**Special Occupancy Technical Advisory Committee – Errata/Glitch**

**8th Edition (2023) Florida Building Code, Building**

**CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND USE**

SECTION 451 AMBULATORY SURGICAL CENTERS

SP-FBC –B - Ch. 4 – Errata #1

**Staff**

Section 451.3.16, anesthesia is misspelled.

**451.3.16** As required by *The Guidelines*, a waste anesthetic gas disposal (WAGD) system, in accordance with NFPA 99, Health Care Facilities Code, shall be provided in operating rooms where nitrous oxide and/or inhalation ~~anesthsia~~ anesthesia gas is intended to be administered.

**TAC Recommendation**:

**Commission Action:**

**Comment –**

**BOAF Building Officials Association of Florida CDC Code Development Committee**

**Proposal: Section 451.3.16, anesthesia is misspelled.**

**Comment: Typo – minor correction**

**Approve/Oppose:** **Approve**

**SECTION 453 STATE REQUIREMENTS FOR EDUCATIONAL FACILITIES**

**SECTION 468 SCHOOLS, COLLEGES AND UNIVERSITIES**

SP-FBC – B - Ch. 4 – Glitch #1

Don Whitehead – DOE

 Mo,

The following glitch changes are due to a change in state law by the passage of HB 1521 (2023) that went into effect on July 1, 2023.

The Florida specific need is to match state law.

There is no impact on small businesses.

These code changes have a reasonable and substantial connection with the health, safety, and welfare of the general public.

These code changes strengthen and improve the Florida Building Code by matching state law.

These code changes do not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

These code changes do not degrade the effectiveness of the Florida Building Code.

**453.16.1 Standards.** Educational and ancillary facilities shall be provided with toilets, hand washing facilities, and drinking fountains for all occupants, in ratios and accessible as required by the Florida Building Code, Florida law, and federal requirements.

**~~Exception:~~** ~~Unisex toilets shall not be provided in addition to group toilets in assembly occupancies.~~

**453.22.5.3.1** Full-service school clinics shall include one accessible toilet room for males and one for females or at least two accessible single-user unisex toilet rooms, complete with water closet, lavatory, accessories, and shower. Additional toilets may be required for a full-service school clinic depending on occupant load and program.

**468.3.4 Changing areas.**

**468.3.4.1 Diaper changing stations.** A diaper changing station shall be located in or adjacent to any classroom where children wearing diapers are in attendance. A hand washing lavatory shall be provided within the changing station area. Access shall be provided to the lavatory without opening doors or touching a handle.

**468.3.4.2 Unisex dressing rooms.** Accessible single-user unisex dressing rooms, as described in section 803, FBC, Accessibility, may be utilized in place of accessible male and accessible female dressing rooms.

**468.3.5 Plumbing.**

**468.3.5.1 Standards.** Educational and ancillary facilities shall be provided with toilets, hand washing facilities, and drinking fountains for all occupants, in ratios and accessible as required by the Florida Building Code, Florida law, and federal requirements.

**Exceptions:**

1. A single unisex toilet room is allowed where provided in child care, pre-kindergarten through grade 3 and ESE classrooms.
2. Accessible single-user unisex toilet rooms may be utilized in place of male and female toilet rooms for students or staff.
3. **TAC Recommendation**:
4. **Commission Action:**

**Comment –**

**BOAF Building Officials Association of Florida CDC Code Development Committee**

**Proposal: 1. Section 453.16.1, remove Exception**

 **2. Section 453.22.5.3.1, add option for 2 single-user unisex toilet rooms**

 **3. Section 468.3.4 – change from Diaper changing stations to Changing areas**

**4. Section 468.3.4 – change to Section 468.3.4.1**

**5. Section 468.3.4.2 – add new section for Unisex dressing rooms**

**6. Section 468.3.5.1 Exception 2 – add new exception to include unisex toilet rooms to replace the separate male and female.**

**Comment: Changes due to HB 1521 (2023)**

**Approve/Oppose:** **1. Approve**

**2. Approve**

**3. Oppose. F.S.553.865(3)(a) and HB 1521 defined “Changing facility”. This facility includes dressing room. If the change will be made to say “Changing facility” then it will be acceptable.**

**4. Oppose. If change will be made to #3 then it will be acceptable.**

**5. Oppose. This proposed additional section is not needed. Per #3 (Changing facility definition), dressing room is considered a changing facility.**

**6. Approve**

**CHAPTER 30 ELEVATORS AND CONVEYING SYSTEMS**

SP-FBC - B - Ch. 30 – Glitch #1 **(Received after deadline December 29, 2023)**

**From:** elevatorlee@aol.com <elevatorlee@aol.com>
**Sent:** Friday, December 29, 2023 9:19 AM
**To:** Madani, Mo <Mo.Madani@myfloridalicense.com>
**Subject:** Glitch Proposal to 2023 FBC

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Mo,

    I have found that due to changes in the recent ASME A17.1 adopted by the FBC has changed the way FBC Rule 3010.1.3(a) is being enforced by certain local Building Departments that are contracted with the State Bureau of Elevator Safety to regulate elevators in their jurisdictions.  FBC Rule 3010.1.3(a) is:

3010.1.3
The following ASME A17.1 and ASME A17.3 rules are hereby amended to read as follows:
a. Rule 2.29.1.1 of ASME A17.1 is amended to add the following to the rule: “Each car in a multicar group shall be sequentially identified from left to right, as viewed from the elevator lobby.”

     I propose that this wording be revised as a glitch correction to read:

3010.1.3
The following ASME A17.1 and ASME A17.3 rules are hereby amended to read as follows:
a. Rule 2.29.1.1 of ASME A17.1 for all new installations is amended to add the following to the rule: “Each car in a multicar group shall be sequentially identified from left to right, as viewed from the elevator lobby.”

Rational:

    Recent changes to the adopted ASME A17.1 include inclusions within Section 8.7, which covers alterations, the requirement to retroactively meet A17.1 Rule 2.29 for many (19 - including the most common) alterations performed.  Since 3010.1.3(a) revises 2.29, existing elevators that are being altered that had identification designations set prior to the above requirement are being required to have the identification designation changed to meet 3010.1.3(a). This potential was not foreseen until recently when the local AHJ's started enforcing the identification designations to be changed on existing elevators.

    There is a serious issue with changing existing identification designations as there are legal requirements which require records of elevator maintenance, testing, repair, and accidents to be maintained for extended periods of time by the building owner, the elevator firm, code enforcement agencies, and others for each elevator. These records are identified by the elevator identification designation for each elevator. Should these records be required for a specific elevator after the designation of that elevator had been changed, the records would not be obtained for the correct equipment for a portion of that requested equipment's history.  This could cause drastic detrimental effects on code compliance, enforcement, and legal actions, and was not intended when 3010.1.3(a) was written.

        Note:  FBC Rule  3010.1.3(a) came from a Rule previously in Chapter 61C-5 F.A.C. that I was personally involved with writing when I held the position of Engineer III for the Bureau of Elevator Safety, so I am aware of the original intent of this requirement and that it was intended for new construction only.

        Please let me know if there are any questions on this request for a glitch change to the 2023 FBC.

   **Lee**

Lee Rigby, Associate

Elevator Safety & Technical Services

8826 Freedom Road

Tallahassee FL  32305

850-294-1070  Cell

**TAC Recommendation**:

**Commission Action:**

**8th Edition (2023) Florida Building Code, Residential**

**CHAPTER 3 BUILDING PLANNING**

**SECTION R322 FLOOD-RESISTANT CONSTRUCTION**

SP-FBC - R - Ch. 3 – Glitch #1

George Merlin – George Merlin Associates

Mr. Madani

The following is for your consideration in the glitch/errata code change cycle for the upcoming 2023 Florida Building Code (FBC) and Florida Building Code- Residential (FBC R).

The criteria for this consideration is due to apparent conflicts within the updated code. These conflicts have had an impact on local government interpretations and local building designers.

For residential construction proposed to be built within both FEMA flood zones and simultaneously within FDEP Coastal Construction Control zones, both the provisions of FBC R322 apply and the provisions of FBC 3109 apply. FBC section R322.1.11 states that “in addition to the requirements of this section structures located in flood zone areas and seaward of the coastal construction line shall be designed…..in accordance with section 3109 of the FBC, Building, and the more restrictive provisions shall govern”. This is also similar to the wording in the 2020 versions of both FBC and RFBC-Residential codes.

In comparing both FBC section R322 and section FBC 3109, it has been interpreted by some local government agencies that with the more restrictive provisions of both of these sections governing, that means that section FBC R322.2.2 subsection 1. nullifies the allowed uses noted in section FBC 3109.2 and FBC 3109.3.3 subsection 5.b. since FBCR 322.2.2.subsection 1.  is more restrictive.

It has also been further interpreted by some agencies that section FBC R322.3.5 nullifies section FBC 3109.2.2 since FBCR 322.3.5 is more restrictive and disallows any walls (including shear walls) below the design flood elevation to be used for structural support of the building. (i.e. only pilings and columns are allowed for structural support of the building and all other walls must be breakaway).

Unless it is the intention of the FBC to nullify the allowed uses in FBC 3109.2 and FBC 3109.3.3 subsection 5.b., and unless it is the intention of the FBC to nullify the use of any shear walls whatsoever which are allowed per FBC 3109.2.2,   then I suggest these sections of the FBC and/or FBCR be re worded to correct this conflict and misunderstanding among those interpreting these code sections

for residential construction that occurs simultaneously in both FEMA flood zones and CCCL zones.

Thank you for your consideration.

My suggested re wording would be to change FBCR322.1.11 by adding at the end of that section and as underlined here….. “and the more restrictive provisions shall govern, except that the allowed uses as noted in FBC 3109.2 and 3109.3.3 subsection 5.b and the use of shear walls as noted in FBC 3109.2.2 shall not be restricted.”

1. It must fall within one of the following criteria:
* Conflicts within the updated code; MY PROPOSED GLITCH CODE CHANGE IS TO ADDRESS APPARENT CONFLICTS WITHIN THE UPDATED CODE
* Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
* Equivalency of standards;
* Changes to or inconsistencies with federal or state law;
* Adoption of an updated edition of the National Electrical Code if the Commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare; or
* Unintended results from the integration of previously adopted Florida-specific amendments with the model code.
1. The proponent must address as part of the rationale for the proposed code change the following:
2. Whether the proposed code change falls within the glitch criteria stated above. MY PROPOSED CODE CHANGE REQUEST MEETS THE CRITERIA STATED ABOVE DUE TO APPARENT CONFLICT WITHIN THE UPDATED CODE
3. Whether the proposed code change has a Florida specific need.MY PROPOSED CODE CHANGE REQUEST HAS A FLORIDA SPECIFIC NEED AS IT ADDRESSES RESIDENTIAL CONSTRUCTION SPECIFIC TO FLORIDA, IN MULTIPLE FLOOD ZONES.
4. What the impact is on small businesses. MY PROPOSED CODE CHANGE REQUEST ADDRESSES CURRENT ADVERSE IMPACT ON BOTH LOCAL GOVERNMENT AGENCIES AND BUILDING DESIGNERS WHO EXPERIENCE CONFLICT AND DIFFEREING MISINTERPRETATIONS BETWEEN THE FLORIDA BUILDING CODE AND THE FLORIDA BUILDING CODE-RESIDENTIAL ON THIS MATTER.
5. Whether the proposed code change has a reasonable and substantial connection with the health, safety, and welfare of the general public. SINCE FLOOD ZONE CONSTRUCTION RESTRICTIONS AND ALLOWED USES EFFECT PUBLIC HEALTH, SAFETY AND WELFARE, IT IS REASONABLE TO EXPECT CLARITY FROM THE FLORIDA BUILDING CODES REGARDING THESE MATTERS.
6. Whether the proposed code change strengthens or improves the Florida Building Code. CLARIFICATION OF APPARENT CONFLICTS IN THE CODE, IN ORDER TO AVOID POSSIBLE MISUNDERSTANDING AND/OR MISINTERPRETATION BY USERS THEREOF, STRENGTHENS THE FLORIDA BUILDING CODE.
7. The proposed code change does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities. MY PROPOSED CODE CHANGE DOESN’T DISCRIMINATE AGAINST ANY MATERIALS, PRODUCTS, METHODS OR SYSTEMS OF CONSTRUCTION.
8. The proposed code change does not degrade the effectiveness of the Florida Building Code. MY PROPOSED CODE CHANGE DOESN’T DEGRADE THE EFFECTIVENESS OF THE FLORIDA BUILIDNG CODE. IT WOULD HAVE THE OPPOSITE EFFECT AND IMPROVE THE CLARIFY OF THE CODE.

**TAC Recommendation**:

**Commission Action:**

**Comment 1 –**

**BOAF Building Officials Association of Florida CDC Code Development Committee**

**Proposal: adding language to Sections FBC R322.1.11 for Flood-Resistant Construction**

**Comment: Proposed glitch code change is to address conflicts with FBC-B**

**Approve/Oppose:** Oppose FDEM to comment and provide additional information. This is not a glitch, needs to go through the Code Mod process.

**Comment 2 –**

**From:** Conn Cole <Conn.Cole@em.myflorida.com>
**Sent:** Wednesday, December 20, 2023 9:48 AM
**To:** Madani, Mo <Mo.Madani@myfloridalicense.com>
**Cc:** Rebecca Quinn <Rebecca@RCQuinnConsulting.com>; Scott McAdam <smcadam@ircgov.com>
**Subject:** FBC Glitch/Errata: SP-FBC - R - Ch. 3 – Glitch #1 (R322.1.11)

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Mo,

I have reviewed the glitch proposal submitted by George Merlin to modify R322. I consider his proposal to be far outside the scope and intent of the glitch cycle, which is to fix “unforeseen conflicts and demonstrated errors.”  At the Commission’s direction, FDEM led a committee to rewrite Section 3109 to more closely align with the flood requirements in Section 1612 (and R322 in the FBCR). That change was published in the 6th Edition (2017). The matters questioned by Mr. Merlin have been in the code for six years.

The FBC Residential, Sec. R322.1.11 specifies that the more restrictive provisions of R322 and FBCB Sec. 3109 govern the design structures that are seaward of the CCCL and in flood hazard areas.  In 2022, this office put together the attached comparison of the requirements after a building official asked our advice on determining the more restrictive of the two sets of requirements.

I understand that resolving which are more restrictive is challenging, and perhaps the code can be further clarified when it comes to applying Sec. 3109 to dwellings. However, attempting to do so simply by saying that allowed uses and use of shear walls “shall not be restricted” is unacceptable.  In particular, long-standing FEMA guidance indicates that shear walls should be used only when lateral loads cannot be resisted by column or pile foundations. Thus, the CCCL restrictions should not be ignored.

Best regards,

Conn

See attachment #1.