



July 24, 2008

Deleted: Petition for Declaratory Statement Before the Florida Building Commission

Amendment to Declaratory Statement DCA 08-DEC-209

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Request:

We are requesting clarification relative to Section 105.3 of the Florida Building Code regarding what date a change in the FBC would be applicable for buildings that are manufactured off-site. Specifically, we seek clarification on the following from the second paragraph of section 105.3: "Each application shall be inscribed with the date of application (for a permit) and the code in effect as of that date."

Question:

Since the permit application does not trigger the beginning of the construction process for manufactured structures, can the date of an executed contract be used to determine which version of the codes apply for a manufactured building? If so, for how long may a manufacturer continue to build under that contract?

Background Information

Typically, manufactured buildings are provided to the public through two avenues; as leased units owned by dealers and distributors of these buildings, or directly sold to the end user of the building.

Dealers in our industry regularly purchase "stock units" such as construction site offices, sales offices and classrooms from wholesale manufacturers. These units often are built (a) without a specific end user in mind or (b) without a signed contract. These "stock units" are maintained in the dealer's fleet until an end user is located and a contract is executed. At that point, a dealer seeks a permit from the local code official for delivery and installation of the building. The permit application does not trigger the beginning of the process as is the case in conventional site built construction, but instead occurs after manufacture of the unit. Dealers and direct manufacturers also sell temporary and permanent buildings directly to the end user.

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Amendment
DCA 08-DEC-209

FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Clerk, receipt of which is hereby
acknowledged.

Paula P Ford 7/24/08
Paula P. Ford Date
Commission Clerk