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Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK Brandon Nichols
Date **8/21/2017**
File #

**PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION**

Company: Bank of America
Address: 100 North Tryon Street
Charlotte, North Carolina 28255

Name: Mr. Dana Hemphill
Title: SVP Location Planning
Telephone: 404-630-6105
E-mail: dana.hemphill@bankofamerica.com

DS 2017-060

Petitioner's Representative:

Name:	Andres Rodriguez
Title:	Associate Principal
Company:	Architectural Design Collaborative
Telephone:	305-442-1188
Facsimile:	305-445-1509
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RE: Bank of America, Advanced Centers

Code Sections on which the Declaratory Statement is sought:

Florida Building Code 5th Edition (2014)
Portion of Chapter 29

Florida Plumbing Code 5th Edition (2014)
Portion of Chapter 4

Background:

Bank of America has a number of existing facilities throughout the State of Florida that consist of an unstaffed, climate controlled, interior vestibule that provides a safe environment for its customers to access ATM machines, 24 hours a day. These facilities vary in size and are either in a free standing building or are an individual in-line facility located within a strip retail shopping center. Bank customers gain entry to these facilities using their Bank issued ATM cards by swiping these cards at a card reader located at the entry door.

Bank of America is seeking to enhance these centers by adding two, 50 square foot in size, ADA accessible, private booths with video conferencing capabilities to each site. This will provide their customers with an opportunity to interact with a bank representative to discuss account issues in a more private setting other than an open vestibule.

Please see the exhibit attached.

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Florida Building Code-Building, 5th Edition (2014) – 2902.3

Section 2903.3 Employee and public toilet facilities. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization.

Florida Building Code-Plumbing, 5th Edition (2014) – 403.3

Section 403.3 Required public toilet facilities. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization.

Description:

The codes described above would substantially affect the petitioner by requiring the installation of restroom facilities once a building permit is sought for the addition of the private booths to the ATM vestibules. The petitioner states the following:

- No food or beverages are available at these sites.
- These are un-staffed sites that leverage technology in the form of ATM devices and live video conferencing to engage and service customers.
- Due to the unstaffed nature of these sites, Bank of America did not include restrooms.
- Bank of America is also concerned about customer security/safety.
- Bank of America is not providing a traditional lobby waiting area as 95% of customers using the site will be on-site for less than 5 minutes.
- Bank of America actively monitors ATM devices to ensure a customer wait time of 5 minutes or less.
- If customer wait times exceed the 5 minute threshold routinely, Bank of America will add additional device capacity to the site to minimize customer wait time.
- Average customer interaction time in the video conferencing booth is less than 8 minutes.

Question:

Bank of America is always looking for new ways to serve its customer's needs. Because of the unmanned nature of these centers and the concern for the safety of the customer, the bank is seeking a declaratory statement on whether or not the code requirement of public restroom facilities would apply to such centers that are un-staffed.

August 18th, 2017.

Sincerely,



Andres Rodriguez
Associate Principal
Architectural Design Collaborative
235 Alcazar Avenue
Coral Gables, Florida 33134.

Advanced Center

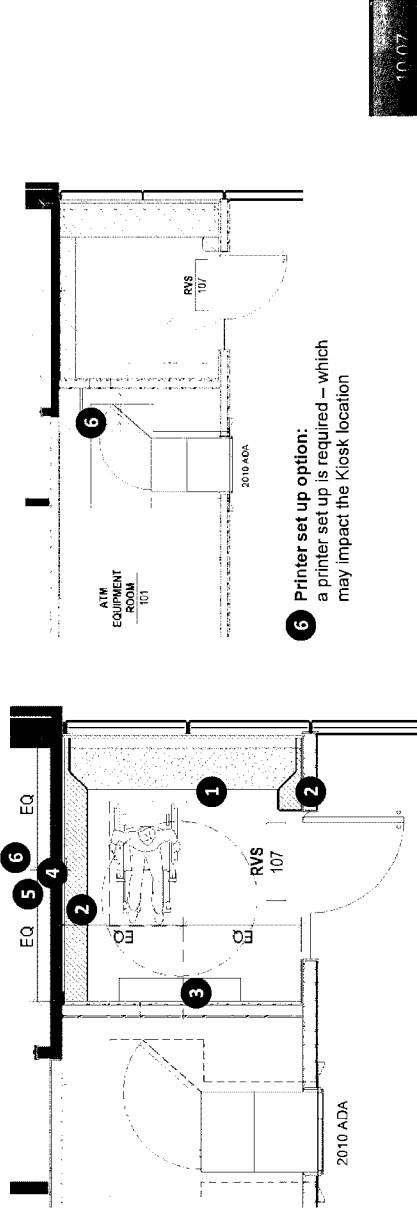
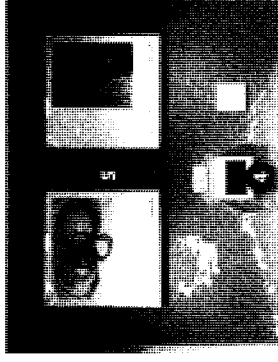
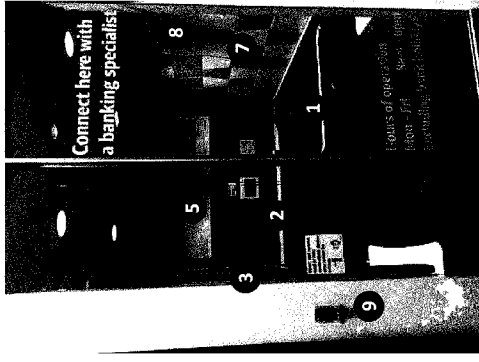
Video Conferencing booth

Room Elements

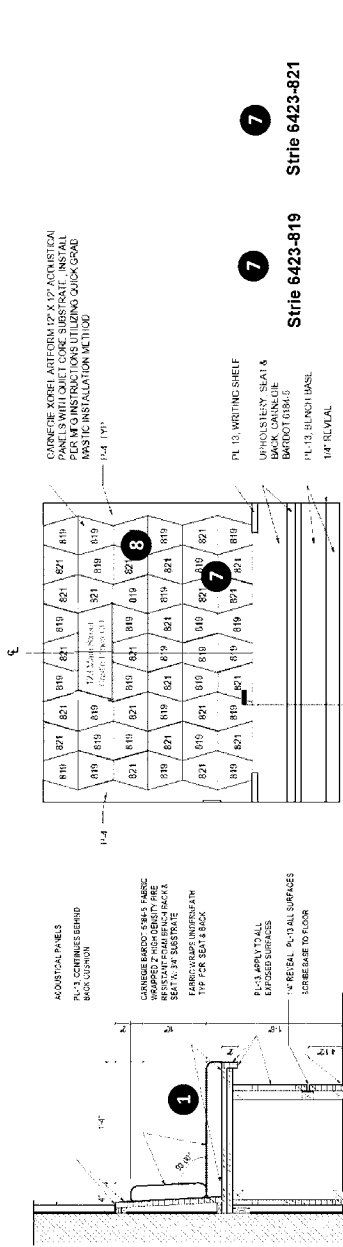
- 1 Bench Seating:**
Built in due to no associates on site, located on back wall from the kiosk
- 2 Client writing surface:**
For the ADA booth, the full wall will have a small millwork shelf
- 3 Video Conferencing:**
Zivelo kiosk w/ cisco tele presence
Wall mounted control pad
- 4 Control Pad:**
Cisco touch control pad, flush to wall surface
- 5 Poster Art:**
No marketing allowed
- 6 Printer:**
Account type – non customer info
- 7 Acoustic Wall:**
Wall panels with address signage
- 8 Address Signage:**
Required for Associate to know the location in the event of an emergency, by merchandising
- 9 Parabit Entry swipe:**
Secure access entry

General Notes:

- To define spaces, including video conference area; use of Linear lighting in walls and ceilings is encouraged. To accent and create focal point, use of cove lighting is also encouraged.

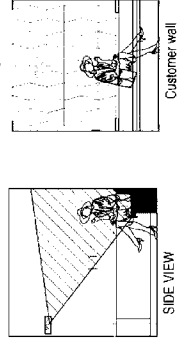


6 Printer set up option:
a printer set up is required – which may impact the Kiosk location



7 Acoustic wall:
Locate behind the customer at the built in bench to absorb sound echo

8 Address:
The address will be posted on the wall behind the customer (by removing a few acoustical panels) – this is so an associate could instruct emergency personal to the location if need be.



1 Bench detail:
Built in due to no associates on site, located on back wall from the kiosk