

# **Florida Building Commission**

**Attachment to the December 11 - 12, 2000 Minutes**

## **Facilitators' Report of the December 11 - 12, 2000 Commission Meeting**

*Orlando, Florida*

**Meeting Design & Facilitation By:**



[consensus.fsu.edu](http://consensus.fsu.edu)

**Florida Building Commission**  
**Attachment to the December 11 - 12, 2000 Minutes**

**I. OVERVIEW OF COMMISSION'S KEY DECISIONS**

**MONDAY, DECEMBER 11, 2000**

**Education Training System Ad Hoc Committee (BCTP)**

The Education Ad Hoc unanimously agreed to submit consensus recommendations to the Commission for the conceptual design for the Building Code Training program implementation strategy, and recommendations for transition training on the Florida building Code.

**(Attachment 2)**

**Motion:** The Ad Hoc voted unanimously by a vote of 9 – 0 in support, to approve and forward to the Commission, the proposed conceptual implementation recommendations for the Building Code Training program. **(Attachment 2)**

**Motion:** The Ad Hoc voted unanimously by a vote of 9 – 0 in support, to approve and forward to the Commission, a recommendation to develop transition training comparing the differences between existing codes and the Florida Building Code. In addition, the Ad Hoc approved expediting the development of the curricula and releasing the newly developed curricula prior to releasing the “Core” training curricula that has already been developed.

**(Attachment 2)**

**MONDAY, DECEMBER 11, 2000**

**Commission Meeting**

**Agenda Review and Approval**

After agreeing to discuss and decide on the pending rule challenge to the Building Code Rule at Monday's session and to cancel Tuesday's scheduled closed session to discuss the rule challenge, the Commission voted unanimously, by a vote of 20 – 0 in favor, to approve the agenda as amended.

**Review and Approval of November 13 - 14, 2000 Meeting Minutes**

The Commission voted unanimously, 20 – 0 in favor, to approve the minutes as presented from the November 13 - 14, 2000 Commission meeting.

**Review and Approval of Commission's Updated Workplan**

The Commission reviewed the workplan and task delivery schedule and voted unanimously, by a vote of 20 – 0 in favor, to adopt the modified workplan as presented.

The following tasks delivery schedules were modified:

- O Code Dissemination
- P Prototype Buildings
- Q Commission Rules of Procedure
- V Voluntary Standards for Building Departments **(Attachment 3)**

### **Discussion and Decision on FACCA's Rule Challenge to Building Code Rule**

After discussion and review of the proposed rule challenge settlement agreement between the Florida Building Commission and Florida Air Conditioning Contractors Association, the Commission approved one minor amendment and voted unanimously (20 – 0) to accept the settlement agreement as amended. Prior to the Commission's action, the Chair asked a representatives from FACCA and Florida Homebuilders Association to address the Commission and comment on whether or not they could support the agreement. Both associations agreed that they could support the agreement and the Chair encouraged the Commission to support the agreement as amended.

**(Attachment 4)**

### **Overview and Clarification of Key Concepts from Adopted Text of Product Approval System Recommendations**

The Chair provided the Commission with an overview of the Product Approval System Development process and the key concepts of the amendatory text recommendations.

Following are the key concepts presented by the Chair and elaborated on by Rick Dixon:

- The Commission did not reach a consensus on implementation specifics of the system prior to the 2000 session.
- The Commission requested the Legislature to provide additional time to develop the system with a target implementation date of June 30, 2001.
- The 2000 Legislature directed the Commission to bring back a recommendation for its approval to the 2001 session.
- The Legislature eliminated the Commission's rule making authority for implementing the system pending the Legislature's review of proposed recommendations.
- The key concepts outlined in HB4181 are still in law, but the Commission may make recommendations and clarifications that would require changes to existing law.
- The Chair recommended that the Commission reach agreement on key system concepts and to request Legislative authority to reinstate Commission rule making authority to implement the recommendations for the Product Approval System.
- The original system provides options for both state and local approval of products and gives the Commission authority to designate which products must be approved as well as which products require approval by the state.
- The Commission originally identified six product categories requiring state or local approval. The categories of products requiring approval were all of the components of the building envelope.
- In addition, the law requires that testing and evaluation of compliance be done by private sector entities with effective government oversight.
- During the last year an ad hoc group of Commissioners has worked diligently to develop recommendations to the system in time for the 2001 session deadline mandated by the Legislature.
- The Ad Hoc delivered their system recommendations at the November Commission .
- The Commission voted to adopt the recommendations as an amendatory text.
- The Commission was provided a window of opportunity to propose amendments which would be voted up or down at the December meeting.
- The commission will move to adopt Product Approval System recommendations as amended at the December 2000 Commission meeting.

- The amendatory draft of recommendations differs from the system currently identified in law by:
  1. Providing for local approval only, and not for state approval;
  2. By requiring all products to be approved, rather than the six product categories previously identified by the Commission;
  3. By the specified method required for validation of evaluation reports;
  4. By providing automatic recognition of five specific evaluation entities; and,
  5. By requiring independent quality assurance programs for all approved products.

### **Review of Product Approval System Amendment Process**

Jeff Blair reviewed the amendment process for deciding on proposed amendments to the adopted amendatory text of Product Approval System recommendations. Following are the highlights of the process:

- The Commission will clarify and decide on each amendment individually.
- Facilitator will read or introduce each amendment.
- Sponsor offers brief rationale and intent of amendment.
- Clarifying questions only (to build understanding).
- Straw poll of support for amendment as proposed.
- Friendly amendments acceptable to the maker.
- If needed, Chair may offer amendatory language for consensus-building.
- Call the question/vote. 75% required to approve and include as part of Product Approval System recommendations.
- Commission will move to adopt the Product Approval System recommendations as amended, and to submit the recommendations as adopted to the 2001 Florida Legislature.

### **Ranking Exercise on Key Product Approval System Concepts**

After providing the Commission with an overview of the amendment process and explaining the key concepts that were inherent in the Commission's amendatory text as well as the key concepts implied in the various proposed amendments, Jeff Blair the Commission's facilitator, led the Commission through a ranking exercise designed to gauge Commission support for the key concepts implied in the amendatory text as well as for gauging the level of support for the conceptual directions suggested by the amendments.

Following are the key concepts with the options that received the highest rank by the Commission for each of the key concepts:

- How Products Are Approved
  - Option C. Local Approval With Mechanism for State Approval—  
Local jurisdictions approve all products and accept state approval for specified products.
- Which Products Require Approval
  - Option C. Specified products must be approved by either the state or local jurisdictions.
- Validation
  - Option B. Conduct administrative validations for all products applying for approval.
- Quality Assurance (QA)
  - Option B. Independent QA required for products approved based on all evaluation methods.
- Transition To New Product Approval System
  - Option C. Establish a delayed implementation date for the new product approval system, which would be after the code implementation date, and allow the current system to continue during the interim period. (*Attachment 5*)

## **Review of Commission Member's Proposed Amendments to the Product Approval System Recommendations**

Rick Dixon and Jeff Blair prepared a brief description of each of the proposed amendments which Jeff Blair reviewed with the Commission.

*(Attachment 6)*

## **Consideration of Accessibility Waiver Applications**

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

## **TUESDAY, DECEMBER 12, 2000**

### **Agenda Review**

The Commission reviewed and approved unanimously, by a vote of 17 – 0 in favor, the day's plenary agenda as amended.

### **Public Comment**

The Commission heard testimony from 11 members of the public, who spoke primarily on the amendatory text of recommendations for the Product Approval system and the proposed amendments to the text that the Commission would be considering on Tuesday morning prior to adopting final recommendations for the system.

### **Discuss and Decide on Commission Members' Proposed Amendments to Amendatory Text of Product Approval System Recommendations**

The Commission agreed to start the amendment process by deciding on amendments relative to the two critical key system concepts relating to how products are approved and which products require approval.

Based on the Chair's recommendation, the Commission agreed to start with amendment PA 008 since it proposed a methodology for determining how products are approved statewide, adding to the local approval process adopted in the amendatory text.

Prior to consideration of the amendments, the Chair requested that the key stakeholders in the Product Approval System process meet and work on consensus-building recommendations to resolve differences on key system concepts. The Chair indicated that if amendment PA 008 could be modified to build consensus between stakeholders he would offer the consensus- building modifications as a Chair's consensus-building amendment.

### **Chair's Amendment #1—State Approval of Products:**

The motion is to adopt the key system concepts for state approval of products that are implied in PA 008 and as clarified by the stakeholder's. Staff will compile and format the final text and document language to be consistent with the following key concepts:

1. Local approval requires a two (2) step process of: evaluation by one of the FBC approved methods, and validation/approval by a local enforcement agency.
2. State approval requires a three (3) step process of: evaluation, validation, and FBC approval.

Technical details and specific criteria will be established in the rulemaking process.

The Commission voted unanimously (19 – 0) to adopt Chair's Amendment #1.

**Chair’s Amendment #2— Which Products Require Approval**

The motion is to adopt the following key concepts for which products require approval:  
There are three levels of approval for products:

1. As detailed in the amendatory text, all products require review and approval by a local enforcement agency.
2. In addition, six (6) categories of products (the building envelope) will require evaluation by method 2 or 3 for local or state approval. The six product categories are panel walls, exterior doors, roofing, skylights, windows, and shutters.
3. Additionally, statewide approval of products would require validation of evaluation reports and FBC approval.

The Commission voted unanimously (19 – 0) to adopt Chair’s Amendment #2.  
Following are the Commission’s actions and vote results for each of the Commissioner’s proposed amendments to the adopted amendatory text of Product Approval System recommendations:

<b>Section 1: How Products Are Approved Statewide</b>	
PA004	Withdrawn by sponsor
PA006	Withdrawn by sponsor
PA009	Withdrawn by sponsor
PA022/ PA025	Withdrawn by sponsor Withdrawn by sponsor
PA011	Withdrawn by sponsor
PA008	Withdrawn by sponsor
Chair’s Amendment #1: Key concepts as amended from PA 008—How products are approved	
Unanimous—Adopted 19 - 0	
Chair’s Amendment #2: Which products require approval	
Unanimous—Adopted 19 - 0	
<b>Section II: How Private Sector Entities Are Approved</b>	
PA002	Adopted 19 - 0
PA005	Adopted 19 - 0
<b>Section III: Quality Assurance</b>	
PA024 (B)	Withdrawn by sponsor
PA015	Adopted 18 - 0
<b>Section IV: Definitions/Clarifications</b>	
PA001	Adopted 18 - 0
PA003/ PA017/ PA021	Adopted 18 - 0 Adopted 18 - 0 Withdrawn by sponsor
PA010/ PA013	Withdrawn by sponsor Withdrawn by sponsor
PA014	Adopted 18 - 0
PA016	Adopted 18 - 0
PA018/ PA019/ PA020	Withdrawn by sponsor Withdrawn by sponsor Withdrawn by sponsor
PA024 (A) (1)(2)(3)	Withdrawn by sponsor
<b>Section V: Other</b>	
PA007/ PA023	Withdrawn by sponsor Adopted 18 - 0
PA012	Adopted 18 - 0

### **Adoption of Product Approval System Recommendations**

After deciding on amendments, the Commission voted unanimously (19 – 0) to adopt the Product Approval System recommendations as amended and to submit them to the 2001 Legislature with a request to reinstate the Commission’s rulemaking authority to implement the system by rule.

***(Attachment 7—Product Approval System Recommendations)***

### **Code Dissemination Recommendations and Approval**

Chairman Rodriguez reported that he and staff had met with Miami-Dade County and Broward County and were making progress toward reaching an agreement. Following are the key points of the proposed agreement:

The latest draft of the agreement ensures that the state will be able to provide the code at a price equal to or less than the current SBCCI membership price.

Codes will be available in both CD and hard copy formats.

Miami-Dade and Broward counties have indicated their agreement with the price they will pay for the code books.

The Commission unanimously approved (21 – 0) a motion to authorize the Chair to finalize and implement final agreements on code dissemination issues.

### **Education Ad Hoc Report and Adoption of ‘BCTP’ Recommendations**

#### **Building Code Training Program**

The Commission voted unanimously (20 – 0) to adopt the BCTP implementation recommendations as submitted by the Education Ad Hoc committee and to submit them in the Commission’s report to the 20001 Florida Legislature.

#### **Transition Training**

The Commission voted unanimously (20 – 0) to adopt the transition training recommendations as submitted by the Education Ad Hoc committee and to submit them in the Commission’s report to the 2001 Florida Legislature.

***(Attachment 2)***

### **Prototype Buildings Ad Hoc Report and Recommendations**

Commissioner Kopczynski presented the committee’s report and the Commission unanimously accepted the report as amended by a vote of 19 – 0 in favor.

Prior to approving the report the Commission amended the report to include:

1. Add Fair Housing to list of applicable codes
2. Modify local amendment to read local technical amendment (Page 2 553.77(6))

#### **Comments/Issues for Resolution:**

Local fire amendments still need to be resolved. Take into account amendments to local fire prevention codes.

Need Legislative authority to finalize details of the system.

Architectural control issues need to be provided for.

Plans identification and tracking system, and shelf life of plans need to be resolved.

***(Attachment 8)***

### **Lawn Storage Buildings Report and Adoption of Recommendations**

Commissioner Kopczynski presented the committee's report and recommendations which the Commission unanimously adopted after amendments, by a vote of 19 – 0 in favor.

Amendments:

Square footage is 720

Identification system will be included.

**(Attachment 9)**

### **Joint Building Fire TAC Report and Recommendations**

Commissioner Kopczynski presented the committee's report and the Commission unanimously accepted the report by a vote of 18 – 0 in favor.

**(Attachment 10)**

### **Plumbing TAC Report and Recommendations**

Commissioner Shaw presented the committee's report and the Commission unanimously accepted the report by a vote of 18 – 0 in favor.

**(Attachment 11)**

### **Accessibility TAC Report and Recommendations**

Commissioner Richardson presented the committee's report and the Commission unanimously accepted the report by a vote of 19 – 0 in favor.

Comments:

Commissioner Browdy asked staff for an update on the vertical accessibility 20% rule. Staff responded that the Commission had approved the TACs recommendations and the issue is on DCA's Legislative list.

**(Attachment 12)**

### **Mechanical TAC Report and Recommendations**

Commissioner Harris presented the committee's report including approval of new TAC members and the Commission unanimously accepted the report by a vote of 20 – 0 in favor.

**(Attachment 13)**

### **Review and Approval of Report to the Legislature Outline**

Jeff Blair presented an outline of the Commission's proposed Report to the 2001 Florida Legislature and the Commission voted unanimously (19 – 0) to approve the outline, pending Commission review at the January 2001 Commission meeting.

### **Legal Staff Reports/Discussions/Recommendations/Approval**

After discussion the commission approved legal's recommendations on Declaratory statement # 285 by a vote of 14 to 6 in favor.

Additional discussion lead to reconsideration, a substantial amendment, and adoption of the amended declaratory statement by a vote of 19-1.

After discussion the commission approved legal's recommendations on Declaratory statement # 383 by a vote of 19 to 1 in favor.



### **File for Rule Adoption of the Florida Building Code Rule**

The Commission voted unanimously (19 – 0) to approve filing for rule adoption of the Building Code Rule pending dismissal of the rule challenge by FACCA and comments from JAPC.

### **Commission Meeting Dates and Locations**

The commission voted unanimously (19 – 0) to change the January 2001 Commission meeting to January 22 – 23 and to eliminate the scheduled February 2001 meeting, and to resume the currently approved schedule starting with the March 2001 Miami meeting.

### **Review Committee Assignments and Issues for December's Commission Meeting**

- ☐ Adoption of Draft of the Commission's Report to the Legislature
- ☐ Education Training Ad Hoc recommendations (I)
- ☐ Code Dissemination Issues (O)
- ☐ Accessibility TAC and Waivers
- ☐ Plumbing TAC (if needed for code difference prioritization)
- ☐ Energy TAC (if needed for code difference prioritization)
- ☐ Mechanical TAC (if needed for code difference prioritization)
- ☐ Accessibility TAC
- ☐ Building/Structural TAC (if needed for code difference prioritization)
- ☐ Special Occupancy TAC (if needed for code difference prioritization)

### **Commission Direction to Staff**

The Commission directed staff to deliver the following items:

- ☐ Report on DCA's legislative priorities relative to Commission action.
- ☐ Identify who the House and Senate sponsors will be for Commission related legislation during the 2001 session.
- ☐ Provide recommendations for Commission meeting dates and locations for July 2001 – December 2001.
- ☐ Explore the possibility of providing the relevant TACs with a summary of the issues contained in Dec statements reviewed by legal, in order to allow the TACs the ability to monitor issues and trends that may affect their topical areas.

# Attachment 1

## Meeting Evaluation Summary

### How Well Did the Commission Achieve the Meeting Objectives?

	<i>Circle One</i>					<i>Avg.</i>
	<b>Good</b>			<b>Poor</b>		
Review and Adoption of Updated Commission Workplan	5	4	3	2	1	<b>4.94</b>
Overview and Ranking Exercise of Key Product Approval Concepts	5	4	3	2	1	<b>4.88</b>
Decision on Accessibility Waiver Applications	5	4	3	2	1	<b>4.94</b>
Discussion of Settlement of Rule Challenge	5	4	3	2	1	<b>5.00</b>
Consideration of Public Comment	5	4	3	2	1	<b>4.94</b>
Decision on Amendments to Amendatory Text of Product Approval System Recommendations	5	4	3	2	1	<b>4.81</b>
Adoption of Product Approval System Recommendations as Amended	5	4	3	2	1	<b>4.88</b>
Education Ad Hoc Report and Adoption of ‘BCTP” Recommendations	5	4	3	2	1	<b>4.88</b>
Prototype Building Ad Hoc Report and Recommendations	5	4	3	2	1	<b>4.94</b>
Adoption of Recommendations on Lawn Storage Buildings	5	4	3	2	1	<b>5.00</b>
Plumbing TAC Report and Recommendations	5	4	3	2	1	<b>5.00</b>
Accessibility Ad Hoc Report and Recommendations	5	4	3	2	1	<b>4.93</b>
Mechanical TAC Report and Recommendations	5	4	3	2	1	<b>4.94</b>

Approval of Outline of Commission's Report to the Legislature	5	4	3	2	1	
	<b>15</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4.94</b>

**Rate the Following Aspects of the Meeting?**

Clarity of the meeting purpose and plan	5	4	3	2	1	
	<b>15</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4.94</b>

Background information was helpful	5	4	3	2	1	
	<b>13</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4.87</b>

Agenda packet was helpful	5	4	3	2	1	
	<b>12</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4.60</b>

Balance of structure and flexibility	5	4	3	2	1	
	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5.00</b>

Group involvement and productivity	5	4	3	2	1	
	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5.00</b>

Facilitation	5	4	3	2	1	
	<b>14</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4.88</b>

Facility	5	4	3	2	1	
	<b>11</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>4.50</b>

**Comments:**

Excellent facilitation.  
Too hot or cold in meeting room.

**What Did You Like Best About the Meeting?**

The way staff handled product approval.  
Issues well explained.  
Solved Problems.  
Ability of Commission to work out differences.

**How Could the Meeting Have Been Improved?**

Too cold!  
Submit dec. statement info in advance by email or fax for consideration.

## Attachment 2

### Education Training System Ad Hoc Committee Report

#### Building Code Training Program— Implementation Recommendations

##### A. Administration

The Florida Building Commission will oversee the program and contract the administration of the program to an outside entity through an ITN. The FBC will adopt the criteria that the administrative entity will use to administer the program. The entity shall make regular reports to the Commission.

- ☐ FBC oversees program
- ☐ Contract administration through ITN
- ☐ FBC approves criteria for program administration
- ☐ Require regular reporting
- ☐ Approves core content and delivery process
- ☐ Approves accreditation process recommendations for advanced modules
- ☐ Florida Building Commission develops and implements the system in coordination with licensing boards

##### B. Funding

###### Administration

- ☐ State provided initially in order to assist administrator in developing technical core curricula.
- ☐ The goal is to have a self-supporting administrator for the long-term; but to evaluate program viability on an annual basis relative to economic feasibility, and to make any needed funding recommendations/requests to the Legislature.
- ☐ State provided financial support/subsidy options:
  - ☐ Permit surcharge: either as a portion of current fee or as an additional 1 cent charge
  - ☐ Licensure fees in collaboration with DBPR
  - ☐ CAT funds for related code topics
  - ☐ Pursue grants for development
  - ☐ Fee on sale of code
  - ☐ Fees from manufactures
  - ☐ Surcharge or re-inspection fees
  - ☐ Product Approval system fees

###### Courses

- ☐ User fees for technical core
- ☐ User fees are collected for courses provided over the internet
- ☐ User fees are collected for classroom courses with all or a portion of fees going to administrator when its course materials are used
- ☐ Accreditation fees for providers of advanced/specialized modules

### **C. Quality Assurance**

- FBC approval of administrator
- Administrator develops and delivers curricula approved by FBC for core
- Administrator evaluates trainers and monitors courses for advanced/specialized modules using an established CEU accreditation process reviewed and approved by the FBC
- Efficacy of course content and feedback mechanism will be developed.

### **D. Technical Core Courses**

- General, basic, fundamentals of the code on limited/targeted topics
- Uniform course content developed by administrator and approved by FBC
- Can be provided on-line
- Can be coordinated by a single state funded entity such as a university center or community college
- Provider must use FBC developed/approved curricula
- State trains and supports trainers who deliver training utilizing existing venues such as building departments, and professional/trade associations

### **E. Advanced/Specialized Modules**

- Intermediate/advanced in depth on specialized subjects and technologies
- Curricula developed by private industry or specialists on topic
- Administrator establishes accreditation criteria using approved/recognized CEU protocols
- FBC approves administrator's recommendations
- Administrator evaluates trainers and monitors courses

## **Transition Training Recommendations**

### **Motion:**

1. Separate transition training into two levels (existing core Level I-A, and technical differences between existing code and FBC, Level I-B), and focus on the development and implementation of the technical differences between existing codes and the Florida Building Code.
  - Level I-A: Existing core program
  - Level II-B: Training on the technical differences between existing codes and the Florida Building Code
2. Release level I-B training prior to the existing core (level I-A ).
3. Work with the existing contractor or an alternative contractor (based on results of the ITN rankings of the bids) to revise an expedited delivery timeline and to refine and narrow the scope of the contract in order to implement the recommendations for transition training.
4. Recommend developing four modules (allowing flexibility with contractor and TAC's to refine if needed) to identify the technical code differences:
  - Plumbing/Gas
  - Mechanical, Electrical/Alarm, and Energy
  - Building/Structural
  - Special Occupancies including swimming poolsEach of the modules will incorporate applicable administrative, accessibility, and fire components.
5. The applicable TACs and contractor will meet in January to review the comparisons and make priority recommendations to the Education Ad Hoc for review and submittal to the Florida Building Commission.
6. The plumbing TAC will present a prototype of transition training on code differences prior to the January 2001 Commission meeting.

The preceding motion was approved unanimously (9 – 0) by the Education Ad Hoc for Commission consideration and approval.

# Education Ad Hoc Report

## I. Comments on draft recommendations

### A. Administration

- Liaison with CILB
- Develop courses with CILB, TAC's and the Administrator
- Should the administrator coordinate - not deliver courses
- How to get people to courses is key to system
- Include trade associations

### B. Funding

- Need overall budget developed
- Existing resources - reserve from grants for education development
- Funds are not recurring.
- Explore other options, builders surcharges (i.e., manufactures)
- Surcharge on re-inspections fees
- Part of product approval fees
- Bring in the Department of Insurance for education

### 1. Courses:

- Construction schools at the Universities are self-funded.
- Fee on sale of the Code

### C. Quality Assurance

- Courses should be reviewed by attending the course
- Evaluation of how effective courses are - efficacy
- Feedback mechanism
- Re-inspection fee as indicator
- Voluntary benchmark committee of building departments.
- Work with Nick D'Andrea's ad hoc
- Effectiveness of entire Florida Building Code - should be correlated with education

### D. Technical Core Courses

- Core will always be required but it will change from transition to the Florida Building Code and its changes.

### E. Advanced/Specialized Modules

No comments

## Outline of Training Development Schedule

### Phase I

January – May 2001 Materials available  
June 30, 2001, Complete evaluation

### Phase II

May – September 2001

### Phase III

October 2001

Florida Building Code – Plus or Minus February to have the code available to the public

### **Critical components for inclusion in Phase I**

- Administration of the code (inspections)
- Wind
- Plumbing - TAC is ready
- Accessibility
- Transition should not be on internet - need discussion between officials and trades
- Matrix - trade, architects, engineers, etc and what licensing requirements are.
- Need internet access as well
- Timing is an issue - need at least 5 months before code goes into effect.
- Allow plumbing TAC to deliver course as a prototype sample with feedback and evaluation.
- Allow training to proceed, code availability - get information out.
- Current mechanism and approach can get the work done?
- Concern re-training code is available
- Prepare IA, delay IB.

### **Options**

1. Delay the implementation of the Code: Motion; Yea, 1, No 8.
2. Negotiate with the first and second contractor to see if a product can be on the street faster.  
Consolidate and prioritize what components of training could get out sooner (limit scope)
3. Prepare and offer IA, delay IB. Vote: 9 No, 0 Yea
4. Separate and offer transition first. Offer core later with transition elements.  
Vote: 9 Yea, 0 No.
5. Offer transition first, offer core later with transition elements built in (I-B "C")



## **Comments:**

- Define scope of course - e.g. create overheads and videos
- How many are hours for course? Four hour mandate.
- May vary depending on code currently relied upon
- Vary depending on trade
- Course content 4 hours?
- Minimum of 4 hours. Others offer more?
- Have an 8 hour course for South Florida?
- Four hours tailored for each area, plumbing, mechanical, etc.
- Design professionals may need to take all areas
- Internet provides accessible training in a numbers of areas.
- Transitional course not mandatory?
- Assess after side-by-side how much material/time is needed for each area.
- Time related to enhanced materials?
- Time = net contact hours - may need 3/4 or whole day - with breaks/lunch etc.
- Offer 2 hour course in Miami to test soundness of approach?

## **Possible courses**

1. Plumbing /Gas – with accessibility components
2. Mechanical, Energy, Electrical – Fire, accessibility components and Code Administration
3. Building Structural - Fire and accessibility components and Fair Housing
4. Special Occupancy/Special Codes – Swimming Pools, Historical Buildings, Alarms, Elevator, Education Facilities, prisons, etc.

## **Contractor**

- 4 hour contact
- Agreed on matrix
- Need liaison/point person to work with contractor with the authority to approve.

## **Motion, 9 yea, 0 no**

1. Ask Joe Belcher to use 4 categories
2. Convene TAC's – Review side by side, prioritize and recommend to the Education Ad Hoc
3. Sunday afternoon – Have a presentation on the plumbing course.
4. Submit to the Contractor by February 2001 all information materials

## Attachment 3

### Workplan—By Tasks

(Reviewed and Prioritized June 2000; Adopted Unanimously July 2000)  
(Amended Unanimously December 2000)

#### **I. HB 219 — Tasks Mandated by Statute**

##### **1. Finalize the Code**

##### **A. Establish Criteria for Fiscal Impact Statement of Proposed Amendments and for Reviewing Previously Adopted Modifications to the Base Code That Receive Public Comment Prior to May 19, 2000 [553.73 (7)(a)(b)]**

###### **Tasks Schedule**

*May 2000:* Chair elects to address issue at Commission level.

*June 2000:* **Commission holds rule development workshop at June meeting, adopts criteria, and moves to proceed with rule adoption.**

*August 2000:* **Rulemaking hearing on adopting criteria for fiscal impact statements.**

*September 2000:* **Commission approves changes and proceeds with NOPC to the Rule.**

*October/November 2000:* Administrative rule adopted.

##### **B. Plans Review Criteria and Minimum Standards [553.73 (4)(a)]**

###### **Tasks Schedule**

(Including recommendations for emergency management/disaster relief permitting and inspections)

*March 2000:* Commission assigns task to Ad Hoc.

*May- June 2000:* Ad Hoc develops recommendations and reports to the Commission.

*July 2000:* **Ad Hoc delivers final recommendations and Commission adopts and includes as part of proposed changes to the Building Code Rule.**

##### **C. Integrate Standards for State Regulated Facilities Identified in HB 219 [Section 40; 553.73 (1)(2)]**

###### **Tasks Schedule**

*June 2000:* Legal reviews and recommends course of action.

*Fall 2000:* Proceed with rule adoption after Building Code Rule process finalized.

##### **D. Projects Relating to the Building Construction Industry or Continuing Education Programs [HB 219 Section 40 – 489.109 (3)]**

###### **Tasks Schedule**

*Fall 2000/Winter 2001:* Establish liaison with CILB

*Spring 2001:* Chair appoints Building Construction Issues Ad Hoc and schedules organizational meeting for Ad Hoc.

🍏 **Indicates change in delivery schedule from previous month**

## **2. Recommendations Mandated by HB 219 for 2001 Legislative Review**

### **E. Product Approval System**

#### **(553.842—Recommendations on a statewide system for product evaluation and approval) Tasks Schedule**

*June, 1999: TG presents preliminary recommendation to Commission.*

*October 1999: Commission appoints Ad Hoc to make final recommendations*

*September-December 1999: Commission receives public comment on recommendation.*

*December 1999: Ad Hoc convenes and develops recommendations*

*Commission adopts conceptual design of system.*

*Commission approved products for approval under the system. [Leg. 7]*

*January 2000: Commission reviews Ad Hoc's preliminary recommendations.*

*February 2000: **Commission approves continuing to develop system until July meeting and to report status to the Legislature***

*May 2000: Legislature directs Commission to make recommendations and eliminates Commission's rule making authority for the system.*

*June 2000: Commission reviews Legislative direction and establishes new timelines.*

*July - November 2000: Ad Hoc develops recommendations, reviews Commission and public comments, and reports to the Commission.*

*November 2000: **Commission adopts amendatory product approval system recommendations.***

*December 2000: **Commission decides on amendments and adopts final recommendations to present to the Legislature.***

### **F. Examine Applicability of FBC to Storage Sheds and Lawn Storage Buildings [HB 219 – Section 112] Report to 2001 Legislature**

#### **Tasks Schedule**

*July 2000: Referred to Manufactured Building Ad Hoc*

*November 2000: Commission reviews recommendations from Ad Hoc.*

*December 2000: Ad Hoc proposes final recommendations.*

***Commission approves recommendations, receives public comment, and adopts final recommendations.***

### **G. Make Recommendations for Exceptions to Buildings Exempt from the Code [553.73 (7)]; [553.79 (3)(5)(7)(10)(12)(14)(16)]; [HB 219 – Section 112]**

#### **Tasks Schedule**

*January 2000: Commission appoints Ad Hoc to review and make recommendations.*

*July 2000: Task assigned to Manufactured Building Ad Hoc (M)*

*February 2001: Ad Hoc identifies key issues and forms workplan.*

## **II. Education System**

### **H. Information and Communication Support for the Building Code System**

#### **Tasks Schedule**

*September 1999: Center for Professional Development (at FSU) begins assessment phase for system conceptual design*

*December 1999: Report on assessment phase including system conceptual design*

*March 2000: Report and status update.*

*December 2000: System on line and operational*

**I. Refinement and Further Development/ Implementation of the Education/Training Programs for the Florida Building Code [HB 4181; HB 219—Section 42; Section 89; Section 120] and Transition Training—BCTP**

**Tasks Schedule**

*April 2000:* Commission reviews and approves workplan for 2000 – 2001.

*June 2000:* Commission discusses transition training requirements.

*September 2000:* Commission Identifies key issues for system development; and, chair appoints Ad Hoc to develop implementation recommendations for the BCTP.

*October 2000:* Ad Hoc reviews previous project findings and recommendations, and BCTP as outlined in Statute; and, develops implementation strategy.

*November 2000:* Ad Hoc develops preliminary “Program” implementation recommendations for Commission consideration.

*December 2000:* Ad Hoc approves BCTP recommendations.

**Commission reviews public comment, refines as needed, and adopts final recommendations to include in the annual Report to the Legislature.**

*January 2001:* “Building Code Training Program” implementation recommendations submitted to Legislature for review.

*February 2001:* Commission moves to proceed with rule adoption for “Building Code Training Program” implementation.

**III. Ongoing Review and Response to Legislative Mandates**

**J. Develop Recommendations to the Legislature for Changes to Existing Laws and Conforming Amendments to Laws [553.77 (1)(a)(b)]**

**Tasks Schedule**

*June – December 2000:* Commission develops recommendations as part of their annual review process and approves recommendations to be included in its report to the 2001 Legislature.

**K. Respond to Legislative Mandates**

**Tasks Schedule**

*June – December 2000:* Commission develops recommendations as part of their annual review process and approves recommendations to be included in its report to the 2001 Legislature.

**L. Annual Report to Legislature**

**Tasks Schedule**

*June – December 2000:* Commission develops recommendations as part of their annual review process and approves recommendations to be included in report to the Legislature.

**M. Administrative Support for the Commission and Code Maintenance (Changes/Updates/Format/Glitches)**

**Tasks Schedule**

*Ongoing:* Commission identifies tasks for staff review and recommendations.

*January Annually:* Commission reviews recommendations and takes action as needed.

## **IV. Commission Prioritized Tasks**

### **N. Review Effectiveness of the Manufactured Buildings Regulation and Code Enforcement—s. 553.77(1)(b) [HB 4181 Task] [553.35 – 553.42]**

#### **Tasks Schedule**

*January 2000: Commission adopts amendatory text of recommended changes to law and additional preliminary program recommendations.*

*February 2000: Commission adopts final recommendations on changes to law and additional preliminary program recommendations.*

*March - July 2000: Ad Hoc develops recommendations, reviews Commission and public comments, and reports to the Commission.*

*August 2000: Ad Hoc delivers final recommendations to Commission on effectiveness of manufactured buildings regulation and code enforcement.*

*Commission receives public comment and approves recommendations to be included in its report to the 2001 Legislature.*

### **O. Code Dissemination**

#### **Review Royalty and Copyright Agreements and Make Recommendations**

#### **Tasks Schedule:**

*May 2000: Chair appoints Ad Hoc to develop recommendations.*

*June 2000: Ad Hoc reports preliminary recommendations to the Commission.*

*July 2000: Ad Hoc reports and develops recommendations for the Commission.*

*August 2000: Commission approves Chair negotiating for Commission.*

*Sept. – Dec.: Chair and staff negotiate with key stakeholders.*

*November 20, 2000: Commission receives update on recommendations during conference call.*

*December 2000: Commission delegates authority to the Chair to finalize agreements for printing distribution.*

### **🍏 P. Establish System for Plans Review and Approval of Prototype Buildings [HB – 4181 Task] [553.77 (6)]**

#### **Tasks Schedule:**

*October 2000: Ad Hoc identifies key issues and forms workplan.*

*November 2000 – March 2001: Ad Hoc develops recommendations.*

*December 2000: Ad Hoc completes and Commission approves recommendations that require Legislative action.*

*January 2001: Ad Hoc develops details of proposed program.*

*March - April 2001: Ad Hoc refines recommendations.*

*May 2001: Ad Hoc finalizes recommendations based on Legislative action and Commission adopt final recommendations.*

### **🍏 Q. Establish Commission Rules of Procedure [Procedural Task]**

#### **Tasks Schedule**

*Develop and adopt recommendations for Commission operational and decision-making procedures and adopt by administrative rule.*

*October 2000: Commission reviews statutes, identifies key issues, and approves code amendment process. Chair appoints Ad Hoc to develop final recommendations.*

*March - May 2001: Ad Hoc develops recommendations.*

*June 2001: Commission adopts final recommendations.*

**R. Board of Appeals Process [Procedural Task]**

*October 2000:* Task assigned to Rules of Procedure Ad Hoc

*Early 2001:* Ad Hoc develops recommendations for Commission consideration.

**S. Technical Support for the Code [Procedural Task]**

**Tasks Schedule**

Recommendations to Commission for ongoing review and support for technical review of the code

*October 2000:* Commission assigns to administrative agency (DCA) to develop recommendation.

**T. Role of State in Collaborating with Building Inspection Departments**

**Tasks Schedule**

*February 2000:* Commission assigns task to Partnership for Building Department Effectiveness Task Group.

*April or May 2001:* Ad Hoc identifies key issues and forms workplan.

*June 2001:* Commission approves preliminary recommendations and receives public comment.

*July 2001:* Commission adopts final recommendations.

**U. Develop Procedure and Process for Commission Commentary [Procedural Task]**

**Tasks Schedule**

Review and adopt recommendations for Legislative consideration.

*October 2000:* Task assigned to Rules of Procedure Ad Hoc

*Early 2001:* Ad Hoc develops recommendations for Commission consideration.

**V. Voluntary Standards for Building Departments [HB 4181 Task] [553.76 (5)]  
ISO Ratings Program for Building Departments [HB 4181] [553.77 (1)(n)]**

**Tasks Schedule**

*February 2000:* Commission assigns the task of developing recommendations for voluntary professional standards for operation of building departments and personnel development to Ad Hoc: Partnership for Building Department Effectiveness Task Group.

*March 2000:* Ad Hoc identifies key issues and forms workplan.

*May 2000:* Ad Hoc develops recommendations and receives presentations from representatives of Miami-Dade and Broward counties, state building officials association (BOAF), the insurance industry, federal emergency management agency (FEMA) and other vested groups.

*June 2000:* Ad Hoc reports to Commission.

*March – June 2001:* Ad Hoc develops recommendations, reviews Commission and public comments, and delivers completed recommendations to the Commission.

*July or August 2001:* Commission receives public comment and approves recommendations to be included in its report to the 2002 Legislature.

🍏 **W. Develop Funding Recommendations for Code Enforcement**  
**Note: Part of ongoing review for Commission's annual report to the Legislature.**

**Tasks Schedule**

*October 1999:* Deferred to DCA Administrative Support Agency and Governor's office to address and make recommendations to the Legislature.

*February – December 2000:* Staff reviews as needed or requested by the Commission.

*July 2000:* Task referred to Partnership for Building Department Effectiveness Task Group

*Spring or Summer 2001:* Ad Hoc identifies key issues and forms workplan.

**X. Review Commission and Staff Roles Relative to Public Information and Involvement & Review and Clarify Mutual Roles of DCA and Commission.**

**Task Schedule:**

*On Going:* Commission and staff hold discussions as needed or requested on mutual roles in providing for public information and involvement in the code process.

🍏 **Y. Guidelines for Local Government Privatization of Inspection Functions [HB 4181 Task] [553.77 (1)(o)]**

**Tasks Schedule**

*Jan. 2000:* Commission assigns task to Ad Hoc committee

*May 2000:* Task referred to Partnership for Building Departments Ad Hoc.

*Spring or Summer 2001:* Ad Hoc identifies key issues and forms workplan.

🍏 **Z. Review Creating a Rating System for Structural Integrity Under Storm Conditions**

**Task Schedule:**

*Spring or Summer 2001:* Commission reviews task, identifies key issues, and forms workplan.

🍏 **AA. Make Recommendations on FBC Policy for Transition to International Building Code**

**Task Schedule:**

*Spring or Summer 2001:* Commission reviews task, identifies key issues, and forms workplan.

🍏 **BB: ISO Ratings Program for Building Departments [HB 4181] [553.77 (1)(n)]**

**Task Schedule:**

*Spring or Summer 2001:* Commission reviews task, identifies key issues, and forms workplan.

## Attachment 4

Settlement Agreement  
between  
Florida Building Commission  
and  
Florida Air Conditioning Contractors Association, Inc.

The undersigned parties, being duly authorized to do so, do hereby agree as follows:

(1) Florida Air Conditioning Contractors Association, Inc. (FACCA), shall, within ten (10) days after FBC's execution hereof, dismiss with prejudice the rule challenge presently pending under DOAH Case #00-4694RP.

□

(2) Florida Building Commission (FBC) shall:

(A) Establish the completion date of March 1, 2001 for the computer model study, referenced in the Settlement Agreement entered under DOAH Case #00-1252RP, and, no less than 45 days prior to the effective date of the Florida Building Code, shall amend the Code to include the energy penalty multiplier supported by this study.

(B) Provide for a comparative field study of the effects of air handlers in the attic to include energy consumption, structural integrity, impact on equipment, and health and safety of the consumer. The study shall begin July 1, 2001, and be completed by May 31, 2002.

(C) No less than 45 days prior to the effective date of the Florida Building Code, the FBC shall amend the Code to include the notice requirements stated below.

The notice of 4PFC069-13 as stated below shall be permanently affixed to the electrical panel by the contractor in privity with the owner and shall be in the following form and format:

Notice must be in all capitals, in 16 point type, with the title and first paragraph in bold:

### NOTICE TO HOMEOWNER

**A PART OF YOUR AIR CONDITIONING SYSTEM, THE AIR HANDLER, IS LOCATED IN THE ATTIC. FOR PROPER, EFFICIENT, AND ECONOMIC OPERATION OF THE AIR CONDITIONING SYSTEM, YOU MUST ENSURE THAT REGULAR MAINTENANCE IS PERFORMED.**



YOUR AIR CONDITIONING SYSTEM IS EQUIPPED WITH ONE OR BOTH OF THE FOLLOWING: 1) A DEVICE THAT WILL ALERT YOU WHEN THE CONDENSATION DRAIN IS NOT WORKING PROPERLY OR 2) A DEVICE THAT WILL SHUT THE SYSTEM DOWN WHEN THE CONDENSATION DRAIN IS NOT WORKING. TO LIMIT POTENTIAL DAMAGE TO YOUR HOME, AND TO AVOID DISRUPTION OF SERVICE, IT IS RECOMMENDED THAT YOU ENSURE PROPER WORKING ORDER OF THESE DEVICES BEFORE EACH SEASON OF PEAK OPERATION.

(3) This Agreement shall take effect upon execution by all parties. Separate copies may be executed and the Agreement shall have the same force and effect as if all signatures appeared on the same document.

(4) All parties shall pay their own costs and attorneys fees in this matter.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

Florida Building Commission:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Florida Air Conditioning Contractors Association, Inc.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## Attachment 5

### Product Approval System Key Concepts Ranking Exercise Results

#### I. How Products Are Approved

Options:

- A. Local Approval of Products—  
Every jurisdiction approves all products independently.
- B. State Approval of Products—  
State approves products and local jurisdictions accept approval for specified products.
- C. Local Approval With Mechanism for State Approval—  
Local jurisdictions approve all products and accept state approval for specified products.

Option	Rank	5	4	3	2	1	Total
I—A	3	1	0	8	6	6	47
I—B	2	4	3	7	6	1	66
I—C	1	10	6	5	0	0	89

#### II. Which Products Require Approval

Options:

- A. All products must be approved by either the state or local jurisdictions.
- B. All products must be approved by either the state or local jurisdictions, but only specified products may be approved by the state.
- C. Specified products must be approved by either the state or local jurisdictions.

Option	Rank	5	4	3	2	1	Total
II—A	3	4	0	3	7	8	51
II—B	2	6	6	2	0	8	68
II—C	1	5	6	6	3	2	75

### III. Validation

There are three alternative types of validation under consideration:

1. None—no validation required.
2. Administrative—review application package to determine:  
Is the evaluation entity approved;  
Is the evaluation method approved by the FBC; and,  
Is the product evaluated to the correct standards.
3. Technical—engineering review of testing and evaluation documentation.

Options:

- A. Accredit entities and rely on their testing and evaluation.
- B. Conduct administrative validations for all products applying for approval.
- C. Conduct an administrative and technical validation for all products applying for approval.
- D. Conduct technical validations for products evaluated by some methods and administrative validations for all products applying for approval.

Option	Rank	5	4	3	2	1	Total
III—A	2	6	3	5	3	4	67
III—B	1	9	2	5	2	3	75
III—C	3	4	1	4	8	4	56
III—D	4	3	2	2	9	5	42

**IV. Quality Assurance (QA)**

Options:

- A. Independent QA required for products approved based on PE or RA evaluation reports or rational analysis.
- B. Independent QA required for products approved based on all evaluation methods.
- C. Independent QA required for products approved based on only certain but not all evaluation methods.

Option	Rank	5	4	3	2	1	Total
IV—A	3	0	0	0	4	17	25
IV—B	1	8	7	4	0	2	82
IV—C	2	0	0	3	10	8	37

**V. Transition To New Product Approval System**

Options:

- A. Approve evaluation entities thereby grandfathering products they certify or approve.
- B. Create a list of products which do not have to comply with the code for a specified length of time.
- C. Establish a delayed implementation date for the new product approval system, which would be after the code implementation date, and allow the current system to continue during the interim period.
- D. Both option A and C combined.

Option	Rank	5	4	3	2	1	Total
V—A	3	1	4	10	3	2	59
V—B	4	0	0	0	0	21	21
V—C	1	5	6	8	2	0	77
V—D	2	8	3	1	3	6	67

## Attachment 6

### Product Approval Amendment Overview

<b>Section I: How Products Are Approved Statewide</b>	
PA004	Comment on the System.
PA006	Adds state approval for 6 specific products.
PA009	Adds state approval for limited number of unspecified products.
PA022/ PA025	Adds method for state approval of products based on approved entities evaluation reports & certifications only.
PA011	Adds method for local approval to be recognized statewide.
PA008	Adds method for state approval of products based on approved entities certifications or evaluation reports validated by certified entities.
<b>Section II: How Private Sector Entities Are Approved</b>	
PA002	Establishes by law instead of by rule those product evaluation entities that will be automatically recognized.
PA005	Reinstates grandfathering of entities into the system.
<b>Section III: Quality Assurance</b>	
PA024 (B)	Adds requirement for a QA program for evaluation method 2. (does not specify independent program)
PA015	Clarifies that investigations for QA compliance apply only where third party QA is required. (product evaluation method 3)
<b>Section IV: Definitions/Clarifications</b>	
PA001	Replaces the term “ <del>Building Official</del> ” with “ <u>State or Local Enforcement Agency</u> ”.
PA003/ PA017/ PA021	Deletes references to individual chapters of the code and replaces with references to the Florida Building Code.
PA010/ PA013	Editorial—provides consistency with intent of text by clarifying that validation is part of approval.
PA014	Clarifies that QA programs don’t apply to construction method.
PA016	Links product evaluation to products covered by FBC.
PA018/ PA019/ PA020	Relocates evaluation report requirements from stand-alone section, to subsections of Methods 2 and 3.
PA024 (A) (1)	Adds reference to state approval to the preamble.
PA024 (A) (2)	Clarifies definition given is approval of product use for a specific project and not a general approval.
PA024 (A) (3)	Eliminates requirement to submit checklist when applying for approval of use pursuant to section 103.7 of FBC.
<b>Section V: Other</b>	
PA007/ PA023	Changes concept of rational analysis from primary evaluation process to a peer review or validation process of out-of-state PE/RA evaluations.
PA012	Clarifies that drawings issued by PE/RA’s for construction permitting are not evaluation reports subject to Product Approval System criteria.

## **Attachment 7**

### **Product Approval System Recommendations**

# Attachment 8

## Prototype Building Ad Hoc Report

Report of the December 10, 2000 Mfg Bldg/Prototype Ad hoc Committee as amended and approved by the Florida Building Commission

The prototype buildings program report is divided into three parts:

- 1) Capture concept of the program -December 2000
- 2) 2001 Legislative recommendations -December 2000
- 3) Develop system structure -due in March/April 2001 as approved by the November 2000 Commission

### Part 1 Prototype Concept

Note: The following are final motions as reported to the Commission.

Motion: To include legal language in the Commission report

Motion: To delegate authority for administration and plans review of the prototype buildings Part 2

Motion: To submit the captured concept of the prototype to the Commission program. Part 1

Motion: The Ad hoc to develop the system structure and design by March/April 2001. Part 3

Motion: Public and Private Prototype Administration, to be conducted by State agency or outside entity for program administration and overseen by the FBC

Motion: Prototype program product(s) completion date March/April 2001.

Motion: Fees and funding for the prototype building program.  
FBC contracts to administrative entity to coordinate a system that includes funding for administration, monitoring the program, record keeping. Fees would be a % paid by client/user to plan review established by market and approved by FBC

Motion: Legal to define intent of language in 553.77  
Prototype building program intent should meet the Florida Building Code, Fire Code, and ADA requirements.

RFP establish fees any increase approved by FBC

Motion: Public Records.

Recommend to Legislature exemptions to public record/sunshine law for safety/security reasons. Exempt some classes of plans from public review, these include the following:

Hazardous materials

Schools public and private

Utilities

Telecommunications

Banks  
Hospitals  
Public buildings  
and all essential facilities as referred to the Florida Building Code

Motion: Record & Internet access

Establish an electronic standardized format to access plans and records and to use microfiche to store and archive records for the prototype buildings program.

**Part 2- 2001 Legislative Recommendations:**

Note: the following seek specific Legislative authority or further legal research

Seek specific Legislative authority to contract for the prototype building program

Seek specific Legislative authority for fees and funding for the prototype building program. FBC contracts to administrative entity to coordinate a system that includes funding for administration, monitoring the program, record keeping. Fees would be a % paid by client/user to plan review established by market and approved by FBC

Recommend to Legislature exemptions to public record/sunshine law for safety/security reasons. Exempt some classes of plans from public review, these include the following:

Hazardous materials

Schools public and private

Utilities

Telecommunications

Banks

Hospitals

Public buildings

and all essential facilities as referred to the Florida Building Code

Prototype building program intent should meet the Florida Building Code, Fire Code, ADA, and Fair Housing requirements (553.77 , 633 and Chapter 11 part B of the FBC)

Seek specific Legislative authority relating to record & Internet access of the prototype building program.

Seek specific Legislative authority to establish an electronic standardized format to access plans and records and to use microfiche to store and archive records for the prototype buildings program.

Seek specific Legislative authority to establish fees any increase approved by FBC

Seek specific legislative authority for exemption of the prototype building program from public records law.

Clarify intent of Statute 553.77(6). Statute to read: The Commission may provide by rule for plans review and approval of prototype buildings owned by public and private entities to be replicated throughout the state. Such approved plans or prototype buildings shall be exempt from further review required by s.553.79(2), except changes to the prototype design, site plans, and other site-related items  ~~, or~~ approved plans of prototype buildings shall also be



exempt from any local technical amendment to any part of the Florida Building Code. Construction or erection of such prototype buildings is subject to local permitting and inspections pursuant to this part.

Possible exemptions to local fire amendments The Fire marshal have provided exemption with limitation within their Rule.

**Part 3 -Ad hoc program development issues to be considered:**

Note: The following is to be completed as the final work product

- \*Plans review process and requirements
- \*Time frame for review-maximum
- \*Approval process
- \*Permit review
- \*Additions to prototype plans
- \*Changes in use category
- \*Architectural control issues
- \*Alternate materials & methods
- \*Interpretation differences between local and State governments.
- \*Who would be building official (BO) or AHJ
- \*Plan changes
- \*Code violations/ penalties
- \*Contract- Management of reviewer
- \*Threshold building requirements
- \*Plan identification
- \*Tracking system (Internet)
- \*Shelf life of plans
- \*Ownership of documents
- \*prototype /site- same designer?.
- \*Abuses of the system
- \*What should system include
- \*Conflicts with uniform fire safety standards
- \*Sitting issues relative to pre-approval of building
- \*Single entity responsible- utilizing consistent criteria for review and approval-( Code/ADA/Fire- Life Safety)
- \*Records retention
- \*Minimum submission criteria
- \*Conformance to architects /engineers, requirement operations
- \*Interpretation differences resolution

The following items added ,amended, and approved to the prototype report.:

Add Fair Housing to meet the intent of the Florida Building Code, part 2, Legislative recommendations

Add “Technical” to Legislative authority change in 553.77(77) in part 2 , Legislative recommendations

Add “on issue relating to fire amendments Part 2 to include “have provided exemption with limitation” , part 2, Legislative recommendations

# Attachment 9

## Lawn Storage Building Recommendations

Report of the December 10, 2000 Mfg Bldg/Prototype Ad hoc Committee as amended and approved by the Florida Building Commission

### Criteria applied to all Ad hoc discussions relevant to lawn storage buildings per HB 219

- 1) Cost of compliance
- 2) Risk reduction for compliance
- 3) Long term viability
- 4) Recommendations to Legislature 2001

### Issues discussed applying the above criteria

- \* Size limitation for any deviation from code requirements
- \* Impact test requirements
- \* Wind load requirements
- \* Type of buildings (which type) Type 6
- \* Consistency of application for regulation
- \* Anchoring requirements put in code
- \* Separation of elements -(termites, rot etc)
- \* Enforcement /insignia
- \* Rule authority from Legislature

### January agenda items:

- 1) Insignia fees, industry and DCA to work on recommendation on fee proposal for insignia on lawn storage buildings. Report due on fee structure for the January 2001 Ad hoc meeting.
- 2) Criteria: Continue discussion on applying criteria as stated above

### Ad hoc motions from the December 2000 meeting

Motion: Seek direction from Legislature to include exemption/exception to mandatory impact standards for non-habitable storage buildings of < 720 square feet. Should apply to all types of construction.

Motion: Lawn storage kits: seek specific legislative authority to mandate signage on the panel warning "This structure may not meet code requirements"

Motion: Report work and findings to the December Commission

## Attachment 10

### Joint Florida Building Commission Building - Fire Technical and the State Fire Marshal Report

The Committee met and accomplished the following:

- (1) Reviewed and approved with amendments the Fire - Subcommittee's recommendation with regard to exempting telecommunications spaces from providing for an automatic sprinkler system. The recommendation is as follows:

**Recommendation:** Revise Section 553.895 Fire - Safety, Florida Statutes, to include language necessary to exempt telecommunication spaces located in telecommunication buildings from Section 553.895(2), Florida Statutes, provided that those spaces are equipped with an equivalent fire prevention standard approved by both the Florida Building Commission and the State Fire Marshal.

- (2) Discussed and provided recommendation with regard to the Dec. Statement on whether the fire sprinkler drawings and the fire alarm drawings should be part of the original master building permit application.

**Recommendation:** Recommends adopting Edwin Bayo, Assistant Attorney General, Counsel to the Florida Board of Professional Engineer's legal opinion of November 27, 1991 as stated in Paragraph 4 of page two and the conclusion in page three of the legal opinion. (See attached)

- (3) Mr. Andrew Keith of Florida Department of Transportation gave a short presentation regarding T-hanger construction and the need for uniform construction standard for T-hanger construction including specific code changes.

# Attachment 11

## Plumbing/Gas Technical Advisory Committee Report

The Committee met and accomplished the following:

(1) The Committee reviewed recommendations from the swimming pool subcommittee and established the following understanding:

- (a) Section 424.2.6.6, Testing and Certification, provides for testing standard “ANSI/ASME A112.19M”. The Standard covers testing for antivortex cover.
- (b) At this time, there is no national testing standard available for testing Vacuum Release System.
- (c) The swimming pool standard is a performance standard which require that venting plumbing specification for the pool be designed by an engineer.
- (d) Staff will research for information available from the Product Safety Commission with regard to entrapment.

(2) The Committee has discussed the problem of corrosive pipe and how the provisions of section 605.1, Water compatibility, of the Florida Building Code, Plumbing may be enforced.

**Progress so far:** The manufacturers of water distribution materials (pipes) have agreed to provide by the end of February 2001, a white paper which explain parameters under which their products is compatible and may be used. Also, a representative of the water utilities agreed to provide the information needed to identify the physical and chemical properties of their water.

## Attachment 12

### Accessibility TAC Report

Report of the December 11, 2000 Accessibility TAC Committee as amended and approved by  
the  
Florida Building Commission

The following was discussed at the December Accessibility TAC

TAC membership: It was suggested that all organizations representing persons with disabilities be contacted and see if there might be interest in future membership. Also the potential of expanding the TAC to facilitate a greater membership was discussed. Staff will work with the chairperson and will report findings at the next meeting.

Accessibility Mission Statement (approved by the Commission) was to be discussed but was tabled and will be an agenda item for the up coming Accessibility TAC meeting. Meeting will incorporate the TAC, sub-groups and Access Council.

Appointments to the Accessibility Advisory Council: It was reported by staff that the Secretary of DCA has appointed two vacancies on the Accessibility Council, they are: 1) Dr. J.R. Harding representing the Department of Vocational Rehabilitation, 2) David Ramsey representing the Department of Blind Services. These appointments are now official and the representatives should be attending the next Council meeting. At the next meeting the TAC will consider an application for a vacant position on the Council representing the hearing impaired.

Education committee report: It was reported that each building module needed an accessibility component. Plumbing was an example of good accessibility integration into the code. It was further reported the following sections of the code need similar accessibility integration, these are: Building structural, Plumbing Gas, Energy, Mechanical, and Special Occupancy. The TAC is tasked with identifying accessibility needs with in these codes. This will help the transition training on the new FBC.

Accessibility work. It was the feeling of all attendees that the TAC and Accessibility Advisory Council groups while separate tasks should work for a common cause of a greater unity on accessibility issues.

Accessibility training material package. It was the consensus of the group that a package be developed by the TAC and distributed by DCA staff for all new members of the Commission, Access TAC or Access Council. Some of the materials suggested were, copy of the Florida Access Code, the relevant statute, Rule 9B-7, a copy of the final report of the "Charette" and a roster of Commission members, Access Council members, Access TAC members, DCA staff, including all there e-mail addresses.

Report of the review of the Access Code: The sub-committee has completed their work product and will make recommendations to the Access TAC at the next regular meeting.

# Attachment 13

## Mechanical TAC Report

Minutes of the December 10, 2000 Mechanical TAC Committee reported to the Florida Building Commission  
Call to order Steve Bassett      10:10am

Agenda amended

Voting member status: The TAC voted to recommend replacing of two members, they are: Replace Ray Patenaude with Bob Andrews and replace Charlie Erkman with Phil Simmons.

Proposed Declaratory (DEC) Statement on auxiliary drain pans, etc. are required by section 304.8.6.1 of the SMC when the a/c unit is in a room with concrete walls, ceiling and floors. The TAC determined a auxiliary drain pan would not be required if all the following criteria are applied, all concrete, all penetrations sealed, and all adjacent property to be secured from damage.

Discussion on air handler in the attic: Report would not be released prior to presentation to Commission on Tuesday.

Train the Trainer: Discussion from the group revealed the core was too general. This would be addressed at the educational TAG on Monday. Proposal to be more specific for the Mechanical Code. Areas needed to addressed in the training are: Air distribution, Balancing of systems, Air tightness standards, Air handler in the attic.

Declaratory Statement relevant to commercial hoods. The TAC disagrees with language and disagrees with findings of final order case # DCA00-DEC-051

Plenum 1 & 2 family dwellings section 602.2.1 Dade County expresses concerns will craft language for petition for Declaratory Statement.

Adjourn

## Attachment 14

# Adoption of the Florida Building Code

## A Report to the 2001 Florida Legislature by the Florida Building Commission

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