

**COMMISSION FOUNDATION CODE MODIFICATION REVIEW PROCESS
DECEMBER RULE ADOPTION HEARING—2010 CODE UPDATE
PROCESS (Adopted Unanimously June 8, 2010)**

TAC's recommendations are on two agendas per TAC (by topical Code areas):

- Approval of consent agenda for **APPROVAL** as recommended by the TAC's incorporating the findings (A – G). Standing motion to approve amendments **As Submitted (AS) and As Modified (AM)**.
- Approval of consent agenda **AGAINST APPROVAL** as recommended by the TAC's. (Requires a motion to approve; no second should be offered; motion dies for lack of a second.) Commissioners should pull of any amendment(s) that would prevent them from NOT offering a second. Standing motion to approve amendments with No Affirmative Recommendation (**NAR, Without Second, and Withdrawn**).

Commission will move to adopt four (4) standing motions to approve:

1. TAC's recommendations as submitted and as modified (AS and AM).
2. TAC's recommendations against approval (NAR, Without Second, and Withdrawn).
3. Amendments pulled off consent agenda(s) by a Commissioner for individual consideration.
4. Staff's recommendations regarding correlation issues and integration of Florida Specific amendments for the 2010 Code Update.

TAC **chairs** will pull off any amendments that the TAC's voted in favor of supporting a submitted comment that would change the TAC's original recommendation on the amendment (comments considered during the TAC's second review process).

Public comment on TAC's recommendations will be during the rule adoption hearing.

Close public comment.

Commission consideration of TAC's recommendations on proposed Code amendments.

Any Commissioner may pull any amendment for individual consideration based on public comment(s) (submitted in writing or verbally). Standing motion to approve is in effect. Second to discuss and vote for each amendment considered individually. If no second, motion dies for lack of second (amendment is deemed not approved).

Commissioners decide whether to pull any amendment(s) based on comment(s).

Commission consideration of amendments pulled for individual consideration.

Approval of the four (1 - 4) consent agendas as amended by the Commission (minus any amendments pulled for individual consideration). Standing motion to approve is in effect. Second offered and then a vote. No second should be offered for consent agenda(s) recommending against approval (NAR, Without Second, and Withdrawn).

STANDING MOTION TO APPROVE TAC'S RECOMMENDATIONS

1. Motion to approve the consent agenda(s) of the amendments for approval (AS and AM) as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the following findings:

- A. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and,
- B. The amendment does not degrade the effectiveness of the Code and either strengthens or improves the Code or provides for innovation or new technology by allowing equivalent or better products, methods, or systems of construction; and,
- C. The Amendment does not discriminate against products, methods, or systems of construction of demonstrated capabilities; and,
- D. The Amendment has the following fiscal impact:
 - 1. The fiscal impact of enforcement imposed upon local government is as indicated by TAC review.
 - 2. The fiscal impact of compliance imposed upon property and building owners is as indicated by TAC review.
 - 3. The fiscal impact of compliance imposed upon industry is as indicated by TAC review.
 - 4. The fiscal impact of compliance imposed upon small business is as indicated by TAC review (no impact or as specified by the TAC).
- E. The Amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- F. The Amendment addresses a Florida-specific need.
- G. The Amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

2. Motion to approve the consent agenda(s) AGAINST APPROVAL (NAR, Without Second, and Withdrawn) as recommended by the TAC's, and amended by the FBC, based on the above findings (A – G).

3. Motion to approve each amendment pulled off of the consent agendas of TAC recommendations for individual consideration, based on the above findings (A – G).

4. Motion to approve consent agenda of Staff's recommendations regarding correlation issues and integration of Florida Specific amendments for the 2010 Code Update.

FBC CODE AMENDMENT REVIEW PROCESS—2010 CODE UPDATE

AMENDMENT REVIEW AND CONSIDERATION PROCESS

- ☛ Facilitator will serve as the moderator, and assist with adopted process and groundrules.
 - ☛ One person speaks at a time.
 - ☛ Limit your comment and be concise.
 - ☛ Chair may limit comments to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak.
 - ☛ Do not read lengthy prepared statements; Summarize and submit complete text of comment for the record.
 - ☛ Offer new points and/or state agreement with previous speakers; Please do not repeat what has been stated.
 - ☛ Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
 - ☛ The FBC wants to hear all view points to ensure all perspectives are considered, and not repeats of the same views.
-
- ☛ Facilitator will introduce consent agenda(s) of amendments by Code area.
 - ☛ Public will speak to any amendments they wish the Commission to consider individually.
-
- ☛ Standing motion to approve will be in effect.
 - ☛ Commissioner(s) will decide which, if any, amendments to pull for individual consideration.
 - ☛ Clarifying questions by FBC members only.
 - ☛ FBC will vote in favor of the Standing Motion(s) to Approve (found on previous page) as/if amended prior to considering proposed amendments.
 - ☛ Once a motion (second to the standing motion) is on the floor, discussion is limited to FBC members except as allowed by the Chair.

Amendments Pulled for Individual Consideration

- ☛ Standing motion(s) to approve will be in effect, a second is required in order to vote for the amendment(s)—By Commission rule only motions to approve may be considered.
- ☛ All amendments not approved on a consent agenda must be voted on individually.
- ☛ Any consent agenda or individual amendment that does not receive a second is deemed denied due to failure to receive a second.
- ☛ Motions require a 75% favorable vote for approval; those with less than a 75% favorable recommendation, are deemed denied.