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Mr. Moe Madani
Technical Director
Building Codes & Standards Office
2601 Blair Stone Road
Tallahassee, Florida 32399

E-mail: MoMadani@myfloridalicense.com

RE: Florida Building Code-Existing 2023
Recommendations for revisions and the Chapter 18 addition

Dear Mr. Madani:

As we discussed please find my recommendations regarding the latest proposed revisions to the Code. This is a follow up on my letter of December 19, 2023, wherein I made some recommendations many of which were satisfied with this latest version of Chapter 18.

These recommendations are based on my firm's being able to implement the requirements of the code as our firm is engaged in many condominium types of properties for the past 40 years.

The recommended or suggested verbiage is **bold** for ease of identification.

113.1 Violations; Section The application of this section is limited in scope to buildings that are required to comply with the requirements of Chapter 18.

Comment: This has to do with Section 101.2 Scope. Any building can become unsafe and be subject to violations, not just milestone buildings. Therefore, the limitation of scope should not be stated.

Recommended verbiage :

113.1 Violations ; Section The application of this section is not limited in scope to buildings that are required to comply with the requirements of Chapter 18.

115.2 Application . The application of this section is limited in scope to buildings that are required to comply with the requirements of Chapter 18.

Comment: This section applies to Section 115, Unsafe Buildings. Therefore, the application should not be limited in scope to Chapter 18.

Recommended verbiage:

115.2 Application. The application of this section is not limited in scope to buildings that are required to comply with the requirements of Chapter 18.

6) Chapter 2, Definitions

Substantial Structural Deterioration

Note: This definition is limiting conditions to phase one or phase two inspections. It should include all buildings.

Recommend verbiage :

Substantial Structural Deterioration Means a condition that negatively affects a buildings structural condition and integrity that negatively affects a building’s general structural condition and integrity, or a major structural component whose condition meets the definition of Dangerous. The term does not include surface imperfections such as cracks, distortion, sagging, deflections , misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect responsible for the inspection determines that such surface imperfections are a sign of substantial structural deterioration.

2) Section 1802 . Milestone inspection time frame and frequency . Exceptions: 2.

Comment: This exception 2 ends with the words “*as certified by the inspector*”. The use of the word “ *inspector*” is general and the words should be substituted with the words “**engineer or architect** “

3) Section 1803. Notice for Compliance 1803.1

Comment: This section places the burden of notifying the owner of the requirement of a milestone inspection on the building official. Should the local enforcement agency or building official not do so for whatever reason, it seems to let the owner out of compliance with Chapter 18. The owner should be aware of the obligations and need to comply with Section 1802 Milestone inspection timeframe and frequency regardless of the building’s official’s lack of action if that occurs. Compliance and knowledge of the Code and law is the responsibility of the building owner.

Recommended verbiage:

1803.1 It is the building owners’ responsibility to determine that a building must have a milestone inspection in accordance with Section 1802. The owner shall provide notice to the building official of such required inspection and to the condominium association and or cooperative association of any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable by certified mail, return receipt requested.

Comment:

Almost all buildings in which the Milestone inspections will apply will have an electrical FPL vault. It is important for the building owner to call and coordinate with FPL in order to allow access for the engineer to inspect. This type of vault is most likely going to be in an area that is inaccessible and in a critical location.

Recommended verbiage:

1803.2 Upon determining that a building must have a milestone inspection, the building owner shall coordinate with the electrical service company any electrical vault that, in the opinion of the architect or engineer must be inspected.

Section 1804.1.2

Comment : This section utilizes the term “*inspector*” throughout the provision four (4) times. It places a lot of responsibility on the “inspector”. It is recommended that the term inspector be replaced with “**engineer or architect**”.

6) Section 1806 . Milestone Inspection Reporting

1806.1 Minimum Criteria

Comment: The criteria being required items (a) – (f) places contents of the inspection report.

Item (d) should emphasize structural as many items are included in the definition of dangerous that are not structural.

Item (e) Recommend any remedial or preventive repair for any items that are damaged but are not substantially structural deterioration.

Comment: This item would require a design a specification to be provided in the report. This is normally provided as additional services and will involve possibility bidding as well as permitting. Therefore, only general recommendations should be made understanding that this language is in the statute. Such recommendations can take significant time and costs depending on the level of damage of the items identified and would delay the report itself.

Recommended verbiage:

Item (e) Recommend any remedial or preventive repair for any items in general that are damaged but are not substantially structural deterioration. Such items may have to have separate plans and specifications prepared which are not part of the phase one report.

END OF JCP COMMENTS

Please call if you have any questions or wish further comment.

Very truly yours,

John C. Pistorino, P.E.
President