

Inspection by Registered Professional Engineer

Official Code of Georgia Annotated (O.C.G.A.)

Section 8-2-26 (g)

(Effective July 1, 2000)

“(1) If a governing authority of a county or municipality cannot provide inspection services within two business days of receiving a valid written request for inspection, then, in lieu of inspection by inspectors or other personnel employed by such governing authority, any person, firm, or corporation engaged in a construction project which requires inspection shall have the option of retaining, at its own expense, a professional engineer who holds a certificate of registration issued under Chapter 15 of Title 43, and who is not an employee of or otherwise affiliated with or financially interested in such person, firm, or corporation, to provide the required inspection.

(2) Any inspection conducted by a registered professional engineer shall be no less extensive than an inspection conducted by a county or municipal inspector.

(3) The person, firm, or corporation retaining a registered professional engineer to conduct an inspection shall be required to pay to the county or municipality which requires the inspection the same permit fees and charges which would have been required had the inspection been conducted by a county or municipal inspector.

(4) The registered professional engineer shall be empowered to perform any inspection required by the governing authority of any county or municipality, including, but not limited to, inspections for footings, foundations, concrete slabs, framing, electrical, plumbing, heating ventilation and air conditioning (HVAC), or any and all other inspections necessary or required for the issuance of a certificate of occupancy by the governing authority of any county or municipality, provided that the inspection is within the scope of such engineer’s branch of engineering expertise.

(5) The registered professional engineer shall submit a copy of his or her inspection report to the county or municipality.

(6) Upon submission by the registered professional engineer of a copy of his or her inspection report to the local governing authority, said local governing authority shall be required to accept the inspection of the registered professional engineer without the necessity of further inspection or approval by the inspectors or other personnel employed by the local governing authority unless said governing authority has notified the registered professional engineer, within two business days after the submission of the inspection report, that it finds the report incomplete or the inspection inadequate and has provided the registered professional engineer with a written description of the deficiencies and specific code requirements that have not been adequately addressed.

(7) A local governing authority may provide for the prequalification of registered professional engineers who may perform inspections pursuant to this subsection. No ordinance implementing prequalification shall become effective until notice of the governing authority’s intent to require prequalification and the specific requirements for prequalification have been advertised in the newspaper in which the sheriff’s advertisements for that locality are published. The ordinance

implementing prequalification shall provide for evaluation of the qualifications of a registered professional engineer on the basis of the engineer's expertise with respect to the objectives of the inspection, as demonstrated by the engineer's experience, education, and training.

(8) Nothing in this subsection shall be construed to limit any public or private right of action designed to provide protection, rights, or remedies for consumers.

- **Provides** that registered professional engineers may conduct inspections to determine code compliance if the governing authority of a county or municipality cannot provide inspection services within two business days following a valid written request.
- **Authorizes** local governing authorities to impose prequalification requirements on registered professional engineers who conduct inspections.

Guidelines

1. The request for inspection must be in writing.
2. Inspection services must be provided by the local jurisdiction within two (2) business days.
3. If the inspection service cannot be provided within this time period, the permit holder has the option of retaining a professional engineer to conduct the inspection.
4. The permit holder bears the entire expense for this outside inspection including any permit fees and charges which would have been required had the inspection been conducted by the local inspection department.
5. The professional engineer retained for the inspection must hold a certificate of registration issued under chapter 15 of Title 43 of the Official Code of Georgia Annotated.
6. The registered professional engineer cannot be an employee of the permit holder nor affiliated with or financially interested in the permit holder.
7. The inspection must be at least as extensive as one conducted by the local inspection department.
8. The registered professional engineer is authorized to conduct any inspection that is required by the local inspection department.
9. The inspection must be within the scope of the registered professional engineer's area of engineering expertise.
10. The registered professional engineer must submit a written report.
11. The local jurisdiction must accept the written report of the outside qualified inspector without the necessity of further inspections UNLESS
12. The local jurisdiction notifies the outside inspector within two (2) business days after the submission of the report that said report is incomplete or inadequate.
13. If the report is deemed inadequate or incomplete, the local jurisdiction must provide a written description of the deficiencies and specific code requirements that have not been adequately addressed.
14. The local jurisdiction is authorized to provide for a prequalification process for registered professional engineers who may perform inspections.
15. The ordinance establishing the prequalification process **CANNOT BECOME EFFECTIVE** until notice of the local jurisdiction's intent to require prequalification and

the specific requirements of prequalification have been advertised in the newspaper in which the sheriff's advertisements for jurisdiction are published.

16. Please see the attached model Application for Prequalification for Inspections and Information and Qualifications of Proposed Inspectors.

Summary

Registered professional engineers may conduct inspections to determine code compliance if the local jurisdiction cannot provide inspection services within two business days following a valid written request for such inspection. The local jurisdiction would still receive the same permit fees and charges that would have been required had a local inspector conducted the inspection. The registered engineer would be able to conduct any inspection required by the local jurisdiction. The registered engineer must submit an inspection report. The local jurisdiction shall be required to accept this report without the need of further inspection. However, the local jurisdiction does have the right to notify the registered engineer within two business days of the submittal of the inspection report that said report is incomplete or the inspection was inadequate. This notification must be in writing and describe the deficiencies of the report and the specific code requirements that have not been adequately addressed.

PLEASE NOTE that the local jurisdiction may adopt a prequalification process for the registered professional engineers who may perform these inspections. Provisions of this prequalification process are set out in the legislation.