

## Madani, Mo

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**From:** Coats, Paul <PCoats@awc.org>  
**Sent:** Friday, August 18, 2017 11:57 PM  
**To:** Madani, Mo; Madani, Mo  
**Cc:** rsbrowdy@aol.com  
**Subject:** comments on rule making  
**Attachments:** 08-18-17Browdy-Commission-rulescomment.docx

Dear Mo:

Please accept the attached letter to Chairman Browdy and the Commission with comments on the rule making, reproduced below. Thank you!

Paul Coats

August 18, 2017

Richard S. Browdy  
Chairman, Florida Building Commission

RE: Comments following rule making workshop on August 8, 2017

Dear Chairman Browdy:

We are in support of the proposed triennial update process as presented by staff at the Commission meeting on August 8, 2017.

In particular, we are greatly encouraged that the Commission intends to thoroughly review and take action on all updated content of the ICC codes at the beginning of each Florida cycle (the "Step 1 - Review" process). We believe Step 1 represents the best opportunity to incorporate provisions approved by the widest consensus of building and fire officials in the country. This will greatly aid the Commission in developing uniform building safety which is informed by the country's best authorities, while preserving practicality and fair opportunity at the highest levels. Without this kind of systematic consideration of the ICC codes, Florida's code will, over time, fall behind in technical effectiveness.

In short, we are in support of rules 61G20-2.001 and 61G20-2.002 as drafted. Thank you for your consideration.

Sincerely,



Paul D. Coats, PE, CBO  
Southeast Regional Manager, American Wood Council  
803-980-7304, [pcoats@awc.org](mailto:pcoats@awc.org)

**Paul D. Coats, PE, CBO**

Southeast Regional Manager  
AMERICAN WOOD COUNCIL  
4695 Hannah Drive, Rock Hill, SC 29732  
Office: 803-980-7304  
Cell: 803-417-8485  
Email: [pcoats@awc.org](mailto:pcoats@awc.org)





## AMERICAN WOOD COUNCIL

August 18, 2017

Richard S. Browdy  
Chairman, Florida Building Commission

RE: Comments following rule making workshop on August 8, 2017

Dear Chairman Browdy:

We are in support of the proposed triennial update process as presented by staff at the Commission meeting on August 8, 2017.

In particular, we are greatly encouraged that the Commission intends to thoroughly review and take action on all updated content of the ICC codes at the beginning of each Florida cycle (the "Step 1 - Review" process). We believe Step 1 represents the best opportunity to incorporate provisions approved by the widest consensus of building and fire officials in the country. This will greatly aid the Commission in developing uniform building safety which is informed by the country's best authorities, while preserving practicality and fair opportunity at the highest levels. Without this kind of systematic consideration of the ICC codes, Florida's code will, over time, fall behind in technical effectiveness.

In short, we are in support of rules 61G20-2.001 and 61G20-2.002 as drafted. Thank you for your consideration.

Sincerely,

Paul D. Coats, PE, CBO  
Southeast Regional Manager, American Wood Council  
803-980-7304, pcoats@awc.org

## Madani, Mo

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**From:** Anna Fentriss <afentriss@aol.com>  
**Sent:** Friday, August 18, 2017 1:59 PM  
**To:** Madani, Mo; lisapate@floridarroof.com  
**Subject:** Written Comments Proposed Changes to Rule 61G20-2.002, Florida Administrative Code  
**Attachments:** BOAFmessage081117.docx

Dear Mo,

On behalf of Florida Roofing and Sheet Metal Contractors Association (FRSA), thank you for all the time and effort you and all Commissioners and Staff have all put into developing the administrative rule changes to rules 61G20-2.001 and 61G20-2.002, Florida Administrative Code, to implement the changes in chapter 2017-149, Laws of Florida, or HB 1021.

After hearing all the comments at your August 8 meeting and studying the law and draft rule language, FRSA has decided not to submit any request for proposed changes to the draft rule. Some concerns remain but, after hearing comments and explanations, we can see merit in the approach taken by you in drafting the rule changes. I think we can all agree that we may see it differently after the first code cycle and anyone can always request a change then.

FRSA would like to take this opportunity to say that we do not recall hearing anyone articulate any comment requesting "the proposed rule and process should not incorporate provisions intended [to] bring significant code changes from the International Codes into the Florida Codes beyond those changes relevant solely to wind, water intrusion, and energy." Nor do we recall anyone advocating to "cut the development process in half by eliminating the review of significant changes in other areas by starting the development process directly with the stakeholder submissions for code changes." I am sharing that with you because it appears this is what BOAF heard (based on the attached message). We heard only comments about how (not if) to comply with the requirements of the law.

We can say something positive about BOAF's comments. As you know, over the years, we have advocated strongly for inclusion of roofing provisions that are important for Florida (maybe not in other states) and BOAF has not always agreed that Florida specific provisions are necessary. By the attached message, it is nice to see that BOAF now agrees with us that there are provisions specific to Florida that matter and should be included in the Florida Building Code.

Please contact me with any questions.

Thank you.

Sincerely,

**Anna Cam Fentriss, Legislative Counsel  
Florida Roofing and Sheet Metal Contractors Association**

**cc: Lisa Pate, Executive Director, Florida Roofing and Sheet Metal Contractors Association**



**International Code Council**  
500 New Jersey Avenue, NW  
Sixth Floor  
Washington, DC 20001  
t: 888.ICC.SAFE (422.7233)  
t: 202.370.1800  
f: 202.783.2348  
[www.iccsafe.org](http://www.iccsafe.org)

**August 18, 2017**

**Mr. Mo Madani**  
Florida Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399

Submitted via email: [mo.madani@dbpr.state.fl.us](mailto:mo.madani@dbpr.state.fl.us)

Dear Mr. Madani,

It was a pleasure to see you albeit briefly at the Florida Building Commission Plenary Session on August 8 in Deerfield Beach.

Please accept this letter as the International Code Council (ICC) comments on the Florida Building Code Revised Code Change Process.

ICC has a long history of partnership in Florida. Our joint efforts have played a vital role in protecting the life and property of Florida's residents, businesses and guests for decades. The Florida Building Code has been based on the I-Codes or our legacy documents since it was created and we are pleased that ICC will continue to provide the updated model codes to serve as the basis for future updates to the Florida Building Code.

The process by which the Commission will conduct the review of amendments to update the Florida Building Code has changed and ICC is looking forward to working with you, the Florida Building Commission and all stakeholders to ensure the new process is as streamlined and effective as possible.

I commend you for the PowerPoint presentation you provided outlining the changes in the process. The Florida building community stakeholders are strongly committed to a Florida Building Code that reflects up-to-date science and technology for all aspects of safe and cost-effective construction, based on the most current I-Codes. We feel it is important to reiterate the principal points of the new process:

1. The Florida Building Commission shall review and adopt an updated Florida Building Code every 3 years.
2. The Florida Building Code shall be updated based on the most current updates of the International Building Code, the International Fuel Gas Code, the International Existing Building Code, the International Mechanical Code, the International Plumbing Code, and the International Residential Code, all of which are copyrighted and published by the International Code Council. The National Electrical Code copyrighted and published by the National Fire Protection Association (NFPA) is also required by law.
3. The updates must include any provisions in order for the state to maintain eligibility for federal funding and discounts related to programs under the National Flood Insurance Program, the Federal Emergency Management Agency and the U.S. Department of Housing and Urban Development.
4. The updates are not limited or restricted to the above provisions outlined in #3.
5. The Commission may adopt as technical amendments to the Florida Building Code any portion of the model codes as they apply to the needs of Florida.
6. The Commission shall review and update based on the International Energy Conservation Code for building construction.
7. The Commission shall adopt updated codes by rule.

As I stated at the meeting on August 8<sup>th</sup>, ICC will provide the 2018 I-Codes to the Commissioners in order to begin the next cycle of review and updates for adoption as early as possible in September.

We look forward to our continued partnership.

Regards,

A handwritten signature in black ink that reads "Sara C. Yerkes". The signature is written in a cursive, flowing style.

Sara C. Yerkes  
Senior Vice President  
Government Relations



**AIA**  
Florida

August 18, 2017

Thomas Campbell  
Department of Business and Professional Regulations  
Building Codes and Standards  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Dear Mr. Campbell,

AIA Florida, which represents 3829 members, suggests that the proposed changes to Rule 61G20-2.002 be modified, particularly subsection (2)(a). As written, this subsection appears to indicate that the Commission's three-year code update allows the Commission to determine which model code updates will be considered in such review process. (See (2)(a)1.) We do not see where this is called for in the Florida Statutes and we believe that all updates to the model codes referenced in Section 553.73 (7)(a) are intended to be reviewed. Further, throughout (2)(a) there is language that indicates that there must be some determination that all updates to the code—whether from the model codes or from technical amendments—“are needed to accommodate the specific needs of the state.” It is our understanding that this is a requirement for approval of technical amendments by the Commission but we do not see where this requirement applies to adoption of model code updates during the three-year updating of the Florida Code. We hope that these comments are helpful as you attempt to incorporate the 2017 statutory changes into your rules.

Sincerely,

Joyce Owens, AIA, RIBA  
President, AIA Florida

**The American Institute of Architects**

AIA Florida  
104 E. Jefferson St  
Tallahassee, FL 32301

T (850) 222 7590  
F (850) 224-8048

[www.aiafla.org](http://www.aiafla.org)

**61G20-2.002 Statewide Amendments to the Florida Building Code.**

(1) Definitions. As used in this rule, the following terms shall have the meaning indicated unless the context clearly requires a contrary definition:

(a) Amendment means an alteration to the adopted provisions of the Florida Building Code. Amendments shall include all alterations referenced in Florida Administrative Code R. 61G20-2.002, whether adopted by the Commission for statewide or regional application; or the local authority having jurisdiction, referred to as local amendments. More specifically,

1. Technical amendment means an alteration to the prescriptive requirements or reference standards for construction adopted by the code.

2. Technical amendment needed to accommodate the specific needs of this state includes but is not limited to amendments to the Florida Building Code that provide for the following:

a. Establish minimum life safety construction requirements to protect buildings and their occupants from fire, wind, flood, and storm surge using the latest technical research and engineering standards for buildings and materials products.

b. Provide for flood protection provisions that are consistent with the latest flood protection requirements of the National Flood Insurance Program.

c. Maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development.

d. Provide for energy efficiency standards for buildings that meet or exceed the national energy standards as mandated by Title III of the Energy Conservation and Protection Act.

e. Maintain coordination with the Florida Fire Prevention Code.

f. Provide for the latest industry standards and design.

3. Administrative amendment means an addition to or amendment of the requirements adopted by the code for enforcement of the prescriptive requirements or reference standards for construction adopted by the code.

(b) Strengthens means to make more stringent and provide for greater lifesafety.

(c) Improves means to make more responsive to the context of application; statewide, regional or local; on the basis of experience or newly presented information without compromising or decreasing lifesafety requirements.

(2) The Florida Building Commission may amend the Florida Building Code for the following purposes:

(a) To update the Florida Building Code every three years pursuant to Subsection 553.73(7), Florida Statutes. When updating the code, the Commission shall review the most current updates to the model codes including but not limited to the International Building Code, the International Fuel Gas Code, the International Existing Building Code, the International Mechanical Code, the International Plumbing Code, the International Residential Code, the International Energy Conservation Code, and the National Electrical Code (NEC) for the purpose of determining whether the latest changes to the model codes are needed to accommodate the specific needs of this state. The Commission shall also consider its own interpretations, declaratory statements, appellate decisions, and local technical amendments. For the purpose of conducting this review, the following steps will be undertaken:

1. The Commission shall select from at least all of the model codes noted in (2)(a) to be used to conduct its review.

2. No sooner than ninety days after the latest updates of the model codes are published, a complete listing of the changes to the model codes will be posted and made available for public review on the Commission's website.

3. No sooner than one hundred fifty days after the listing of the changes to the model codes is posted, the Commission's Technical Advisory Committees (TACs) will meet to review the changes to the model codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state. The TACs' recommendations will be posted on the Commission's website for further public review.

4. No sooner than ninety days after posting the TACs' recommendations, the Commission will meet to vote whether to approve the TACs' recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state. After Commission approval, the approved changes to the Florida Building Code needed to accommodate the specific needs of this state will be made available on the Commission's website. The public will then have the opportunity to submit amendments to the Florida Building Code and the approved changes to the Florida Building Code pursuant to Subsection (3) of this rule.

(b) To amend the Florida Building Code pursuant to Subsection 553.73(8), F.S.

(c) To amend the Florida Building Code, once each year, pursuant to Subsection 553.73(9), F.S.

(3) Amendments to the Florida Building Code submitted pursuant to Subsections 553.73(7), F.S., 553.73(8), F.S., and

553.73(9), F.S., shall be submitted on the Code Amendment Proposal Form, No. 61G20-1.001, effective October 2017, adopted and incorporated herein, which may be found on the Building Code Information System at [http://www.floridabuilding.org/cm/cm\\_code\\_srch.aspx](http://www.floridabuilding.org/cm/cm_code_srch.aspx), or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02861> or by contacting the Department of Business and Professional Regulation, Office of Codes & Standards, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772. The Code Amendment Proposal Form shall be submitted online at [http://www.floridabuilding.org/cm/cm\\_code\\_srch.aspx](http://www.floridabuilding.org/cm/cm_code_srch.aspx) and shall be reviewed by Commission staff for sufficiency. Commission staff shall ascertain 1) whether the amendment to the code has been submitted in legislative format, 2) if the rationale for amending the code has been provided, and 3) if all questions regarding fiscal and other impacts have been answered by the proponent. The term "NA" or "Not applicable" shall be considered an insufficient answer. If a proposed code amendment is submitted more than two weeks prior to the deadline established and staff finds the proposal to be insufficient, staff shall notify the proponent via email of the nature of its insufficiency and that if the proponent of the amendment elects to resubmit the proposal curing the insufficiency, it must be resubmitted prior to the deadline. Once a Code Amendment Proposal has been found sufficient, Commission staff shall verify such status online, enabling the Building Code Information System to show the proposal to the general public for comment. Code Amendment Proposals found insufficient shall not be verified or considered as building code amendments in the code amendment process.

(a) Each proposed amendment will be heard first by the appropriate Technical Advisory Committee, which will consider the proposal and all documentation submitted therewith, and consider whether to recommend approval by a two-thirds vote. If the proposal fails to achieve a two-thirds favorable vote, it is forwarded to the Commission for action based upon the applicable criteria. The Committee may modify the proposed amendment if it provides the documentation required by subsection 61G20-1.001(3), F.A.C. After modification, the Committee must then vote whether to recommend adoption as amended. If the proposed amendment as modified fails to achieve a two-thirds favorable vote, the proposal is forwarded to the Commission for action.

(b) The Commission shall publish each proposed amendment on its website at [www.floridabuilding.org](http://www.floridabuilding.org) at least 45 days prior to its consideration by the appropriate Technical Advisory Committee. This notice may run concurrently with the notice required by Section 120.54(2), F.S., and is not intended to extend the required rulemaking timeframes therein.

(c) The full Commission shall consider and vote upon each proposed amendment after consideration by at least one Technical Advisory Committee. The Commission may act on a consent agenda of those proposals which receive the required two-thirds vote at the Committee level to deny the amendment. The Commission must take action on all proposed amendments regardless of the Committee's recommendation. The decision of the Commission to approve a proposed amendment shall be by at least the required two-thirds vote. Those proposals failing to meet the vote requirement shall not be adopted. The Commission may modify a proposed amendment, provided that the form required by subsection 61G20-1.001(3), F.A.C., is amended to reflect the modification and supporting documentation is submitted.

(d) The Commission shall publish each proposed amendment on its website at [www.floridabuilding.org](http://www.floridabuilding.org) at least 45 days prior to its consideration by the full Commission. This notice may run concurrently with the notice required by Section 120.54(3), F.S., and is not intended to extend the required rulemaking timeframes therein.

(4) Each amendment approved for adoption by the Florida Building Commission, except those amendments approved pursuant to Section 553.73(8), F.S., shall take effect no earlier than three months after the rule amendment is filed for adoption with the Department of State.

*Rulemaking Authority 553.73(3), (7), (8), (9), 553.76(1), (2), (4) FS. Law Implemented 553.73(3), (6), (7), (8), 553.76(2) FS. History—New 11-20-01, Amended 6-8-05, 2-28-06, 9-13-07, 7-30-08, Formerly 9B-3.050, 9N-2.002, Amended 7-1-13.*

## Madani, Mo

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**From:** Bob Boyer <boyer2695@gmail.com>  
**Sent:** Friday, August 18, 2017 9:56 AM  
**To:** Madani, Mo  
**Subject:** Rule Making comments

Hi Mo,

Here are some comments and questions that were forward to me. They having a couple of interesting one, so I'm forwarding them to you to get them in the mix.

There concerns appear to be the definition of Life Safety, the time lines and the items left out.

The ability to create emergency amendments, and the requirement to meet Federal and State Laws & Regulations.

### **Draft proposed for FBC 8/8/17 meeting**

#### **61G20-2.002 Statewide Amendments to the Florida Building Code.**

(1) Definitions. As used in this rule, the following terms shall have the meaning indicated unless the context clearly requires a contrary definition:

(a) Amendment means an alteration to the adopted provisions of the Florida Building Code. Amendments shall include all alterations referenced in Florida Administrative Code R. 61G20-2.002, whether adopted by the Commission for statewide or regional application; or the local authority having jurisdiction, referred to as local amendments. More specifically,

1. Technical amendment means an alteration to the prescriptive requirements or reference standards for construction adopted by the code.

2. Technical amendment needed to accommodate the specific needs of this state includes but is not limited to amendments to the Florida Building Code that provide for the following:

a. Establish minimum life safety construction requirements to protect buildings and their occupants from fire, wind, flood, and storm surge using the latest technical research and engineering standards for buildings and materials products. (this is not required by 2017-149; this limits the risks covered, hazards covered, and does not speak to protection of the emergency responders entering a structure in an emergency. This section is very limiting and may be narrowly defining "life safety". The I-Codes cover a much wider range of hazards and risks.)

b. Provide for flood protection provisions that are consistent with the latest flood protection requirements of the National Flood Insurance Program.

c. Maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development.

d. Provide for energy efficiency standards for buildings that meet or exceed the national energy standards as mandated by Title III of the Energy Conservation and Protection Act.

e. Maintain coordination with the Florida Fire Prevention Code.

f. Provide for the latest industry standards and design.

3. Administrative amendment means an addition to or amendment of the requirements adopted by the code for enforcement of the prescriptive requirements or reference standards for construction adopted by the code.

(b) Strengthens means to make more stringent and provide for greater lifesafety.

(c) Improves means to make more responsive to the context of application; statewide, regional or local; on the basis of experience or newly presented information without compromising or decreasing lifesafety requirements.

(2) The Florida Building Commission may amend the Florida Building Code for the following purposes:

(a) To update the Florida Building Code every three years pursuant to Subsection 553.73(7), Florida Statutes. When updating the code, the Commission shall review the most current updates to the model codes including but not limited to the International Building Code, the International Fuel Gas Code, the International Existing Building Code, the International Mechanical Code, the International Plumbing Code, the International Residential Code, the International Energy Conservation Code, and the National Electrical Code (NEC) for the purpose of determining whether the latest changes to the model codes are needed to accommodate the specific needs of this state. The Commission shall also consider its own interpretations, declaratory statements, appellate decisions, and local technical amendments. For the purpose of conducting this review, the following steps will be undertaken:

1. The Commission shall select the model codes that will be used to conduct its review.

2. No sooner than ninety days after the latest updates of the model codes are published, a complete listing of the changes to the model codes will be posted and made available for public review on the Commission's website.

3. No sooner than one hundred fifty days after the listing of the changes to the model codes is posted, the Commission's Technical Advisory Committees (TACs) will meet to review the changes to the model codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state. The TACs' recommendations will be posted on the Commission's website for further public review. *This is not required by 2017-149 and sets in rule time limits that are unnecessary. Time limits (other than the FS120 requirements) are set by the Florida Building Commission.*

4. No sooner than ninety days after posting the TACs' recommendations, the Commission will meet to vote whether to approve the TACs' recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state. After Commission approval, the approved changes to the Florida Building Code needed to accommodate the specific needs of this state will be made available on the Commission's website. The public will then have the opportunity to submit amendments to the Florida Building Code and the approved changes to the Florida Building Code pursuant to Subsection (3) of this rule. *This is not required by 2017-149 and sets in rule time limits that are unnecessary. Time limits (other than the FS120 requirements) are set by the Florida Building Commission.*

(b) To amend the Florida Building Code pursuant to Subsection 553.73(8), F.S.

(c) To amend the Florida Building Code, once each year, pursuant to Subsection 553.73(9), F.S.

(3) Amendments to the Florida Building Code submitted pursuant to Subsections 553.73(7), F.S., 553.73(8), F.S., and 553.73(9), F.S., shall be submitted on the Code Amendment Proposal Form, No. 61G20-1.001, effective October 2017, adopted and incorporated herein, which may be found on the Building Code Information System at [http://www.floridabuilding.org/cm/cm\\_code\\_srch.aspx](http://www.floridabuilding.org/cm/cm_code_srch.aspx), or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02861> or by contacting the Department of Business and Professional Regulation, Office of Codes & Standards, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772. The Code Amendment Proposal Form shall be submitted online at [http://www.floridabuilding.org/cm/cm\\_code\\_srch.aspx](http://www.floridabuilding.org/cm/cm_code_srch.aspx) and shall be reviewed by Commission staff for sufficiency. Commission staff shall ascertain 1) whether the amendment to the code has been submitted in legislative format, 2) if the rationale for amending the code has been provided, and 3) if all questions regarding fiscal and other impacts have been answered by the proponent. The term "NA" or "Not applicable" shall be considered an insufficient answer. If a proposed code amendment is submitted more than two weeks prior to the deadline established and staff finds the proposal to be insufficient, staff shall notify the proponent via email of the nature of its insufficiency and that if the proponent of the amendment elects to resubmit the proposal curing the insufficiency, it must be resubmitted prior to the deadline. Once a Code Amendment Proposal has been found sufficient, Commission staff shall verify such status online, enabling the Building Code Information System to show the proposal to the general public for comment. Code Amendment Proposals found insufficient shall not be verified or considered as building code amendments in the code amendment process.

(a) Each proposed amendment will be heard first by the appropriate Technical Advisory Committee, which will consider the proposal and all documentation submitted therewith, and consider whether to recommend approval by a two-thirds vote. If the proposal fails to achieve a two-thirds favorable vote, it is forwarded to the Commission for action based upon the applicable criteria. The Committee may modify the proposed amendment if it provides the documentation required by subsection 61G20-1.001(3), F.A.C. After modification, the Committee must then vote whether to recommend adoption as amended. If the proposed amendment as modified fails to achieve a two-thirds favorable vote, the proposal is forwarded to the Commission for action.

(b) The Commission shall publish each proposed amendment on its website at [www.floridabuilding.org](http://www.floridabuilding.org) at least 45 days prior to its consideration by the appropriate Technical Advisory Committee. This notice may run concurrently with the notice required by Section 120.54(2), F.S., and is not intended to extend the required rulemaking timeframes therein.

(c) The full Commission shall consider and vote upon each proposed amendment after consideration by at least one Technical Advisory Committee. The Commission may act on a consent agenda of those proposals which receive the required two-thirds vote at the Committee level to deny the amendment. The Commission must take action on all proposed amendments regardless of the Committee's recommendation. The decision of the Commission to approve a proposed amendment shall be by at least the required two-thirds vote. Those proposals failing to meet the vote requirement shall not be adopted. The Commission may modify a proposed amendment, provided that the form required by subsection 61G20-1.001(3), F.A.C., is amended to reflect the modification and supporting documentation is submitted.

(d) The Commission shall publish each proposed amendment on its website at [www.floridabuilding.org](http://www.floridabuilding.org) at least 45 days prior to its consideration by the full Commission. This notice may run concurrently with the notice required by Section 120.54(3), F.S., and is not intended to extend the required rulemaking timeframes therein.

(4) Each amendment approved for adoption by the Florida Building Commission, except those amendments approved pursuant to Section 553.73(8), F.S., shall take effect no earlier than three months after the rule amendment is filed for adoption with the Department of State.

*Rulemaking Authority 553.73(3), (7), (8), (9), 553.76(1), (2), (4) FS. Law Implemented 553.73(3), (6), (7), (8), 553.76(2) FS. History—New 11-20-01, Amended 6-8-05, 2-28-06, 9-13-07, 7-30-08, Formerly 9B-3.050, 9N-2.002, Amended 7-1-13.*

*From the current FAC rule 61G20-2.002 these requirements are missing from the draft.*

**61G20-2.002 Statewide Amendments to the Florida Building Code.**

(1) The Florida Building Commission may amend the Florida Building Code once each year for the following purposes:

(a) To incorporate its own interpretations of the code which are embodied in its own opinions and declaratory statements.

(b) To address emergency issues upon a finding that amendment is necessary to protect the health, safety and welfare of the citizens of Florida.

(c) To adopt new editions and addenda of referenced standards.

(d) To maintain consistency with federal laws and regulations.

(e) To maintain consistency with state laws and rules.

**Draft changes**

**Provisions that are not required by the legislation**

**Provisions that are missing**

*My comments*

Thanks,

Bob

## Madani, Mo

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**From:** Tyler Patak <tfp@pmsarch.com>  
**Sent:** Friday, August 18, 2017 8:15 AM  
**To:** Madani, Mo  
**Subject:** FBC Rules Development Comment

Members of the Florida Building Commission and Other Concerned Parties,

I've been practicing architecture for almost forty years. In practicing throughout the southeastern United States, the value of a complimentary, integrated family of codes became evident to me a long time ago. Divorcing the Florida Building Code from the IBC codes was shortsighted at best.

Fortunately, the version of the statute adopted specifically states those portions relating to insurance and other federal concerns must be included in FBC updates. Unfortunately, this is only a small portion of the updates required to keep the Florida public safe, secure, and sheltered from legal actions resulting in the utilization of dated building materials and practices. As dedicated as the Florida Building Commission's actions may be, as time progresses, the FBC and IBC will diverge further and further. The FBC will be left behind unable to take full advantage in the advancements in such areas as materials, sustainability, and engineering practice.

The public expects, and should be provided, the most comprehensive, coordinated, and up to date family of codes available. Please do not short change the current and future populations of our state by further diluting the oversight provided by the Florida Building Code.

Please feel free to contact me with any questions or comments you may have.

Thank you,

**Dr. Tyler F. Patak**  
**NCARB, AIA, MBA, CRP, LEED AP BD+C**  
FL License AR-0012608  
NC License 11636

**Parker/Mudgett/Smith Architects, Inc.**  
2136 McGregor Blvd.  
Fort Myers, FL 33901

t. 239-332-1171  
f. 239-332-3537  
c. 239-470-0829

[tfp@pmsarch.com](mailto:tfp@pmsarch.com)  
[www.pmsarch.com](http://www.pmsarch.com)

## Madani, Mo

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**From:** Madani, Mo  
**Sent:** Friday, August 18, 2017 6:57 AM  
**To:** Madani, Mo  
**Subject:** Fwd: Public Comment for FBC Rule Development

Sent from my iPad

Begin forwarded message:

**From:** Doug Wise B. <[DWise@pbcgov.org](mailto:DWise@pbcgov.org)>  
**Date:** August 17, 2017 at 5:06:58 PM EDT  
**To:** "Madani, Mo" <[Mo.Madani@myfloridalicense.com](mailto:Mo.Madani@myfloridalicense.com)>  
**Cc:** Ann Russo <[arusso@boaf.net](mailto:arusso@boaf.net)>, "dwise@boaf.net" <[dwise@boaf.net](mailto:dwise@boaf.net)>  
**Subject:** Public Comment for FBC Rule Development

Hi Mo,

Thank you for your effort to produce a rule that meets the intent of the law as drafted.

I am sure you saw this already but I wanted to send this article as further evidence to support the need to ensure the new rule follows the clear intent of the revised statute by evaluation of every ICC Code change that is "relevant" or "meets the needs of the State of Florida" not simply those few items stated during the meeting by a small number of special interests.

More specific comments to follow this evening.

Thank you,

Doug Wise CBO, CFM, MCP  
Building Director  
Palm Beach County

2017-2018 President  
Building Officials Association of Florida

<https://www.usatoday.com/story/news/nation/2017/08/10/hurricane-andrew-florida-building-codes-weakened/490364001/>

Sent from my iPad

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## Madani, Mo

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**From:** Joshua Shatkin <jwshatkin@gmail.com>  
**Sent:** Thursday, August 17, 2017 3:11 PM  
**To:** Madani, Mo; Campbell, Thomas  
**Subject:** HB 1021

This letter is with regard to Florida HB-1021. As an architect practicing in Gainesville Florida for over 20 years I strongly support a thorough review of ALL the IBC codes for revisions to the Florida Building Code, not just specific codes that certain interest groups are pushing for. The codes are written for the well-being and safety of all our citizens and the IBC has been a comprehensive model that we should continue referencing.

Thank you for your consideration.  
Joshua Shatkin



Shatkin Architecture LLC  
2266 SW 43rd Place  
Gainesville, FL 32608  
352-222-3443  
[joshua@shatkin.net](mailto:joshua@shatkin.net)

## Madani, Mo

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**From:** Madani, Mo  
**Sent:** Wednesday, August 16, 2017 8:13 PM  
**To:** Madani, Mo  
**Subject:** FW: Florida Building Commission Public Comment Period on 61G30-2.002

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**From:** JOYCE OWENS [mailto:jowens@architecturejoyceowens.com]  
**Sent:** Wednesday, August 16, 2017 6:39 PM  
**To:** Madani, Mo; Campbell, Thomas  
**Subject:** Florida Building Commission Public Comment Period on 61G30-2.002

I am still baffled as to how HB1021 ever made it in to law. It was a decision made without thinking through the consequences.

But my comments here are regarding the current discussions at the Rule Development Workshop on the 8th of August:

The criteria outlined in section 7 (a) and (c) of HB1021 requires the Commission to "review the most current updates" of the International Code. It is our understanding that a couple of special interest group representatives feel that this review could be omitted or limited to wind, water, and energy changes.

This is not an acceptable route. The International Code must be reviewed for ALL changes. We cannot leave out the expertise of those who write and advance the ICC family of codes (which is accepted not only across our Country but is the standard for the rest of the world).

By omitting the "required review" we would not just keep Florida buildings from evolving but send Florida's Codes backwards. By limiting this "review" we will inevitably leave out critical advances in safety, fire, structural and numerous other technological advances as well.

Is this really what we want for Florida's buildings?

Have you seen the recent article regarding the changes to the Florida Building Codes in USA Today?

**As Hurricane Andrew memories fade, Florida weakens building codes**

<https://www.usatoday.com/story/news/nation/2017/08/10/hurricane-andrew-florida-building-codes-weakened/490364001/>

Please consider this matter carefully. Once Florida led the evolution of the Nation's Building Codes now, we may quickly find ourselves decades behind.

Thank you.

Joyce Owens AIA RIBA  
2017 AIA Florida President



## Madani, Mo

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**From:** Madani, Mo  
**Sent:** Wednesday, August 16, 2017 8:10 PM  
**To:** Madani, Mo  
**Subject:** FW: FBC Rules Development Comment

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**From:** Richard Logan [mailto:[R.Logan@harvardjolly.com](mailto:R.Logan@harvardjolly.com)]  
**Sent:** Wednesday, August 16, 2017 5:26 PM  
**To:** Madani, Mo  
**Subject:** FBC Rules Development Comment

The proposed rules should contain provisions intended to consider ALL significant code changes from the International Codes into the Florida Codes. The health, welfare and safety of the residents of the State of Florida are at stake and revisions should NOT be limited to changes relevant solely to wind, water intrusion, and energy. What is considered an essential code requirement by the ICC should not be dismissed without due process and consideration.

Richard J. Logan, AIA | [r.logan@harvardjolly.com](mailto:r.logan@harvardjolly.com)  
[www.HARVARDJOLLY.com](http://www.HARVARDJOLLY.com) | T: 561.478.4457 | M: 561.951.2117

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ARCHITECTURE

## Madani, Mo

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**From:** Dalas Disney <DalasD@disneyarchitect.net>  
**Sent:** Wednesday, August 16, 2017 2:54 PM  
**To:** Madani, Mo; Campbell, Thomas  
**Cc:** Dalas Disney  
**Subject:** FBC Rules Development Comment

I appreciate the opportunity to comment on the proposed Rule **61G20-2.002**.

This may be slightly off the rule topic but Is there any good reason for a separate FBC in lieu of an IBC with supplements for Florida?

Seems a waste of time and money to review the IBC then completely write a FBC, print and sell and separate set of documents when the IBC is the basis. I would suggest that Florida could adopt the IBC with a skinny set of modifications and the HVZ for Dade/Broward and be done.

The current idea of establishing the IBC as a basis and moving on with Florida will very quickly place us out of sync with the IBC world. Every issue of the FBC code will get us further away from the base IBC code and there is no need for a separate and distinctive Florida Code. Supplements work. We Architects are very accustomed to the use of multiple code resources and references.

It seems we could do a good service to the tax payers of Florida and not re-invent this code every 3 years.

Thank you,

Dalas Disney, AIA

***Disney & Associates, PA***  
1865 Veterans Park Dr., Suite 301  
Naples, Florida 34109

(v) 239.596.2872  
(f) 239.596.2874

[DalasD@DisneyArchitect.net](mailto:DalasD@DisneyArchitect.net)

## Madani, Mo

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**From:** Noell Bell <nbell@cityofdestin.com>  
**Sent:** Tuesday, August 15, 2017 8:28 AM  
**To:** Madani, Mo  
**Subject:** FBC Rules Development

Mo,

I am in favor of the rule, 61G20-2 as written. The ICC code is a good model code for all different type regions and weather conditions. Florida need not continue to change the code, in order to please the political opinions and other interest parties for their benefit.

Regards,

*Mrs. Noell D. Bell, CEO*

Chief Building Official  
City of Destin  
4200 Indian Bayou Trail  
Destin, Fl. 32541  
850-837-4242

Please visit our web site at [www.cityofdestin.com/cssurvey](http://www.cityofdestin.com/cssurvey) to complete a customer service survey. We appreciate your honest opinion and will take it into consideration to help us improve our services. Thank you for your feedback.

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## Madani, Mo

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**From:** Dean Jarvis <deanjarvis@tampabay.rr.com>  
**Sent:** Tuesday, August 15, 2017 2:52 AM  
**To:** Madani, Mo  
**Subject:** Proposed Rule development process change

Mo Madani, I am for the proposed change

Regards,  
Dean Jarvis CGC/CGR/CR/CFM/CGP/CKBR/GMB/GMR/RCMP  
Class "A" General CGC 016919 CILB#0002532  
President, Florida Renovators, Inc. and Professional Training & Consultants, Inc.  
Phone: 727-531-9520  
Fax: 727-536-2643  
[www.floridarenovators.com](http://www.floridarenovators.com)



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## Madani, Mo

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**From:** Ron Wampler <rwampler@cityofkeywest-fl.gov>  
**Sent:** Monday, August 14, 2017 7:28 AM  
**To:** Madani, Mo  
**Subject:** HB1021, 61G20-2.001, 61G20-2.002

Dear Mr. Madani.

I fully endorse the proposed drafts for Florida development of Florida Building Codes. I also fully endorse the Florida Legislature's and the Governor's effort to assist Florida Building Departments by passage of HB 1021...

Respectfully,  
Ron Wampler CFM, CBO

## Madani, Mo

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**From:** Thomas Dalton <TEDalton@Altamonte.org>  
**Sent:** Monday, August 14, 2017 7:57 AM  
**To:** Madani, Mo  
**Subject:** Draft HB1021

I believe the proposed language to only look at specific changes such as wind and water intrusion and energy does not meet the requirements of the NFIP/CRS program. These program require that the Code, not specific sections be reviewed every 3 years. The current draft does not fulfill this requirement. Loosing these programs would have a devastating effect on our community.

**THOMAS DALTON**  
Deputy Building Official  
[TEDalton@altamonte.org](mailto:TEDalton@altamonte.org)

P: (407) 571-8431  
F: (407) 571-8445



225 Newburyport Avenue  
Altamonte Springs, FL 32701  
[www.Altamonte.org](http://www.Altamonte.org)



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## Madani, Mo

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**From:** Madani, Mo  
**Sent:** Sunday, August 13, 2017 1:19 PM  
**To:** Madani, Mo  
**Subject:** FW: HB1021 2017

**From:** Mike Vitale [mailto:mikev@ff-ae.com]  
**Sent:** Friday, August 11, 2017 5:38 PM  
**To:** Madani, Mo  
**Cc:** Dale Baker; shane.gerwig@ocfl.net; steve.fiorey@sanfordfl.org  
**Subject:** HB1021 2017

Mo, I trust this email finds you well, and that you are keeping Tallahassee in line!!!

I would like to express my opinion as to HB1021, in that I too believe that eliminating the review of all code updates would not satisfy the criteria outlined in Section 7 (a) and (c) of HB 1021 which requires the Commission to ***“review the most current updates”*** of the International Codes, and ***“adopt any updates to such codes or any other code necessary”*** in order to maintain eligibility for NFIP/CRS and HUD programs.

Section 7 (c) also suggests ***“The commission may adopt... any portions of the codes identified in paragraph (a), but only as needed to accommodate the specific needs of this state.”*** I believe that there are many specific needs for our communities that extend significantly beyond just wind, water intrusion, and energy which must be carefully evaluated during the Florida Code update process, to keep citizens and visitors to our state safe in the built environment, and to keep our code relevant to today’s construction advances.

Florida has, as far as I was concerned, the "Gold Standard" of a Building Code, that truly was Florida specific and addressed the needs of our climatic conditions, to now water that down and drop the level of safety and some good solid construction practises and proven procedures to ensure quality, just unravels the hard work that so many Design Professionals, Code Officials & others in this industry, have worked towards and would NOT suit the best interest of the consumers, home owners/buyers and general public.

Michael B. Vitale III  
Director - Central Florida Chapter - Building Officials Association of Florida (BOAF)

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Thank you for the support  
V/r

Michael B. Vitale III  
Operations Manager / Building Code Administrator  
BU1939, BN5181, PX2900  
***Forefront Architecture & Engineering***  
Clermont, Florida 34711

OFFICE - (352) 708 - 7001 ext 7017

DIRECT - (352) 708 - 7017

[mikev@ff-ae.com](mailto:mikev@ff-ae.com)

**First Sergeant, U.S.ARMY (1SG, Ret.)**

"The Republic will cease to exist when you take away from those who are willing to work and give to those who would not"....Thomas Jefferson

"Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free". Ronald Reagan

**From:** James Schock <[schock1947@gmail.com](mailto:schock1947@gmail.com)>  
**Date:** August 12, 2017 at 7:09:04 AM EDT  
**To:** "Madani, Mo" <[Mo.Madani@myfloridalicense.com](mailto:Mo.Madani@myfloridalicense.com)>  
**Subject:** Rule 61-G20-2.002 comment

I am in favor of the two step process as presented during the August 8th Commission meeting and believe that will provide the best chance to comply with the law. I also believe in order to assure that we maintain all the NFIP discounts and other Federally backed programs we must assure equivalency with the ICC Codes so that ISO ratings are maintained in each jurisdiction. Unfortunately this rule does not go far enough to accomplish that mandate. The rule needs to be expanded to provide a risk analysis comparing the Florida codes and the I codes.

In discussions I have had with ISO they will primarily evaluate the Florida code against the I code in three primary areas Structural, Fire and Flood. In order to meet the laws of Florida we would need to make that same comparison therefore the rule should provide for that risk study.

If for example the non-equivalency of the codes affect the NFIP insurance rates by as little as 50 dollars per year per policy in St. Johns county alone we have 35000 flood policies therefore  $35000 \times 50$  dollars = 1,750,000 dollars now assuming St. Johns is an average county multiply that time 67 = 117,250,000 dollars each year the citizens of Florida will pay unnecessarily for flood insurance alone not to mention normal home owner insurance impacts.

I also agree with staff that Fire needs to remain in the comparison not only for the reasons stated above but fire effects Florida as well as other states and perhaps even more so do to water supplies and Florida's rapid growth.

During the workshop, it was stated that eliminating the review of all code updates would not satisfy the criteria outlined in Section 7 (a) and (c) of HB 1021 which requires the Commission to ***“review the most current updates”*** of the International Codes, and ***“adopt any updates to such codes or any other code necessary”*** in order to maintain eligibility for NFIP/CRS and HUD programs. Section 7 (c) also suggests ***“The commission may adopt... any portions of the codes identified in paragraph (a), but only as needed to accommodate the specific needs of this state.”*** I believe that there are many specific needs for our communities that extend significantly beyond just wind, water intrusion, and energy which must be carefully evaluated during the Florida Code update process, to keep citizens and visitors to our state safe in the built environment, and to keep our code relevant to today's construction advances. I hope that you agree.

Sincerely,  
James R. Schock P.E., S.I., C.B.O., C.F.M., and M.C.P.  
Vice President BOAF

## Madani, Mo

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**From:** Patrick, Linda R. <patricklr@cityofgainesville.org>  
**Sent:** Wednesday, August 09, 2017 9:59 AM  
**To:** Madani, Mo; Campbell, Thomas  
**Cc:** Linda Patrick  
**Subject:** Public Comment on proposed rule change 61G20-2.002

Good Morning,

I would like to make sure that my comment is properly recorded for public record.

The proposed rule change as printed with the (1).2.a-f section needs to be maintained.

The opposition of this by other industries has been noted. As a person within the code compliance industry, I agree with the two proposed development timelines.

Florida Statute 553.73(7)(a) states that "at a minimum, the commission shall adopt any updates to such codes or other codes necessary to maintain .....". The rule change is providing the specifics and adding to it. We need to make sure that the minimum requirements for public health, safety and general welfare as stated is maintained. This affects all the residents, visitors and employees within the State of Florida.

Thank you.

*Linda R. Patrick*

Plans Examiner, PX 0000934

City of Gainesville's Bldg Inspections Office

P.O. Box 490, Station 9

Gainesville, FL 32627

352-393-8639 (direct office)

352-334-2207 (fax)

[patricklr@cityofgainesville.org](mailto:patricklr@cityofgainesville.org)