

DCA09-DEC-351

JDB CODE SERVICES, INC.

Date: October 30, 2009

To: Paula Ford, Clerk of the Commission
Florida State Department of Community Affairs

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Subject: Petition for Declaratory Statement before the Florida Building Commission RE: Florida Building Code, 2007 with 2009 Supplements, Sections 102.1 and 102.4

Please consider this a request for a declaratory statement related to the prospective application of Sections 102.1 and 102.4 as they relate to the installation of receptacle outlets in Category I, II, and III sunrooms as specified by the Florida Building Code and AAMA 2100. This request is not related to an interpretation by a building official on a specific project, but is intended to address future application of the differing provisions of two adopted standards.

The Aluminum Association of Florida (AAF) is an organization of contractors specializing in the construction of aluminum structures. AAF has an interest in this issue because a number of AAF members sell and build sunrooms in Florida. AAF is requesting the petition on behalf of Gary Whigham, an AAF member. Mr. Whigham is in the process of planning for a project to attach a sunroom to a single family dwelling and has noted the differences between NFPA 70 and AAMA 2100 and believes there may be room for differing interpretations.

Discussion: Receptacle outlets in sunrooms are addressed by two separate standards adopted by reference by the Florida Building Code, Building, and the Florida Building

FILING AND ACKNOWLEDGEMENT
 FILED on this date with the designated
 Agency Clerk's Office which is hereby
 acknowledged
 William Gibbs
 Deputy Agency Clerk
 10/30/09
 Date

Code, Residential (FBC). The FBC adopts a standard of the National Fire Protection Association, NFPA 70-08 and a standard of the American Architectural Manufacturers Association/National Patio Enclosure Association/National Sunroom Association AAMA/NPEA/NSA 2100-02¹. (FBCB §2701.1; §2002.6; and FBCR §E3301.1; §R301.2.1.1.2) The two standards differ regarding when the installation of receptacle outlets in sunrooms is required. The Aluminum Association of Florida contends that since the NFPA provisions are general in nature and the AAMA provisions are specific to sunrooms, the AAMA provisions prevail and the outlets are required in Category IV and Category V sunrooms only.

The Florida Building Code at Chapter 1 states that when there is a conflict between a general and a specific requirement, the specific requirement applies. (FBCB, 2007, §102.1) The code further states standards referenced in the code are to be considered as part of the requirements of the code. Where there are differences between the code and referenced codes and standards, the provisions of the code apply. (FBCB, 2007, §102.4)

In the case of NFPA 70, Article 210.52 (A), the term sunroom is contained within a general list of rooms in a section entitled "General Provisions". The section contains general provisions listing rooms and areas within dwelling units where the installation of receptacle outlets is required. The standard contains no definition of sunroom, or differentiation between habitable or non-habitable space in relation to sunrooms. (Please see excerpt from NFPA 70, 2008, Article 210 below.)

In the case of AAMA/NPEA/NSA 2100, the standard is specific to sunrooms. In fact, the standard applies solely to sunrooms as demonstrated by the title, "Voluntary Specifications for Sunrooms". Regarding specificity, AAMA 2100 is very specific in separating sunrooms into five distinct categories based primarily on habitability and conditioning. In addition to the five categories being delineated in the standard, the same five categories are specified by the Florida Building Code. (FBCB §2002.6 and FBCR §301.2.1.1.2) The standard specifically states which categories of sunrooms are required to have receptacle outlets installed in a section entitled "Receptacle Outlets". (Please see excerpt from AAMA/NPEA/NSA 2100, 2002, §7.7, Electrical, and §7.7.2 below.)

The Aluminum Association of Florida (AAF) contends the specific provisions of the AAMA 2100 standard, including the Exception, prevail over the NFPA 70 general provisions. Specifically, Category I, II, and III Sunrooms, as listed by the FBC and AAMA 2100, are exempt from the general provisions of NFPA 70 requiring receptacle outlets in sunrooms. This position is supported by BOAF Informal Interpretation Report #6285 issued upon a request submitted by a building department. (Please see attached report following.)

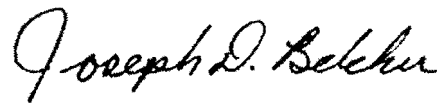
¹Note: The provisions in question are unchanged between the 2004 and 2007 Editions of the FBC and between the 2005 and 2008 Editions of NFPA 70.

In light of the above, the Aluminum Association of Florida requests the Commission answer the following question:

In the case of sunrooms attached to single family dwellings, do the provisions of AAMA 2100 related to receptacle outlets prevail?

Should there be any questions, you need further information, or you wish to discuss this request, please do not hesitate to contact me at your earliest convenience.

Respectfully yours,

A handwritten signature in black ink that reads "Joseph D. Belcher". The signature is written in a cursive, flowing style.

Joseph D. Belcher, Code Consultant

cc: Mo Madani, Florida State Department of Community Affairs
Richard Moore, President, AAF

FBCB, 2007:

"102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply."

NFPA 70, 2008:

210.52 Dwelling Unit Receptacle Outlets. This section provides requirements for 125-volt, 15- and 20-ampere receptacle outlets. Receptacle outlets required by this section shall be in addition to any receptacle that is part of a luminaire (lighting fixture) or appliance, located within cabinets or cupboards, or located more than 1.7 m (5½ ft) above the floor.

Permanently installed electric baseboard heaters equipped with factory-installed receptacle outlets or outlets provided as a separate assembly by the manufacturer shall be permitted as the required outlet or outlets for the wall space utilized by such permanently installed heaters. Such receptacle outlets shall not be connected to the heater circuits.

FPN: Listed baseboard heaters include instructions that may not permit their installation below receptacle outlets.

(A) **General Provisions.** In every kitchen, family room, dining room, living room, parlor, library, den, sunroom, bedroom, recreation room, or similar room or area of dwelling units, receptacle outlets shall be installed in accordance with the general provisions specified in 210.52(A)(1) through (A)(3).

AAMA/NPEA/NSA 2100, 2002:

"7.7 Electrical

7.7.1 Exit and Stairway Illumination: All sunrooms shall provide stairway and egress illumination as required by local code.

Exception: Category I sunrooms are not required to have exit lighting.

7.7.2 Receptacle Outlets: Receptacle outlets in Category IV and V sunrooms must be installed such that no space along a wall line is in excess of 1.8 m (6 ft.) from a receptacle outlet. Any wall space that is 610 mm (24 in.) or wider must be served by a receptacle outlet in this manner. Fixed panels of sliding doors are not considered wall line. Where the installation of a typical wall receptacle outlet is not possible, a floor receptacle installed within 460 mm (18 in.) of the wall line may be installed to serve this space.

Exception: Category I, II and III sunrooms are exempt from requirements for receptacle outlets."