

FLORIDA BUILDING COMMISSION
FACILITATOR'S SUMMARY REPORT OF THE
MAY 8 - 9, 2007
COMMISSION PLENARY SESSION
SUPPLEMENT TO THE MAY 8 - 9, 2007 MINUTES
TAMPA, FLORIDA

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FLORIDA BUILDING COMMISSION

SUPPLEMENT TO THE MAY 8 - 9, 2007 MINUTES

OVERVIEW OF COMMISSION'S KEY DECISIONS

TUESDAY, MAY 8, 2007

Welcome

Chairman Rodriguez welcomed the Commission, staff and the public to the May 2007 plenary session, and once again thanked TAC members and DCA staff for doing an excellent job in reviewing and making recommendations regarding proposed code amendments for the 2007 update to the Florida Building Code. Chairman Rodriguez noted that Mo Madani and his staff did an excellent job in organizing the proposed code amendments by subject area, as well as with the integration of Florida specific amendments, and staff's efforts enhanced the TAC's ability to effectively review the proposed amendments. The Chair noted that in June the TAC's will review comments on TAC recommendations for proposed code amendments, and this will represent the first time the Commission has had the benefit of the TAC's review and recommendations on comments on recommendations for proposed amendments to the Florida Building Code.

Agenda Review and Approval

The Commission voted unanimously, 16 - 0 in favor, to approve the agenda for the May 8 - 9, 2007 agenda as presented. Following are the key agenda items approved for consideration:

Day One:

- To Consider Regular Procedural Issues: Approval of the March 27 - 28, 2007 Minutes and Facilitator's Summary Report.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Legal Issues and Petitions for Declaratory Statements.
- To Hear an Update Report on Binding Interpretations.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities

Day Two:

- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Review and Update the Workplan.
- To Consider/Decide on Accessibility, Code Administration, Electrical, Energy, Fire, Joint Fire TAC & Fire Code Advisory Council, Mechanical, Plumbing, Roofing, and Structural Technical Advisory Committees (TAC's) Report/Rec's.
- To Consider/Decide on Product Approval/Prototype Buildings/Manufactured Buildings and Education Program Oversight Committee (POC's) Reports/Recommendations.

- To Conduct a Supplemental Rule Development Workshop on Rule 9B-72, Product Approval.
- To Hear the Window Label Workgroup's Recommendations on Installation Instructions.
- To Hear and Discuss Legislative Session Update.
- To Discuss Commissioner Issues.
- To Receive Public Comment.
- To Review Committee Assignments and Issues for the Next Meeting.

Review and Approval of the March 27 - 28, 2007 Meeting Minutes and Facilitator's Summary Report

Motion—The Commission voted unanimously, 16 - 0 in favor, to approve the March 27 - 28, 2007 Minutes and Facilitator's Summary Report as amended.

Amendments to Minutes

None offered.

Consideration of Accessibility Waiver Applications

The Commission reviewed and decided on the Waiver applications submitted for their consideration.

Consideration of Applications for Product and Entity Approval

Commissioner Carson presented the committee's recommendations for entities and Jeff Blair presented the committee's recommendations for product approvals. The results of product and entity applications are found in the Product Approval POC report included as an attachment to the minutes.

Legal Issues

Petitions For Declaratory Statements

Following are the actions taken by the Commission on petitions for declaratory statements.

Supplemental Hearing

DCA07-DEC-011 by Billy Tyson, CBO, of Clemmons, Rutherford & Associates, Inc

Motion—The Commission voted 17 - 0 in favor, to approve their previous action on the petition.

Second Hearings

DCA06-DEC-299 by Grant Tolbert of Hernando County Development Services

Motion—The Commission voted 17 – 0 in favor, to approve their previous action on the petition.

DCA07-DEC-016 by James M. Nicholas, Esquire, Townhomes of Suntree

Motion—The Commission voted 17 – 0 in favor, to approve their previous action on the petition.

DCA07-DEC-020 by Ed Riley, Fire Code Official, Collier County

Motion—The Commission voted 16 – 0 in favor, to approve their previous action on the petition as amended to clarify the response applies only to commercial construction.

DCA07-DEC-034 by Don Blalock, President, Quickbrick USA, LLC

Motion—The Commission voted 16 – 0 in favor, to approve their previous action on the petition as amended to clarify that state approval is not required as product can be approved for local use by the AHJ.

DCA07-DEC-038 by Ed Riley, Fire Code Official, Collier County

Motion—The Commission voted 16 – 0 in favor, to approve their previous action on the petition.

First Hearings

DCA07-DEC-017 by Robert S. Fine, TRG-Block One LTD

The Commission voted, 15 – 1 in favor, to approve the TAC’s recommendations on the petition as presented.

DCA07-DEC-047 by John Leedy, PE, Leedy Electric Corporation

The Commission voted unanimously, 16 – 0 in favor, to approve the TAC’s recommendations on the petition as presented. Note: Commission answered the second question first.

DCA07-DEC-048 by Joseph W. Broughton, PE, Burgess Engineering Inc.

The Commission voted unanimously, 16 – 0 in favor, to approve the TAC’s recommendations on the petition as presented.

DCA07-DEC-049 by Penny Hoxie, PolyVulc USA Inc.

Petition was dismissed for insufficiency.

DCA07-DEC-050 by Alfonso E. Oviedo-Reyes, Hunker Down Systems

The Commission voted unanimously, 16 – 0 in favor, to approve the POC’s recommendations on the petition as presented

DCA07-DEC-060 by Emil Veksenfeld, PE

Petition was deferred to allow applicant to provide more facts and circumstances.

DCA07-DEC-065 by Andrew Johnston, Harbor Home Improvements

The Commission voted unanimously, 16 – 0 in favor, to approve the TAC’s recommendations on the petition as presented

DCA07-DEC-067 by Joseph R. Hetzel, PE, DASMA

The Commission voted unanimously, 16 – 0 in favor, to approve the TAC’s recommendations on the petition as presented

DCA07-DEC-072 by Nelson de Leon, AIA

Petition was withdrawn.

DCA07-DEC-078 by Siegfried W. Valentin, AAMA

The Commission voted unanimously, 16 – 0 in favor, to approve the POC’s recommendations on the petition as presented

DCA07-DEC-079 by Keith A. Mahaffey, President, Keith Mahaffey Pools, Inc.

Petition was dismissed since it is subject to local appeal.

DCA07-DEC-080 by Mike Pella, PE, Kamm Consulting, Inc.

The Commission voted unanimously, 16 – 0 in favor, to approve the TAC’s recommendations on the petition as presented

Recess

The Commission voted unanimously, 17 - 0 in favor, to recess at 5:30 PM.

WEDNESDAY, MAY 9, 2007

CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

A. Commission Appointments

Chairman Rodriguez noted that he has contacted the Governor's appointment director, Melanie DiMuzio, on January 25, 2007, and inquired regarding the status of appointments to the Commission. The Chair reported that he was informed that the Governor's office is working on the Commission's and other boards' appointments and prioritizing those with quorum issues. It was confirmed that Commissioners whose terms had expired will continue to serve until appointments are made, and that the Governor's office would seek the Chair's advice prior to finalizing Commission appointments. The Chair reported that he had called her again on March 8 and April 26, 2007 and in both instances she was unavailable. As a result, on April 26, 2007 the Chair reported that he had sent her an e-mail requesting that any new appointments be delayed until after we complete the 2007 code update process, which we will complete at the August 2007 meeting.

B. TAC/Workgroup Appointments

Chairman Rodriguez appointed Peggy Greenwell to the Accessibility TAC, Jim Crochet to the Special Occupancy TAC, and Kenneth Everett to replace Mark Zehnal on the Roofing TAC. The Chair thanked Mark for his service and welcomed Peggy, Jim, and Kenneth to their respective TAC's.

C. Windows Workgroup

In order to address the issue of water infiltration and related issues, identified by the Hurricane Research Advisory Committee and the Window Labeling Workgroup, Chairman Rodriguez revised the scope of the Window Labeling Workgroup to work on this issue. In addition, the Workgroup's name was changed to the Windows Workgroup. The Windows Workgroup will be comprised of all of the Window Labeling Workgroup members and the addition of Joe Belcher. In addition, C.W. Macumber will remain on the Windows Workgroup in his new role representing the wood industry.

Following are the members of the Windows Workgroup:

Robert Amoruso, Chuck Anderson, Joe Belcher, Bob Boyer, Rusty Carrol, Jaime Gascon, Dale Greiner, Jon Hill, C.W. Macomber, John McFee, Dave Olmstead, Craig Parrino, Roger Sanders, Jim Schock, Steve Strawn, Sigi Valentine, and Dwight Wilkes.

D. Budget Committee Update

Chairman Rodriguez reported that the Commission's Budget Committee met prior to the Monday, May 8, 2007 plenary session and Ila Jones provided the Commission with a report on the 2007/08 and 2008/09 budgets and answered member's questions.

The Chair noted that the Commission is in a sound financial position and thanked Ila for her updates. Chairman Rodriguez added that Commissioner Browdy urged the Commission to consider impacts on affordable housing when developing recommendations resulting from the research being conducted on Energy and Hurricane/storm protection issues.

Lorraine Ross urged the Commission to coordinate with the Florida Energy Commission regarding initiatives for energy conservation in buildings and insurance credits for enhancements.

Review and Update of Commission Workplan

Commission Actions:

Motion—The Commission voted unanimously, 16 - 0 in favor, to approve the updated workplan and meeting schedule as presented, to reflect the Commission's priorities.

(Included as Attachment 2—Commission's Updated Workplan)

Motion— **Motion**—The Commission voted unanimously, 17 - 0 in favor, to approve the revised workplan including the 2007 legislative assignments as presented

(Included as Attachment 3—2007 Legislative Assignments)

Supplemental Rule Development Workshop on Rule 9B-72, Product Approval

Chairman Rodriguez reported that the Product Approval Validation Workgroup worked for over a year to develop a consensus package of recommendations regarding the validation requirements of the Product Approval Rule. The Workgroup concluded their work in June of 2006 and the Commission reviewed the recommendations during the fall of 2006. The Commission's Product Approval POC held a special meeting on January 24, 2007 to review the proposed changes and provide the POC's recommendations to the Commission. In addition, the POC met again on February 5, 2007 and agreed with the additional recommendations proposed by staff. At the February Rule Development Workshop the Commission adopted the changes recommended by the POC and this supplemental rule development workshop is an opportunity for the public to comment on the proposed revisions before the Commission proceeds with rule adoption. The Chair explained that May's supplemental rule development workshop is an opportunity for the public to comment on the proposed revisions before the Commission proceeds with rule adoption. In addition, the Product Approval POC had additional recommendations for revisions to the Rule including the integration of the Window Labeling Workgroup's consensus recommendations for requirements for installation instruction submittals for product approval applications.

The Supplemental Rule Development Workshop was opened and Commissioner Carson and Mo Madani reviewed the changes to the rule draft proposed by the Product Approval POC, and then an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor, to proceed with rule adoption for Rule 9B-72, the Product Approval Rule, integrating and noticing the approved changes, and conducting a supplemental rule development workshop at the June 2007 Commission meeting.

POC Recommendation Adopted by Commission on Proposed Changes to Draft of Rule 9B-72

1. Revise 9B-72.010 **Definitions (31)(e) shutters** to add subcategory “*fabric storm panel*”.

2. Revise section 9B-72.070 (4) (e) and 9B-72.070 (5)(e) to add the following: Exception: Installation instructions for windows including attachment at minimum shall include the following:

1. Type, and grade of anchor, and/or manufacturers anchor specifications, including minimum nominal size, minimum penetration into substrate and minimum edge distances.
2. Type, physical dimensions, material and grade of any accessory item or strap, if applicable.
- 3.-Spacing of anchors, shims, accessory items and straps.
4. Illustrated diagrams of the attachment of the product to the structure.

3. Validation Checklist

(A) Modify the following language to **Rule 9B-72.130 (3)(a) Certification Method**

- Verify that no rational analysis is conducted under this method. Otherwise the evaluation method must be used use another compliance method to seek product approval.

(A) Modify the following language to **Rule 9B-72.130 (3)(b) Test Report** - Verify that no

rational analysis is conducted under this method. Otherwise an evaluation method must be used use another compliance method to seek product approval.

(B) Modify the following language to add to **Rule 9B-72.130 (3)(c) Evaluation Report From an Architect or Engineer**

- If the Evaluation is not performed by a third party independent of the manufacturer then verify validator’s certificate of independence.

(C) Modify the following language to **Rule 9B-72.130 (3)(d) Evaluation Report From an Evaluation Entity** as follows

- Verify submission of the evaluator’s certification of independence.

Verify the manufacturer installation instructions, including are in accordance with the evaluation report, and attachment, that they are provided.

Legislative Session Update

Jim Richmond reviewed proposed legislation of interest to the Commission and answered member's questions. Jim noted that SB 2836 containing the Commission's recommendations for legislative action was approved by the Legislature.

Jim noted that the text of legislation can be obtained at www.leg.state.fl.us.

An overview of 2007 Legislation affecting the Florida Building Commission is included as Attachment 4 of this report.

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor to conduct a conference call meeting on June 18, 2007 at 10:00 AM to discuss special session legislation.

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor to conduct rule development workshops at the June 2007 meeting for the following issues:

Mitigation requirements and standards for site-built residential buildings.

Electrical bonding and grounding for swimming pool decks.

Requiring CO detectors in buildings with fossil fuel burning heater or appliance (including boiler in public lodging), fireplace, or attached garage and rooms used for sleeping purposes.

(Included as Attachment 4—Overview of 2007 Legislation)

Committee Reports and Recommendations

The Chair requested that all TAC reports that did not require specific Commission actions be entered into the record.

Accessibility TAC

Commissioner Gross presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

Motion—The Commission voted unanimously, 17 – 0 in favor to authorize the TAC to explore a joint Federal and Commission training.

(See Commission Minutes for Committee report)

Code Administration TAC

Commissioner D'Andrea presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 15 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Electrical TAC

Commissioner Carson presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 15 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Energy TAC

Commissioner Greiner presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 15 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Fire TAC

Commissioner D'Andrea presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 15 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Joint Fire TAC/Fire Code Advisory Council Report

Commissioner D'Andrea presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Mechanical TAC

Commissioner Griffin presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Plumbing TAC

Commissioner Vann presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Roofing TAC

Commissioner Schulte presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Structural TAC

Commissioner Kim presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Education POC

Commissioner Browdy presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(*See Commission Minutes for Committee report*)

Commission Actions—Education POC:

Motion—The Commission voted unanimously, 17 – 0 in favor, to approve Advanced New Building Updates FBC with 2005 and 2006. #234.

Motion—The Commission voted unanimously, 17 – 0 in favor, to approve Fl. Building Code Advanced 04: Residential-Floors, Walls and Roofs. #230.

Motion—The Commission voted unanimously, 17 – 0 in favor, to approve the consent agenda of 4 courses, for recommended updated course approvals (#'s: 82.1,83.1, 80.1, and 81.1).

Product Approval POC

Commissioner Carson presented the Committee's recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(*See Commission Minutes for Committee report*)

Commission Actions—Product Approval POC:

Motion—The Commission voted unanimously, 17 – 0 in favor, to conduct a rule development workshop on the Prototype Building Rule, Rule 9B-74, and to solicit another RFP for serving as the Prototype Building Program administrator.

Motion—The Commission voted unanimously, 17 – 0 in favor, to remove the workplan task regarding continuing education for validation entities from the Commission's workplan.

Window Labeling Workgroup Report

Chairman Rodriguez reported that the Window Workgroup met in Tampa on April 10, 2007, with a revised scope to discuss and develop consensus recommendations for a template for installation instructions submitted for product approval submittals. The Workgroup developed consensus on a package of recommendations and submitted their recommendations to the Product Approval POC, and during the supplemental rule development workshop on Rule 9B-72, the Commission accepted the proposed recommendations which will be implemented via the current rule effort on Rule 9B-72 the Product Approval Rule.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

Commission Member Comment/Issues

Commissioner Norkunas expressed that he looks to other Commission members for their expertise in different topical areas, and expressed that his expertise on accessibility issues is available to all Commissioners.

Commissioner Carson requested that four-day meetings be avoided if at all possible.

Commission Member Agenda Items

Chairman Rodriguez invited Commission members to propose issues for the Commission's next (June 2007) meeting.

No agenda items were proposed by Commissioners.

General Public Comment

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission's purview.

Larry Schneider requested that the Commission consider labeling the 2007 Florida Building Code the 2008 Code in order to correlate with the other 2008 codes (i.e., Fire Code).

Adjourn

The Commission voted unanimously, 17 – 0 in favor, to adjourn the meeting at approximately 10:35 AM.

ATTACHMENT 1
MEETING EVALUATION RESULTS

May 8 - 9, 2007—Tampa, Florida

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting.

- 9.6 The background information was very useful.
- 9.6 The agenda packet was very useful.
- 9.9 The objectives for the meeting were stated at the outset.
- 9.9 Overall, the objectives of the meeting were fully achieved.
- 9.6 Accessibility Waiver Applications.
- 9.8 Requests for Declaratory Statements.
- 10.0 Approval of Products and Product Approval Entities.
- 9.7 Chairs Issues and Recommendations.
- 9.9 Commission's Workplan and Meeting Schedule Update.
- 9.9 TAC and POC Reports and Recommendations.
- 9.8 Window Labeling Workgroup Report and Recommendations
- 9.8 Supplemental Rule Development Workshop on Rule 9B-72, Product Approval.
- 9.8 Legislative Session Update.

2. Please tell us how well the Facilitator helped the participants engage in the meeting.

- 9.9 The members followed the direction of the Facilitator.
- 10.0 The Facilitator made sure the concerns of all members were heard.
- 9.9 The Facilitator helped us arrange our time well.
- 9.9 Participant input was documented accurately.

3. What is your level of satisfaction with the meeting?

- 9.6 Overall, I am very satisfied with the meeting.
- 9.9 I was very satisfied with the services provided by the Facilitator.
- 9.7 I am satisfied with the outcome of the meeting.

4. What progress did you make?

- 9.6 I know what the next steps following this meeting will be.
- 9.6 I know who is responsible for the next steps.

5. Members Comments.

- DCA staff has done an excellent job of assisting TAC's and Commission in the Code change process.
- Jim Richmond did a fantastic job with the legislative items.
- Great people working at DCA.
- Jeff Blair continues to be a great asset to the meetings as a facilitator. Keep it up.
- As usual the meeting was well orchestrated.
- Let's try to condense the meetings and schedule them more closely together so that we can meet Monday through Wednesday (3 days). No more 4 day meetings.
- I would appreciate not having any more 4 day meetings unless it is absolutely necessary!
- No more Sunday meetings.
- Would like to eliminate Sunday meetings—if at all possible.

ATTACHMENT 2

COMMISSION'S UPDATED WORKPLAN AND MEETING SCHEDULE

(Adopted Unanimously May 9, 2007)

MEETING DATES

2006

January 23, 24 & 25 TACs	Tampa Embassy Suites
February 6 & 7 Cmsn	Orlando Rosen Plaza
March 20,21 & 22 Cmsn	Tampa Embassy Suites
May 1, 2, 3 & 4 Cmsn	Orlando Sheraton Safari
June 19 Cmsn	Destin Sandestin Beach Resort
July 10, 11 &12 Cmsn	Ft Lauderdale Seminole Hard Rock Hotel & Casino
August 21, 22 & 23 Cmsn	Miami Don Shula
October 9, 10 & 11 Cmsn	Tampa Embassy Suites
December 4, 5 & 6 Cmsn	Tampa Embassy Suites

Note: Based on experience developing the 2004 FBC, TAC meetings are scheduled separately from the Commission meeting for January 2006 and March 2007 to review proposed Code amendments for the Glitch Cycle and 2007 FBC Update respectively. Commission meetings are set for 2 weeks after those TAC meetings. This scheduling was established to avoid a week long Commission meetings and to avoid meetings in back to back weeks.

2007

February 5, 6 & 7 Cmsn	Tampa Embassy Suites, USF
March 12, 13, 14 & 15 TACs	St Augustine Casa Monica Hotel
March 26, 27 & 28 Cmsn	St Augustine Casa Monica Hotel
May 6, 7, 8 & 9 Cmsn	Tampa Embassy Suites, USF
June 24, 25, 26 & 27 Cmsn	Miami Lakes Don Shula Hotel
August 20, 21 & 22 Cmsn	Tampa Embassy Suites, USF
October 8, 9 & 10 Cmsn	Tampa Embassy Suites, USF
December 10, 11 & 12 Cmsn	Orlando Doubletree Hotel, Universal

2008

January 28,29 & 30 Cmsn	World Golf Village, St. Augustine
March 17, 18 & 19 Cmsn	Embassy Suites, Tampa
May 5, 6 & 7 Cmsn	Crowne Plaza, Melbourne
June 23, 24 & 25 Cmsn	Don Shula's Hotel, Miami Lakes
August 18, 19 & 20 Cmsn	Naples Grande, Naples
October 13, 14 & 15 Cmsn	Embassy Suites, Tampa
December 8, 9 & 10 Cmsn	TBD

FLORIDA BUILDING COMMISSION 2007 WORKPLAN

1. **Recommendations for Report to 2007 Legislature**
 - Consider preliminary recommendations to Legislature 10/10/06
 - Approve recommendations to Legislature 12/04/06
 - Report transmitted to Legislature 2/08/07**

2. **Panhandle Hurricane Ivan Study**
 - Phase I**
 - Workshop in Panhandle to review studies 9/13/05
 - Commission approved consensus recommendation from workshop to conduct Panhandle windborne debris study 10/12/05
 - Hire contractor to conduct Panhandle windborne debris study
 - Phase I (study initiation data development for models) 10/05
 - Obtain budget amendment 11/05
 - Initiate Phase II (modify models and conduct simulations) 12/05
 - Commission receives preliminary report from researchers 2/07/06
 - Public hearing and decide recommendation to Legislature at Commission meeting 2/07/06
 - Meeting with Panhandle Building Officials 2/16/06
 - Recommendation to the Legislature (In Annual Report) 2/24/06
 - Contractor preliminary report presentation on study at Commission meeting 3/22/06
 - Contractor presentation on study at Commission meeting 5/3/06
 - Initiate amendment of Code as directed by 2006 Legislature
 - Special Commission meeting for Supplemental Rule Development 6/19/06
 - Workshop and contractor presentation at Destin
 - Supplemental Rule Development Workshop 7/11/06
 - Rule Adoption Hearing 8/22/06
 - Amendment to be implemented 3/08/07
 - HRAC considers recommendation for Phase II 7/11/06
 - Commission approved proceeding with Phase II 7/11/06
 - Phase II**
 - Line up funding 8/06-9/06
 - Contract with UF/ARA 12/06
 - Legislature redirects Code amendment during special session 1/07
 - See Task 17**
 - HRAC recommends redirection of Phase II 2/6/07
 - Commission votes to redirect project to evaluation of pressure coefficients for differing terrains 2/7/07
 - Scope of work redirected and renegotiated 2/07
 - See Tasks 18 & 19**

Wind Borne Debris Study Terminated

3. Develop Window Labeling and Default Installation Criteria	
Appoint Work Group	2/22/06
Meeting	5/31/06
Meeting	11/1/06
Recommendation to Code Administration TAC and Commission	12/6/06
Code amendment submitted prior to	1/1/07
Adopted through 2007 FBC update	See Task 7
Work Group meets to identify fastening schedule info template for product approval applications	4/10/07
4. Shutter and Garage Door Labeling	
Work Group appointed	8/22/06
Work Group meeting	9/14/06
:	11/13-14/06
Report to Code Administration TAC and Commission	12/06
Code amendments submitted for 2007 FBC by	1/1/07
Requirements implemented through 2007 FBC	See Task 7
5. Evaluate Termite Protection Requirements	
Appoint Workgroup	3/06
Meeting	5/17/06
Recommendations to Commission	7/11/06
Code amendment submitted prior to	1/01/07
Adopted through 2007 FBC update	See Task 7
Workgroup meets with Plumbing Contractors and Pipe Mfgs	6/20/07
6. Coordinate the Elevator Code and 2007 Florida Building Code updates with the Department of Business and Professional Regulation and The Elevator Advisory Council	
Initial staff meeting to establish protocols	9/6/06
Council reviews Code amendment proposals and advises Commission	See Task 7
7. 2007 Update to the Florida Building Code	
Design of Update Process	Apr-May 06
2006 International Codes published and available to the public	3/1/06
Supplement version of 2006 FBC amendments available	9/1/06
Commission selects 2006 I Codes as foundation for 2007 FBC <i>(Note: 2006 I Codes must be available to public for 6 months prior to selection)</i>	10/11/06
Replacement pages version of 2006 FBC amendments available	11/1/06
Proposed amendments to the 2006 I Codes with Florida amendments due date	1/1/07
Florida Specific amendment overlaps with 2006 I Codes, local amendments and 2008 FFPC correlation submitted amendments proposals by staff	1/1/07
Proposed amendments posted to the Web by (45 day min before TAC review)	1/15/07
45 day comment period ends	2/28/07
TACs review proposed Florida amendments and make recommendations	3/12-15/07
TAC recommendations posted to web (45 day min before Commission review)	4/13/07

45 day comment period ends	5/27/07
TACs review staff integration of prior Florida amendments into draft 2007 FBC and current Local amendments for comment	5/6-9/07
TACs review comments and prepare public comment for Rule Workshop	6/26&27/07
Commission considers TAC recommendations on proposed amendments via Rule Development Workshop	6/26&27/07
Rule Adoption Hearing	8/22/07
File Rule adopting the 2007 FBC	9/14/07
Printed Codes available to the public	1/1/08
Code implemented (6 months from publishing to web)	10/1/08

Subtasks:

Joint Fire TAC/Fire Code Advisory Council review of I Codes changes to FFPC conducted	10/06
Meetings	10/06, 12/6/06
Correlation committee review of Florida specific amendments overlap with 2006 I Codes	10/06-2/07
Fire TAC/Fire Code Advisory Council meet to review overlaps	4/9/07
Code books publication and printing	
<i>Provide 1st set of changes to ICC consisting of non-overlap Florida Specific changes as identified by staff</i>	<i>1/07</i>
<i>Provide 2nd set of changes to ICC consisting of changes as approved by the TACs</i>	<i>5/27/07</i>
<i>Provide 3rd set of changes to ICC consisting of changes as approved by the Commission at the Rule Workshop</i>	<i>7/27/07</i>

8. Glitch Amendments to the 2007 Florida Building Code

Printed 2007 Codes available to the public (<i>Note: Code implemented 10/1/08</i>)	1/1/08
Rule development workshop	6/25/08
Rule adoption hearing	8/27/08
File Rule and post Supplement to website	9/5/08
Glitch Rule effective	9/27/08
2007 FBC effective	10/1/08

9. Assess Transition to IECC as Base for Florida Energy Code

Appoint Workgroup	2/22/06
Hire Consultant to develop code comparisons	3/06
Meeting	6/22/06
Recommendation to Commission	7/11
Meeting	9/14/06
Meeting	11/15/06
Amendments proposed for 2007 FBC	1/1/07
Energy Code revisions thru adoption and implementation of 2007 FBC	See Task 7
Conduct workshop on energy efficiency and moisture control (Note: See Task 21 for follow-up)	2/28/07

- 10. Amend the Florida Accessibility Code for Building Construction**
- | | |
|------------------------------------|---------|
| Rule development workshop | 3/28/07 |
| Rule adoption hearing if requested | 6/27/07 |
| Rule effective | 6/07 |
- Note: Code amendment is only conducted to integrate current chap 553, Part II, F.S. parking Requirements.
- 11. Revise Rule 9B-3.004 to Allow Alternates for Committee Members and to Limit Annual Amendments Process**
- | | |
|--|----------|
| Appoint Ad Hoc Committee | 10/11/06 |
| Committee meeting | 12/06 |
| Rule development workshop | 2/7/07 |
| Supplemental rule development workshop | 3/28/07 |
| Rule adoption hearing | 6/27/07 |
| Rule effective | 6/07 |
- 12. Develop Product Validation Criteria for Methods of Demonstrating Compliance with Code**
- | | |
|--|-------------|
| Meeting | 2/7/06 |
| Meeting | 5/3&4/06 |
| Meeting | 6/1/06 |
| Recommendations to Commission | 7/11/06 |
| Recommendations reviewed and approved by Commission | 8/22/06 |
| Rule adoption schedule approved for amending the rule | 10/4/06 |
| Product Approval POC review of draft rule | 1/24/07 |
| Rule Workshop | 2/7/07 |
| Supplemental Rule Workshop | 3/28/07 |
| Meeting with Window mfgs regarding installation instruction info template for PA application | 4/10/07 |
| Supplemental Rule Workshop | 5/9/07 |
| Rule Adoption Hearing if requested | 6/27/07 |
| Rule effective | 9/07 |
| Design and implement essential BCIS modifications | 9/07- 12/07 |
| Implement rule changes | 1/08 |
- 13. Review and Address Code Administration Needs of Local Governments and Measures to Improve Uniform and Effective Enforcement of the Code**
- | | |
|--|--------|
| Assessment survey | 5-6/07 |
| Report to Code Administration TAC | 8/07 |
| Code Administration TAC Review and Develop Recommendations | 8/07 |
| Recommendations to Commission | 10/07 |
- 14. Evaluate in-home waste water recycling in coordination with Department of Health and Department of Environmental Protection**

Staff investigate DOH concerns and determine statutory authorities	10-12/06
Department of Health meeting	2/12/07
15. Address implementation of the electrical systems requirements of the Energy Efficiency Code	
Forum for discussion of requirements and their implementation	7/10/06
Recommendations presented to the Commission	7/11/06
Education and outreach	
Florida Board of Professional Engineers newsletter article	
Florida Engineering Society publication article	10/06
Identification of Code enforcement and education issue by Building Code Education and Outreach Council	9/27/06
Add notice to Commission's website	9/06
Send notice to all parties registered on BCIS for electrical issues	9/06
Notice Building Officials via BOAF	9/06
BOAF Education Conference Course	5/07
16. Develop capability to require education for validation entities and a training program.	
See Task 12.	
Voted to withdraw from workplan 5/07	
17. Amend the 2004 FBC to eliminate wind-borne debris protection exceptions less stringent than those of the 2006 IBC and 2006 IRC	
Rule adoption hearing	3/28/07
Rule effective	7/1/07
18. Develop Code-Plus criteria for insurance qualification	
Determine policy direction	2/07
Contract for development	
Phase I	5/07
Phase II	8/07
Finalize criteria	12/07
Present in report to 2008 Legislature	2/08
19. Load Side - Wind Pressure Research	
Commission approved redirection of WBD project Phase II	3/07
Amend contract with UF/ARA	4/07
Contract for Phase III	8/07
20. Resistance Side – Component and Cladding & MWFRS Research	
Legislature appropriates funding	5/07
HRAC develops research priority list	5/07-6/07
Contract with UF to conduct research (Includes post hurricane building damage assessment survey contingency)	8/07
Progress reporting at HRAC meetings	

Available results included in report to Legislature

- 21. Latent load management for energy conservation and humidity control**
Conduct workshop on energy efficiency and moisture control 2/28/07
Develop education and outreach plan and coordinate with BASF 3/07 – 5/07
Develop technical R &D plan with AC manufacturers 4/07 – 6/07
Implement plans 7/07 –
- 22. Develop a model energy efficiency ordinance for residential development**
Initiate project 7/07
- 23. Evaluate Florida Energy Code for: residential cost effective baseline; commercial conservation enhancements, and; comparison to IECC, ASHRAE 90.1 and 90.2**
Initiate project 7/07
- 24. Develop and implement public awareness campaign on energy efficiency and benefits of Green Buildings**
Initiate project 7/07
- 25. Loss costs relativities studies for wind insurance credits**
Office of Insurance Regulation project- follow lead TBD
- 26. Develop mitigation techniques for retrofit of existing site-built residential buildings:**
Identify techniques for initial adoption 5/07-6/07
Commission initiates rule development for techniques and retrofit mandates 5/09/07
Rule development workshop 6/27/07
Rule adoption hearing 8/22/07
Rule effective 10/01/07
Adopt techniques and retrofit mandates in 2007 FBC via Glitch Amend Cycle 2008
See Glitch Amendment Task 8 schedule
- 27. Electrical bonding and grounding for swimming pool decks:**
Notify building departments/pool bonding alternative authorized by law 5/07
Develop alternative technique to NEC 5/07-6/07
Commission initiates rule authorizing alternative technique 5/09/07
Rule development workshop 6/27/07
Adopt the alternative in the 2007 FBC 8/22/07
Rule effective 10/1/07
Adopt alternative technique in 2007 FBC via Glitch Amendment Cycle 2008
See Glitch Amendment Task 8 schedule
- 28. Evaluate elimination of gravel and stone roofing systems**
Appoint work group to eval science, alternatives, business impact and birds 7/07-12/07
Amend 2007 FBC as determined by study in Glitch Cycle 2008
See Glitch Amendment Task 8 schedule

29.	Evaluate warehouse expansion sprinkler requirements and amend FBC as appropriate	
	Notify building departments and post on website new requirement of SB 404	5/07
	Fire TAC reviews comment on mods 2151, 2152, 2153 and 2492 recommend to Commission	6/26/07
	Rule development workshop on 2007 FBC	6/27/07
	Rule adoption hearing on 2007 FBC	8/22/07
	Criteria effective with 2007 FBC	10/1/08
30.	Energy Code evaluation for more building efficiency	
	Begin study	7/07
31.	Develop penalty rules for Product Approval Validation Entities	
32.	Implement requirements of law for carbon monoxide detectors	
	Commission initiates special rule development and adoption for buildings with fuel burning appliances, fireplaces or attached garages and sleeping rooms	5/9/07
	Rule development workshop	6/27/07
	Rule adoption hearing	8/22/07
	Rule effective	7/1/08
	Adopt and implement above requirements and DBPR hotels with fuel fired boiler requirements in 2007 FBC in Glitch Cycle See Glitch Amendment Task 8 schedule	2008
33.	Delay elimination of the internal pressure design option in WBD regions	
	Notify building departments and post on website the option remains legal until June 1, 2007	5/07

2007 Legislature Directed Tasks Through Special Session

Florida Building Code Amendments:

- “...eliminate all exceptions that provide less stringent requirements.” than the 2006 IBC and IRC for wind-borne debris protection.
[HB 1A Section 10 (1)]

Citizens Insurance criteria for buildings built within 2500 feet of the coast after 2009:

- “...develop voluntary “Code Plus” guidelines for increasing the hurricane resistance of buildings.”
[HB 1A Sections 10 (2) and 21 627.351(6)(a)6.]

2006 Legislature Directed Tasks

Florida Building Code Amendments:

- Re-designate the Wind Borne Debris Protection Region for the Florida Panhandle

COMPLETED

2005 Legislature Directed Tasks

Florida Building Code Amendments:

Expedited Code Amendment

COMPLETED

- Shall by November 1, 2005, adopt the ICC provisions for ventless attic spaces. [Section 33 SB 442]
- Shall by November 1, 2005, recognize all alarms complying with UL 2017 for the pool alarm option compliance with swimming pool safety requirements of chapter 515 , F.S. [Section 32 SB 442]
- Shall consider how to address water intrusion and roof-covering-attachment weaknesses. [Section 34 SB 442]
- Shall **review** Modifications 569 and 570 adopted October 14, 2003 to IBC and repeal, modify or leave the same but 569 and 570 cannot go into effect until the review (leave the same) or rulemaking (modify or repeal) are completed. [Section 48 SB 442]

2004 FBC Glitch Amendments (2006 Annual Amendment to 2004 FBC)

COMPLETED (Implemented in the 2005 expedited Code Amendment)

- Shall amend the 2004 FBC to allow use of the area under mezzanines to be included in the calculation of total floor area when determining the maximum allowable mezzanine area in sprinklered S2 occupancies of Type III construction. Retroactive to the adoption of the 2001 FBC. [Section 44 SB 442]
- Shall modify Table 1014.1 of 2004 FBC maximum occupancy loads for R occupancies. [Section 46 SB 442]
- Shall amend section 1014.1.2 of 2004 FBC to exempt R1 and R2 occupancies from required distance between exits under certain conditions. [Section 46 SB 442]

2007 Florida Building Code Update

- Eliminate the “interior pressure design” option for buildings in the wind-borne debris regions consistent with the IBC and IRC.

Special Studies:

- Together with building officials from the area, review Hurricane Ivan damage and other data for the region from Franklin County to the Alabama border and issue a report of findings and recommendations to the Governor and 2006 Legislature. [Section 39 SB 442]
- Evaluate the definition of exposure category C and make recommendations to the Governor and 2006 Legislature. [Section 41 SB 442]
- Study the recommendation that the State be served by a single validation entity for state product approval. [Section 45 SB 442]

Other Tasks:

COMPLETED

- Develop a form by rule that is posted on a construction site and identifies all private providers that will be conducting inspections and their contact information. [Section 11 SB 442/ 553.791(4)(c)]
- Develop a form by rule for use on the Building Code Information System for petitioning for review of local building official decisions. [Section 9 SB 442/ s.553.775(3)(c)2.]
- Add design and construction related facility licensing requirements for Hospice Facilities. [HB 189]

ATTACHMENT 3
2007 LEGISLATIVE ASSIGNMENTS

CS/HB 7123 Energy

Action required:

1. Form Work Group and Develop model energy efficiency ordinance for residential construction.
2. Conduct study to evaluate cost effective baseline for Florida Energy Code residential requirements, determine cost effective standards for commercial buildings and compare to the International Energy Conservation Code and ASHRAE 90.1 and 90.2 in consultation with designated others.
3. Develop and implement a public awareness campaign on energy efficiency and benefits of Green Building in consultation with others.

CS/HB 7057 Wind Loss Mitigation Studies and FBC Mitigation Requirements and Standards

Action required:

1. Consult with Office of Insurance Regulation on “lost cost relativities” study.
2. Develop mitigation techniques for retrofit of existing site-built residential buildings:
 - Prescriptive gable end bracing techniques
 - Secondary water barrier requirements and standards
 - Prescriptive roof-to-wall attachment techniques (not to exceed 15% of reproofing cost)
 - Strengthening/correction roof deck attachment/fastening
 - Opening protection
3. Adopt for site-built residential buildings by October 1, 2007:
 - Mitigation techniques
 - Requirement that roof replacement requires secondary water barrier and roof deck attachment/fastening
 - Requirement that within WBD region roof replacement for buildings insured for \$300K or more must also have roof-to-wall connections upgraded
 - Requirement that any permitted activity valued at \$50K or more for buildings located within the WBD region and insured for \$750K or more must also provide for openings protection
4. Adopt in 2007 FBC:
 - Requirements of 2) and 3).

CS for CS for SB 2836 Building Code

Action required:

1. Electrical bonding and grounding for swimming pool decks:
 - Notify building departments about pool bonding alternative authorized by law.
 - Review swimming pool electrical bonding requirements of NEC and develop alternative technique.
 - Adopt a rule authorizing use of the alternative technique.
 - Adopt the alternative in the 2007 FBC.

2. Gravel or stone roofing systems
 - a) Determine and document the following if eliminate systems from Code:
 - o Scientific basis or reason for elimination
 - o An available alternative equivalent in cost and durability
 - o Whether elimination will unnecessarily restrict or eliminate business or consumer choice in roofing systems
 - o Whether elimination will negatively affect the nesting habitat of any species of nesting bird; coordination with Fish and Wildlife Conservation Commission
 - b) Adopt a rule by chap 120 to preserve use of gravel or stone roofing systems if the above conditions cannot be determined and documented
3. Warehouse expansion sprinkler requirements:
 - o Review modifications 2151, 2152, 2153, and 2492 and determine based on public comment if there is a continuing need for any Florida specific requirement of the Code the modifications seek to repeal
 - o Adopt or modify the modifications by chapter 120 only for inclusion in next edition of FBC
4. Energy Code evaluation-
 - o Conduct study to evaluate cost effective baseline for Florida Energy Code residential requirements, determine cost effective standards for commercial buildings and compare to the International Energy Conservation Code and ASHRAE 90.1 and 90.2 in consultation with designated others.

CS for CS for SB 1822 **Carbon Monoxide Detectors**

Action required:

1. Adopt a rule to require CO detectors in buildings with fossil fuel burning heater or appliance (including boiler in public lodging), fireplace, or attached garage and rooms used for sleeping purposes effective by July 1,2008.
2. Include requirements in next revision/(edition) of FBC.
3. Work with DBPR on chapter 4, FBC, Building requirements for public lodging buildings with both sleeping rooms and combustion fired boilers in the building.

CS for SB 404 **Sprinkling Existing Portions of Warehouse Expansions**

Action required:

1. Post notice of statutory requirement on website and notify building departments.
2. Include new provision of law in 2007 FBC update.

CS for SB 2498 **Delayed Elimination of Design for Internal Pressure**

Action Required:

Notification to building departments and industry.

ATTACHMENT 4

LEGISLATIVE OVERVIEW

Jim Richmond, attorney for the Commission, represented the Commission's interests during the 2007 Legislative session. Jim provided the following text as an overview of the 2007 Legislative session regarding issues of interest to the Commission:

The Florida Legislature adjourned its 2007 regular session at about 4:45 p.m. on Friday, May 4, 2007, but not before addressing many issues of importance to the Commission. Of relevance, the Legislature set its sights on decreasing storm damage to homes, increasing efforts in the area of energy conservation and the lean budget. Pending action by Governor Crist, the Commission was successful on most fronts and faces some challenges over the next seven months.

The budget arose as an issue early during the Session as the experts estimated that, for the first time since the '70's, the State would have less income than the year before. The Senate and House entered negotiations with three Commission issues to be resolved; \$500,000 for research related to the "wall of wind"; \$250,000 for the research following up on the panhandle project that the Commission completed last summer; and \$100,000 in additional travel funds. Both research items have been approved by the Legislature, although the travel funds were not allocated. The House also turned away a request to fund the Black Business Investment Board with \$6,000,000 from the Commission's trust fund. Lastly, the Legislature appropriated \$1,000,000 to address the revamped education and outreach program discussed later.

Senator Posey, Chair of the Senate Banking and Insurance Committee lead the charge for mitigation efforts. Motivated by the liability assumed by the State for insurance, Senator Posey initially pursued some mitigation measures no matter the cost imposed. The final version [HB 7057] requires the Commission to develop and adopt prescriptive measures for retrofitting single family residences to incorporate gable end bracing and enhanced roof to wall connections, the latter being a required element of reroofing jobs on single family residences with an insured value of \$300,000 or less located in the wind borne debris region if the roof to wall connections can be enhanced for less than 15% of the cost of the reroofing. This bill additionally requires that shutters be added to a single family residence in very limited circumstances. Senator Posey and his committee also provided for an update to the study of losses related to wind and their reduction through mitigation efforts to be lead by the Office of Insurance Regulation with the participation of the Commission.

Several Legislators found green to be a flattering color this session as there were a number of energy conservation bills introduced. HB 7057, sponsored by Representative Kreegel with a Senate companion by Senators Constantine and Bennett, contains three projects of particular relevance. The Commission has been charged with convening a work group to develop a model energy conservation ordinance; reviewing the Energy Code in comparison to ASHRAE standards and the International Code; develop and implement an outreach and education campaign pertaining to energy efficiency and report on the subjects next year. The Department is to review energy efficiency standards for residential and commercial appliances, as well as the process for updating those standards for application in Florida and reports its recommendations prior to the 08 Session. This bill also requires related and overlapping studies to be performed by the Public Service Commission and the Energy Policy Governance Task Force.

Senator Constantine once again sponsored legislation containing the bulk of the Commission's legislative recommendations in SB 2836. This bill expands the glitch amendment process to be utilized whenever necessary and adds changes to state and federal law as issues that may be addressed.

The effort to insure outreach and education on the Florida Building Code underwent significant changes including elimination of the advisory council comprised of representatives of the licensing boards, jurisdiction over the program being vested in the Department of Community Affairs while preserving the accreditation process. The Program will be responsible for administering two elements that had historically been managed through the Residential Construction Mitigation Program; outreach via a builder's conference in the State and what is commonly referred to as the Disaster Contractors Network. The bill also implements the Commission's recommendations pertaining to product approval; limitation of the certification method of approval to those products that are subject to standardized testing and the authority to discipline validators.

Additionally, three glitch issues were recognized in the bill and the Commission has been charged to review the prohibition of gravel roofs in the International Codes; pool grounding and bonding requirements of the National Electrical Code; and the requirement to retrofit the existing portion of a warehouse that is being expanded with sprinkler systems meeting the current edition of the code. The Legislature also addressed the last of these issues in SB 404 which requires that the Commission defer to the International model code requirements. Lastly, the Senator inserted several additional issues of his own relating to private provider, fire inspections, and provisional licensing of building code administrators.

All in all, the Commission's interests were well served during the 2007 Legislative Session. The stakeholders all worked together with integrity and presented a unified position. Appreciation is also due for the efforts of Melissa Joiner, Matt McGill and Melissa Newmons from the Department's Legislative Affairs Office for their efforts on behalf of the Commission.