



Special Occupancy

Proposed Code Modifications

Glitch Modifications

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Total Mods for **Special Occupancy** in **Pending Review**: 5

Total Mods for report: 5

Sub Code: Building

Date Submitted	4/29/2013	Section	428.3	Proponent	David Eastman
Chapter	4	Affects HVHZ	No	Attachments	No
TAC Recommendation	Pending Review				
Commission Action	Pending Review				

Related Modifications**Summary of Modification**

This modification clarifies the inspection requirements for inspection agencies that inspect manufactured building construction.

Rationale

The inspection agency has always been required to inspect the first building built in the manufacturer's facility after the manufacturer becomes certified. The 2007 Building Code included the language "or selection of the agency, whichever occurs last" after the language "observe the manufacture of the first building built subsequent to the plan approval." The deletion of that language in amendments adopted in 2010 coupled with the interpretation of the "plan approval" as the filing of the plans with the Department for tracking, could be and has been deemed to require observation of the manufacture of every building built in the manufacturer's facility, from start to finish including all subsystems.

The certification of the manufacturer is the point at which the inspection agency begins evaluation of the implementation of the quality control program to assure that the manufacturing process is achieving compliance with the design plans for the homes built in the manufacturer's facility. The inspection agency continually evaluates and determines whether the manufacturer's capability in implementing the quality control program to ensure construction in accordance with the design plans achieves compliance with the Florida Building Code requirements.

This amendment clarifies that it is the initial certification of the manufacturer that triggers the obligation to observe the manufacture of the first building from start to finish, including all subsystems of that building. Thereafter, the inspection agency has discretion to reduce or increase the inspections in accordance with the compliance achieved by the manufacturer.

This was the original intent of the statute and rule as it has been applied by the Department.

Fiscal Impact Statement**Impact to local entity relative to enforcement of code**

Local entities will not be affected by this code change.

Impact to building and property owners relative to cost of compliance with code

The cost of compliance is reduced. The proposal restores what is a consistent inspection process for manufactured buildings that has been in use for over a decade.

Impact to industry relative to the cost of compliance with code

This code change will not have a cost of compliance to the industry.

Requirements**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The current approach to inspections based upon the quality control program in manufacturing facilities has reduced complaints about construction and increased reliability of the product.

Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction

This code change makes the inspection process clear and concise. It maintains the number and type of inspections currently being done. It does not increase inspections, unless necessary. The interpretation increases inspections unnecessarily.

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities

It does not.

Does not degrade the effectiveness of the code

It does not.

Is the proposed code modification part of a prior code version? **No**

- (a.) Conflicts within the updated code;
- (b.) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
- (c.) Unintended results from the integration of previously adopted Florida-specific amendments with the model code;
- (d.) Equivalency of standards;
- (e.) Changes to or inconsistencies with federal or state law;
- (f.) 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.

428.3.2.1

With regard to manufactured buildings, the agency's licensed representative shall observe the manufacture of the first building built after certification of the manufacturer pursuant to section 61-41.007, ~~subsequent to the plan approval~~ from start to finish, inspecting all subsystems (electrical, plumbing, structural, mechanical or thermal) thereof. Continual observation and inspection of the manufacturing process shall continue until the agency determines the implementation of the manufacturer's quality control program capabilities, in conjunction with the application of the approved plans and specifications result in a building that meets or exceeds the standards adopted herein. Thereafter, the agency shall inspect each module produced during at least one point of the manufacturing process and shall inspect a minimum of 75 percent of the subsystems (electrical, plumbing, structural, mechanical or thermal) or 20 percent of storage sheds that are not designed for human habitation and have a floor area of 720 square feet (67 m²) or less manufactured pursuant to the approved plan. Where a production line does not provide the subsystem percentages of inspections prescribed, in a single inspection, additional inspections shall be performed until the prescribed percentages of installed subsystems are inspected.

428.3.2.2 With regard to components, the agency's licensed representative shall observe the manufacture of the first unit assembled after certification of the manufacturer pursuant to section 61-41.007 ~~subsequent to the plan approval~~, from start to finish, inspecting all subsystems thereof. Continual observation and inspection shall continue until the agency determines the implementation of the manufacturer's quality control program, in conjunction with application of the approved plans and specifications and the manufacturer's capabilities, result in a component that meets or exceeds the codes and standards adopted herein. Thereafter, the agency shall inspect not less than 20 percent of the manufactured building components and 75 percent, of the subsystems, in the inspected component.

Date Submitted 4/22/2013	Section 35	Proponent Ken Cureton
Chapter 35	Affects HVHZ No	Attachments No
TAC Recommendation Pending Review		
Commission Action Pending Review		

Related Modifications

None

Summary of Modification

Modify Referenced Standard NFPA 99 to correct edition

Rationale

Modification required for consistency with FFPC and to correct the Standard Edition. Edition 2010 does not exist.

Fiscal Impact Statement

Impact to local entity relative to enforcement of code

None

Impact to building and property owners relative to cost of compliance with code

None

Impact to industry relative to the cost of compliance with code

None

Requirements

Has a reasonable and substantial connection with the health, safety, and welfare of the general public

Yes

Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction

Yes

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

Does not degrade the effectiveness of the code

Does not degrade the effectiveness of the code.

Is the proposed code modification part of a prior code version? No

- (a.) Conflicts within the updated code;
- (b.) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
- (c.) Unintended results from the integration of previously adopted Florida-specific amendments with the model code;
- (d.) Equivalency of standards;
- (e.) Changes to or inconsistencies with federal or state law;
- (f.) 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.

NFPA National Fire Protection Association

Standard reference number Title

99 - 10 12 ~~Standard for Health Care Facilities~~ Code

Date Submitted 4/22/2013	Section 16	Proponent Ken Cureton
Chapter 16	Affects HVHZ No	Attachments No
TAC Recommendation Pending Review		
Commission Action Pending Review		

Related Modifications

None

Summary of Modification

Modify Referenced Standard NFPA 99 to correct edition

Rationale

Modification required for consistency with FFPC and to correct the Standard Edition. Edition 2010 does not exist.

Fiscal Impact Statement

Impact to local entity relative to enforcement of code

None

Impact to building and property owners relative to cost of compliance with code

None

Impact to industry relative to the cost of compliance with code

None

Requirements

Has a reasonable and substantial connection with the health, safety, and welfare of the general public

Yes

Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction

Yes

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

Does not degrade the effectiveness of the code

Does not degrade the effectiveness of the code.

Is the proposed code modification part of a prior code version? No

- (a.) Conflicts within the updated code;
- (b.) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
- (c.) Unintended results from the integration of previously adopted Florida-specific amendments with the model code;
- (d.) Equivalency of standards;
- (e.) Changes to or inconsistencies with federal or state law;
- (f.) 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.

NFPA National Fire Protection Association

Standard reference number Title

99 - 10 12 ~~Standard for Health Care Facilities~~ Code

Date Submitted 4/29/2013	Section 301.16.1	Proponent Joy Duperault
Chapter 3	Affects HVHZ No	Attachments No
TAC Recommendation Pending Review		
Commission Action Pending Review		

Related Modifications

See equivalent proposal for P309.3

Summary of Modification

Make M301.16.1 consistent with the FBC, Building by removal of "coastal A zone" based on No Affirmative Action on SP5271.

Rationale

Subsequent to approval by the Mechanical TAC, the Special Occupancy TAC recommended No Affirmative Action on SP5271 (which would have recognized Coastal A Zone only where delineated). To be consistent, "coastal A zones" should be removed from this section. Note that Coastal A Zones are treated like Coastal High Hazard Areas if a location is determined to be subject to waves between 1.5 and 3 ft.

Fiscal Impact Statement

Impact to local entity relative to enforcement of code

No change because consistency with FBC is restored.

Impact to building and property owners relative to cost of compliance with code

No change because consistency with FBC is restored.

Impact to industry relative to the cost of compliance with code

No change because consistency with FBC is restored.

Requirements

Has a reasonable and substantial connection with the health, safety, and welfare of the general public

No change because consistency with FBC is restored.

Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction

No change because consistency with FBC is restored.

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities

No change because consistency with FBC is restored.

Does not degrade the effectiveness of the code

No change because consistency with FBC is restored.

Is the proposed code modification part of a prior code version? No

- (a.) Conflicts within the updated code;
- (b.) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
- (c.) Unintended results from the integration of previously adopted Florida-specific amendments with the model code;
- (d.) Equivalency of standards;
- (e.) Changes to or inconsistencies with federal or state law;
- (f.) 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.

301.16.1 Coastal high hazard areas and coastal A zones. In coastal high hazard areas and coastal A zones mechanical systems and *equipment* shall not be mounted on or penetrate walls intended to break away under flood loads.

Date Submitted 4/1/2013	Section 318.1.7	Proponent Jack Glenn
Chapter 3	Affects HVHZ Yes	Attachments No
TAC Recommendation Pending Review		
Commission Action Pending Review		

Related Modifications

5801

Summary of Modification

Eliminate conflict with approved change to the Building Volume

Rationale

Originate proponent made change to Building Code Section 1816.1.7 and did not submit a companion change to the Residential volume.

Fiscal Impact Statement

Impact to local entity relative to enforcement of code

None. Provides clarity by eliminating coinflct

Impact to building and property owners relative to cost of compliance with code

None. Provides clarity by eliminating coinflct

Impact to industry relative to the cost of compliance with code

None. Provides clarity by eliminating coinflct

Requirements

Has a reasonable and substantial connection with the health, safety, and welfare of the general public

Yes

Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction

Yes

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities

Does not discriminate

Does not degrade the effectiveness of the code

Does not degrade the code.

Is the proposed code modification part of a prior code version?

YES

The provisions contained in the proposed amendment are addressed in the applicable international code?

NO

The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variation addressed by the foundation code and why the proposed amendment applies to the state?

YES

The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process?

NO

- (a.) Conflicts within the updated code;
- (b.) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
- (c.) Unintended results from the integration of previously adopted Florida-specific amendments with the model code;
- (d.) Equivalency of standards;
- (e.) Changes to or inconsistencies with federal or state law;
- (f.) 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.

SP5801 - *As approved by the Special Occupancy TAC and the Commission. Change should have included a change to FBC-R Section R318.1.7 as a companion change but apparently was overlooked by the proponent.*

1816.1.7 If a registered termiticide formulated and registered as a bait system is used for subterranean termite prevention, Sections 1816.1.1 through 1816.1.6 do not apply; however, a signed contract assuring the installation, maintenance and monitoring of the baiting system that is in compliance with the requirements of Chapter 482, F.S. for a minimum of five years from the issue of the certificate of occupancy shall be provided to the building official prior to the pouring of the slab, and the system must be installed prior to final building approval. If the baiting system directions for use require a monitoring phase prior to installation of the pesticide active ingredient, the installation of the monitoring phase components shall be deemed to constitute installation of the system.

Recommendation for a change to R318.1.7

R318.1.7 If a registered termiticide formulated and registered as a bait system is used for subterranean termite prevention, §R318.1.1 through §R318.1.6 do not apply; however, a signed contract assuring the installation, maintenance and monitoring of the baiting system that is in compliance with the requirements of Chapter 482, F.S. for a minimum of five years from the issue of the Certificate of Occupancy shall be provided to the building official prior to the pouring of the slab, and the system must be installed prior to final building approval.

If the baiting system directions for use require a monitoring phase prior to installation of the pesticide active ingredient, the installation of the monitoring phase components shall be deemed to constitute installation of the system.