inspections per Chapter 17 of the International Building Code per authorized categories RE, CE, RM, CM, RP, and CP.
 5. Energy requirements for all types of construction per authorized category EN.
- C. Employees of third party inspection firms that are authorized by the Department as third party inspectors must perform inspections under the direct supervision of the principal inspector for compliance with the applicable requirements of the Gwinnett County Construction Code specified in the following “Third Party Inspector Minimum Credentials” table provided each inspection performed is within the scope of professional certification and licensure attained by the individual:

Third Party Inspector Minimum Credentials (required experience not included)			
Scope of Inspection by Third Party Inspectors	Principal Inspectors	Employees Under Direct Supervision of Principal Inspectors	Authorized Inspection Category
Foundation inspections only for residential and commercial construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Commercial Building Inspector certification or ICC Residential Building Inspector certification	F
Building requirements for 1 & 2 family residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Residential Building Inspector certification or ICC Residential Combination Inspector certification or ICC Combination Inspector certification	RS
Building requirements for commercial and multifamily residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Commercial Building Inspector certification or ICC Commercial Combination Inspector certification or ICC Combination Inspector certification	CS

Scope of Inspection by Third Party Inspectors (cont.)	Principal Inspectors (cont.)	Employees Under Direct Supervision of Principal Inspectors (cont.)	Authorized Inspection Category (cont.)
Electrical requirements for 1 & 2 family residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Residential Electrical Inspector certification or ICC Residential Combination Inspector certification or ICC Combination Inspector certification or Electrical contractor license from the pertinent GA licensing board	RE
Electrical requirements for commercial and multifamily residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Commercial Electrical Inspector certification or ICC Commercial Combination Inspector certification or ICC Combination Inspector certification or Electrical contractor license (non-restricted) from the pertinent GA licensing board	CE
Mechanical and fuel gas requirements for 1 & 2 family residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Residential Mechanical Inspector certification or ICC Residential Combination Inspector certification or ICC Combination Inspector certification or Conditioned air contractor license from the pertinent GA licensing board	RM
Mechanical and fuel gas requirements for commercial and multifamily residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Commercial Mechanical Inspector certification or ICC Commercial Combination Inspector certification or ICC Combination Inspector certification or Conditioned air contractor license (non-restricted only) from the pertinent GA licensing board	CM

Scope of Inspection by Third Party Inspectors (cont.)	Principal Inspectors (cont.)	Employees Under Direct Supervision of Principal Inspectors (cont.)	Authorized Inspection Category (cont.)
Plumbing and fuel gas requirements for 1 & 2 family residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Residential Plumbing Inspector certification or ICC Residential Combination Inspector certification or ICC Combination Inspector certification or Plumbing contractor license from the pertinent GA licensing board	RP
Plumbing and fuel gas requirements for commercial and multifamily residential construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Commercial Plumbing Inspector certification or ICC Commercial Combination Inspector certification or ICC Combination Inspector certification or Plumbing contractor license (non-restricted only) from the pertinent GA licensing board	CP
Energy requirements for all types of construction	Georgia Professional Engineer or Architect registration and ICC Residential or Commercial Building Inspector certification	ICC Residential Energy Inspector/Plans Examiner or ICC Commercial Energy Inspector	EN

- D. Third party inspectors in authorized categories F, RS, RE, RM, RP, and EN must maintain Level IB Advanced Fundamentals certification issued by the Georgia Soil and Water Conservation Commission.
- E. Third party inspectors are prohibited from performing the following types of inspections:
1. After construction inspections, also known as “after-the-fact” inspections, require advance authorization by the Department. (Refer to section IV.A.4 for instructions to obtain authorization to perform an “after-the-fact” inspection.)
 2. Any inspection for construction in which a valid building permit has not been issued.
 3. Any inspection required by other Gwinnett County departments or state agencies.
 4. Any inspection which is outside the scope of competency, professional certification, or licensure attained by a third party inspector.

5. Any inspection for construction in which a condition is applied to the building permit prohibiting construction or inspection.
6. Any inspection previously failed by another third party inspector, or a Department inspector.
7. Inspection for issuance of a Certificate Occupancy (C.O.) or Certificate of Completion (C.C.).
8. Special inspections per Chapter 17 of the International Building Code.
9. Any type of swimming pool inspection.
10. Any type of ground sign inspection.

F. Certificates of Occupancy (C.O.) and Certificates of Completion (C.C.) are issued only by Department inspectors.

IV. Procedural Requirements for Performing Third Party Inspections

A. Requests for third party inspection services

1. Developers, contractors, and property owners may engage the services of a third party inspector at their own expense in accordance with the Rules of Operation.
2. The party requesting third party inspections must contact the third party inspector directly.
3. The third party inspector must accept only those inspection requests that are within the scope of his/her competency, professional certification, or licensure.
4. Authorization to perform after construction inspections, also known as “after-the-fact” inspections, must be obtained from the Chief Building Inspector by submitting a request to perform an “after-the-fact” inspection by either email or letter with the following information:
 - a. Building permit number.
 - b. Street address for the construction site.
 - c. Description of the specific construction components that require inspection.
 - d. Brief explanation of the proposed method(s) of inspection.

B. Review building permit status on the [Gwinnett County Accela Citizen Access \(ACA\)](#) website prior to performing a third party inspection

1. Verify the applicable building permit is valid in that it has an active status of “issued”, “renewed”, or “extended”.
2. Verify that no condition (typically indicated as “hold”) has been placed on the applicable building permit which prohibits inspection.
3. Verify that all prior required inspections in proper construction sequence have been successfully completed and passed. [Note: For commercial construction, verify that the “Fire 80%” inspection has passed by the Fire Marshal’s inspector prior to performing a commercial structural ceiling inspection.]

4. Contact Building Permits staff at 678.518.6020 for assistance with building permit status information.
- C. Perform a third party inspection at the construction site
1. Verify the building permit card is posted in a readily visible location.
 2. Inspect each one and two-family residential construction site which includes land disturbance activity to verify the required erosion and sediment control measures have been installed in accordance with the "Manual for Erosion and Sediment Control in Georgia" and are properly functioning subject to the following conditions:
 - a. Notify the Department immediately at 678.518.6000 prior to performing a third party inspection during the Department normal business hours of 8 a.m. – 5 p.m. (Mon. – Fri.) if the required erosion and sediment control measures are either not installed or not functioning properly.
 - b. Notify the Department at 678.518.6000 no later than 10 a.m. on the next business day after performing a third party inspection outside of the Department normal business hours of 8 a.m. – 5 p.m. (Mon. – Fri.) if the required erosion and sediment control measures are either not installed or not functioning properly
 3. Verify that foundations and framing for one and two-family construction do not encroach into the minimum building setback distances, any stream buffer (50 feet minimum), or utility easement based on a property survey or field measurements. Review "Permit Details" on the [Gwinnett County Accela Citizen Access \(ACA\)](#) website for the minimum building setback distances applicable to each building permit.
 4. Verify the plans authorized by the Department for issuance of the building permit, if applicable, are available at the construction site and conduct the inspection for compliance with the plans.
 5. Upon completion of partial inspections for compliance with County-authorized plans, identify on the plans the specific areas inspected using a marker and include initials of the third party inspector and the date of inspection.
 6. Third party inspectors are prohibited from directing or authorizing any deviation from the County-authorized plans without approval from the Department.
 7. Inspections that result in verifying all items observed are compliant and acceptable must be documented as "passed" status.
 8. Inspections that result in identifying deficiencies or noncompliant conditions for any items observed must be documented as "failed" status.
 9. For each completed inspection, a copy of the inspection field report shall be provided to the permit holder including but not limited to contractor, builder, or homeowner to maintain at the construction site until issuance of a Certificate of Occupancy (C.O.) or Certificate of Completion (C.C.).
 10. Field inspection reports for "failed" inspections must include the applicable list of deficiencies or noncompliant conditions identified during the inspection.
 11. Reinspection of deficient or noncompliant items must be performed by the same third party inspector that previously performed a "failed" inspection for those items.

12. If cast-in-place concrete construction has been completed prior to inspection including but not limited to a footing, slab, or foundation wall, the third party inspector must document the inspection as "failed" in a field inspection report, provide a copy of the field inspection to the permit holder, and obtain authorization from the Department to perform an "after-the-fact" inspection in accordance with section IV.A.4.
13. If structural framing, electrical, mechanical, or plumbing components that a third party inspector is authorized to inspect are enclosed with other construction materials and concealed from observation prior to inspection, the third party inspector must document the inspection as "failed" on a field inspection report, provide a copy of the field inspection to the permit holder, and obtain authorization from the Department to perform an "after-the-fact" inspection in accordance with section IV.A.4.
14. Third party inspectors may perform final inspections for building, electrical, mechanical, and plumbing contingent upon satisfying the condition specified in section III.A.4 but are not authorized to issue a Certificate of Occupancy (C.O.) or Certificate of Completion (C.C.).
15. Prior to leaving the construction site, the third party inspector must enter his/her initials, date, and inspection result ("Pass or "Fail") in the appropriate designated space on the building permit card.

V. Third Party Inspection Reports

- A. Third party inspection reports must be submitted using the current report forms provided by the Department except for "after-the-fact" inspection reports per section V.B.
- B. "After-the-fact" inspection results must be reported on third party firm letterhead and contain the following information as a minimum:
 1. Date of inspection
 2. Gwinnett County building permit number (BLD20yy-xxxxx)
 3. Name of third party inspector
 4. Name of principal inspector
 5. Name of project or subdivision as applicable
 6. Street address of the construction site
 7. Type and scope of inspection
 8. Inspection result (passed/approved or failed/not approved)
 9. Applicable construction code for which inspection for compliance was performed
 10. Seal/signature of principal inspector
- C. Each third party inspection report submitted to the Department must be sealed and signed by the principal inspector.

- D. Inspection reports and any supplemental field notes must be submitted to the Department in accordance with the "Procedure for Electronic Submittal of Gwinnett County Third Party Inspection Reports" within five (5) business days following the date of inspection.

VI. Rules of Operation Violations and Penalties

- A. Third party inspectors are subject to penalties imposed by the Department for the following violations:
 - 1. Performing unauthorized inspections as specified in section III.E.
 - 2. Performing inspections without valid certification or license.
 - 3. Performing inspections while not maintaining the minimum required insurance.
 - 4. Submitting inspection reports that clearly indicate negligence or incompetency.
 - 5. Submitting inspection reports which authorize construction in conflict with the scope of the applicable building permit.
 - 6. Submitting inspection reports which authorize any deviation from the County-authorized plans without approval from the Department.
 - 7. Submitting fraudulent or falsified inspection reports.
 - 8. Performing inspections when the building permit card has not been posted in a readily visible location.
 - 9. Failure to properly notify the Department upon determining the required erosion and sediment control measures are either not installed or not functioning properly in accordance with section IV.C.2.
 - 10. Failure to enter initials, date, and inspection result on the building permit card upon completing the inspection.
 - 11. Performing inspections on a site in which land disturbance encroaches into any undisturbed stream buffer measured 50 feet horizontally from the top of the stream bank.
 - 12. Performing inspections on a site in which construction encroaches into any utility easement or stream buffer setback measured 75 feet horizontally from the top of the stream bank.
 - 13. Submitting inspection reports more than five (5) business days following the date of inspection.
 - 14. Submitting incomplete inspection reports.
 - 15. Submitting inspection reports which contain erroneous information.

- B. Third party inspectors that commit a violation per section VI.A are subject to penalties
1. Penalties are progressive based on the number of violations committed by an individual during any twenty-four (24)-month period and will be assessed by the Department as follows:
 - a. For the first violation, the Department will issue a formal written warning to the responsible third party inspector.
 - b. For the second violation, the Department will issue a second formal written warning to the responsible third party inspector.
 - c. For the third violation, the Department will impose a thirty (30) – day suspension period upon the responsible third party inspector during which time the individual is prohibited from performing third party inspections and submitting inspection reports.
 - d. For the fourth violation, the Department will impose a six (6) – month suspension period upon the responsible third party inspector during which time the individual is prohibited from performing third party inspections and submitting inspection reports.
 - e. For the fifth violation, the Department will impose a twelve (12) – month suspension period upon the responsible third party inspector during which time the individual is prohibited from performing third party inspections and submitting inspection reports.
 2. For each penalty assessed to a third party inspector, the responsible principal inspector must submit a written plan of action to the Department for preventing further occurrences of the violation committed.
 3. The Department may disregard the progressive penalty requirements specified by section VI.B.1. and immediately impose a period of suspension or permanent removal from the Third Party Inspections Program at its discretion for the responsible third party inspector upon verifying an associated history of persistently violating these rules of operation, or that he/she submitted one or more fraudulent or falsified inspection reports, or committed acts or omissions that could endanger the safety, health, or welfare of the public.
 4. During a suspension period imposed upon a principal inspector, both the principal inspector and the third party inspectors under the direct supervision of the principal inspector are prohibited from performing third party inspections and submitting inspection reports.
 5. Written notification of suspension of a principal inspector due to submitting one or more fraudulent or falsified inspection reports will be provided to the Georgia Board of Professional Engineers and Land Surveyors or the Georgia Board of Architects and Interior Designers as applicable.
- C. Any appeal of penalties assessed by the Department must be made to the Board of Construction Adjustments and Appeals and will be heard during regularly scheduled meetings.