



**Total Mods for Accessibility in Pending Review: 5**

**Total Mods for report: 5**

### **Proposed Code Modifications**

This document created by the Florida Department of Business and Professional Regulation -  
850-487-1824

A7637

Total Mods for report: 5

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<b>Date Submitted</b>	12/2/2018	<b>Section</b>	464	<b>Proponent</b>	James gregory
<b>Chapter</b>	4	<b>Affects HVHZ</b>	No	<b>Attachments</b>	No
<b>TAC Recommendation</b>	Pending Review				
<b>Commission Action</b>	Pending Review				

**Comments****General Comments**

No

**Alternate Language**

No

**Related Modifications****Summary of Modification**

Revises the section reference to coordinate with the 2018 edition of the Guidelines. Specifies which section of the Florida Accessibility Code will be applied to an ALF.

**Rationale**

4.6.3.1 Corrects the reference to the latest published edition of the 2018 edition of the Guidelines.

4.64.3.2 Clarifies that an Assisted Living Facility (ALF) is a "residential facility" not a "Long-Term Care" facility as described in the Accessibility Code.

Because the ALF provides only personal care services and is not defined as a health care facility or long-term care facility by Florida rule or statute, it must be consistently reviewed as a residential facility for accessibility purposes, not a medical facility or a long-term care facility. However, some building officials insist that an ALF is a long-term care facility even though the state Agency For Health Care Administration states an ALF is NOT a long-term care facility. This added information will help to clarify the code in this one area and direct the building officials to the correct section of the Florida Building Code, Accessibility.

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

There is no fiscal impact on the local entity relative to enforcement.

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

There is no fiscal impact to building and property owners relative to the cost of compliance.

**Impact to industry relative to the cost of compliance with code**

There is no fiscal impact to industry relative to the cost of compliance.

**Impact to small business relative to the cost of compliance with code**

There is no fiscal impact to small business relative to the cost of compliance.

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

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

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

Strengthens or improves the code by making the code requirements clearer to the user.

**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.

**Does not degrade the effectiveness of the code**

Does not degrade the effectiveness of the code.

464.3 Codes and standards for the design and construction of assisted living facilities.

4.6.3.1 Except as modified and required by this section of the code, Chapter 58A-5, Florida Administrative Code or Chapter 429 Part III, Florida Statutes, all new assisted living facilities and all additions, alterations, or renovations to existing assisted living facilities with more than 16 licensed beds shall also be in compliance with The Guidelines for the Design and Construction of Residential Health, Care and Support Facilities (The Guidelines) Part I General, and Chapter 4.21 Special Requirements for Assisted Living Facilities as referenced in Chapter 35 of this code.

464.3.2 Assisted Living Facilities shall meet the accessibility requirements for Residential Facilities as described section 233 of the Florida Building Code, Accessibility.

<b>Date Submitted</b> 11/20/2018	<b>Section</b> 3001.2	<b>Proponent</b> Bryan Holland
<b>Chapter</b> 30	<b>Affects HVHZ</b> No	<b>Attachments</b> No
<b>TAC Recommendation</b> Pending Review		
<b>Commission Action</b> Pending Review		

**Comments**

<b>General Comments</b> Yes	<b>Alternate Language</b> No
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**Related Modifications**

**Summary of Modification**

This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.

**Rationale**

This belongs in the code. A significant part of the population is serviced by this proposal where currently there is a void. Current technologies should be able to be readily adapted to meet the requirements of this proposal. The referenced installation and design standards do not apply to all elevators and conveying systems and their components. Each standard is for a certain type. Although covered for accessibility in Section 1109.8, the installation standard for Platform Lifts and Stairway Chairlifts, ASME A18.1, is not included in Chapter 30. ASME A18.1 is a separate standard, not covered by Section 1.1.2 of ASME A17.1.

**Fiscal Impact Statement**

- Impact to local entity relative to enforcement of code**  
This proposed modification will not impact the local entity relative to code enforcement.
- Impact to building and property owners relative to cost of compliance with code**  
This proposed modification will not change the cost of compliance to building and property owners.
- Impact to industry relative to the cost of compliance with code**  
This proposed modification will not change the cost of compliance or impact industry.
- Impact to small business relative to the cost of compliance with code**  
This proposed modification will not change the cost of compliance or impact small business.

**Requirements**

- Has a reasonable and substantial connection with the health, safety, and welfare of the general public**  
This proposed modification is directly connected to the health, safety, and welfare of the general public.
- Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**  
This proposed modification improves and strengthens the code.
- Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**  
This proposed modification does not discriminate against materials, products, methods, or systems of construction.
- Does not degrade the effectiveness of the code**  
This proposed modification enhances the effectiveness of the code.

**1st Comment Period History**

<b>Proponent</b> Comingore Michelle	<b>Submitted</b> 1/4/2019	<b>Attachments</b> No
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A7363-G1

**Comment:**  
If adopted into the building code, this proposal would likely be unenforceable. Florida Statute (F.S.) 399.035 provides accessibility requirements for elevators. Paragraph 399.035(1)(c), F.S., requires elevators to comply with s. 2.27 of ASME A17.1. The requirements in this proposal exceed the requirements in ASME code, which include push-button based two-way communication with a visual indicator, on-demand notification of the building location, elevator number and that assistance is required, and system operability verification.

Paragraph 399.035(4), F.S., states "This section supersedes all other state laws and regulations and local ordinances and rules affecting the accessibility of passenger elevators to the physically handicapped..." Adding this proposal to the building code would make the building code more stringent than the statutorily-mandated two-way communication requirements and present a conflict between statute and the building code.

**1st Comment Period History**

<b>Proponent</b> andy cid	<b>Submitted</b> 2/3/2019	<b>Attachments</b> Yes
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A7363-G3

**Comment:**  
See attached comment file.

3001.2 Emergency elevator communication systems for the deaf, hard of hearing and speech impaired. An emergency two-way communication system shall be provided that:

1. Is a visual and text-based and a video-based 24/7 live interactive system.
2. Is fully accessible by the deaf, hard of hearing and speech impaired, and shall include voice-only options for hearing individuals.
3. Has the ability to communicate with emergency personnel utilizing existing video conferencing technology, chat/text software or other approved technology.

3001.2 3. Referenced standards.

FBC Public Comment by Andy Cid, President/Founder, Barrier Free Solutions for the Deaf and Hard of Hearing, LLC.

I am the author and main proponent of the current code under IBC Chapter 30, Section 3001.2 (effective 2018 through 2021 AND I submitted another code change, which passed and is now public- effective 2021 and good through 2024).

I support Bryan Holland's proposal to adopt the code language under Section 3001.2. Why? Besides providing access to 50 million people of the Deaf in the U.S, the key word to Mr. Holland's proposal and for this code language is SAFETY. If the State of Florida does not adopt progressive safety standards, it will lag behind the rest of the country, as all or most jurisdictions adopt the IBC codes and the relevant standards.

The current ASME a17 standard, in Section 2.27, was re-written in late 2018 (t/b published in 2019) to honor the intent of the IBC code. I was a part of the task force that assisted the a17 in designing the standard language.

Also, the old standard, under 2.27, requires AUDITORY PHONE SYSTEMS ONLY, or insufficient "one way push button" systems. This is NOT two-way interaction for the Deaf community.

Even if the old or new standard is referenced by the FBC, the building code still takes precedence over the standard. See below:

Chapter 1, ICC - Scope and Administration:

#### 102.4 REFERENCED CODES AND STANDARDS -

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. [A] 102.4.1 Conflicts. Where differences conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the ICC Codes in section 101.4, the provisions of this code or the ICC codes in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

Therefore, I urge the State of Florida and its building official community to adopt this code change for the FBC. If it is not adopted, the state is doing a disservice to its own citizens by lagging behind the times and not protecting its own. And there is also the liability issue where building owners run the risk of liability and litigation by not providing communication access in elevators, in the event of an elevator system breakdown, with entrapped Deaf occupants.

# Sub Code: Existing Building

**A7447**

3

<b>Date Submitted</b>	11/26/2018	<b>Section</b>	1401.2.5	<b>Proponent</b>	Richard Schauland
<b>Chapter</b>	14	<b>Affects HVHZ</b>	No	<b>Attachments</b>	Yes
<b>TAC Recommendation</b>	Pending Review				
<b>Commission Action</b>	Pending Review				

## Comments

<b>General Comments</b>	No	<b>Alternate Language</b>	No
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### Related Modifications

### Summary of Modification

Please refer to the attached file. The documentation for this proposal exceeds the 300 character limit.

### Rationale

The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

### Fiscal Impact Statement

#### Impact to local entity relative to enforcement of code

There will be no impact to local entities relative to the enforcement of the code. This revision is only a clarification of the current provision.

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

This will not increase the cost of construction. This revision is only a clarification of the current provision.

#### Impact to industry relative to the cost of compliance with code

This will not increase the cost of compliance. This revision is only a clarification of the current provision.

#### Impact to small business relative to the cost of compliance with code

This will not increase the cost of compliance. This revision is only a clarification of the current provision.

### Requirements

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

The purpose of this section is to provide accessibility requirements for existing buildings that are undergoing work. The proposed revision provides clarity to all types of work and historic structures.

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

This proposal does not strengthen the Code, it provides clarity of an existing rule that will assist in a better understanding for enforcement.

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

The proposal makes no mention of specific materials, products, methods, or systems of construction.

#### Does not degrade the effectiveness of the code

This proposal helps the effectiveness of the code by providing clarity of the requirements.

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410, ~~er~~ 705, 806, 906, 1105, and 1201.4 as applicable.



**Code Change No: EB77-15**

**Original Proposal**

**Section: 1401.6**

**Proponent:** Jeff Hugo, National Fire Sprinkler Association, representing National Fire Sprinkler Association (hugo@nfsa.org)

**Revise as follows:**

**1401.6 Evaluation process.** The evaluation process specified herein shall be followed in its entirety to evaluate *existing buildings* in Groups A, B, E, F, M, R, S and U. For existing buildings in Group I-2, the evaluation process specified herein shall be followed and applied to each and every individual smoke compartment. Table 1401.7 shall be utilized for tabulating the results of the evaluation. References to other sections of this code or other codes indicate that compliance with those sections is required in order to gain credit in the evaluation herein outlined. In applying this section to a building with mixed occupancies, where the separation between the mixed occupancies does not qualify for any category indicated in Section 1401.6.16, the score for each occupancy shall be determined, and the lower score determined for each section of the evaluation process shall apply to the entire building, or to each smoke compartment for Group I-2 occupancies.

Where the separation between the mixed occupancies qualifies for any category indicated in Section 1401.6.16, the score for each occupancy shall apply to each portion, or smoke compartment of the building based on the occupancy of the space.

**Reason:** This proposal adds "other codes" because other codes, such as the International Building Code besides the IEBC are referenced in Chapter 14.

**Cost Impact:** Will not increase the cost of construction  
Editorial

**Report of Committee Action Hearings**

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The reference to "other codes" is necessary as there are minimum provisions that must be met from other I-Codes.

**Assembly Action:**

**None**

**Final Action Results**

EB77-15

AS

<b>Date Submitted</b> 11/26/2018	<b>Section</b> 1401.2.5	<b>Proponent</b> Richard Schauland
<b>Chapter</b> 14	<b>Affects HVHZ</b> No	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Pending Review		
<b>Commission Action</b> Pending Review		

**Comments**

<b>General Comments</b> Yes	<b>Alternate Language</b> No
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**Related Modifications**

**Summary of Modification**

Please refer to the attached file. The documentation for this proposal exceeds the 300 character limit.

**Rationale**

The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

**Fiscal Impact Statement**

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

There will be no impact to local entities relative to the enforcement of the code. This revision is only a clarification of the current provision.

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

This will not increase the cost of construction. This revision is only a clarification of the current provision.

**Impact to industry relative to the cost of compliance with code**

This will not increase the cost of compliance. This revision is only a clarification of the current provision.

**Impact to small business relative to the cost of compliance with code**

This will not increase the cost of compliance. This revision is only a clarification of the current provision.

**Requirements**

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

The purpose of this section is to provide accessibility requirements for existing buildings that are undergoing work. The proposed revision provides clarity to all types of work and historic structures.

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

This proposal does not strengthen the Code, it provides clarity of an existing rule that will assist in a better understanding for enforcement.

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

The proposal makes no mention of specific materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This proposal helps the effectiveness of the code by providing clarity of the requirements.

**1st Comment Period History**

<b>Proponent</b> Richard Schauland	<b>Submitted</b> 1/2/2019	<b>Attachments</b> No
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**Comment:**

Mod. F7450 is related to this Mod.

A7451-G1

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410, ~~er~~ 705, 806, 906, 1105, and 1201.4 as applicable.

## Code Change No: **EB77-15**

### Original Proposal

**Section:** 1401.2.5

**Proponent:** Edward Kulik, Chair, representing Building Code Action Committee (bcac@iccsafe.org)

**Revise as follows:**

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410.07, 705, 806, 906, 1105.1204 and 1205.15 as applicable.

**Reason:** The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

In July/2014 the ICC Board decided to sunset the activities of the Code Technology Committee (CTC). This is being accomplished by re-assigning many of the CTC Areas of Study to the applicable Code Action Committee (CAC). This proposal falls under the CTC Area of Study entitled IBC Coordination with the New ADAAG. Information on the CTC, including: the sunset plan; meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the CTC website.

This public proposal is submitted by the ICC Building Code Action Committee (BCAC). The BCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance an assigned International Code or portion thereof. This includes both the technical aspects of the codes as well as the code content in terms of scope and application of referenced standards. Since its inception in July, 2011, the BCAC has held 13 open meetings and numerous workgroup calls which included members of the BCAC as well as any interested party to discuss and debate the proposed changes and the public comments. Related documentation and reports are posted on the BCAC website at: <http://www.iccsafe.org/cs/BCAC/Pages/default.aspx>.

**Cost Impact:** Will not increase the cost of construction  
The proposal is a clarification of current requirements; therefore, there is no impact on the cost.

**Staff note:** An errata was corrected to this section. The reference to Section 605 was revised to Section 705. It is shown as current code text.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** This proposal was approved as it more comprehensively references all of the relevant accessibility requirements found in the IEBC. There was concern raised in the correlation with this proposal and EB33-15 going forward. EB33-15 moved all the accessibility requirements to Chapter 3.

**Assembly Action:**

**None**

### Final Action Results

**EB77-15**

**AS**

<b>Date Submitted</b> 12/15/2018	<b>Section</b> 1401.2.5	<b>Proponent</b> Kimberly Gilliam
<b>Chapter</b> 14	<b>Affects HVHZ</b> No	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Pending Review		
<b>Commission Action</b> Pending Review		

**Comments**

<b>General Comments</b> No	<b>Alternate Language</b> No
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**Related Modifications**

**Summary of Modification**

The proposed modification more comprehensively references all of the relevant accessibility requirements found in the FBC, Existing Building.

**Rationale**

The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

**Fiscal Impact Statement**

- Impact to local entity relative to enforcement of code**  
None. The proposal is a clarification of current requirements.
- Impact to building and property owners relative to cost of compliance with code**  
None. The proposal is a clarification of current requirements.
- Impact to industry relative to the cost of compliance with code**  
None. The proposal is a clarification of current requirements.
- Impact to small business relative to the cost of compliance with code**  
None. The proposal is a clarification of current requirements.

**Requirements**

- Has a reasonable and substantial connection with the health, safety, and welfare of the general public**  
No, the proposal is a clarification of current requirements.
- Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**  
Yes, the clarification provides better coordination within the Code.
- Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**  
No, it does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.
- Does not degrade the effectiveness of the code**  
No, it improves coordination within the Code.

**1401.2.5 Accessibility requirements.**

Accessibility shall be provided in accordance with Section 410, or 705, 806, 906, 1105, 1204 and 1205.15 as applicable.

Code Change No: **EB77-15**

**Original Proposal**

**Section:** 1401.2.5

**Proponent:** Edward Kulik, Chair, representing Building Code Action Committee (bcac@iccsafe.org)

**Revise as follows:**

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410, ~~or~~ 705, 806, 906, 1105, 1204 and 1205.15 as applicable.

**Reason:** The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

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**Committee Action:**

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**Committee Reason:** This proposal was approved as it more comprehensively references all of the relevant accessibility requirements found in the IEBC. There was concern raised in the correlation with this proposal and EB33-15 going forward. EB33-15 moved all the accessibility requirements to Chapter 3.

**Assembly Action:**

**None**

**Final Action Results**

**EB77-15**

**AS**