
**FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF THE GENERAL COUNSEL
GENERAL GOVERNMENT SECTION
2555 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-2100
(850) 488-0410 SUNCOM 278-0410
FAX (850) 922-2679**

M E M O R A N D U M

TO: Special Occupancy/Specialty Codes TAC and Bruce Ketcham

FROM: Suzanne H. Schmith
Staff Attorney

SUBJECT: Incorporation of Reference Standards

DATE: December 2, 1998

CC: Mechanical/Elevator TAC

This memo is to supplement my memo of November 19th regarding the statutory authority of the Commission to incorporate state agency regulations governing facility construction. One topic which was not covered was the treatment of reference standards.

The statute directs that standards and criteria referenced by the selected model code "shall be similarly incorporated by reference" in the Florida Building Code (s. 553.73(3), F.S.). Therefore, all standards and criteria referenced in the 1997 edition of the Standard Building Code are considered the base standards and criteria for the Florida Building Code. The Commission is authorized to modify the referenced standards and criteria; however, only the modifications are to be "specifically set forth" in the code (Id.). Further, modifications or amplifications of referenced standards are limited to those which are needed to accommodate the needs of this state (Id.).

I trust that this clarifies the issue for TAC members; however, I will be available for further questions during the TAC meetings at this month's commission meeting in Orlando.

