# Special Occupancy

## Proposed Code Modifications

# TAC: Special Occupancy

## Sub Code: Building

Total Mods for Special Occupancy: 75

# SP3641



| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/18/2010 | **Section** | 105, 304, 423, 428 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jon Hamrick | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Change all references of “community college” to “Florida college,” add definition of a Florida college.

**Rationale**

During the 2009 legislative session the designation of “community college” was changed to “Florida college.”

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Reflects changes in Florida Statutes for renaming college system.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Reflects changes in Florida Statutes for renaming college system.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This change does not discriminate against materials, products, methods, or system of construction.

**Does not degrade the effectiveness of the code**

Reflects changes in Florida Statutes for renaming college system.

**105.3.1.1** If a state university, ~~state community~~ Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the Florida Building Code on buildings, structures, and facilities of state universities, state colleges and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

**304.2** Sections 423(1) and 423(2) are applicable to ~~community~~ Florida colleges.

**423.1 Scope:** Public educational facilities. Public educational facilities shall comply with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal. These are minimum standards; boards may impose more restrictive requirements. Additional requirements for public educational facilities in Florida, including public schools and public ~~community/junior~~ Florida colleges, are found in these standards.

Note: Other administrative and programmatic provisions may apply. See Department of Education Rule 6-2 and Chapter 1013, Florida Statutes.

**423.2 Public schools and ~~community~~ Florida colleges general requirements.**

**423.2.1 Owner.** Each school board and ~~community~~ Florida college board of trustees is deemed to be the owner of facilities within its respective jurisdiction. Boards shall provide for enforcement of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal, including standards for health, sanitation, and others as required by law.

**423.2.2 Exemption from local requirements.** All public educational and ancillary plants constructed by a school board or a ~~community~~ Florida college board are exempt from all other state, county, district, municipal, or local building codes, interpretations, building permits, and assessments of fees for building permits, ordinances, road closures, and impact fees or service availability fees as provided in Section 1013.37(1)(a), Florida Statutes.

**423.3 Code enforcement.**

**423.3.1 School boards and ~~community~~ state college boards.** Section 553.80(6), Florida Statutes, provides options for plan review services and inspections by school boards and ~~community~~ Florida college boards.

**423.3.2 Owner review and inspection.** A school board or ~~community~~ Florida college board which undertakes the construction, remodeling, renovation, lease, or lease-purchase of any educational plant or ancillary facility, or day labor project, regardless of cost or fund source, shall review construction documents as required by law in Section 1013.38, Florida Statutes, and Section 553.80(6), Florida Statutes, and shall ensure compliance with requirements of law, rule, and the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal. Section 553.80(6), Florida Statutes, states that district school boards and ~~community~~ Florida college boards shall provide for plan review and inspections for their projects. They shall use personnel certified under Part XII of Chapter 468, Florida Statutes to perform the plan reviews and inspections or use one of the options provided in Section 1013.38, Florida Statutes. Under this arrangement, school boards and ~~community~~ Florida college boards are not subject to local government permitting, plan review, and inspection fees.

**423.3.3 Local government review and inspection.** As an option to the owner providing plan review and inspection services, school boards and ~~community~~ Florida college boards may use local government code enforcement offices who will not charge fees more than the actual labor and administrative costs for the plan review and inspections. Local government code enforcement offices shall expedite permitting. Any action by local government not in compliance with Section 553.80(6), Florida Statutes, may be appealed to the Florida Building Commission, which may suspend the authority of that local government to enforce the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal on the facilities of school boards and ~~community~~ Florida college boards.

**423.4 Reference documents.** School Boards and ~~Community~~ Florida College Boards of Trustees. In addition to complying with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal, and other adopted standards and this section, public educational facilities and sites shall comply with applicable federal and state laws and rules.

**423.5 Definitions**.

**423.5.1 "Assembly"** occupancies are buildings or portions of buildings used for gatherings of 50 or more persons, such as auditoriums, gymnasiums, multipurpose rooms, classrooms and labs, cafeterias, stadiums, media centers and interior courtyards. Assembly occupancies include adjacent and related spaces to the main seating area, such as stages, dressing rooms, workshops, lobbies, rest rooms, locker rooms, and store rooms. School board and ~~community~~ Florida college facilities shall follow the requirements of Uniform Fire Safety Standards as adopted by the State Fire Marshal for assembly spaces.

**423.5.2 "Board"** means a district school board and a ~~community~~ Florida college board of trustees.

**423.5.11 "Owner"** of facilities within a respective jurisdiction consists of each school board and ~~community~~ Florida college board of trustees is deemed to be the owner of facilities within its respective jurisdiction.

**423.5.17 Florida college** is a public community college, public college, state college, or public junior college.

**423.5.~~17~~18"Student-occupied space"** is any area planned primarily for use by six or more students.

**423.6.1 Occupancy during construction.** School board and ~~community~~ Florida college board facilities, or portions of facilities, shall not be occupied during construction unless exits, fire detection and early warning systems, fire protection, and safety barriers are continuously maintained and clearly marked at all times. Construction on an occupied school board site shall be separated from students and staff by secure barriers. Prior to issuance of the notice to proceed, a safety plan shall be provided by the contractor which clearly delineates areas for construction, safety barriers, exits, construction traffic during the various phases of the project and when conditions change. Where heavy machinery, as is used for earth moving or scraping, is required to work on a school board's occupied site, the work shall be separated from occupants by secure double barriers with a distance of 10 feet (3048 mm) in between. New construction, remodeling or renovations in existing facilities shall not reduce the means of egress below the requirements for new buildings; safe means of egress from a student-occupied space may be accomplished as authorized by NFPA 101, Florida edition as adopted by the Florida Fire Prevention Code. New construction (additions) shall not block or reduce safe means of egress.

**423.8.1 Codes and standards.** Educational facilities owned by school boards and ~~community~~ Florida college boards shall meet the construction requirements of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal, state and federal laws and rules, and this section for Florida's public educational facilities for new construction, remodeling and renovation of existing facilities. This is a minimum standard; boards may impose more restrictive safety and level of quality standards for educational, auxiliary, and ancillary facilities under their jurisdiction, provided they meet or exceed these minimum requirements.

**423.8.1.1 Educational occupancy.** School board educational facility projects whether owned, lease-purchased or leased shall comply with the educational occupancy and assembly occupancy portions of the above referenced codes as applicable, except where in conflict with this section. The support spaces such as media centers, administrative offices and cafeterias and kitchens located within educational facilities are not separate occupancies.

**423.8.1.2 Business occupancy.** ~~Community~~ Florida college board educational facility projects whether owned, lease-purchased or leased shall comply with the business occupancy and the assembly occupancy of the above referenced codes as applicable, except where in conflict with this section.

**423.8.1.3 Ancillary facility.** School board and ~~community~~ Florida college board ancillary facilities such as warehouses or maintenance buildings, shall use the applicable occupancy section of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal. Ancillary facilities on educational plant sites shall be separated from the educational facility as required by code.

**423.8.2 Space standards.** School board and ~~community~~ Florida college board facility sizes shall use standards in the "Size of Space and Occupant Design Criteria Table" found in the Department of Education document, "State Requirements for Educational Facilities (SREF)." Exiting from occupied spaces shall comply with Table 1004.1.2 of the Florida Building Code, Building.

**423.8.3 Construction type.** School board and ~~community~~ Florida college buildings including auxiliary, ancillary and vocational facilities shall comply with the following:

**423.8.8 Safe school design.** School boards should design educational facilities and sites including pre-K through 12, vocational and ~~community~~ Florida colleges to enhance security and reduce vandalism through the use of "safe school design" principles. Safe school design strategies are available from DOE/educational facilities and include but are not limited to the following:

**423.10.2.8 Minimum parking requirements.**

**423.10.2.8.1 Faculty and staff.** One space for each member.

**423.10.2.8.2 Visitors.** One space for every 100 students.

**423.10.2.8.3 Community clinics where provided**. Ten spaces, including one accessible space.

**423.10.2.8.4 High schools**. One space for every 10 students in grades 11 and 12.

**423.10.2.8.5 Vocational schools.** One space for every two students.

**423.10.2.8.6 ~~Community~~ Florida colleges.** One space for every two students.

**423.10.2.8.7 Accessible parking.** Parking spaces designated for persons with disabilities shall comply with the ADA, Chapter 11 of the Florida Building Code, Building, and Section 316.1955, Florida Statutes.

**423.10.7 Landscaping.** Refer to Section 1013.64(5), Florida Statutes, for school board and ~~community~~ Florida college requirements. Xeriscape is defined in Section 373.185, Florida Statutes .

**423.16.2 Teacher toilets.** In school board facilities, faculty and staff toilets shall be separate from student toilets.

**Exception**: Separation of faculty/staff and student toilet facilities is not required for ~~community~~ Florida colleges.

**423.20.4 Chemical and hazardous materials storage.** In addition to the requirements of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal for separation and protection, chemical and hazardous storage facilities shall also include:

**423.20.4.1 Chemical storage.** Rooms used for the storage, handling, and disposal of chemicals used in school and ~~community~~ Florida college laboratories shall be vented to the exterior. The ventilation system shall not be connected to the air-conditioning return air system, and the rooms shall be kept at moderate temperatures. Doors shall be lockable from the outside and operable at all times from the inside. Rooms shall be well illuminated. Cabinets shall have shelves with a 1/2 inch (12.7 mm) lip on the front and shall be constructed of noncorrosive material. When vented to the exterior, chemical storage cabinets shall be mechanically vented in accordance with NFPA 30 and NFPA 91.

**423.25.1 New facilities.** New educational facilities for school boards and ~~community~~ Florida college boards, unless specifically exempted by the board with the written concurrence of the applicable local emergency management agency or the Department of Community Affairs (DCA), shall have appropriate areas designed as enhanced hurricane protection areas (EHPAs) in compliance with this section.

**Exception:** Facilities located, or proposed to be located, in a Category 1, 2, or 3 evacuation zone shall not be subject to these requirements.

**423.25.1.1 Enhanced hurricane protection areas (EHPA).** The EHPA areas shall provide emergency shelter and protection for people for a period of up to 8 hours during a hurricane.

**423.25.1.1.1** The EHPA criteria apply only to the specific portions of (K-12) and ~~community~~ Florida college educational facilities that are designated as EHPAs.

**423.27.2 Design, plan approval, construction.** Regardless of cost or fund source, whether used for classroom, auxiliary or ancillary space, whether leased, purchased, contracted, or constructed by the school board or ~~community~~ Florida college board, plans and documents for relocatables, portables and modular schools shall be prepared by Florida registered design professionals and submitted to the authority having jurisdiction for review and approval for compliance with Florida laws, rules, building and life safety codes. The buildings shall be constructed and inspected by personnel licensed, certified or trained as required by Florida construction industry licensing laws.

**423.27.5.2 Covered walks and technology.** New relocatables and "modular schools" acquired by a board which are intended for long term use, shall be connected from exit door to the core facilities by accessible covered walkways, and shall contain wiring and computer technologies which connect to the facility's technology, communications and fire alarms infrastructure.

**Exceptions:**

1. Covered walks and public address systems are not required in ~~community~~ Florida college facilities.

**428.7 Factory-built schools, inspections and work progress reports (also see Section 423, state requirements for education facilities).**

**428.7.1 Inspectors**. The school board or ~~community~~ Florida college (educational entity) which is to utilize the factory-built school shall be responsible for compliance with inspection requirements.

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| **Date Proposal Submitted** | 3/25/2010 | **Section** | 419, 420, 423, 424 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Rebecca Quinn | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Florida-specific mods to Chpt 2, related to consistency with flood provisions of the NFIP. Mods coordinated with applicable State agencies: 419 & 420 (Agency for Health Care Admin); 423 (Office of Educational Facilities). Specified elevations are consistent with ASCE 24, referenced in 1612.

**Rationale**

Modifications recommended by FBC Flood Resistant Standards Workgroup, with concurrence by Structural TAC, to retain IBC flood provisions IBC and make Florida-specific amendments. IBC flood provisions are consistent with the NFIP. The FBC adopted the recommendation at its October 2009 meeting. Workgroup's final report is attached to the modification for 1612 and http://consensus.fsu.edu/FBC/Flood-Resistant-Standards.html

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact; 454 Florida communities participate in the NFIP and administer ordinance that include NFIP requirements (44 CFR 60.3).

**Impact to building and property owners relative to cost of compliance with code**

No impact; building and property owners already are required to comply with local floodplain management ordinances.

**Impact to industry relative to the cost of compliance with code**

No impact; building and property owners already are required to comply with local floodplain management ordinances.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Compliance with flood-resistant provisions reduces flood damage and protects life, property and general welfare.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by having all load requirements addressed; provides equivalency with requirements of local floodplain management ordinances. The requested statutory authority will allow locally-adopted higher standards to preserve better protection and insurance discounts.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Includes provisions for flood damage-resistant materials and methods, consistent with the NFIP and current floodplain management ordinances.

**Does not degrade the effectiveness of the code**

Improves effectiveness by requiring buildings to be designed and constructed with consideration of all applicable codes.

**Alternate Language**

SP3880-A2

**Proponent** Rebecca Quinn **Submitted** 5/24/2010 **Attachments** Yes

**Rationale**

The Flood Resistant Standards Workgroup initially expected that the IBC flood provisions, in Sec. 1612, would be renumbered to Sec. 1627. Staff subsequently decided to retain it as Sec. 1612, and I inadvertently did not make that correction prior to submittal.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Correcting referenced section; no change to original propoal.

**Impact to building and property owners relative to cost of compliance with code**

Correcting referenced section; no change to original propoal.

**Impact to industry relative to the cost of compliance with code**

Correcting referenced section; no change to original propoal.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Correcting referenced section; no change to original propoal.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Correcting referenced section; no change to original propoal.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Correcting referenced section; no change to original propoal.

**Does not degrade the effectiveness of the code**

Correcting referenced section; no change to original propoal.

Coordinated with Skip Gregory, Office of Plans and Construction, Agency for Health Care Administration

**419.4.2 Disaster preparedness construction standards.**

**419.4.2.2 Site standards.**

**419.4.2.2.1** All new facilities and additions to existing facilities shall be located above the base flood elevation plus 2 ft ~~100 year flood plain~~ or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation; or

**419.4.2.2.2** The floor elevation of all new occupied patient area(s) and all patient support area(s) and patient support utilities, including mechanical, electrical (except fuel storage as noted in Section 419.4.2.9.3 of this code) and food services shall be located above the base flood elevation plus 2 ft ~~100 year flood plain~~ or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.

**419.4.2.2.3** New additions or floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 419.4.2.2.1 or 419.4.2.2.2 of this Code, or be so designed and constructed as to be in compliance with Section 1627 ~~the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, incorporated by reference and available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024~~.

**419.4.2.2.4** Where an off-site public access route is available to the new facility at or above the base flood elevation ~~100 year flood plain~~, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route.

Coordinated with Skip Gregory, Office of Plans and Construction, Agency for Health Care Administration

**420.4.2 Disaster preparedness construction standards.**

**420.4.2.2 Site standards.**

**420.4.2.2.1** All new facilities and additions to existing facilities shall be located above the base flood elevation plus 2 ft ~~100 year flood plain~~ or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation, or

**420.4.2.2.2** The floor elevation of all new occupied resident area(s) and all resident support area(s) and resident support utilities, including mechanical, electrical (except fuel storage as noted in Section 420.4.2.9.3 of this code) and food services shall be located above the base flood elevation plus 2 ft ~~100 year flood plain~~ or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.

**420.4.2.2.3** New additions or floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 420.4.2.2.1 or 420.4.2.2.2 of this code, or be so designed and constructed as to be in compliance with Section 1627 ~~the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, incorporated by reference and available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024~~.

**420.4.2.2.4** Where an off-site public access route is available to the new facility at or above the base flood elevation ~~100 year flood plain~~, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route.

**423.4.2 Flood Resistant Construction. ~~[Referenced Documents] FEMA.~~** ~~Federal Emergency Management Agency. Rules and Regulations 44 CFR, Parts 59 and 60, Revised as of October 1, 1995. In Flood Zones A1 through A30, AE, AH, and AO (100 year flood plain) the finished floor at the lowest entry level shall be a minimum 1 foot (305 mm) above the base flood elevation.~~ Educational facilities in flood hazard areas shall comply with ASCE 24.

**424.1 Public swimming pools and bathing places.** Public swimming pools and bathing places shall comply with the design and construction standards of this section.

**424.1.1 Flood hazard areas.** Public swimming pools installed in flood hazard areas established in Section 1612.3 shall comply with Section 1612.

**424.2.4.2 Items not covered.** For any items not specifically covered in these requirements, the administrative authority is hereby authorized to require that all equipment, materials, methods of construction and design features shall be proven to function adequately, effectively and without excessive maintenance and operational difficulties.

**R424.2.4.2.1 Flood hazard areas.** Private swimming pools installed in flood hazard areas established in Section 1612.3 shall comply with Section 1612.

Modify only two sections in the original proposal (and only modification is to cite correct section, Section 1612).

**419.4.2.2.3** New additions or floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 419.4.2.2.1 or 419.4.2.2.2 of this Code, or be so designed and constructed as to be in compliance with Section 1612 ~~1627 the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, incorporated by reference and available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024~~.

**420.4.2.2.3** New additions or floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 420.4.2.2.1 or 420.4.2.2.2 of this code, or be so designed and constructed as to be in compliance with Section 1612 ~~1627 the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, incorporated by reference and available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C.20024~~.

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|---|---|---|---|
| **Date Proposal Submitted** | 3/31/2010 | **Section** | 419.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Revises the Scope section of 419.

**Rationale**

Adds clarifying language to the scope section of 419 describing exactly what facilities must meet the requirements of this section.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity relative to enforcement of code.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners relative to cost of compliance.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry relative to the cost of compliance with code.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the scope of section 419.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies the scope and types of facilities regulated by section 419.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

**Does not degrade the effectiveness of the code**

Clarifies the intent of the scope and does not degrade the code.

~~**419.1.1** Hospitals shall comply with all applicable requirements of the code and the following design and construction standards as described herein and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80(1)(c), Florida Statutes.~~

~~**Note:** For project submission and fee requirements, codes and standards for existing facilities, and other administrative, licensure and programmatic provisions for hospitals, see Agency for Health Care Administration [AHCA] Chapter 59A-3, Florida Administrative Code and Chapter 395, Florida Statutes.~~

**419.1.1** All newly licensed or newly constructed hospitals, all hospital outpatient facilities and hospital mobile and transportable units unless exempted by Chapter 395.0163, and all additions, alterations or renovations to an existing licensed hospital shall comply with all applicable requirements of this code and the minimum standards of design, construction and specified minimum essential utilities and facilities of this Section and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80 (1)(c), *Florida Statutes* to assure compliance with all applicable requirements of this code.

**419.1.2** A change of ownership of an existing licensed hospital shall not require compliance with this Section.

**419.1.3** The Florida Building Code, Existing Buildings, Section 101.2 Scope exempts state licensed hospitals from compliance with that code. Any repair, alteration, change of occupancy, addition and relocation of an existing state licensed hospital shall comply with the applicable requirements of this code and this Section.

**419.1.4** For project submission and fee requirements, and other administrative, licensure, and programmatic provisions for hospitals, see Agency for Health Care Administration [AHCA] Chapter 59A-3 *Florida Administrative Code* (F.A.C.) and Chapter 395, *Florida Statutes.*

**419.1.5** For state licensure purposes, these codes and standards shall be applicable to the project on the effective date of this code at the time of preliminary plan approval by the Agency for Health Care Administration (the Agency) or at the first construction document review if there has been no previous preliminary plan approval for that project.

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| **Date Proposal Submitted** | 3/30/2010 | **Section** | 419.1.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifying language.

**Rationale**

Adds language to include outpatient facilities as required by chapter 395.0163. Clarifies hospitals must also meet other sections of this code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entities.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to idustry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code for all users.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies the code for all users.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, mehtods or systems.

**Does not degrade the effectiveness of the code**

Clarifies and improves the code for all users.

419.1.1 Hospitals and all outpatient facilities of hospitals shall comply with all applicable requirements of ~~the~~ this code and the following design and construction standards as described ~~herein~~ in this section and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80(1)(c), Florida Statutes to assure compliance with all applicable requirements of this code.

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| **Date Proposal Submitted** | 3/30/2010 | **Section** | 419.2 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds clarifying language.

**Rationale**

Adds language to include outpatietn facilities and mobile and transportable units to be sure it is understood these types of facilities are also included as required by chapter 395.0163 fs.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

No impact to building and property owners.

**Impact to industry relative to the cost of compliance with code**

No impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies language for user.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies language for user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

**Does not degrade the effectiveness of the code**

Clarifies code language for all users.

419.2 Codes and standards for the design and construction of general, rehabilitative, and psychiatric hospitals, including Intensive Residential Treatment Facilities (IRTF) for children and adolescents, outpatient facilities and mobile and transportable units.

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| **Date Proposal Submitted** | 3/31/2010 | **Section** | 419.2 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Revises this section for clarity.

**Rationale**

This revision clarifies what facilities must meet the requirements of this section and changes the references of the required codes and standards.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact on local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact on property owners.

**Impact to industry relative to the cost of compliance with code**

Thre is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Updates the reference standards and clarifies the code for the user.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Updates the referenced standard to more comtemporary regulations.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against material, products, methods or systems..

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code.

**Alternate Language**

**SP4174-A1**

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Add language to cover additions and renovations to existing hospitals.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Does not impact local entity.

**Impact to building and property owners relative to cost of compliance with code**

Does not impact building or property owners.

**Impact to industry relative to the cost of compliance with code**

Does not impact idustry realtive to cost.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves health and safety by clarifying the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthens the code by adding clarifying language.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials or etc.

**Does not degrade the effectiveness of the code**

Improves the code by clarifying it.

**419.2 Additional ~~C~~codes and standards for the design and construction of general, rehabilitative, and psychiatric hospitals, including Intensive Residential Treatment Facilities (IRTF) for children and adolescents, and unless exempted by Chapter 395.0163, Florida Statutes, all hospital outpatient facilities and hospital mobile and transportable units.~~419.2.1~~** ~~Except as modified and required~~ In addition to the minimum standards required by ~~this section of the~~ Section 419 of this code, Chapter 59A-3 Florida Administrative Code, or by Chapter 395, Florida Statutes, all new hospital~~s~~ facilities, as listed in Section 419.2 of ~~the~~ this code, ~~all outpatient facilities of hospitals, and all projects, as described in Section 105 of the code, to these existing hospitals,~~ shall also be in compliance with the following codes and standards on the effective date of ~~the~~ this code as described in Section 419.1.5 of this code:

**419.2.1.~~1~~** The fire codes described in Chapter 69A-53, Uniform Fire Safety Standards for Hospitals and Nursing Homes, Florida Administrative Code.

**419.2.~~1~~.2** The Guidelines for Design and Construction of Health Care Facilities (The Guidelines), ~~Part I - General, Part 2 - Hospitals, and Part 3 - Ambulatory Care Facilities, incorporated by reference and obtainable from the American Institute of Architects, 1735 New York Ave., N.W., Washington, D.C. 20006-5292~~ as reference in Chapter 35 of this code.

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~~**419.2.1.3** Fire, Smoke and Radiation Damper Installation Guide for HVAC Systems, Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA).~~

**419.2 Additional codes and standards for the design and construction of general, rehabilitative, and psychiatric hospitals, including Intensive Residential Treatment Facilities (IRTF) for children and adolescents, and unless exempted by Chapter 395.0163, Florida Statutes, all hospital outpatient facilities and hospital mobile and transportable units.** In addition to the minimum standards required by this section of the Section 419 of this code, Chapter 59A-3 Florida Administrative Code, or by Chapter 395, Florida Statutes, all new hospitals facilities, and all additions, alterations or renovations to an existing licensed hospital as listed in Section 419.2 of thiscode, shall also be in compliance with the following codes and standards on the effective date of this code as described in Section 419.1.5 of this code:

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/31/2010 | **Section** | 419.3 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Clarifies what facilties need to meet sectin 419 requirements.

**Rationale**

Adds language to clarify which facilities must meet section 419.3 requirements.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity relative to enforcement of code.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to local entity relative to enforcement of code.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry relative to the cost of compliance with code.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Makes the code more clear for the user.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by making it clearer to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This revision does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

**Does not degrade the effectiveness of the code**

The revision does not degrade the effectiveness of the code.

**Alternate Language**

**SP4182-A1**

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Clarifies these requirements also pertain to remodeling. Although already in the code, this makes it clear for this seciton of the code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact on local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact on property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact on industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves health and safety by making the code more clear.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengtens the code by making it more clear.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against any materials, products or etc.

**Does not degrade the effectiveness of the code**

Does not degrade the effectiveness of the code.

**419.3 Additional physical plant requirements for general, rehabilitation, and psychiatric hospitals, including Intensive Residential Treatment Facilities (IRTF) for children and adolescents , and unless exempted by Chapter 395.0163, Florida Statutes, all hospital outpatient facilities and hospital mobile and transportable units. ~~419.3.1~~** In addition to the codes and standards referenced in Section 419.2 of ~~the~~ this code, the following minimum standards of construction and specified minimum essential facilities, shall apply to all new hospitals, as described in Section 419.1 of this code and listed in Section 419.3 of ~~the~~ this code~~,~~: ~~all additions, alterations or renovations to these existing hospitals and to outpatient facilities owned or operated by these hospitals as described in Chapter 395.0163, Florida Statutes, on the effective date of the code.~~

**419.3 Additional physical plant requirements for general, rehabilitation, and psychiatric hospitals, including Intensive Residential Treatment Facilities (IRTF) for children and adolescents , and unless exempted by Chapter 395.0163, Florida Statutes, all hospital outpatient facilities and hospital mobile and transportable units.** In addition to the codes and standards referenced in Section 419.2 of the this code, the following minimum standards of construction and specified minimum essential facilities, shall apply to all new hospitals and all additions, alterations or renovations to an existing licensed hospital, as described in Section 419.1 of this code and listed in Section 419.3 of this code:

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/31/2010 | **Section** | 419.3 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Revises sections to comply with updated references.

**Rationale**

These revisions are to update the Florida requirements so they comply with the nationally referenced standard.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact on local entity for code enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact on building or property owners realtive to cost.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry relative to cost.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Updates the code to meet the requirements of the natioanally recognized standard.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

improves the code by revising the requirements to meet new standards.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

The revisions does not discriminate against any materials or products.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by revising to meet new referenced standards.

**Alternate Language**

SP4186-A1

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Restores some language to the code that was incorrectly deleted. Coordinates some sections of the code with the new reference of the 2010 Guidelines. Clarifies when lightning protection systems and Level I systems are required in health care facilities.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the health and safety of patients.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies the codes sections.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, etc.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

**Alternate Language**

SP4186-A2

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Adds an existing building code requirement to this section for clarity.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Adds clarifying language.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products etc.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

**419.3.2.1 Critical care units.** (Reference The Guidelines for other requirements.)

~~**419.3.2.1** Toileting facilities are required for each critical care patient. When portable or under cabinet modular toilets are utilized in lieu of individual toilet rooms, provisions shall be made for user privacy, and the storage, servicing and odor control of these toilet units. Permanently installed toilet fixtures located inside of the critical care room shall not be permitted.~~

~~**419.3.2.2**~~ Sliding doors used for access to critical care rooms may be either manual or power operated and shall be smoke resistive if located on an exit access corridor.

**419.3.32 Newborn intensive care units.** (Reference The Guidelines for other requirements.)

~~**419.3.3.1**~~ General categories of neonatal services in the State of Florida are Level I, newborn nursery; Level II, intermediate care unit; and Level III, intensive care unit. Facilities which offer obstetrical services shall provide at a minimum a Level I newborn nursery or a holding nursery that shall meet the requirements of The Guidelines, and facilities that offer neonatal care for Level II and Level III neonatal services shall meet the requirements of The Guidelines for a newborn intensive care unit.

~~**419.3.3.2** In facilities that provide labor/delivery/ recovery (LDR) rooms with postpartum bedrooms with rooming in capabilities or labor/delivery/ recovery/postpartum (LDRP) rooms, a full term or Level I nursery is not required. In that case, a baby holding nursery shall be provided and shall meet the requirements of The Guidelines.~~

**419.3.43 Mobile testing and treatment facilities.** (Reference The Guidelines for other requirements.) ~~**419.3.4.1**~~ In addition to any other state of Florida required permits, mobile facilities shall be approved in advance by the Agency for Health Care Administration before they may be utilized for patient services.

~~**419.3.4.2** When the mobile facility is located in a roadway or a parking lot, there shall be sturdy walls, fences or bollards around the immediate site to prevent collisions with the unit by other vehicles.~~

~~**419.3.4.3** Electrical connection to the hospital electrical system shall be permitted only when the mobile facility complies with appropriate requirements of the Florida Building Code, Building.~~

~~**419.3.4.4** There shall be a rain free passage from the hospital to the entrance to the mobile facility.~~

~~**419.3.4.5** A fire alarm system shall be provided. An alarm initiated in the mobile facility shall activate the hospital system at the 24 hour staffed location, and a fire alarm signal in the hospital shall sound an alarm in the mobile facility.~~

~~**419.3.4.6** The mobile facility shall not diminish egress from the hospital.~~

~~**419.3.4.7** There shall be a telephone located inside the mobile facility connected to the hospital communication system.~~

~~**419.3.4.8** When units provide critical care procedures, there shall be a code blue station in the unit connected to the hospital response team.~~

~~**419.3.4.9** The electrical systems in the mobile facility shall comply with the requirements of the Florida Building Code, Building, The Guidelines and with Section 419.3.15 of the code for the type of service to be provided.~~

~~**419.3.4.10** The mechanical systems in the mobile facility shall comply with the requirements of the Florida Building Code, Mechanical, The Guidelines and with Section 419.3.11 of the code.~~

~~**419.3.5 Outpatient surgery.** Reserved.~~

~~**419.3.6 Obstetrical facilities.** Reserved.~~

~~**419.3.7 Administration and public areas.** Reserved.~~

~~**419.3.8 Mobile testing and treatment facilities.** Reserved.~~

**419.3.9~~5~~ Details and finishes.** (~~See~~ Reference The Guidelines for other requirements.)

**419.3.9 4.1** Each patient sleeping room shall be provided with a window that shall have a minimum 20-foot (6 m) unobstructed vista measured perpendicularly from the plane of the window.

**419.3.9.4.2** Ceilings in rooms with ceiling-mounted surgical light fixtures and in kitchens shall be a minimum height of 9 feet (2.7 m).

**419.3.9.4.3** Soap dispensers shall be provided at all hand washing facilities. If soap dishes are used, only fully recessed soap dishes shall be permitted in patient tubs or showers.

**419.3.9.4.4** Toilet compartment partitions and urinal screens in the men's toilet rooms shall not be constructed of enameled steel.

**419.3.9.4.5** All smoke partitions, horizontal exits and exit passageway partitions shall be constructed prior to the construction of intervening walls.

**419.3.9.4.6** Smoke partitions shall be constructed so as to provide a continuous smoke-tight membrane from exterior wall to exterior wall and from the floor to the underside of the deck above. This includes interstitial space and the area above solid fire tested membranes.

**419.3.9.4.7** Where it is not possible to inspect fire/smoke partitions because of the fire-tested membrane, fire-rated access panels shall be installed adjacent to each side of the smoke partitions at intervals not exceeding 30 feet (9 m) and in such locations as necessary to view all surfaces of the partition. Fire walls, fire barriers, fire partitions, smoke barriers and smoke partitions or any other wall required to have protected openings shall be effectively and permanently identified with signs or stenciling. Such identification shall be above any decorative ceiling and in concealed spaces. Suggested wording for a fire/smoke partition is as follows: "FIRE AND SMOKE BARRIER - PROTECT ALL OPENINGS."

**419.3.9.4.8** Where electrical conduits, cable trays, ducts and utility pipes pass through the smoke partition, the utilities shall be located so that access is maintained to adjacent wall surfaces and to all damper access panels. The details shall show the studs and reinforcing half studs so that proper support is provided for the wall surfacing material. There shall be a minimum clearance of 6 inches (152 mm) between all conduits, piping and duct work that are parallel or adjacent to all fire and fire/smoke rated walls to facilitate the inspection of these walls.

**419.3.9.4.9** The use of sliding or folding doors to patient use toilet, baths, or showers shall not be permitted. A sliding door equipped with sliding door hardware located on the patient room side of the wall and not equipped with a bottom door track shall be permitted.

**419.3.~~10~~ 5 Elevators where required.** (~~See~~ Reference The Guidelines for other requirements.) All elevators shall be in compliance with the requirements of Chapter 30 of the Florida Building Code, Building and Chapter 69A-47, Florida Administrative Code, "Uniform Fire Safety Standards for Elevators."

**419.3.~~11~~6 Heating, ventilating and air-conditioning systems.** (~~See Section 7.31 of~~ ReferenceThe Guidelines for other requirements.)

**419.3.~~11~~6.1** Air-handling equipment shall be located in mechanical equipment rooms unless it serves only one room and it is located in that room.

~~**419.3. 11.2** Ventilation shall be provided by mechanical means in all rooms in new facilities and in all remodeled rooms.~~

~~**419.3. 11.3** Rooms requiring positive or negative relative pressures, shall maintain the air quantities as required between the supply, return or exhaust at a minimum of 75 cfm (2.13 $m^3$/min.) for room areas 100 square feet (929 $m^2$) or larger and 50 cfm (1.42 $m^3$/min) for rooms less than 100 square feet (929 $m^2$).~~

**419.3.~~11.4~~ 6.2** All new hospital, outpatient surgery and cardiac catheterization facility construction shall have completely ducted air supply, return, outside air and exhaust systems. In buildings with multiple uses, tenants or occupancies, the licensed health care areas shall be served by separate ducted mechanical air supply, return and exhaust systems.

**419.3.~~11.5~~ 6.3**In new construction, horizontal offsets of duct system risers penetrating more than one floor shall not be allowed.

**419.3.~~11.6~~ 6.4** Flexible duct work shall have a continuous metal inner liner encased by insulating material with an outer vapor jacket conforming to UL 181 unless the flexible duct meets the following criteria:

**419.3.6.4.1** The duct conforms to UL Class 1 Air Duct, Standard 181 with minimum rated air velocity of 4,000 feet per minute, and is pressure rated for a minimum of 4-inches water gage positive pressure and 1-inch water gage negative pressure.

**419.3.6.4.2** The inner core of the duct is constructed of Chlorinated Polyethylene (CPE) material encircling a steel helix bonded to the CPE.

**419.3.6.4.3** The duct has a fire-retardant metalized vapor barrier that is reinforced with crosshatched fiberglass scrim having a permanence of not greater than 0.05 perms when tested in accordance with ASTM E 96 Procedure A.

**419.3.6.4.4** The duct has passed an impact test equal to the UL 181 standard, conducted by a nationally recognized testing laboratory (NRTL) except it shall use a 25-pound weight dropped from a height of 10 feet. As a result of the test, the inner and outer surfaces of the sample shall not have ruptured, broken, torn, ripped, collapsed or separated in order for the duct to pass the test. In addition, the helix shall rebound to a cross-sectional elliptical area not less than 80 percent of the original test sample diameter. The use of flexible duct shall be limited to flexible air connector applications.

**419.3.~~11.7~~ 6.5** Variable air volume systems shall not be permitted for use in surgical departments, obstetrical departments, laboratories, isolation rooms and critical care units and rooms.

~~**419.3. 11.8** Filter housing frame blank-off panels shall be permanently attached to the frame, constructed of rigid materials and have sealing surfaces equal to or greater than the filter media installed in the filter frame.~~

~~**419.3. 11.9** Each air handling unit filter rated in excess of 1,000 cfm (28.32 m3/min) capacity shall be equipped with a differential pressure gauge. The range of acceptable operation shall be clearly and permanently indicated on the gauge face or display. Multiple bank filter~~ assemblies shall be equipped with a gauge for each filter media bank.

**419.3.~~12~~ 7 Fan and damper control during fire alarm.**

**419.3.~~12~~ 7.1** During a fire alarm, fan systems and fan equipment serving more than one room shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones.

**419.3.~~12~~ 7.2** Fan control shall be designed so as to minimize the interruption of heating, ventilating and air conditioning in compartments remote from the compartment in alarm.

**419.3.~~12~~ 7.3** Fan control shall not interfere with the continuous operation of exhaust systems conveying ethylene oxide or other hazardous chemicals and fumes or systems required to operate continuously for the health and safety of occupants. Such systems shall include fume hood exhaust deemed by the governing body of the hospital to present a hazard to occupants if exhaust airflow is stopped. Air-handling systems shall be designed to allow for continuous operation of all such systems and to minimize movement of smoke by mechanical means from the zone in alarm.

**419.3.~~12.4~~ 8 Carbon monoxide detector.** See Section 913.1.

**419.3.~~13~~ 9 Plumbing.** (~~See Section 7.31.E of~~ Reference The Guidelines for other requirements.) **~~419.3. 13 .1~~** All plumbing systems shall be designed and installed in accordance with the Florida Building Code, Plumbing.

~~**419.3. 13 .2** Grease interceptors shall be located outside of the building.~~

~~**419.3. 13 .3** Wall-mounted lavatories and hand-washing facilities shall be attached to floor-mounted carriers and shall withstand an applied vertical load of a minimum of 250 pounds (114 kg) on the front of the fixture.~~

**419.3.~~14~~10 Fire pump.** Where required in new construction, fire pumps and ancillary equipment shall be separated from other functions by construction having a 2-hour fire-resistance rating.

**419.3.~~14~~10.1** The fire pump normal service disconnect shall be rated to hold locked rotor current indefinitely. If the approved normal service disconnect is located on the exterior, it shall be supervised by connection to the fire pump remote annunciator and shall provide a separate fire alarm system trouble indication.

**419.3.~~14~~10.2** When the fire pump is placed on the emergency system in addition to the normal supply, the emergency feeder protective device shall be sized in accordance with maximum rating or settings of Chapter 27 of the Florida Building Code, Building.

**419.3.~~14~~10.3** The fire pump transfer switch may be either manual or automatic. If located on the line side of the controller as a separate unit, the switch must be rated for the pump motor locked rotor current indefinitely and must be located in the pump room.

**419.3.~~14~~10.4** Combination fire pump controller and transfer switch units listed by the Underwriter's Laboratories, Inc., as prescribed by Chapter 27 of the Florida Building Code, Building are acceptable when the transfer switch has exposable and replaceable contacts, not circuit breaker types, rated for the available short-circuit current.

**419.3.~~14~~10.5** The fire pump shall be installed in a readily accessible location. When it is located on the grade level floor, there shall be direct access from the exterior.

**419.3.~~15~~11 Electrical requirements.** (~~See~~ Reference The Guidelines for other requirements.)

**419.3.11.1** All material, including equipment, conductors, controls, and signaling devices, shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facility requirements as shown in the specifications and as indicated on the plans.

**419.3.11.2** All materials and equipment shall be factory listed as complying with applicable standards of Underwriter's Laboratories, Inc. or other similarly established standards of a nationally recognized testing laboratory (NRTL) that has been certified by the Occupational Safety and Health Administration (OSHA) for that referenced standard.

**419.3.11.3** Field labeling of equipment and materials shall be permitted only when provided by a nationally recognized testing laboratory that has been certified by the Occupational Safety and Health Administration (OSHA) for that referenced standard.

**419.3.~~15.1~~ 11.4**Nonmetallic sheathed cable or similar systems are not permitted for power and lighting wiring in any facility.

**419.3.~~15.2~~ 11.5** Panel boards located in spaces subject to storage shall have the clear working space per Chapter 27, Florida Building Code, Building. "ELECTRICAL ACCESS - NOT FOR STORAGE" shall be permanently marked on the floor and wall about the panel. Panel boards shall not be located in egress corridors.

**419.3.~~15.3~~ 11.6**There shall be documentation for equipotential grounding in all patient care areas, building service ground electrode systems, lightning protection ground terminals and special systems such as fire alarm, nurse call, paging, generator, emergency power, fault analysis and breaker coordination.

**419.3.~~15.4~~ 11.7**All spaces occupied by people, machinery and equipment within buildings and approaches to buildings shall have electric lighting.

**419.3.~~15.5~~ 11.8**Operating rooms and delivery rooms shall have general lighting for the room in addition to local high intensity, specialized lighting provided by special fixtures at the surgical and obstetrical tables. Each special lighting unit for local lighting at the tables shall be connected to an independent circuit and shall be powered from the critical branch. A minimum of one general purpose lighting fixture shall be powered from a normal circuit in an operating room, delivery or similar room.

**419.3.~~15.6~~ 11.9**There shall be a maximum of six duplex receptacles on a circuit in general patient care areas.

**419.3.~~15.7~~ 11.10**Duplex receptacles in critical care areas, in all emergency treatment rooms or areas, and other areas including, angiographic laboratories, cardiac catheterization laboratories, coronary care units, hemodialysis rooms or areas, human physiology laboratories, intensive care units and postoperative recovery rooms, shall be provided as follows:

~~**419.3.15.7.1** There shall be a minimum of six duplex electrical receptacles for each patient station.~~

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**419.3.~~15.7~~ 11.10.~~2~~ 1** Four shall be connected to the critical branch of the essential electrical system, and two of the required number shall be connected to dedicated circuits.

**419.3.~~15.7~~ 11.10.~~32~~** Two shall be connected to a normal power circuit except in anesthetizing locations where two shall be connected to critical power circuits.

**419.3.~~15.7~~ 11.10.4 3** There shall be no more than two receptacles per circuit.

**419.3.~~15.8~~ 11.11** All receptacles shall have engraved cover plates to indicate the panel board and circuit numbers powering the device.

**419.3.~~15.9~~ 11.12** Branch circuit over-current devices shall be readily accessible to nursing staff and other authorized personnel.

**419.3.~~16~~ 12 Fire alarm systems.** A fire alarm annunciator panel shall be provided at a 24-hour monitored location. The panel shall indicate the zone of actuation of the alarm, and there shall be a trouble signal indicator. Each smoke compartment shall be annunciated as a separate fire alarm zone. A fire alarm system zone shall not include rooms or spaces in other smoke compartments and shall be limited to a maximum area of 22,500 square feet (2090 $m^2$).

**419.3.~~17~~ 13 Nurse call system.** (~~See Section 7.32.G of~~ Reference The Guidelines for other requirements.) A nurse call system shall be provided that will register a call from each patient bed to the nurse station and activate a visual signal at the patient room door and activate a visual and audible signal in the clean workroom, the soiled workroom, the nourishment station and the master station of the nursing unit. In multicorridor nursing units, additional visible signals shall be installed at corridor intersections in the vicinity of nurse stations. In rooms containing two or more calling stations, indicating lights shall be provided for each calling station.

**419.3.~~17~~ 13.1** Master staff and duty stations may include volume controls, provided the minimum setting provides audibility of 15 decibels above normal ambient noise levels where the station is located.

**419.3.~~17~~ 13.2** ~~An emergency calling station of the pull cord type shall be provided and shall be conveniently located for patient use in each patient toilet, bath or shower room, but not inside the shower~~. An emergency calling station of the pull cord type shall be provided and shall be conveniently located for patient use at each patient toilet, bath or shower room but not inside of the shower unless the nurse call device is listed for wet locations. The call signal shall be the highest priority and shall be cancelled only at the emergency calling station. ~~The call signal shall be cancelled only at the emergency calling station.~~ The emergency station shall activate distinctive audible and visual signals immediately.

**419.3.~~17~~ 13.3** An emergency resuscitation alarm (Code Blue) calling station shall be provided for staff use in each operating, delivery, recovery LDR, LDRP, emergency, cardiac and intensive nursing care rooms, nurseries and similar rooms.

**419.3.17 13.4** Emergency resuscitative alarm panels (centralized Code Blue) shall be provided at the attending nurse station and at other locations as determined by the facility that are staffed 24 hours per day. Audible signals may be

silenced temporarily for a call provided subsequent calls automatically reactivate the audible signal immediately. The alarm panel at the 24-hour staffed station may indicate the nurse station/suite where the call originated in lieu of identifying the bed only when a 24-hour station is not one and the same as the attending nurse station.

**419.3.~~18~~ 14 ~~Emergency~~ Essential electric service.** A Type 1 essential electrical system shall be provided in all hospitals as described in NFPA 99, Health Care Facilities. The emergency power for this system shall meet the requirements of a Level 1, Type 10, Class 48 generator as described in NFPA 110, Emergency Standby Power Systems.

**419.3.~~18~~15.1** In new construction, the normal main service equipment shall be separated from the emergency distribution equipment by locating it in a separate room. Transfer switches shall be considered emergency distribution equipment for this purpose.

**419.3.~~18~~14.2** Switches for critical branch lighting shall be totally separate from normal switching. The devices or cover plates shall be of a distinctive color. Critical branch switches may be adjacent to normal switches. Switches for life safety lighting are not permitted except as required for dusk-to-dawn automatic control of exterior lighting fixtures.

**419.3.14.3** The generator remote annunciator shall be located at a designated 24 hour staffed location.

**419.3.~~18~~14.~~34~~**There shall be selected life safety lighting provided at a minimum of 1 footcandle (10 lux) and designed for automatic dusk-to-dawn operation along the travel paths from the exits to the public way or to safe areas located a minimum of 30 feet (9.144 m) from the building.

**419.3.18~~14~~.4 5**A minimum of one elevator per bank serving any patient use floor shall be connected to the equipment branch of the essential electric system and arranged for manual or automatic operation during loss of normal power.

**419.3.~~18~~14.~~56~~** If a day tank is provided, it shall be equipped with a dedicated low level fuel alarm and a manual pump. The alarm shall be located at the generator derangement panel.

**419.3.~~18~~14.~~67~~** Transfer switch contacts shall be of the open type and shall be accessible for inspection and replacement.

**419.3.~~18~~14.~~78~~** If required by the facility's emergency food plan, there shall be power connected to the equipment branch of the essential electrical system for kitchen refrigerators, freezers and range hood exhaust fans. Selected lighting within the kitchen and dry storage areas shall be connected to the critical branch of the essential electrical system.

**419.3.~~18~~14.~~89~~** Outpatient surgery units which are located in a separate building or on another campus shall have a Type 1 essential electrical system in compliance with NFPA 99, Health Care Facilities. The emergency power for this system shall meet the requirements of a Level 1, Type 10, Class 8 generator as described in NFPA 110, Emergency Standby Power System.

**419.3.~~19~~ 15 Lightning protection.** A lightning protection system shall be provided for all new buildings and additions in accordance with NFPA 780, Installation of Lightning Protection Systems.

**419.3.~~19~~15.1** Where additions are constructed to existing buildings, the existing building's lightning protection system, if connected to the new lightning protection system, shall be inspected and brought into compliance with current standards.

**419.3.~~19~~15.2** A lightning protection system shall be installed on all buildings in which outpatient surgical procedures are provided.

**419.3.~~19~~15.3** There shall be surge protection for all normal and emergency electrical services.

**419.3.~~19~~15.4** Additional surge protection shall be provided for all low voltage and power connections to all electronic equipment in critical care areas and life safety systems and equipment such as fire alarm, nurse call and other critical systems. Protection shall be in accordance with appropriate IEEE Standards for the type of equipment protected.

**419.3.~~19~~15.5** All low-voltage system main or branch circuits entering or exiting the structure shall have surge suppressors installed for each pair of conductors and shall have visual indication for protector failure to the maximum extent feasible.

~~**419.3.4 3**~~ **419.3.3.1** Electrical connection to the hospital electrical system shall be permitted only when the mobile facility complies with appropriate requirements of the Florida Building Code, Building.

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~~**419.3.4.8**~~ **419.3.3.2** When units provide critical care procedures, there shall be a code blue station in the unit connected to the hospital response team.

~~**419.3.4.9**~~ **419.3.3.3** The electrical systems in the mobile facility shall comply with the requirements of the Florida Building Code, Building, The Guidelines and with Section 419.3.15 of the code for the type of service to be provided.

~~**419.3.4.10**~~ **419.3.3.4** The mechanical systems in the mobile facility shall comply with the requirements of the Florida Building Code, Mechanical, The Guidelines and with Section 419.3.11 of the code.

**419.3.11.10** The circuitry all ~~D~~ duplex electrical receptacles required by The Guidelines in critical care areas, in all emergency treatment rooms or areas, and other areas including, angiographic laboratories, cardiac catheterization laboratories, coronary care units, hemodialysis rooms or areas, human physiology laboratories, intensive care units and postoperative recovery rooms, shall be provided as follows:

**419.3.11.10.1** All duplex electrical receptacles ~~Four~~ shall be connected to the critical branch of the essential electrical system, ~~and~~ except two of the required number shall be connected to ~~dedicated circuits~~ a normal power circuit or to a critical branch circuit from a different transfer switch.

~~**419.3. 11.10.32** Two shall be connected to a normal power circuit except in anesthetizing locations where two shall be connected to critical power circuits.~~

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**419.3. 11.10.~~3~~2**There shall be no more than two duplex electrical receptacles per circuit.

**419.3.14.9** Outpatient surgery ~~units~~ facilities , cardiac catherization facilities, or pain management facilities that utilize I.V. drip sedation ~~which are~~ located in a separate building or on another campus shall have a Type 1 essential electrical system in compliance with NFPA 99, Health Care Facilities.

The emergency power for this system shall meet the requirements of a Level 1, Type 10, Class 8 generator as described in NFPA 110, Emergency Standby Power System.

**419.3.15.2** A lightning protection system shall be installed on all buildings in which outpatient surgical procedures, cardiac catherization procedures, or pain management procedures that utilize I.V. drip sedation are ~~provided~~ located.

419.31Sliding doors used for access to critical care rooms may be either manual or power operated and shall be smoke resistive and equipped with door latching hardware if located on an exit access corridor .

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 419.3.12.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies this seciton.

**Rationale**

This is a clarification of the fan control requirement. It was never intended to require fan shut down from the activation of a manual pull station or a duct smoke detector. Because this is not made clear in this section, designers must correct their designs to omit the fan shut down from manual activation. Manual activation from false alarms can create a degradation of the indoor air for no emergency reason.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to improve patient safety.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by providing clarification to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying it.

419.3.12.1 During an automatic fire alarm activation, except for activation by a duct smoke detector, fan systems and fan equipment serving more than one room shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones.

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| **Date Proposal Submitted** | 4/2/2010 | **Section** | 419.3.15.2 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds clarifying language to the section.

**Rationale**

This adds clraifying language to help the user to understand the intent of this requirement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to imporve safety for the patient.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarification.

**419.3.15.2** Panel boards located in spaces subject to storage shall have the clear working space per Chapter 27, Florida Building Code, Building. "ELECTRICAL ACCESS - NOT FOR STORAGE" shall be permanently marked on the floor and wall about the panel. Panel boards shall not be located ~~in~~ open to egress corridors but may be located inside of rooms or cabinets that open onto the egress corridor.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 419.3.15.7.2 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Revises and clarifies the requirements for recepticles in the critical care areas.

**Rationale**

Revises for clarity and coordination with the 2010 Guidelines. Add requirements that already exists in the licensure rule to the FBC for benefit of the user.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

Thre is no impact to propety owners. There is a reduction in requirments for recepticles.

**Impact to industry relative to the cost of compliance with code**

There is no impact on industry to the cost.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the safety of patients in critical care areas.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarifying requirements.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not specific any particular material, product, method or system.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code.

**Alternate Language**

**SP4287-A1**

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Coordinates with revisions made as part of Mod SP#4186.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Coordination only.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Coordination with other modification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, etc.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

**419.3.15.7.2** A minimum of four ~~Four~~ duplex receptacles shall be connected to the critical branch of the essential electrical system, and two of the four ~~required number~~ shall be connected to dedicated circuits.

**419.3.15.7.**3 ~~Two shall be connected to a normal power circuit or to a critical branch circuit from a different transfer switch except in~~ In anesthetizing locations ~~where~~ an additional two duplex receptacles shall be connected to ~~critical power circuits~~ the critical branch of the essential electrical system.

**419.3.15.7.4** There shall be no more than two duplex receptacles per circuit for all receptacles for the areas listed.

**419.3.15.8** All receptacles shall have engraved cover plates to indicate the panel board and circuit numbers powering the device.

**419.3.15.9** Branch circuit over-current devices shall be readily accessible to nursing staff and other authorized personnel.

**419.3.15.10** The electrical system shall have coordinated short circuit protection.

**419.3.15.11** Provide color coding for the junction boxes for the branches of the essential electrical system.

**419.3.15.7.2** ~~A minimum of four~~ Four ~~duplex receptacles shall be connected to the critical branch of the essential electrical system, and two of the four required number shall be connected to dedicated circuits.~~

**419.3.15.7.**~~3 Two shall be connected to a normal power circuit or to a critical branch circuit from a different transfer switch except in~~ In ~~anesthetizing locations where an additional two duplex receptacles shall be connected to critical power circuits the critical branch of the essential electrical system.~~

**419.3.15.7.4** ~~There shall be no more than two duplex receptacles per circuit for all receptacles for the areas listed.~~

**419.3.15.8** ~~All receptacles shall have engraved cover plates to indicate the panel board and circuit numbers powering the device.~~

**419.3.15.9** ~~Branch circuit over current devices shall be readily accessible to nursing staff and other authorized personnel.~~

**419.3.~~15.10~~11.13** The electrical system shall have coordinated short circuit protection.

**419.3.~~15.11~~ 11.14** Provide color coding for the junction boxes for the branches of the essential electrical system.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 419.3.17 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Revises nurse call requirements to coordinate with the 2010 Guidelines.

**Rationale**

Deletes and revises this section to better coordinate with the 2010 Guidelines.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is not impact to local entitiy.

**Impact to building and property owners relative to cost of compliance with code**

There is not impact to building and property owner relative to cost. Reduces requirements in the code.

**Impact to industry relative to the cost of compliance with code**

There is no impact to idustry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

This revision improves patient safety by clarifying the language in this section.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarifying this seciton.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

There is not specified product, material, method or system to meet this requirment.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying this section.

**Alternate Language**

SP4289-A1

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Revisions necessary to better coordinate with 2010 Guidelines and to correct mistake regarding the design elements in a nurse call system.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves health and safety of patients.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies and coordinates requirements.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, etc.

**Does not degrade the effectiveness of the code**

Does not degrade the effectiveness of the code.

**419.3.17 Nurse call system.** (~~See Section 7.32.G of~~ Reference The Guidelines for other requirements.) ~~A nurse call system shall be provided that will register a call from each patient bed to the nurse station and activate a visual signal at the patient room door and activate a visual and audible signal in the clean workroom, the soiled workroom, the nourishment station and the master station of the nursing unit. In multicorridor nursing units, additional visible signals shall be installed at corridor intersections in the vicinity of nurse stations. In rooms containing two or more calling stations, indicating lights shall be provided for each calling station.~~

~~**419.3.17.1** Master staff and duty stations may include volume controls, provided the minimum setting provides audibility of 15 decibels above normal ambient noise levels where the station is located.~~

~~**419.3.17.2** An emergency calling station of the pull cord type shall be provided and shall be conveniently located for patient use in each patient toilet, bath or shower room. The call signal shall be cancelled only at the emergency calling station. The emergency station shall activate distinctive audible and visual signals immediately.~~

~~**419.3.17.3** An emergency resuscitation alarm (Code Blue) calling station shall be provided for staff use in each operating, delivery, recovery LDR, LDRP, emergency, cardiac and intensive nursing care rooms, nurseries and similar rooms.~~

**419.3.17.1** All staff emergency stations shall be equipped for two-way voice communication.

**419.3.17.2** The staff emergency stations required to be located within the psychiatric seclusion ante/exam rooms shall be of hands free operation.

**419.3.17.3** The e ~~E~~mergency resuscitative alarm panel~~s~~ ~~(centralized~~ (Code Blue) that receives the code call station signal, shall be ~~provided~~ located at the attending nurse station ~~and~~ or at other locations as determined by the facility that are staffed 24 hours per day. Audible signals may be silenced temporarily for a call provided subsequent calls automatically reactivate the audible signal immediately. ~~The alarm panel at the 24-hour staffed station may indicate the nurse station/suite where the call originated in lieu of identifying the bed only when a 24-hour station is not one and the same as the attending nurse station.~~

~~**9.3.17.1** All staff emergency stations shall be equipped for two-way voice communication.~~

**419.3.17.~~2~~ 1**~~The~~ A staff ~~emergency~~ call station~~s,~~ or similar device, shall be ~~required to be~~ located within ~~the~~ each psychiatric seclusion ~~ante/exam~~ room and shall be of hands free operation.

**419.3.17.~~3~~ 2** The e Emergency resuscitative alarm panels (~~centralized~~ (Code Blue) that receives the code call station signal, shall be ~~provided~~ located ~~at the attending nurse station and~~ ~~or~~ as required by The Guidelines and at other locations outside of the unit as determined by the facility that are staffed 24 hours per day. Audible signals may be silenced temporarily for a call provided subsequent calls automatically reactivate the audible signal immediately. The alarm panel at the 24-hour staffed station may indicate the nurse station/suite where the call originated in lieu of identifying the bed only when a 24-hour station is not one and the same as the attending nurse station.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 419.4.2.2 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Clarifies this section of the code.

**Rationale**

This revision clarifies how facilities may add on to existing facilities located in surge zones.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local enforcement entities.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building owners. This is clarification only.

**Impact to industry relative to the cost of compliance with code**

There is no impact to idustry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the safety of patients by clarifying the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarifying this section.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against any materials, products or methods or systems.

**Does not degrade the effectiveness of the code**

Improves the code by clarifying this section.

**Alternate Language**

SP4292-A3

**Proponent** James Gregory **Submitted** 5/31/2010 **Attachments** Yes

**Rationale**

This revision to modification 4292 is necessary to correct some outdated language, add correct references, and coordinate with section 1612 of this code. This should be coordinated with modification 3880.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners relative to cost.

**Impact to industry relative to the cost of compliance with code**

Thre is no impact to industry relative to cost.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the health and safety of patients in hospitals.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthens the code relative to flooding requirements.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods, etc.

**Does not degrade the effectiveness of the code**

Does not degrade the effectiveness of the code.

**419.4.2.2 Site standards.**

**419.4.2.2.1** All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation; or

**419.4.2.2.2** The floor elevations of all new additions to existing facilities of the occupied patient area(s) and all patient support area(s) and patient support utilities, including mechanical, electrical (except fuel storage as noted in Section 419.4.2.9.3 of this code) and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.

**419.4.2.2.3** ~~New~~ The floor elevations of all new additions or of floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 419.4.2.2.1 or 419.4.2.2.2 of this Code, or be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, applicable at the time of preliminary plan approval and ~~incorporated by reference and~~ available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024.

**419.4.2.2.4** Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route.

**419.4.2.2.5** New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the Florida Building Code, Building.

**419.4.2.2.6** New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria ~~of the~~ as described in the American Society of Civil Engineers (ASCE 7), 50-year recurrence interval of wind velocity with appropriate exposure category dependent on site location.

~~419.4.2.2.1 All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation; or~~

**419.4.2.2.1** Except as permitted by Section 1612 of this code, the lowest floor of all new facilities shall be elevated to the Base Flood Elevation as defined in Section 1612 of this code, plus 2 feet, or to the height of hurricane Category 3 (Saffir-Simpson scale) surge inundation elevation, as described by the Sea, Lake, and Overland Surge (SLOSH) from Hurricanes model developed by the Federal Emergency Management Agency (FEMA), United States Army Corps of Engineers (USACE), and the National Weather Service (NWS), whichever is higher.

~~**419.4.2.2.2** The floor elevations of all new additions to existing facilities of the occupied patient area(s) and all patient support area(s) and patient support utilities, including mechanical, electrical (except fuel storage as noted in Section 419.4.2.9.3 of this code) and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.~~

**419.4.2.2.2** For all existing facilities, the lowest floor elevations of all additions, and all patient support areas including food service, and all patient support utilities, including mechanical, and electrical (except fuel storage as noted in Section 419.4.2.9.3 of this code) for the additions shall be at or above the elevation of the existing building, if the existing building was designed and constructed to comply with either the site standards of section 419.4 of this code or local flood resistant requirements, in effect at the time of construction, unless otherwise permitted by Section 1612 of this code. If the existing building was constructed prior to the adoption of either the site standards of 419.4 of this code or local flood resistant requirements, then the addition and all patient support areas and utilities for the addition as described in this section shall either be designed and constructed to meet the requirements of Section 419.4.2.2.1 of this code or be designed and constructed to meet the dry flood proofing requirements of Section 1612 of this code.

~~**419.4.2.2.3** New The floor elevations of all new additions or of floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 419.4.2.2.1 or 419.4.2.2.2 of this Code, or be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, applicable at the time of preliminary plan approval and incorporated by reference and available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024.~~

**419.4.2.2.3** Substantial improvement, as defined by Section 1612 of this code, to all existing facilities located within flood areas as defined in Section 1612 of this code or within a Category 3 surge inundation zone as described in Section 419.4.2.2.1 of this code, shall be designed and constructed in compliance with Section 1612 of this code.

**419.4.2.2.4** Where an off-site public access route is available to the new facility at or above the ~~100-year flood plain~~, base flood elevation, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 419.4.2.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies and coordinates this section with the code.

**Rationale**

Revises language to better coordinate with the code and to clarify this section.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code and increases safety of the patients.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification and coordination.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code.

**419.4.2.5 Exterior unit standards.**

**419.4.2.5.1** All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall ~~be designed to resist the wind load requirements of the code and the debris impact requirements in Sections 1626.2 through 1626.4.~~ be impact resistant or protected with an impact resistant covering meeting the requirements of the Testing Application Standards (TAS) 201, 202, and 203 of this code in accordance with the requirements of Sections 1626.2 thru 1626.4 of this code. The impact resistant coverings may be either permanently attached or may be removable if stored on site of the facility.

~~**419.4.2.5.2** Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements of this code and the debris impact requirements as specified in Sections 1626.2 through 1626.4.~~

~~**419.4.2.5.3** Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on site at the facility and that meet the wind load requirements of the code, and debris impact requirements of Sections 1626.2 through 1626.4 may be used to protect the exterior units.~~

~~**419.4.2.5.4** All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet wind load requirements of the code, and impact requirements of Sections 1626.2 through 1626.4. These designs shall be signed, sealed and dated by a Florida registered structural engineer~~.

~~**419.4.2.5.5** The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by Sections 1626.2 through 1626.4.~~

**419.4.2.5.6** ~~All of the exterior impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading.~~ The location or application of exterior impact protective systems shall not prevent required exit egress from the building.

**419.4.2.5.7** When not being utilized to protect the windows, the permanently attached impact resistant coverings ~~protective systems~~ shall not reduce the percentage of the clear window opening below that required by this code for the patient room.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 419.4.2.6.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Revises this section for clarity and to bring it into conformity with the rest of the section.

**Rationale**

This modification requires all new units to meet the hurricane impact requirements of this seciton and allows the units to be self protected.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to the local entity relative to code enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners relative to cost of compliance with code because this is already in the code. This modification allows more flexibility to meet this section.

**Impact to industry relative to the cost of compliance with code**

There is not impact to the industry on cost because this requirement is already in the code. This modifiacation allows more flexibility to meet this section.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the safety of the patients in hospitals.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthens the code for all new HVAC units.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

It does not discriminate against materials, products, or methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code.

**419.4.2.6.1** All new ~~A~~ air-moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of, partially outside of, or on the roof of the ~~new facility or wing or floor addition to an existing~~ facility and providing service to the ~~new facility or wing or floor addition to an existing~~ facility shall be permitted only when either of the following are met:

**419.4.2.6.1.1** They are located inside a penthouse designed to meet the wind load requirements of the Florida Building Code, Building; or

**419.4.2.6.1.2** Their fastening systems are designed to meet the wind load requirements of the Florida Building Code, Building and they and all associated equipment are protected as required by TAS 201,202, and 203 ~~specified in Sections 1626.2 through 1626.4~~ in accordance with the requirements of Sections 1626.2 thru 1626.4 of this code from damage by horizontal impact by a separate and independent structure that allows access to all parts of the equipment at all times or

**419.4.2.6.1.3** They are completely protected by the equipment shrouding that meets the requirements of TSA 201,202,and 203 in accordance with the requirements of Sections 1626.2-1626.4 of this code.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 419.4.2.6.3 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds clarifying language to the section.

**Rationale**

This adds clraifying language to help the user to understand the intent of this requirement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to imporve safety for the patient.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarification.

**419.4.2.6.4** Ventilation air change rates in occupied patient areas shall be maintained as specified in this section during and immediately following a disaster by connection to the essential electrical system.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 419.4.2.6.4 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds clarifying language to the section.

**Rationale**

This adds clraifying language to help the user to understand the intent of this requirement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to imporve safety for the patient.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarification.

**419.4.2.6.4** Ventilation air change rates in occupied patient areas shall be maintained as specified in this section during and immediately following a disaster by connection to the essential electrical system.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 419.4.2.9.1.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds hurricane requirement for this section.

**Rationale**

This adds a requirement to connect some lighting necessary for the care and service to patients to the essential electrical system.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There may be some additional cost to the building owner to have lighting inside the facility during a power outage to supply care to the patients.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Adds a requirement for back up lighting for the health and safety of patients during a power outage in a hospital.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by adding a safety requirement.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code for the health and safety of the patients.

419.4.2.9.1.5 Electric lighting required to provide care and service to the patient occupied areas and the necessary patient support areas shall be connected to the essential electrical system.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/31/2010 | **Section** | 420 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Revises the design criteria for nursing homes by allowing an option for household models.

**Rationale**

This revision updates the design criteria for nursing homes to include an option for household models. It also revisions other specific criteria to allow more flexibility for nursing home design and equipment usage.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity relative to code enforcement.

**Impact to building and property owners relative to cost of compliance with code**

This revision is supported by both long term care trade associations, the Florida Health Care Association and the Florida Association for Homes and Services for the Aging. It give more flexiblity to the design of these facilities and lowers cost through revisions to certain equipment and utilities.

**Impact to industry relative to the cost of compliance with code**

This revision is supported by both long term care trade associations, the Florida Health Care Association and the Florida Association for Homes and Services for the Aging. It give more flexiblity to the design of these facilities and lowers cost through revisions to certain equipment and utilities.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the health, safety and welfare of the residents by adding criteria for household models.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the health, safety and welfare of the residents by adding criteria for household models.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminarte against any materials, products or systems of construction.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying specific criteria.

**Alternate Language**

SP4156-A3

**Proponent** James Gregory **Submitted** 5/24/2010 **Attachments** Yes

**Rationale**

Editorial to delete one negative and correct the noun and verb agreements.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact on local.

**Impact to building and property owners relative to cost of compliance with code**

No impact to building and proprty owners.

**Impact to industry relative to the cost of compliance with code**

No impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Makes the code more clear.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies the code language.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, or methods.

**Does not degrade the effectiveness of the code**

Clarifies the code language.

**Alternate Language**

SP4156-A4

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Makes the code clear this also includes renovations.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact

**Impact to industry relative to the cost of compliance with code**

No impact

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Makes the code clearer.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Makes the code clearer.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, productes, etc.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

## SECTION 420 NURSING HOMES

**420.1 Scope.** Nursing homes shall comply with all applicable requirements of the code and the following design and construction standards as described herein and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80 (1)(c), Florida Statutes.

**NOTE:** For project submission and fee requirements, codes and standards for existing facilities, and other administrative, licensure, and programmatic provisions for nursing homes, see Agency for Health Care Administration [AHCA] Chapter 59A-4, Florida Administrative Code (F.A.C.) and Chapter 400 Part II, Florida Statutes.

**420.2 Codes and standards for the design and construction of nursing homes.** Except as modified and required by Section 420 of this code, Chapter 59A-4 Florida Administrative Code or by Chapter 400 Part II, Florida Statutes, all new nursing homes and all additions, alterations or renovations to existing nursing homes shall also be in compliance with the following codes and standards on the effective date of this code:

**420.2.1** The fire codes described in Chapter 69A-53, Uniform Fire Safety Standards for Hospitals and Nursing Homes, Florida Administrative Code.

**420.2.2** The Guidelines for Design and Construction of Health Care Facilities (the Guidelines), Part I, incorporated by reference.

**420.2.3** Fire, Smoke and Radiation Damper Installation Guide for HVAC Systems, Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA).

**420.3 Additional physical plant requirements for nursing homes.** In addition to the codes and standards referenced in Section 420.2 of this code, the following minimum standards of construction and specified minimum essential facilities shall apply to all new nursing homes including those that admit children 0 years through 20 years of age and to all additions, alterations or renovations to an existing nursing home including one that admits children 0 years through 20 years of age on the effective date of this code:

**420.3.1 Nursing unit.** Each nursing unit shall consist of the resident rooms and support areas as required in Sections 420.3.2 and 420.3.3 and shall meet the following standards:

**420.3.1.1** Each nursing unit shall be arranged to avoid unnecessary and unrelated travel through the unit.

**420.3.1.2** Travel distance from the entrance to a nurses' station, and from a clean utility and a soiled utility room(s) or function(s) to the middle of the entrance door of the farthest resident room served shall be a maximum of 150 feet (45.72 m).

**420.3.1.3** Clustered nursing units with resident rooms adjacent to decentralized resident support and service areas, and with the utilization of satellite staff work areas shall be permitted.

**420.3.2 Resident rooms.** Each resident room shall meet the following standards:

**420.3.2.1 Maximum room capacity shall be two residents.** Where renovation work is undertaken and the present capacity is more than two residents, maximum room capacity shall be no more than the existing capacity with a maximum capacity of four residents. Nursing homes that admit children 0 through 20 years of age may have a maximum room capacity of four residents in those rooms.

**420.3.2.2** Rooms shall have a minimum of 100 square feet (9.29 $m^2$) of clear floor area per bed in multiple bed rooms and 120 square feet (11.15 $m^2$) of clear floor area in single bed rooms, exclusive of the space consumed by toilet rooms, closets, lockers, wardrobes, lavatories, alcoves, and door swings into the room or entrance vestibules,

whichever is greater. For the purpose of minimum clear floor area, the entrance vestibule is defined as that floor area located between the room entrance door and the room floor area containing the resident bed(s). The dimensions and arrangement of rooms shall be such that there shall be a minimum of 3 feet (0.91 m) between the sides and foot of the bed and any wall or any other fixed obstruction or adjacent bed. For planning purposes, a full-size bed is assumed to be 3 feet 6 inches (1.07 m) wide by 8 feet (2.43 m) long. In multiple-bed rooms, a clearance of 3 feet 8 inches (1.11 m) to any fixed obstruction shall be available at the foot of each bed to permit the passage of equipment and beds. Where renovation work is undertaken, every effort shall be made to meet these minimum space standards. When this is not possible due to existing physical constraints, with the approval of the agency, resident rooms shall have no less than 80 square feet (7.43 $m^2$) of clear floor area per bed in multiple-bed rooms and 100 square feet (9.29 $m^2$) of clear floor area in single-bed rooms exclusive of the space consumed by toilet rooms, closets, lockers, wardrobes, lavatories, alcoves, and door swings into the room or entrance vestibules, whichever is greater.

**420.3.2.3** Each resident room shall have a bedside table, a reading lamp, a well-constructed appropriate bed, and a nonfolding type armchair for each resident. There shall be an over-bed table available for a minimum of 50 percent of the licensed beds in the facility.

**420.3.2.4** Each resident room shall be provided with a window(s) that shall have a minimum 20 feet (6.10 m) unobstructed vista measured perpendicularly from the plane of the window. Beds shall be located no more than two deep from windows in renovated construction.

**420.3.2.5** A hand-washing facility complete with mixing faucet shall be provided in each resident toilet room and in each resident room without an exclusive toilet room, and in renovated facilities with rooms containing more than two beds.

**420.3.2.6** Each resident shall have access to a toilet room without having to enter the general corridor area. One toilet room shall serve no more than four beds and no more than two resident rooms. The door shall be side hinged, swing out from the toilet room, and unless otherwise required by this code, be at least 32 inches (813 mm) wide. The toilet room door that swings open into the resident room shall not impede the swing of any other door that opens into the resident room.

**420.3.2.7** Each resident room shall have a wardrobe, locker or closet for each resident. Each wardrobe, locker or closet shall have minimum inside dimensions of 1 foot 10 inches (0.55 m) in depth by 1 foot 8 inches (0.51 m) in width. Each shall be accessible to the resident at all times and shall have a shelf and clothes rod that permits a vertically clear hanging space for full-length garments. When the wardrobe, locker or closet is designed to meet the requirements for accessibility per Chapter 11 of this code, it shall include additional accessible storage area(s) for full-length garments. The shelf may be omitted if the clothing unit provides at least two drawers.

**420.3.2.8** In multiple-bed rooms, visual privacy shall be provided for each resident by the installation of flame-retardant cubicle curtains or equivalent built-in devices. The design for privacy shall not restrict resident access to the entrance, resident armchair, hand washing facility, toilet, wardrobe, locker or closet.

**420.3.3 Service areas.** The size and features of each service area will depend upon the number and type of residents served. Service areas may be arranged and located to serve more than one nursing unit, but at least one such service area shall be provided on each nursing floor. The following service areas shall be located in or be readily accessible to each nursing unit:

**420.3.3.1** A centralized staff work area shall be provided. It shall have space for supervisory administrative work activities, charting, and storage. The minimum area required shall be equal to 2 square feet (0.19 $m^2$) for each resident bed served. If a decentralized nursing unit model is utilized, the functions of administrative work, charting and storage may be located among several separate direct care staff work areas. In this case, a centralized staff work area is still required but shall not be required to provide space for these activities and may be reduced in size in accordance with the functional program.

**420.3.3.2** A staff toilet room with hand-washing facilities shall be provided conveniently located to each nursing unit.

**420.3.3.3** Lockable closets, drawers or compartments shall be provided on the unit for safekeeping of staff personal effects.

**420.3.3.4** Staff lounge area(s) shall be provided and may be shared by more than one nursing unit if the lounge is centrally located.

**420.3.3.5** A clean utility or clean holding room for storage and distribution of clean supply materials shall be provided. If the room is used for preparing resident care items, it shall contain a work counter, a hand-washing facility, and storage facilities for clean and sterile supplies. If the room is used only for storage and holding as a part of a system for distribution of clean and sterile supply materials, the work counter and hand-washing facility requirements may be omitted. The minimum size of the room shall be 60 square feet (5.57 $m^2$).

**420.3.3.6** Soiled utility or soiled holding room(s) shall be provided. The soiled utility function shall be comprised of a flushing rim clinical service sink with bedpan rinsing device, a double compartment sink, soiled linen receptacles, waste receptacles and a work counter with a usable minimum work surface area of 6 square feet (0.56 $m^2$). The total minimum size of the function shall be 80 square feet (7.43 $m^2$) and may be allocated among several soiled utility or soiled holding rooms. Rooms used only for the holding of soiled materials need contain only a hand-washing facility. All rooms utilized for the holding of soiled materials shall meet the requirements for hazardous areas as required by NFPA 101, Life Safety Code as adopted by the Florida Fire Prevention Code.

**420.3.3.7** If required by the functional program as defined by The Guidelines, a minimum of one sanitizer shall be provided per facility. The sanitizer may be of the hot water or chemical type.

**420.3.3.8** A medicine preparation room or a self-contained medicine dispensing unit shall be provided for the provision of medication distribution and shall be under the visual control of the staff. If a medicine preparation room is utilized, it shall be equipped with a lockable door, have a minimum area of 50 square feet (4.65 $m^2$) and shall contain a refrigerator, locked storage for controlled drugs, a hand washing facility, and a work counter with a minimum of 6 square feet (0.56 $m^2$) of work surface. If a self-contained medicine dispensing unit is utilized, it may be located at the nurses' station, in the clean utility room, in an alcove, or in other spaces convenient for staff control provided the area occupied by the unit does not encroach upon required minimum areas. The dispensing unit may be used in a medicine preparation room as locked storage for controlled drugs within the minimum area of 50 square feet (4.65 $m^2$), however, the standard "cup sinks" provided in many self-contained units shall not be a substitute for the required hand-washing facility. If there is no linen storage in the clean utility room, medicine preparation may be part of the clean utility room in which case an additional 20 square feet (1.8 $m^2$) dedicated for this purpose shall be required. A refrigerator shall also be required if medicine preparation is included in this room.

**420.3.3.9** An equipment storage room(s) shall be provided for storage of nursing unit equipment. The minimum area required shall be equal to 2 square feet (.19 $m^2$) for each resident bed served, with no room being less than 30 square feet (2.79 $m^2$) in area.

**420.3.3.10** A housekeeping room(s) shall be provided for storage and use of housekeeping supplies and equipment. Each room shall have a service sink. The minimum area required in each room shall be 20 square feet (1.86 $m^2$).

**420.3.3.11** A clean linen storage room, closet or area shall be provided. This area may be located within the clean utility or clean holding room. It shall be large enough to accommodate the storage of linen carts. If in compliance with the Florida Fire Prevention Code a closed-cart system may be used and stored in an alcove open to the corridor.

**420.3.3.12** A nourishment room for serving nourishments between meals shall be provided that shall contain a work counter, refrigerator, storage cabinets, and sink. Ice for residents' consumption shall be provided by an icemaker unit

~~that may serve more than one nourishment station if the nourishment stations are in close proximity to each other. Where the icemaker unit is accessible to residents or the public, it shall be a self-dispensing type. The nourishment room shall include space for trays and dishes used for nonscheduled meal service. Hand-washing facilities shall be in or immediately accessible from the nourishment room.~~

**~~420.3.3.13~~** ~~Storage alcove space for a minimum of one wheelchair and one stretcher shall be provided in an area located away from normal traffic.~~

**~~420.3.3.14~~** ~~Resident bathing facilities shall be provided with a minimum of one bathtub, hydrotub, or shower for every 20 beds or fraction thereof not otherwise served by bathing facilities in resident rooms. Residents shall have access to at least one bathing room per floor or unit sized to permit assisted bathing in a tub or shower. The bathtub in this room shall be accessible to residents in wheelchairs and the shower shall accommodate a shower gurney with fittings for a resident in a recumbent position. Other tubs or showers shall be in individual rooms or curtained enclosures with space for private use of the bathing fixture, for drying and dressing and access to a grooming location containing a sink, mirror and counter or shelf. A separate private toilet shall be provided that is directly accessible to each multibathing fixture central bathing area without requiring entry into the general corridor. This toilet may also serve as a toilet training facility.~~

**~~420.3.4 Resident support areas.~~**

**~~420.3.4.1~~** ~~Dining, lounges and recreation areas for residents shall be provided. The total area of these spaces shall be a minimum of 35 square feet (3.25 $m^2$) per bed with a minimum total area of 225 square feet (20.90 $m^2$). At least 20 square feet (1.86 $m^2$) per bed shall be available for dining. Additional space may be required for resident day care programs.~~

**~~420.3.4.2~~** ~~Storage for supplies, resident needs, and recreation shall be provided. This area shall be on site but not necessarily in the same building as the resident rooms, provided access is convenient. The minimum required area shall be 5 square feet (0.46 $m^2$) per bed up to 600 square feet (55.74 $m^2$).~~

**~~420.3.4.3~~** ~~Physical, speech, and occupational therapy units shall provide the following.~~

**~~420.3.4.3.1~~** ~~Space for files, records and administrative activities.~~

**~~420.3.4.3.2~~** ~~Provisions for wheelchair residents.~~

**~~420.3.4.3.3~~** ~~Storage for supplies and equipment.~~

**~~420.3.4.3.4~~** ~~Hand-washing facilities within the therapy unit.~~

**~~420.3.4.3.5~~** ~~Space and equipment for carrying out each of the types of therapy that the facility will provide.~~

**~~420.3.4.3.6~~** ~~Provisions for resident privacy.~~

**~~420.3.4.3.7~~** ~~Housekeeping rooms, in or near the unit.~~

**~~420.3.4.3.8~~** ~~Resident toilet room(s) usable by wheelchair residents.~~

**~~420.3.4.4~~** ~~A barber/beauty room shall be provided with facilities and equipment for resident hair care and grooming. The area of the room shall be a minimum of 200 square feet (18.58 $m^2$) with the least dimension of 12 feet (3.66 m).~~

**~~420.3.5 Dietary facilities.~~**

**420.3.5.1** Dietary facilities shall be provided for residents and others as may be appropriate. No part of the kitchen area may be used as a pass through to the linen/laundry area. The dietary area shall contain the following facilities, in the size and number appropriate for the type of food service selected:

**420.3.5.1.1** Storage space, including cold storage, for at least a seven-day supply of food shall be provided.

**420.3.5.1.2** Food preparation facilities for cook to serve, cook to chill or a proprietary system of food preparation and adequate space and equipment for production shall be provided.

**420.3.5.1.3** Employee dining and serving lines shall not be permitted in the dietary facilities area.

**420.3.5.1.4** Hand-washing facilities shall be conveniently located in the food preparation area.

**420.3.5.1.5** Facilities for assembly and distribution of resident meals shall be provided.

**420.3.5.1.6** Ware-washing space shall be located in a room or an alcove separate from the food preparation and serving area. Commercial-type ware-washing equipment shall be provided. Space shall also be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean tableware to the use areas. Convenient hand-washing facilities shall be available on the soiled dish side of the ware-washing area.

**420.3.5.1.7** Pot-washing facilities shall be provided.

**420.3.5.1.8** Storage areas and cleaning facilities for cans, carts, and mobile tray conveyors shall be provided.

**420.3.5.1.9** An office for the food service manager shall be provided.

**420.3.5.1.10** A toilet, hand-washing facility and lockers for dietary staff shall be located within the dietary facilities area. A vestibule shall be provided between the toilet and the kitchen.

**420.3.5.1.11** A housekeeping room located within the dietary facilities area shall be provided and shall include a service sink and storage space for housekeeping equipment and supplies.

**420.3.5.1.12** An icemaker unit shall be provided and may be located in the food preparation area or in a separate room.

**420.3.6** Administrative and public areas shall include the following:

**420.3.6.1** A covered vehicular drop-off and pedestrian entrance that is located at grade level and that provides shelter from inclement weather shall be provided.

**420.3.6.2** An administrative/lobby area shall be provided that shall include a counter or desk for reception and information, a public waiting area, public toilet facilities, public telephone and an electric drinking fountain.

**420.3.6.3** General offices shall be provided for business transactions, admissions, social services, private interviews, medical and financial records, and administrative and professional staff. Clerical files and staff office space shall be provided as needed. At a minimum there shall be a private office for the administrator and director of nursing.

**420.3.6.4** A multipurpose room(s) shall be provided for conferences, meetings, and health education purposes, and shall include provisions for the use of visual aids. One multipurpose room may be shared by several services. The minimum area for this room shall be 120 square feet (11.15 $m^2$).

**420.3.6.5** Storage for office equipment and supplies shall be provided.

**420.3.7 Linen service.**

**420.3.7.1** Linen service shall be provided that shall have provisions for the storing and processing of clean and soiled linen for appropriate resident care. Processing may be done within the facility, in a separate building on or off site, or in a commercial or shared laundry. Where soiled linen is handled, at a minimum, the following elements shall be included:

**420.3.7.1.1** A separate room for receiving and holding soiled linen until ready for pickup or processing shall be provided. Discharge from soiled linen chutes may be received within this room or in a separate room. A hand-washing facility and a utility sink shall be provided.

**420.3.7.1.2** A central, clean linen storage and issuing room(s), in addition to the linen storage required at the nursing units shall be provided.

**420.3.7.1.3** Parking of clean and soiled linen carts in separate areas from each other and out of traffic shall be provided.

**420.3.7.1.4** Hand-washing facilities in each area where unbagged, soiled linen is handled shall be provided.

**420.3.7.1.5** When linen is processed off site a service entrance protected from inclement weather for loading and unloading of linen shall be provided.

**420.3.7.1.6** When linen is processed in a laundry facility located on site the following additional elements shall be provided:

**420.3.7.1.6.1** A laundry processing room(s), separated by walls from other elements of the laundry, with commercial-type laundry equipment for washing and drying. Walls separating the functions of washing and drying are not required.

**420.3.7.1.6.2** Storage for laundry supplies.

**420.3.7.1.6.3** Arrangement of the laundry processes shall generally provide for an orderly work flow from dirty to clean to minimize cross traffic that might mix clean and soiled operations.

**420.3.8 Housekeeping rooms/janitor's closets.**

**420.3.8.1** Housekeeping rooms or janitor's closets shall be provided throughout the facility as required to maintain a clean and sanitary environment but not less than one housekeeping room/janitor's closet shall be provided for each floor. Each room shall contain a floor receptor or service sink and storage space for housekeeping equipment and supplies.

**420.3.9 Engineering service and equipment areas.**

**420.3.9.1** Room(s) or separate building(s) for boilers, mechanical and electrical equipment shall be provided as required.

**420.3.9.2** Room(s) for the storage of building maintenance supplies and solvents, facility drawings, records and manuals shall be provided as required.

**420.3.9.3** A general maintenance area for repair and maintenance shall be provided as required.

**420.3.9.4** Yard equipment and supply storage room, if provided, shall be located so that equipment may be moved directly to the exterior.

**420.3.10 Details and finishes.**

**420.3.10.1** Potential hazards such as sharp corners, loose laid rugs or carpets, shall not be permitted.

**420.3.10.2** Doors to all rooms containing bathtubs, showers, and water closets for resident use shall be equipped with privacy hardware that permits emergency access without keys. When such rooms have only one entrance or are small, the doors shall open outward and, if on the corridor, shall open into an alcove.

**420.3.10.3** All interior doors, except those that automatically close upon smoke detection, shall be side hinged swinging type. Interior corridor doors, except those to small closets not subject to occupancy, shall not swing into the corridor.

**420.3.10.4** Operable windows shall be equipped with insect screens.

**420.3.10.5** Thresholds and expansion joint covers shall be designed to facilitate use of wheelchairs and carts and to prevent tripping and shall provide a smooth and level transition from surface to surface.

**420.3.10.6** Grab bars, 1½ inches (38 mm) in diam, shall be installed in all resident showers, tubs, and baths and on both sides of all resident use toilets. Wall mounted grab bars shall provide a 1½ inch (38 mm) clearance from walls and shall sustain a concentrated load of 250 pounds (113.4 kg).

**420.3.10.7** Handrails with a maximum diameter of 1½ inches (38 mm) shall be provided on both sides of all corridors normally used by residents. Mounting height shall be between 36 inches (914 mm) and 42 inches (1067 mm). A clearance of 1½ inches (38 mm) shall be provided between the handrail and the wall. Rail ends shall return to the wall.

**420.3.10.8** Each resident hand washing facility shall have a mirror unless prohibited by the nursing program. Mirror placement shall allow for convenient use by both wheelchair occupants and ambulatory persons. Tops and bottoms may be at levels usable by individuals either sitting or standing. Additional mirrors may be provided for wheelchair occupants, or one separate full length mirror located in the resident room may be provided to meet the needs of wheelchair occupants.

**420.3.10.9** Provisions for soap dispensing and hand drying shall be included at all hand washing facilities. Those in resident use areas shall be paper or cloth towels enclosed to protect against dust or soil and shall be single unit dispensing.

**420.3.10.10** The minimum ceiling height throughout the facility shall be 8 feet (2.44 m) above the finished floor with the following exceptions:

**420.3.10.10.1** Steam boiler and hot water generator rooms shall have ceiling clearances of at least 2 feet 6 inches (0.76 m) above the main header and connecting pipe.

**420.3.10.10.2** Ceilings in corridors, storage rooms, resident room entrance vestibules and toilet rooms shall be at least 7 feet 6 inches (2.33 m).

**420.3.10.10.3** Ceilings in normally unoccupied spaces and alcoves may be reduced to 7 feet (2.13 m).

**420.3.10.10.4** Ceilings in exit passageways shall be a minimum of 8 feet (2.44 m) above the finished floor.

**420.3.10.11** Only recessed soap dishes shall be allowed in patient use tubs and showers.

**420.3.10.12** Towel bars shall be provided at each bathing facility.

**420.3.10.13** A minimum of one electric drinking fountain shall be provided per resident floor.

**420.3.10.14** Floor material shall be readily cleanable and appropriate for the location. If composition floor tiles are used, the interstices shall be tight. In residential care and sleeping areas, a base shall be provided at the floor line. Floors in areas used for food preparation and assembly shall be water resistant. Floor surfaces, including tile joints, shall be resistant to food acids. In all areas subject to frequent wet-cleaning methods, floor materials shall not be physically affected by germicidal cleaning solutions. Floors subject to traffic while wet, such as shower and bath areas, kitchens, and similar work areas, shall have a slip resistant surface and floor-to-base intersections shall be watertight. Carpet and padding in resident areas shall be stretched tight, in good repair and free of loose edges or wrinkles that might create hazards or interfere with the operation of wheelchairs, walkers or wheeled carts.

**420.3.10.15** Wall finishes shall be washable and, if near plumbing fixtures, shall be smooth and have a moisture-resistant finish. Finish, trim, walls, and floor constructions in dietary and food storage areas shall be free from rodent and insect harboring spaces.

**420.3.10.16** Basic wall construction in areas not subject to conditioned air shall be constructed of masonry, cement plaster or moisture-resistant gypsum wallboard.

**420.3.10.17** The finishes of all exposed ceilings and ceiling structures in the dietary facilities area shall be readily cleanable with routine housekeeping equipment.

**420.3.10.18** Toilet compartment partitions and urinal screens shall not be constructed of enameled steel.

**420.3.10.19** All smoke partitions, horizontal exits and exit passageway partitions shall be constructed prior to the construction of intervening walls.

**420.3.10.20** Smoke partitions shall be constructed so as to provide a continuous smoke-tight membrane from exterior wall to exterior wall and from the floor to the underside of the deck above. This includes interstitial space and the area above solid fire-tested membranes.

**420.3.10.21** Where it is not possible to inspect fire/smoke partitions because of the fire-tested membrane, fire-rated access panels shall be installed adjacent to each side of the smoke partitions at intervals not exceeding 30 feet (9.00 m) and in such locations as necessary to view all surfaces of the partition. Fire walls, fire barriers, fire partitions, smoke barriers and smoke partitions or any other wall required to have protected openings shall be effectively and permanently identified with signs or stenciling. Such identification shall be above any decorative ceiling and in concealed spaces. Suggested wording for a fire/smoke partition is as follows: "FIRE AND SMOKE BARRIER - PROTECT ALL OPENINGS."

**420.3.10.22** Where electrical conduits, cable trays, ducts and utility pipes pass through the smoke partition, the utilities shall be located so that access is maintained to adjacent wall surfaces and to all damper access panels. The details shall show the studs and reinforcing half studs so that proper support is provided for the wall surfacing material. There shall be a minimum clearance of 6 inches (152 mm) between all conduits, piping, and duct work at corridor walls to facilitate the inspection of these walls.

**420.3.11 Elevators.** (Where required).

**420.3.11.1** All buildings having resident use areas on more than one floor shall have hospital-type electric or hydraulic elevator(s) that shall be in compliance with the requirements of Chapter 30 of this code and Chapter 69A-47, Florida Administrative Code, "Uniform Fire Safety Standards for Elevators."

**420.3.11.2** In the absence of an engineered traffic study, the minimum number of elevators shall be as follows:

**420.3.11.2.1** At least one elevator shall be installed where resident beds are located on any floor other than the main entrance floor.

**420.3.11.2.2** When 60 to 200 resident beds are located on floors other than the main entrance floor, at least two elevators, one of which shall be of the hospital type and capacity, shall be installed.

**420.3.11.2.3** When 201 to 350 resident beds are located on floors other than main entrance floor, at least three elevators, two of which shall be of the hospital type and capacity, shall be installed.

**420.3.11.2.4** For facilities with more than 350 resident beds above the main entrance floor, the number of elevators shall be determined from a facility plan study and from the estimated vertical transportation requirements.

**420.3.11.2.5** When the skilled nursing unit is part of a general hospital, elevators may be shared.

**420.3.11.3** Cars of elevators shall have inside dimensions that accommodate a resident bed with attendants. Cars shall be at least 5 feet (1.52 m) wide by 7 feet 6 inches (2.29 m) deep. The car door shall have a clear opening of not less than 4 feet (1.22 m).

**420.3.11.4** Elevator call buttons shall not be activated by heat or smoke. If employed, light beam door activators shall be used in combination with door edge safety devices and shall be connected to a system of smoke detectors such that the light control feature will disengage or be overridden if it encounters smoke at any landing.

**420.3.12 Water supply and sewage disposal.**

**420.3.12.1** An approved, accessible, adequate, safe and potable supply of water shall be provided. The water supply shall be accessible and available at all times for drinking, fire protection, culinary, bathing, cleaning and laundry purposes.

**420.3.12.2** Hot water shall be supplied to all lavatory and sink plumbing fixtures available for use by residents and staff.

**420.3.12.3** An approved, adequate and safe method of sewage collection, treatment and disposal shall be provided for each nursing home.

**420.3.13 Ventilating and air-conditioning systems.**

**420.3.13.1** Mechanical equipment shall be defined as equipment utilized in air conditioning, heating, ventilating systems and associated electrical, electronic and pneumatic components required for the mechanical equipment to provide the function intended by the application of the equipment. New and existing equipment replacements shall comply with these requirements.

**420.3.13.2** Mechanical equipment shall be installed in a designated equipment room(s), or in a space(s) located in an attic(s).

**420.3.13.3** If the unit serves only one room it may be located above the ceiling and shall be accessible through an access opening in accordance with this code. Access panels are not required for lay in ceiling installations, provided the service functions are not obstructed by other above ceiling construction, such as electrical conduits, piping, audio visual cabling and like equipment components or supports.

**420.3.13.4** Ventilation shall be provided by mechanical means in all rooms in new facilities and in all renovated or remodeled rooms. The minimum air quantities and filtration efficiencies shall be met as set forth in Table 420.3.13.7 for those spaces that are listed.

**420.3.13.5** For spaces listed in the minimum ventilated rate table, central station type air-handling equipment shall be used. Package terminal air-conditioning units or fan coils may be used to serve resident rooms and shall be provided with 20-percent filters minimum.

**420.3.13.6** System designs utilizing fan coil or package terminal air-conditioning units shall have the outdoor air ventilation damper permanently closed. The ventilation requirement shall be satisfied by a central station type air handling unit provided with a 30-percent filter minimum or as required by the listed space served. Spaces designated for the exclusive use of physical plant personnel need not comply with this requirement.

**420.3.13.7** Administrative and other staff only areas shall be provided with outside air at the minimum rate of 20 cfm (9.43 L/s) per person, and the central system shall have a minimum of 30 percent ASHRAE dust spot efficiency filter.

**TABLE 420.3.13.7 NURSING HOME MINIMUM VENTILATION RATE[8]**

| ROOM NAME OR AREA FUNCTION | SPACE RELATIVE PRESSURE[1] | TOTAL AIR QUANTITIES[2] | OUTDOOR AIR QUANTITIES[2] | EXHAUST 100 PERCENT | FILTRATION EFFICIENCY PERCENT[3,4] |
|---|---|---|---|---|---|
| Barber and Beauty | – | 10 | 2.00 | Yes | 30 |
| Clean Linen, Utility or Holding | OUT | 4 | 2.00 | No | 30 |
| Dining | – | 4 | 2.00 | No | 30 |
| Dishwashing | IN | 10 | – | Yes | 30 |
| Exam/Treatment | – | 6 | 2.00 | No | 80 |
| Food Prep/Kitchen[5] | – | 20 | 7.00 | No | 30 |
| Hydro or Physical Therapy | IN | 4 | 2.00 | No | 30 |
| Housekeeping/ Janitor's Closet | IN | 10 | – | Yes | 30 |
| Laundry/Drying (clean) | OUT | 10 | 3.00 | No | 30 |
| Laundry/Holding (dirty) | IN | 10 | – | Yes | 30 |
| Laundry/Wash | – | 10 | 3.00 | Yes | 30 |
| Maintenance[6] | IN | 10 | 2.00 | Yes | 30 |
| Medicine Preparation Room | OUT | 4 | 2.00 | No | 80 |
| Nourishment Station | – | 4 | 2.00 | No | 30 |
| Oxygen Storage[7] | IN | 8 | – | Yes | 30 |
| Recreation | – | 4 | 2.00 | No | 30 |
| Resident Corridor | – | 2 | 1.00 | No | 30 |
| Resident Room[4] | – | 2 | 2.00 | No | 80 |
| Soiled Linen, Utility or | IN | 10 | – | Yes | 30 |

| | | | | | |
|---|---|---|---|---|---|
| Holding | | | | | |
| Storage[6] | – | 2 | – | No | 30 |
| Toilets and Baths | IN | 10 | – | Yes | 30 |

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**Notes:**

1. Design of the ventilation system shall provide air movement that is generally from clean to less clean areas. Air movement is in relationship to the adjacent room or area and is designated as OUT (positive), IN (negative) and (neutral). If any form of variable air volume or load shedding system is used for energy conservation, it must not compromise the room pressure balancing relationships or the minimum air changes required by the table.

2. Tabular numerical values are space volume (cubic feet or cubic ms) per hour.

3. Filtration efficiency ratings are based on average dust spot efficiency per ASHRAE 52.

4. Filter values apply to central station type air handling units. Where package terminal or fan coil air conditioning units are utilized, filter efficiency value may be 20 percent minimum.

5. Includes kitchen hood air quantities.

6. Buildings or spaces housing these functions may utilize package terminal or fan coil air conditioning units.

7. Provide a dedicated, spark resistant exhaust fan.

8. Rooms or areas where specific ventilation rates are not given in the table shall be ventilated in accordance with the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) 62, Ventilation for Acceptable Indoor Air Quality and ASHRAE Handbook HVAC Applications. OSHA standards and NIOSH criteria require special ventilation requirements for employee health and safety within nursing facilities. For multi function room designations, the most stringent tabular requirement shall govern.

**420.3.13.8** All outdoor air intakes shall be located a minimum of 3 feet (0.91 m) above surrounding surfaces and a minimum of 10 feet (3.05 m) horizontally from any exhaust air or plumbing vent.

**420.3.13.9** All filters in systems in excess of 1000 cfm (28.32 $m^3$/min) capacity shall be installed with differential pressure gauges. The filter gauge shall have the range of acceptable filter operation clearly and permanently indicated.

**420.3.13.10** Filter housings for 80 percent efficiency filters shall be fully gasketed and sealed with mechanical latching devices capable of exerting and maintaining a continuous, uniform sealing pressure on the filter media when in the latched, closed position.

**420.3.13.11** The transfer of air quantities through one space to an adjacent space is not permitted except that the transfer of air to maintain space relative pressure by the under cutting of doors is permitted. The maximum allowable air quantity for door undercuts shall be 75 cfm (35.38 L/s) for single door widths up to 44 inches (1117 mm).

**420.3.13.12** Space relative pressure requirements shall be maintained throughout the entire system control range where variable volume systems are utilized.

**420.3.13.13** Spaces having exhaust hoods shall have sufficient make-up supply air such that the required pressure relationship will not be affected by the operation of the hood.

**420.3.13.14** All supply, return and exhaust ventilation fans shall operate continuously. Dietary hood, laundry area, administrative areas that are separated from all resident areas and support areas and maintenance area supply and exhaust fans shall be exempted from continuous operation.

**420.3.13.15** Cooling coil condensate shall be piped to a roof drain, floor drain or other approved location.

**420.3.13.16 Carbon monoxide detector.** See Section 913.1.

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**420.3.14 Exhaust.**

**420.3.14.1** Exhaust fans and other fans operating in conjunction with a negative duct system pressure shall be located at the discharge end of the system. Fans located immediately within the building located at the end of all exhaust ducts shall be permitted. Existing, nonconforming systems need not be brought into compliance when equipment is replaced due to equipment failure.

**420.3.14.2** Exhaust hoods in food preparation areas shall be listed or certified by a nationally recognized testing laboratory (NRTL).

**420.3.15 Ducts.**

**420.3.15.1** All new facility construction shall have totally ducted supply, return, exhaust and outside air systems including areas of all occupancy classifications.

**420.3.15.2** In new construction, duct system risers penetrating more than one floor shall be installed in vertical fire-rated shafts. Horizontal offsets of the risers shall not be allowed. Fire/smoke dampers shall be installed at duct penetrations of the chase. Existing nonconforming systems shall be brought into compliance when remodel or renovation work is proposed.

**420.3.16 Fan and damper control during fire alarm.**

**420.3.16.1** During a fire alarm, fan systems and fan equipment serving more than one room shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones.

**420.3.16.2** Air handling and fan coil units serving exit access corridors for the zone in alarm shall shut down upon fire alarm.

**420.3.16.3** Smoke or fire/smoke dampers shall close upon fire alarm and upon manual shutdown of the associated supply, return or exhaust fan.

**420.3.17 Plumbing.**

**420.3.17.1** All plumbing fixtures provided in spaces shall conform to the requirements of Table 420.3.17.2 of plumbing fixtures and minimum trim.

**420.3.17.2** The temperature of hot water supplied to resident and staff use lavatories, showers and bath shall be between 105°F (41°C) and 115°F (46°C) at the discharge end of the fixture.

**TABLE 420.3.17.2 PLUMBING FIXTURES AND MINIMUM TRIM**

| ROOM/FUNCTION | FIXTURE, FITTING, AND TRIM |
|---|---|
| Barber and Beauty | G 6 |
| Bed Pan Sanitizer | K 7 |
| Clean Utility Room | C 2 |
| Corridor per nursing unit | I 5 |
| Eye Wash Station(s) | L 5 |
| Exam/Treatment Room | A 2 |
| Housekeeping/Janitor's Closet | E 6 |
| Laundry | A 1; H 1 |
| Medication Preparation Room | C 2 |
| Nourishment Room | C 2 |
| Resident Baths | J 1 |
| Resident bedrooms with three or more beds | A 1 |
| Resident Room Bath | A 1; B 4; J 1 |
| Resident Toilet Rooms | A 1; B 4 |
| Soiled Utility Room(s) | D 2; F 3 AND 4; K 5 |
| Therapy Areas | A 2 |
| Toilet Rooms, public and staff | A 1; B 5 |

| FIXTURE LEGEND | |
|---|---|
| A. Lavatory<br>B. Water Closet<br>C. Sink, Single Compartment<br>D. Sink, Double Compartment<br>E. Sink or Receptor, Janitor<br>F. Sink, Clinical Service and Rinsing Device | G. Sink, Shampoo<br>H. Sink, Laundry<br>I. Electric Drinking Fountain<br>J. Bathing Facilities or Shower (Note 1)<br>K. Sanitizer w/ rinse water at 140°F (60°C) or chemical rinse. If required by the functional program in The Guidelines.<br>L. Eye Wash Fixtures |

| FIXTURE LEGEND |
|---|
| 1. Hot and cold supplies.<br>2. Hot and cold supplies with wrist blades from $3^{\pm}/_{2}$ inches (89 mm) to $4^{\pm}/_{2}$ inches (114 mm) in length or foot or knee control and a gooseneck spout with discharge a minimum of 5 inches (127 mm) above the fixture rim.<br>3. Hot and cold supplies with elbow blades a minimum of 6 inches (152 mm) long or foot or knee control.<br>4. Bedpan rinsing attachment, cold water only.<br>5. Cold supply.<br>6. Hot and cold supplies with hose connection and backflow preventer.<br>7. Hot water supply. |

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**NOTES:**

1. Mixing valves used in shower applications shall be of the balanced pressure type design.

2. If eye wash stations are provided, they shall be installed in accordance with American National Standards Institute (ANSI) Z358.1 for Emergency Eyewash and Shower Equipment.

**420.3.17.3** Wall mounted water closets, lavatories, drinking fountains and hand washing facilities shall be attached to floor mounted carriers and shall withstand an applied vertical load of a minimum of 250 pounds (113.39 kg) to the front of the fixture.

**420.3.17.4** Grease interceptors shall be located outside of the building.

**420.3.17.5** Provide deep seal traps for floor drains in resident showers.

**420.3.17.6** Food preparation sinks, pot washing, dishwashers, janitor sinks, floor drains, and cart and can wash drains shall run through the grease trap. Garbage disposers shall not run through the grease trap.

**420.3.17.7** Ice machines, rinse sinks, dishwashers, and beverage dispenser drip receptacles shall be indirectly wasted.

**420.3.17.8** Each water service main, branch main, riser and branch to a group of fixtures shall have valves. Stop valves shall be provided for each fixture. Panels for valve access shall be provided at all valves.

**420.3.17.9** Backflow preventers (vacuum breakers) shall be installed on bedpan rinsing attachments, hose bibs and supply nozzles used for connection of hoses or tubing in housekeeping sinks and similar applications.

**420.3.17.10** A backflow preventer shall be installed on the facility main water source(s).

**420.3.17.11** All piping, except control line tubing, shall be identified. All valves shall be tagged, and a valve schedule shall be provided to the facility owner for permanent record and reference.

**420.3.18. Medical gas and vacuum** systems.

**420.3.18.1** Provide a medical gas and vacuum system in conformance with the requirements for a Nursing Home as described in NFPA 99, Health Care Facilities.

**420.3.18.2** Provide a dedicated area for the location of the oxygen system emergency supply source with an impervious, noncombustible, nonpetroleum based surface located adjacent to the emergency low pressure gaseous oxygen inlet connection. Provision shall be made for securing the vessel to protect it from accidental damage.

**420.3.19 Fire pump.** (Where required).

**420.3.19.1** Fire pumps and ancillary equipment shall be separated from other functions by construction having a 2 hour fire resistance rating.

**420.3.19.2** The fire pump normal service disconnect shall be rated to hold locked rotor current. If the approved normal service disconnect is located on the exterior, it shall be supervised by connection to the fire pump remote annunciator and shall provide a separate fire alarm system trouble indication.

**420.3.19.3** When the fire pump is placed on the emergency system in addition to the normal supply, the emergency feeder protective device shall be sized in accordance with maximum rating or settings of Chapter 27 of the Florida Building Code, Building.

**420.3.19.4** The fire pump transfer switch may be either manual or automatic. If located on the line side of the controller as a separate unit, the switch must be rated for the pump motor locked rotor current indefinitely and must be located in the pump room.

**420.3.19.5** Combination fire pump controller and transfer switch units listed by the Underwriter's Laboratories, Inc., as prescribed by Chapter 27 of the Florida Building Code, Building are acceptable when the transfer switch has exposable and replaceable contacts, not circuit breaker types, rated for the available short-circuit current.

**420.3.19.6** The fire pump shall be installed in a readily accessible location. When it is located on the grade level floor, there shall be direct access from the exterior.

**420.3.20 Electrical requirements.**

**420.3.20.1** All material, including equipment, conductors, controls, and signaling devices, shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facility requirements as shown in the specifications and as indicated on the plans. All materials and equipment shall be listed as complying with applicable standards of Underwriter's Laboratories, Inc., or other nationally recognized testing facilities. Field labeling of equipment and materials will be permitted only when provided by a nationally recognized testing laboratory (NRTL) that has been certified by the Occupational Safety and Health Administration (OSHA) for that referenced standard.

**420.3.20.2** For purposes of this section, a resident room, a resident therapy area or an examination room shall be considered a "patient care area" as described in NFPA 99 Health Care Facilities, and Chapter 27, Electrical Systems, of this code.

**420.3.20.3** Panels located in spaces subject to storage shall have the clear working space per Chapter 27, Electrical Systems, of this code, permanently marked "ELECTRICAL NOT FOR STORAGE" with a line outlining the required clear working space on the floor and wall.

**420.3.20.4** Panels and electrical equipment, other than branch circuit devices serving the corridor, shall not be located in egress corridors in new construction.

**420.3.21 Lighting.**

**420.3.21.1** All spaces occupied by people, machinery and equipment within buildings, approaches to buildings and parking lots shall have electric lighting.

**420.3.21.2** Resident bedrooms shall have general lighting and separate fixed night lighting. The night light shall have a switch at the entrance to each resident's room. A reading light shall be provided for each resident. Resident reading lights and other fixed lights not switched at the door shall have switch controls convenient for use at the luminary. Wall-mounted switches for control of lighting in resident areas shall be of quiet operating type.

**420.3.22 Receptacles.**

**420.3.22.1** Provide one general purpose duplex receptacle on another wall to serve each resident and one additional duplex receptacle at the head of the bed if a motorized bed is provided.

**420.3.22.2** Duplex receptacles for general use shall be installed in all general purpose corridors, approximately 50 feet (15.24 m) apart and within 25 feet (7.62 m) of corridor ends.

**420.3.23 Fire alarm systems.**

**420.3.23.1** A fire alarm annunciator panel shall be provided at a single designated 24-hour monitored location. The panel shall indicate audibly and visually, the zone of actuation of the alarm and system trouble. As a minimum, devices located in each smoke compartment shall be interconnected as a separate fire alarm zone. Annunciator wiring shall be supervised. Annunciator shall clearly indicate the zone location of the alarm. Provide an adjacent zone location map to quickly locate alarm condition.

**420.3.24 Nurse call systems.**

**420.3.24.1** A nurse call system shall be provided that will register a call from each resident bed to the related staff work area(s) by activating a visual signal at the resident room door and activating a visual and audible signal in the clean utility, soiled utility, nourishment station, medication prep and the master station of the nursing unit or subnursing unit. Audible signals may be temporarily silenced, provided subsequent calls automatically reactive the

audible signal. In rooms containing two or more calling stations, indicating lights shall be provided for each calling station. In multicorridor nursing units, corridor zone lights shall be installed at corridor intersections in the vicinity of staff work areas.

**420.3.24.2** An emergency calling station of the pull cord type shall be provided and shall be conveniently located for resident use at each resident toilet, bath or shower room but not inside of the shower. The call signal shall be the highest priority and shall be cancelled only at the emergency calling station. The emergency station shall activate distinctive audible and visual signals immediately.

**420.3.24.3** The nurse call master station shall not block incoming resident calls. The master station control settings shall not prevent the activation of the incoming audible and visual signals.

**420.3.24.4** In multiresident rooms, activation of an emergency call shall not cancel a normal call from the same room.

**420.3.24.5** A corridor dome light shall be located directly outside of any resident care area that is equipped with a nurse call system.

**420.3.25 Emergency electrical system.**

**420.3.25.1** A Type 1 essential electrical system shall be provided in all nursing homes as described in NFPA 99, Health Care Facilities. The emergency power for this system shall meet the requirements of a Level 1, Type 10, Class 48 generator as described in NFPA 110, Emergency Standby Power Systems.

**420.3.25.2** In new construction, the normal main service equipment shall be separated from the emergency distribution equipment by locating it in a separate room. Transfer switches shall be considered emergency distribution equipment for this purpose.

**420.3.25.3** Switches for critical branch lighting shall be completely separate from normal switching. The devices or cover plates shall be of a distinctive color. Critical branch switches may be adjacent to normal switches. Switches for life safety lighting are not permitted except as required for dusk to dawn automatic control of exterior lighting fixtures.

**420.3.25.4** There shall be selected life safety lighting provided at a minimum of 1 footcandle (10 lux) and designed for automatic dusk to dawn operation along the travel paths from the exits to the public way or to safe areas located a minimum of 30 feet (9.14 m) from the building.

**420.3.25.5** A minimum of one elevator per bank serving any patient use floor shall be connected to the equipment branch of the essential electric system and arranged for manual or automatic operation during loss of normal power. Elevator cab lighting, controls, and communication and signal systems shall be connected to the life safety branch.

**420.3.25.6** If a day tank is provided, it shall be equipped with a dedicated low level fuel alarm and a manual pump. The alarm shall be located at the generator derangement panel.

**420.3.25.7** Transfer switch contacts shall be of the open type and shall be accessible for inspection and replacement.

**420.3.25.8** If required by the facility's emergency food plan, there shall be power connected to the equipment branch of the essential electrical system for kitchen refrigerators, freezers and range hood exhaust fans. Selected lighting within the kitchen and dry storage areas shall be connected to the critical branch of the essential electrical system.

**420.3.26 Lightning protection.**

~~**420.3.26.1** A lightning protection system shall be provided for all new buildings and additions in accordance with NFPA 780, Installation of Lightning Protection Systems.~~

~~**420.3.26.2** Where additions are constructed to existing buildings, the existing building's lightning protection system, if connected to the new lightning protection system, shall be inspected and brought into compliance with current standards.~~

~~**420.3.26.3** There shall be surge protection for all normal and emergency electrical services.~~

~~**420.3.26.4** Additional surge protection shall be provided for all low-voltage and power connections to all electronic equipment in critical care areas and life safety systems and equipment such as fire alarm, nurse call and other critical systems. Protection shall be in accordance with appropriate IEEE Standards for the type of equipment protected.~~

~~**420.3.26.5** All low-voltage system main or branch circuits entering or exiting the structure shall have surge suppressors installed for each pair of conductors and shall have visual indication for protector failure to the maximum extent feasible.~~

**420.1 Scope.** All newly licensed or newly constructed nursing homes and all additions, alterations or renovations to an existing licensed nursing home shall comply with all applicable requirements of this code and the minimum standards of design, construction and specified minimum essential utilities and facilities of this Section and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80 (1)(c), Florida Statutes to assure compliance with all applicable requirements of this code.

**420.1.1** A change of ownership of an existing licensed nursing home shall not require compliance with this Section.

**420.1.2** A facility licensed as a nursing home that only admits children 0 years through 20 years of age shall meet these minimum standards as they are required by the functional program of the facility. This functional program shall be developed in accordance with the requirements of the Guidelines as referenced in section 420.2.2 of this code.

**420.1.3** The Florida Building Code, Existing Buildings, Section 101.2 Scope exempts state licensed nursing homes from compliance with that code. Any repair, alteration, change of occupancy, addition and relocation of an existing state licensed nursing home shall comply with the applicable requirements of this code and this Section.

**420.1.4** For project submission and fee requirements, codes and standards for existing facilities, and other administrative, licensure, and programmatic provisions for nursing homes, see Agency for Health Care Administration [AHCA] Chapter 59A-4, Florida Administrative Code (F.A.C.) and Chapter 400 Part II, Florida Statutes.

**420.1.5** For state licensure purposes, these codes and standards shall be applicable to the project on the effective date of this code at the time of preliminary plan approval by the Agency for Health Care Administration (the Agency) or at the first construction document review if there has been no previous preliminary plan approval for that project.

**420.2 Additional codes and standards for the design and construction of nursing homes.** In addition to the minimum design and construction standards required by Section 420 of this code, Chapter 59A-4, Minimum Standards for Nursing Homes, Florida Administrative Code or by Chapter 400 Part II, Florida Statutes, the following codes and standards shall also be met on the effective date of this code as described in Section 420.1.5 of this code:

**420.2.1** The fire codes described in Chapter 69A-53, Uniform Fire Safety Standards for Hospitals and Nursing Homes, Florida Administrative Code.

**420.2.2** The Guidelines for Design and Construction of Health Care Facilities (the Guidelines), Part 1 General and Part 6 Ventilation of Health Care Facilities as referenced in Chapter 35 of this code.

**420.3 Additional physical plant requirements for nursing homes.** In addition to the codes and standards referenced in Section 420.2 of the this code, the following minimum standards of construction and specified minimum essential facilities, shall apply to all new nursing homes, as described in Section 420.1 of this code and listed in Section 420.3 of the this code:

**420.3.1 Alternate design models**. Because nursing homes may provide care utilizing two basic organizational models, two alternate design models are permitted to meet some of specific physical plant requirements of this Section. These alternate design models, the institutional design model and the household design model for person centered care, are described in Sections 420.3.2.1 and 420.3.2.2 of this code and are further defined by the physical plant requirements for each model as described in the applicable paragraphs of Section 420.3 of this code.

**420.3.1.1** Either one or both of these design models may be used in the design of the nursing home as described by the functional program of the facility.

**420.3.1.2** An institutional design model may utilize specific physical plant requirements of a household design model without being required to incorporate all of the household design elements.

**420.3.1.3** Where no alternate design model is permitted, all nursing homes shall meet the described requirement.

**420.3.2 Resident unit.** Each resident unit shall consist of the resident rooms and support areas, and shall be arranged to avoid unnecessary and unrelated travel through the unit. It shall be designed to meet the organizational patterns of staffing, functional operations, and care programs as described in the functional program of the facility. Based on these aspects of the functional program, the resident unit may be designed to meet one of the following models:

**420.3.2.1 Institutional design model.** This model is based on an institutionalized medical program similar in arrangement to that found in some hospitals. If this model is utilized for the design of the resident unit, it shall consist of the resident rooms, nurse station(s), and resident support areas and services as described in section 420.3.4.1 Dining, activity, and social areas may be centralized and located away from the resident unit.

**420.3.2.1.1** Each resident unit shall be limited to a maximum of 60 beds.

**420.3.2.1.2** Travel distance from the entrance to a nurses' station, and from a clean utility and a soiled utility room(s) or function(s) to the middle of the entrance door of the farthest resident room served shall be a maximum of 150 feet (45.72 m).

**420.3.2.2 Household design model for person centered care.** This model is based on a home like environment similar in arrangement to that found in a typical home. If this model is utilized for the design of the resident unit, it shall consist of the resident rooms and resident support areas and services as described in section 420.3.4.2. Dining, activity, and social areas shall be decentralized and included within the resident household.

**420.3.2.2.1** Each resident household (unit) shall be limited to a maximum of 20 residents.

**420.3.2.2.2** Two individual resident households (units) may be grouped into a distinct neighborhood with a maximum of 40 residents. This neighborhood, composed of the two resident households, may share the required resident support areas and services as described in Sections 420.3.4.2 of this code.

**420.3.2.2.3** If an access corridor is utilized as part of this design, it shall be designed to include an open resident sitting and resting area(s) located along the corridor at least every 100 feet (30.48 m) of corridor length.

**420.3.3 Resident rooms.** Each resident room shall meet the following minimum standards:

**420.3.3.1** In new construction and additions, the maximum room capacity of each resident room shall be two persons.

**420.3.3.2** Nursing homes designed to serve only for children 0 through 20 years of age may have a maximum room capacity of four persons.

**420.3.3.3** Where renovation work of an existing resident room alters the physical configuration of the room and the present capacity of the room is more than two persons, the maximum room capacity shall be no more than two persons at the conclusion of the renovation.

**420.3.3.4** Each resident room shall have a minimum of 100 square feet (9.29 m2) of clear floor area per bed in a double occupancy resident room and 120 square feet (11.15 m2) of clear floor area in a single occupancy resident room, exclusive of the space consumed by the toilet room, closet(s), wardrobe(s), lavatory (ies), alcove(s), and either the space for the door swing(s) into the room or the space for entrance vestibule, whichever is greater. For the purpose of determining the minimum clear floor area, the entrance vestibule is defined as that floor area located between the room entrance door and the room floor area containing the resident bed(s).

**420.3.3.5** Where renovation work is undertaken that alters the room configuration, every effort shall be made to meet these minimum space standards. When this is not possible due to existing physical conditions or constraints, and with the approval of the Agency, a resident room shall have no less than 80 square feet (7.43 $m^2$) of clear floor area per bed in a double occupancy resident room and 100 square feet (9.29 $m^2$) of clear floor area in a single occupancy resident room. Clear floor area is as described in section 420.3.3.4.

**420.3.3.6** For planning purposes, a full-size bed is assumed to be 3 feet 6 inches (1.07 m) wide by 8 feet (2.43 m) long.

**420.3.3.7** A 3 feet (0.91 m) wide clear access space to each bed shall be provided along at least 75 percent of the length of one side of the bed and shall be designed to allow access for the use of a wheelchair and other portable equipment.

**420.3.3.8** For a bed equipped with a piped in medical gas headwall unit, there shall be a minimum of 3 feet clearance (0.91 m) along the entire length of the bed between both sides and foot of the bed and any other bed, wall or any other fixed obstruction.

**420.3.3.9** The dimensions and arrangement of each resident room shall be such that at least two bed locations are designed to accommodate resident personal choice. All such alternate bed locations shall meet the clearance requirements of section 420.3.3.7 and shall be designed so the bed will not obstruct access to the supporting utilities

serving the bed including the nurse call station, individual reading lamp or fixture, and the required electrical outlets that provide service for the bed or other equipment. In a double occupancy resident room, only one bed must meet this requirement and any bed equipped with a piped in medical gas headwall unit shall meet Section 420.3.3.8 and is exempt from this requirement.

**420.3.3.10** The configuration of each resident room shall be designed to meet one of the following models:

**420.3.3.10.1 Institutional design model.** If a double occupancy resident room is designed where the beds are located side by side, there shall be a minimum clearance of 3 feet (0.91 m) between both sides of each bed and any wall or any other fixed furniture, fixed obstruction or adjacent bed for at least 75% of the length of the bed, and a clearance of 3 feet 8 inches (1.11 m) to any fixed furniture, fixed obstruction, or adjacent bed at the foot of each bed to permit the passage of equipment or beds.

**420.3.3.10.1.1** At a minimum visual privacy shall be provided for each person by the installation of flame-retardant cubicle curtains or equivalent built-in devices.

**420.3.3.10.1.2** The design for privacy shall not restrict resident access at any time to the room entrance, resident armchair, toilet or bathroom, wardrobe, or closet.

**420.3.3.10.2 Household design model for person centered care**: Individual resident sleeping areas in a double occupancy resident room shall be separated from each other by a full height wall or a permanently installed sliding or folding door or partition that provides visual privacy for each person.

**420.3.3.10.2.1** Either doors or cubicle curtains to these individual resident sleeping areas shall be provided.

**420.3.3.10.2.2** The design for privacy shall not restrict resident access at any time to the room entrance, resident armchair, toilet room, bathroom, window, wardrobe, or closet.

**420.3.3.11** Each resident room shall be provided with a bedside table or equivalent furniture, a reading lamp, a well constructed appropriate bed, and a non-folding type armchair for each individual resident. As determined by the functional program of the facility, there shall be a number of over-bed tables available to bed restricted residents.

**420.3.3.12** Each new resident room, and each individual resident sleeping area as described in 420.3.3.10.2, shall have an exterior window(s) to the outside that is physically accessible to each resident at all times and visible from the resident's bed except when a cubicle curtain is closed. The window shall be sized with a clear opening of 8 percent of the gross square footage of the resident sleeping room or individual resident sleeping area as described in section 420.3.3.10.2. The clear opening of the window width and height shall have a minimum of 20 feet (6.10 m) unobstructed vista to any permanent structure, or equipment, and 15 feet (4.57 m) unobstructed vista to any vehicular driveway measured perpendicularly from the plane of the window.

**420.3.3.13** A hand-washing facility complete with mixing faucet shall be provided within each resident toilet room and within each resident room that shares a toilet room with another resident room. Separate resident sleeping areas as described in Section 420.3.3.10.2 do not constitute a separate resident room.

**420.3.3.14** Each resident shall have access to a toilet room without having to enter the general corridor area or another resident bed area in a double occupancy resident room. One toilet room shall serve no more than two residents and no more than two resident rooms. If required by the functional program of the facility, a plumbing connection for a bedpan-rinsing device shall be provided at the resident toilet within each resident toilet room.

**420.3.3.15** The door to the toilet room shall be side hinged, and either swing out from the toilet room or be equipped with emergency release hardware. A sliding door equipped with sliding door hardware located on the resident room side of the wall and not equipped with a bottom door track shall be permitted. Unless otherwise required by this code, the door shall be at least 32 inches (813 mm) in clear width opening. The toilet room door that swings open into the resident room shall not impede the swing of any other door that opens into the resident room.

**420.3.3.16** Each resident room shall be provided with a wardrobe or closet for each resident. Each wardrobe or closet shall have minimum inside dimensions of 1 foot 10 inches (0.55 m) in depth by 2 feet 6 inches (0.5 8 m) in width. Each wardrobe or closet shall be accessible to the resident at all times and shall have an adjustable shelf(s) and an adjustable clothes rod that is adjustable in a maximum of 4 inches (10.16 cm) increments from 4 feet (1.22 m) to 5 feet 8 inches (1.73 m) above finished floor or higher as wardrobe or closet size permits. When the wardrobe or closet is designed to meet the requirements for accessibility per Chapter 11 of this code, it shall include additional accessible storage area(s) for full-length garments. The shelf may be omitted if the clothing unit provides at least two drawers. Locked storage for a resident's personal items shall be provided within the resident sleeping room if required by the functional program.

**420.3.4 Resident support areas and services.** The size and features of each resident support area will depend upon the number and type of residents served. The resident support areas shall be located inside of or readily accessible to each resident unit. The support areas and services shall be designed in accordance one of the following design models.

**420.3.4.1 Institutional design model:**

**420.3.4.1.1** Staff work area(s) (nurse station). A central and/or decentralized staff work area(s) shall be provided. Where a centralized staff work model is utilized it shall have space for supervisory administrative work activities, charting, and storage. The minimum area required shall be equal to 2 square feet (0.19 m2) for each resident bed served. Where a decentralized staff work model is utilized it shall provide for charting or transmitting charted data and for any storage of administrative activities.

**420.3.4.1.2** A clean utility or clean holding room for storage and distribution of clean supply materials shall be provided. If the room is used for preparing resident care items, it shall contain a work counter, a hand-washing facility, and storage facilities for clean and sterile supplies. If the room is used only for storage and holding as a part of a system for distribution of clean and sterile supply materials, the work counter and hand-washing facility requirements may be omitted. The minimum size of the room shall be 60 square feet (5.57 m2).

**420.3.4.1.3** A clean linen storage room, closet or area shall be provided. This area may be located within the clean utility or clean holding room. It shall be large enough to accommodate the storage of linen carts. If in compliance with the Florida Fire Prevention Code a closed-cart system may be used and stored in an alcove open to the corridor

**420.3.4.1.4** A soiled utility or soiled holding room(s) shall be provided. The soiled utility function shall be comprised of a flushing rim clinical service sink or deep bowl utility fixture with bedpan rinsing device, a double compartment sink, soiled linen receptacles, waste receptacles and a work counter with a usable minimum work surface area of 6 square feet (0.56 $m^2$). The total minimum size of the function shall be 80 square feet (7.43 $m^2$) and may be allocated among several soiled utility or soiled holding rooms. Rooms used only for the holding of soiled materials need contain only a hand washing facility.

**420.3.4.1.5 Medication storage and distribution**. A medicine preparation room or a self-contained medicine dispensing unit shall be provided for the provision of medication storage and distribution.

**420.3.4.1.5.1** If a medicine preparation room is utilized, it shall be equipped with a lockable door, have a minimum area of 50 square feet (4.55 $m^2$) and shall contain a refrigerator, locked storage for controlled drugs, a hand washing facility, and a work counter with a minimum of 6 square feet (0.56 $m^2$) of work surface.

**420.3.4.1.5.2** If a self-contained medicine dispensing unit is utilized, it shall be under the visual control of the staff and may be located at the nurses' station, in the clean utility room, in an alcove, or in other spaces convenient for staff control provided the area occupied by the unit does not encroach upon required minimum areas. The dispensing unit may be used in a medicine preparation room as locked storage for controlled drugs within the minimum area of 50 square feet (4.55 $m^2$); however, the standard "cup sinks" provided in many self-contained units shall not be a substitute for the required hand-washing facility.

**420.3.4.1.5.3** If there is no linen storage in the clean utility room, medicine preparation may be part of the clean utility room in which case an additional 20 square feet (1.8 $m^2$) dedicated for this purpose shall be required. A refrigerator shall also be required if medicine preparation is included in this room.

**420.3.4.1.6** A nourishment room for serving nourishments between meals shall be provided that shall contain a work counter, refrigerator, storage cabinets, and sink.

**420.3.4.1.6.1** Ice for residents' consumption shall be provided by an icemaker unit that may serve more than one nourishment station if the nourishment stations are in close proximity to each other. Where the icemaker unit is accessible to residents or the public, it shall be a self-dispensing type.

**420.3.4.1.6.2** The nourishment room shall include space for trays and dishes used for nonscheduled meal service. Hand-washing facilities shall be in or immediately accessible from the nourishment room.

**420.3.4.2 Household design model for person centered care**:

**420.3.4.2.1** The functions of administrative work, charting and storage may be located among several separate direct care staff work areas located within the resident household. The administrative work area(s) shall be designed and located so it is not visually or physically separated from the normal use areas of residents and family members.

**420.3.4.2.2** A clean utility or clean holding room as described in section 420.3.4.1.2 shall be provided but may be sized in accordance with the functional program and allocated among several rooms or closets within the resident household.

**420.3.4.2.3** A clean linen storage room, closet or area shall be provided in accordance with section 420.3.4.1.3 and shall be located within the resident household.

**420.3.4.2.4** A soiled utility or soiled holding room as described in section 420.3.4.1.4 shall be provided but may be sized in accordance with the functional program and allocated among several rooms or closets within the resident household.

**420.3.4.2.5** A medicine preparation room or a self-contained medicine dispensing unit as described in section 420.3.4.1.5 shall be provided. Non-controlled prescription drugs may be stored inside the resident's sleeping room, area, or toilet room if they are secured inside of an automatic closing and automatic locking dispensing unit that is secured in place.

**420.3.4.2.5** A nourishment room as described in section 420.3.4.1.6 shall be provided but resident dietary facilities as described in section 420.3.8.1.13 may substitute for this function.

**420.3.4.3**The following resident support areas, utilities, or services shall be provided in all nursing homes. Unless specifically required, these support areas may be either within the nursing unit, adjacent to the nursing unit or on the same floor as the nursing unit.

**420.3.4.3.1** An equipment storage room(s) shall be provided for storage of nursing unit equipment. The minimum area required shall be equal to 2 square feet (.19 m2) for each resident, with no room being less than 20 square feet (1.86 m2) in area.

**420.3.4.3.2** A housekeeping room(s) shall be provided for storage and use of housekeeping supplies and equipment.

**420.3.4.3.3** If required by the functional program of the facility, a hot water or chemical type sanitizer shall be provided per facility.

**420.3.4.3.4** Storage alcove space for a wheelchair(s) shall be provided in an area located out of the required means of exit egress.

**420.3.4.3.5** Resident bathing facilities.

**420.3.4.3.5.1** A centralized resident bathing room(s) shall be provided with a minimum of one bathtub, hydro tub, or shower for every 20 residents or fraction thereof not otherwise served by bath or shower facilities connected directly to the resident rooms

**420.3.4.3.5.2** A separate private toilet room shall be provided that is directly accessible to each central bathing area with multiple bathing fixtures without requiring entry into the general corridor. This toilet may also serve as a toilet training facility.

**420.3.4.3.5.3** All showers located in bathing rooms connected directly to the resident rooms shall be designed so that a shower chair can be easily rolled in and out of the shower area

**420.3.4.3.5.4** If the Institutional design model is utilized, in addition to bathing facilities connected to the resident rooms, residents shall have access to at least one bathing room per floor or unit sized to permit assisted bathing in a tub or shower. The bathtub in this room shall be accessible to residents in wheelchairs and if a shower is used it shall be large enough to accommodate a person in a recumbent position. Other tubs or showers located within the bathing room shall be located inside of individual rooms or curtained enclosures with space for private use of the bathing fixture, for drying and dressing and access to a grooming location containing a sink, mirror and counter or shelf.

**420.3.4.3.5.5** If the household design model for person centered care is utilized, in addition to the bathing facilities connected to the resident rooms, residents within each household shall have access to at least one bathing room located in or directly adjacent to the household and sized to permit assisted bathing in a tub or shower. This bathing room may be shared between two households if it is located so that it is directly adjacent to each household. The bathtub in this room shall be accessible to residents in wheelchairs and if a shower is used it shall be large enough to accommodate a person in a recumbent position. Other tubs or showers located within the bathing room shall be located inside of individual rooms or curtained enclosures with space for private use of the bathing fixture, for drying and dressing and access to a grooming location containing a sink, mirror and counter or shelf.

**420.3.5 Resident living, social, and treatment areas.**

**420.3.5.1** Dining, lounges, recreation areas, and social areas for residents shall be provided. The total area of these spaces shall be a minimum of 35 square feet (3.25 m2) per bed with a minimum total area of 225 square feet (20.90 m2). At least 20 square feet (1.86 m2) per resident shall be available for dining. Additional space may be required for resident day care programs. Storage for supplies and equipment shall be provided in the recreation area.

**420.3.5.1.1** If the institutional design model is utilized, these areas may be grouped together and centrally located.

**420.3.5.1.2** If a household design model for person centered care is utilized, these areas shall be decentralized and provided within each resident household or can be shared between a maximum of two households.

**420.3.5.1.3** Storage for supplies, resident needs, and recreation shall be provided. This area shall be on site but not necessarily in the same building as the resident rooms, provided access is convenient. The minimum required area shall be 5 square feet (0.46 m2) per bed up to 600 square feet (55.74 m2).

**420.3.5.2** Outdoor area(s) shall be provided for the use of all residents and shall include walking paths of durable materials, benches, shaded areas, and visual focusing element(s) such as landscaping, sculpture, or fountain(s). Security fencing if used shall be of a residential design and provide some visual connection to the exterior of the secured area. If an exterior visual connection is not possible or desirable than the interior of the outside area shall be landscaped to be visually interesting.

**420.3.5.3** If required by the functional program of the facility, physical, speech, and occupational therapy units shall be provided and contain the following.

**420.3.5.3.1** Space for files, records and administrative activities.

**420.3.5.3.2** Provisions for storage of wheelchairs.

**420.3.5.3.3** Storage for supplies and equipment.

**420.3.5.3.4** Hand-washing facilities within the therapy unit.

**420.3.5.3.5** Space and equipment for carrying out each of the types of therapy that the facility will provide.

**420.3.5.3.6** Provisions for resident privacy.

**420.3.5.3.7** Housekeeping rooms, in or near the unit.

**420.3.5.3.8** Resident toilet room(s) usable by wheelchair residents.

**420.3.5.4** A barber/beauty room shall be provided with facilities and equipment for resident hair care and grooming. The area of the room shall be a minimum of 120 square feet (11.15 m2) with the least dimension of feet (3.05 m).

**420.3.6 Staff support areas.**

**420.3.6.1** If required by the functional program of the facility, a staff lounge area(s) shall be provided. It may be shared by multiple resident units if the lounge is located so it is accessible without requiring the user to enter into or through any other resident unit.

**420.3.6.2** A staff toilet room with hand-washing facilities shall be provided conveniently located to each resident unit.

**420.3.6.3** Lockable closets, drawers or compartments shall be provided on the resident unit for staff and may be located in the lounge for safekeeping of staff personal effects.

**420.3.6.4** A conference or consultation room for resident and family use shall be provided and may be shared between resident units.

**420.3.7 Administrative and public area.** Each administrative and public area shall meet the following standards:

**420.3.7.1** A covered vehicular drop-off and pedestrian entrance that is located at grade level and that provides shelter from inclement weather shall be provided.

**420.3.7.2** An administrative/lobby area shall be provided that shall include a counter or desk for reception and information, a public waiting area. This function may be located in a separate building on the campus of the facility. Public toilet facilities, public telephone and an electric drinking fountain for this area shall be provided in accordance with the Florida Plumbing Code. Residents shall have access to toilet facilities in public areas.

**420.3.7.3** General offices shall be provided for business transactions, admissions, social services, private interviews, medical and financial records, and administrative and professional staff. Clerical files and staff office space shall be provided as needed. At a minimum there shall be a private office for the administrator and director of nursing.

**420.3.7.4** At least one multipurpose room per nursing home facility shall be provided for conferences, meetings, and health education purposes, and shall include provisions for the use of visual aids. This room may be remotely located on the campus and shall have a minimum area of 120 square feet (11.15 $m^2$).

**420.3.7.5** Storage for office equipment and supplies shall be provided.

**420.3.8 Facility support areas.** Each facility support area shall meet the following standards.

**420.3.8.1 Facility Dietary**. A facility dietary area shall be provided for dietary service to residents and others as may be appropriate. No part of the kitchen area may be used as a pass through to the linen/laundry area. The facility

dietary area shall contain the following facilities, in the size and number appropriate for the type of food service selected:

**420.3.8.1.1** Storage space, including cold storage, for at least a seven-day supply of food shall be provided.

**420.3.8.1.2** Food preparation facilities for cook to serve, cook to chill or a proprietary system of food preparation and adequate space and equipment for production shall be provided.

**420.3.8.1.3** Employee dining and serving lines shall not be permitted in the dietary facilities area.

**420.3.8.1.4** Hand-washing facilities shall be conveniently located in the food preparation area.

**420.3.8.1.5** Facilities for assembly and distribution of resident meals shall be provided.

**420.3.8.1.6** Ware washing space shall be located in a room or an alcove separate from the food preparation and serving area. Commercial-type ware washing equipment shall be provided. Space shall also be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean tableware to the use areas. Convenient hand washing facilities shall be available on the soiled dish side of the ware washing area.

**420.3.8.1.7** Pot washing facilities shall be provided.

**420.3.8.1.8** Storage areas and cleaning facilities for cans, carts, and mobile-tray conveyors shall be provided.

**420.3.8.1.9** An office for the food service manager shall be provided.

**420.3.8.1.10** A toilet, hand-washing facility and lockers for dietary staff shall be located within the dietary facilities area. A vestibule shall be provided between the toilet and the kitchen.

**420.3.8.1.11** A housekeeping room located within the dietary facilities area shall be provided and shall include a service sink and storage space for housekeeping equipment and supplies.

**420.3.8.1.12** An icemaker unit shall be provided and may be located in the food preparation area or in a separate room.

**420.3.8.1.13** If the household design for person centered care model is utilized and if required by the functional program, a resident dietary area including cooking equipment, counter tops, kitchen sink, and storage areas shall be provided within the resident household for the use by staff, residents, and family. The cooking equipment shall be designed or secured in such a way to insure resident safety and shall meet all applicable fire safety codes. This dietary area may substitute for the nourishment requirement of section 420.3.4.2.5.

**420.3.8.2 Facility laundry.** A facility laundry area shall be provided that shall have provisions for the storing and processing of clean and soiled linen for appropriate resident care. Processing may be done within the facility, in a separate building on or off site, or in a commercial or shared laundry. Where soiled linen is processed as part of a facility laundry area, at a minimum, the following elements shall be included:

**420.3.8.2.1** A separate room for receiving and holding soiled linen until ready for pickup or processing shall be provided. Discharge from soiled linen chutes may be received within this room or in a separate room. A hand-washing facility and a utility sink shall be provided.

**420.3.8.2.2** A central, clean linen storage and issuing room(s), in addition to the linen storage required at the nursing units shall be provided.

**420.3.8.2.3** Parking of clean and soiled linen carts in separate areas from each other and out of traffic shall be provided.

**420.3.8.2.4** Hand-washing facilities in each area where untagged, soiled linen is handled shall be provided.

**420.3.8.2.5** When linen is processed off site a service entrance protected from inclement weather for loading and unloading of linen shall be provided.

**420.3.8.2.6** When linen is processed in a laundry facility located on site the following additional elements shall be provided:

**420.3.8.2.6.1** A laundry processing room(s), separated by walls from other elements of the laundry, with commercial-type laundry equipment for washing and drying. Walls separating the functions of washing and drying are not required.

**420.3.8.2.6.2** Storage for laundry supplies.

**420.3.8.2.6.3** Arrangement of the laundry processes shall generally provide for an orderly workflow from dirty to clean to minimize cross traffic that might mix clean and soiled operations.

**420.3.8.2.7** If the household design model for person centered care is utilized and if required by the functional program, resident laundry facilities including washing and drying equipment shall be provided for staff, family or individual resident use for the laundering only of a resident's **personal** items. If these laundry facilities are provided, they shall be readily accessible from each resident household without requiring the user to enter another resident unit, or floor and may be shared between two resident households. These resident laundry facilities shall not have to meet the requirements of the facility laundry described in Section 420.3.8.2 and may utilize residential laundry equipment. Each resident laundry room or area shall contain a hand wash facility and if required by the functional program a single deep bowl utility sink.

**420.3.9 Housekeeping rooms/janitor's closets.**

**420.3.9.1** Housekeeping rooms or janitor's closets shall be provided throughout the facility as required to maintain a clean and sanitary environment but not less than one housekeeping room/janitor's closet shall be provided for each floor in addition to the housekeeping room required in the facility dietary area. Each room has storage space for housekeeping equipment and supplies. A service sink shall be provided in at least one housekeeping room or janitor's closet on each floor.

**420.3.10 Engineering service and equipment areas.**

**420.3.10.1** Room(s) or separate building(s) for boilers, mechanical and electrical equipment shall be provided as required.

**420.3.10.2** Room(s) for the storage of building maintenance supplies and solvents shall be provided. On site safe and secure storage for the facility drawings, records and manuals shall be provided.

**420.3.10.3** A general maintenance area for repair and maintenance shall be provided as required.

**420.3.10.4** Yard equipment and supply storage room, if provided, shall be located so that equipment may be moved directly to the exterior.

**420.3.11 Details and finishes.**

**420.3.11.1** Potential hazards such as sharp corners, loose laid rugs or carpets, shall not be permitted.

**420.3.11.2** Doors to all rooms containing bathtubs, showers, and water closets for resident use located in double occupancy rooms or are shared between two single occupancy rooms, shall be equipped with privacy hardware that permits emergency access without the use of keys. When such room has only one entrance and is equipped with a swing door, the door shall open outward, or be equipped with emergency release hardware. When emergency release hardware is utilized on a swing door located in a public area, it shall provide visual privacy for the resident and if required by other sections of this code, be smoke resistive.

**420.3.11.3** Interior corridor doors, except those to small closets, janitor's closets, electrical or mechanical rooms, housekeeping closets and other small rooms not subject to occupancy, shall not swing into the corridor. A door located on the exit access corridor, and required to swing outward, shall open into an alcove.

**420.3.11.4** A sliding door equipped with sliding hardware located on the resident room side of the wall shall be permitted on an individual resident toilet or bathroom. If a sliding door is used on a resident toilet or bathroom, a D-shaped handle at least 4 inches (10.16 cm) long shall be provided to open the door.

**420.3.11.5** Door thresholds except where required at exterior doors, and expansion joint covers shall be designed to facilitate use of wheelchairs and carts and to prevent tripping and shall provide a smooth and level transition from surface-to-surface.

**420.3.11.6** All resident room windows shall have a minimum net glazed area of not less than 8 percent of the gross floor area of the room or bed area served. Operable windows are not required but if they are provided they shall be equipped with insect screens.

**420.3.11.7** Handrails shall be provided on both sides of all corridors that are defined by walls and normally used by residents. Mounting height shall be between 36 inches (0.91m) and 42 inches (1.57 m). A clearance of 1½ inches (38 mm) shall be provided between the handrail and the wall. Handrails shall be designed without sharp corners, edges or hardware and shall permit easy grasping by the resident with a maximum diameter of 1.5 inches (38 mm). It shall be designed to provide a profile with a surface wide enough for the resident to be able to lean on the rail to rest. Rail ends shall return to the wall.

**420.3.11.8** Grab bars, 11/2 inches (38 mm) in diameter, either permanent or flip down, shall be installed in all resident showers, tubs, and baths and on any two sides of all resident use toilets. Wall-mounted grab bars shall provide an 11/2 inch (38 mm) clearance from walls and shall sustain a concentrated load of 250 pounds (113.4 kg). Where flip down grab bars are used, the toilet does not need to be located within 18" of an adjacent wall, except as required by Chapter 11 of this code.

**420.3.11.9** Each resident hand-washing facility shall have a mirror unless prohibited by the nursing program. Mirror placement shall allow for convenient use by both wheelchair occupants and ambulatory persons. Tops and bottoms may be at levels usable by individuals either sitting or standing. Additional mirrors may be provided for wheelchair occupants, or one separate full-length mirror located in the resident room may be provided to meet the needs of wheelchair occupants.

**420.3.11.10** Provisions for soap dispensing and hand drying shall be included at all hand washing facilities. Those in resident use areas shall be paper or cloth towels enclosed to protect against dust or soil and shall be single-unit dispensing.

**420.3.11.11** Only recessed soap dishes shall be allowed in patient use tubs and showers unless the tubs and showers are of molded plastic type fixtures.

**420.3.11.12** Towel bars shall be provided at each bathing facility.

**420.3.11.13** All resident use plumbing fixtures and door operating hardware shall be equipped with lever type hardware for easy gripping and turning.

**420.3.11.14** Toilet compartment partitions and urinal screens shall not be constructed of product that does not rust, corrode or delaminate.

**420.3.11.15** The minimum ceiling height throughout the facility shall be 8 feet (2.44 m) above the finished floor with the following exceptions:

**420.3.11.15.1** Steam boiler and hot water generator rooms shall have ceiling clearances of at least 2 feet 6 inches (0.76 m) above the main header and connecting pipe.

**420.3.11.15.2** Ceilings in storage rooms, resident room entrance vestibules and toilet rooms shall be at least 7 feet 6 inches (2.33 m) above the finished floor.

**420.3.11.15.3** Ceilings in normally unoccupied spaces and alcoves may be reduced to 7 feet

(2.13 m) above the finished floor.

**420.3.11.15.4** Ceilings in exit access corridors and exit passageways shall be a minimum of 8 feet (2.44 m) above the finished floor.

**420.3.11.16** In addition to the electric drinking fountain in the administrative/lobby area in Section 420.3.7.2, a minimum of one electric drinking fountain shall be provided per resident floor unless drinking water is available from the resident dietary area.

**420.3.11.17** Floor material shall be readily cleanable and appropriate for the location. Floor surfaces in resident-use areas shall be non-glossy to minimize glare. If composition floor tiles are used, the interstices shall be tight.

**420.3.11.17.1** In residential care and sleeping areas, a base shall be provided at the floor line.

**420.3.11.17.2** Floors in areas used for food preparation and assembly shall be water resistant. Floor surfaces, including tile joints, shall be resistant to food acids. In all areas subject to frequent wet-cleaning methods, floor materials shall not be physically affected by germicidal cleaning solutions.

**420.3.11.17.3** Floors subject to traffic while wet, such as shower and bath areas, kitchens, and similar work areas, shall have a slip resistant surface and floor-to-base intersections shall be watertight.

**420.3.11.17.4** Carpet and padding in resident areas shall be stretched tight, in good repair and free of loose edges or wrinkles that might create hazards or interfere with the operation of wheelchairs, walkers or wheeled carts.

**420.3.11.18** Wall finishes shall be washable and, if near plumbing fixtures, shall be smooth and have a moisture-resistant finish. Finish, trim, walls, and floor constructions in dietary and food storage areas shall be free from rodent and insect harboring spaces.

**420.3.11.18.1** Basic wall construction in areas not subject to conditioned air shall be constructed of masonry, cement plaster or moisture-resistant gypsum wallboard.

**420.3.11.18.2** The finishes of all exposed ceilings and ceiling structures in the dietary facilities area shall be readily cleanable with routine housekeeping equipment.

**420.3.11.18.3** Highly polished walls or wall finishes that create glare shall be avoided.

**420.3.11.18.4** Wall coverings that promote the growth of mold and mildew shall be avoided on exterior walls or on walls that are located in normally wet locations.

**420.3.11.19**All smoke partitions, horizontal exits and exit passageway partitions shall be constructed prior to the construction of intervening walls.

**420.3.11.20** Smoke partitions shall be constructed so as to provide a continuous smoke-tight membrane from exterior wall to exterior wall and from the floor to the underside of the deck above. This includes interstitial space and the area above solid fire-tested membranes.

**420.3.11.21** Where it is not possible to inspect fire/smoke partitions because of the fire-tested membrane, fire-rated access panels shall be installed adjacent to each side of the smoke partitions at intervals not exceeding 30 feet (9.00 m) and in such locations as necessary to view all surfaces of the partition. Fire walls, fire barriers, fire partitions, smoke barriers and smoke partitions or any other wall required to have protected openings shall be effectively and permanently identified with signs or stenciling. Such identification shall be above any decorative ceiling and in concealed spaces. Suggested wording for a fire/smoke partition is as follows: "FIRE AND SMOKE BARRIER - PROTECT ALL OPENINGS."

**420.3.11.22** Where electrical conduits, cable trays, ducts and utility pipes pass through the smoke partition, the utilities shall be located so that access is maintained to adjacent wall surfaces and to all damper access panels. The details shall show the studs and reinforcing half studs so that proper support is provided for the wall surfacing material. There shall be a minimum clearance of 6 inches (152 mm) between all conduits, piping, and duct work at corridor walls to facilitate the inspection of these walls.

**420.3.12 Elevators.** (Where required)

**420.3.12.1** All buildings having resident use areas on more than one floor shall have hospital-type electric or hydraulic elevator(s) that shall be in compliance with the requirements of Chapter 30 of this code and Chapter 69A-47, Florida Administrative Code, "Uniform Fire Safety Standards for Elevators."

**420.3.12.2** In the absence of an engineered traffic study, the minimum number of elevators shall be as follows:

**420.3.12.2.1** At least one elevator shall be installed where resident beds are located on any floor other than the main entrance floor.

**420.3.12.2.2** When 60 to 200 resident beds are located on floors other than the main entrance floor, at least two elevators, one of which shall be of the hospital-type and capacity, shall be installed.

**420.3.12.2.3** When 201 to 350 resident beds are located on floors other than main entrance floor, at least three elevators, two of which shall be of the hospital-type and capacity, shall be installed.

**420.3.12.2.4** For facilities with more than 350 resident beds above the main entrance floor, the number of elevators shall be determined from a facility plan study and from the estimated vertical transportation requirements.

**420.3.12.3** Cars of elevators shall have inside dimensions that accommodate a resident bed with attendants. Cars shall be at least 5 feet (1.52 m) wide by 7 feet 6 inches (2.29 m) deep. The car door shall have a clear opening of not less than 4 feet (1.22 m).

**420.3.12.4** Elevator call buttons shall not be activated by heat or smoke. If employed, light beam door activators shall be used in combination with door-edge safety devices and shall be connected to a system of smoke detectors such that the light control feature will disengage or be overridden if it encounters smoke at any landing.

**420.3.13 Water supply and sewage disposal.**

**420.3.13.1** An approved, accessible, adequate, safe and potable supply of water shall be provided. The water supply shall be accessible and available at all times for drinking, fire protection, culinary, bathing, cleaning and laundry purposes.

**420.3.13.2** Hot water shall be supplied to all lavatory and sink plumbing fixtures available for use by residents and staff.

**420.3.13.3** An approved, adequate and safe method of sewage collection, treatment and disposal shall be provided for each nursing home.

**420.3.14 Heating, Ventilating and air-conditioning (HVAC) systems.** In addition to the basic HVAC system requirements as described by Part 6, ANSI/ASHRAE/ASHE Standard 170-2008: Ventilation of Health Care Facilities of the Guidelines, the following specific elements are also required.

**420.3.14.1** Mechanical equipment shall be defined as equipment utilized in air-conditioning, heating, ventilating systems and associated electrical, electronic and pneumatic components required for the mechanical equipment to provide the function intended by the application of the equipment. New and existing equipment replacements shall comply with these requirements.

**420.3.14.2** Mechanical equipment shall be installed in a designated equipment room(s), or in a space(s) located in an attic(s).

**420.3.14.3** If the unit serves only one room it may be located above the ceiling and shall be accessible through an access opening in accordance with this code. Access panels are not required for lay-in ceiling installations, provided the service functions are not obstructed by other above-ceiling construction, such as electrical conduits, piping, audio visual cabling and like equipment components or supports.

**420.3.14.4** Ventilation shall be provided by mechanical means in all rooms in new facilities and in all renovated or remodeled rooms. The minimum air quantities and filtration efficiencies shall be met as set forth in Part 6 of the Guidelines for those spaces that are listed.

**420.3.14.5** For spaces listed in the minimum ventilated rate table, central station type air-handling equipment shall be used. Package terminal air-conditioning units or fan coils may be used to serve resident rooms and shall be provided with 20-percent filters minimum.

**420.3.14.6** System designs utilizing fan coil or package terminal air-conditioning units shall have the outdoor air ventilation damper permanently closed. The ventilation requirement shall be satisfied by a central station type air handling unit provided with a 30-percent filter minimum or as required by the listed space served. Spaces designated for the exclusive use of physical plant personnel need not comply with this requirement.

**420.3.14.7** Administrative and other staff-only areas shall be provided with outside air at the minimum rate of 20 cfm (9.43 L/s) per person, and the central system shall have a minimum of 30 percent ASHRAE dust spot efficiency filter.

**420.3.14.8** All outdoor air intakes shall be located a minimum of 3 feet (0.91 m) above surrounding surfaces and a minimum of 10 feet (3.05 m) horizontally from any exhaust air or plumbing vent.

**420.3.14.9** All filters in systems in excess of 1000 cfm (28.32 m3/min) capacity shall be installed with differential pressure gauges. The filter gauge shall have the range of acceptable filter operation clearly and permanently indicated.

**420.3.14.10** Filter housings for 80-percent efficiency filters shall be fully gasketed and sealed with mechanical latching devices capable of exerting and maintaining a continuous, uniform sealing pressure on the filter media when in the latched, closed position.

**420.3.14.11** The transfer of air quantities through one space to an adjacent space is not permitted except that the transfer of air to maintain space relative pressure by the under cutting of doors is permitted. The maximum allowable air quantity for door undercuts shall be 75 cfm (35.38 L/s) for single door widths up to 44 inches (1117 mm).

**420.3.14.12** Space relative pressure requirements shall be maintained throughout the entire system control range where variable volume systems are utilized.

**420.3.14.13** Spaces having exhaust hoods shall have sufficient make-up supply air such that the required pressure relationship will not be affected by the operation of the hood.

**420.3.14.14** All supply, return and exhaust ventilation fans shall operate continuously. Dietary hood, laundry area, administrative areas that are separated from all resident areas and support areas and maintenance area supply and exhaust fans shall be exempted from continuous operation.

**420.3.14.15** Cooling coil condensate shall be piped to a roof drain, floor drain or other approved location.

**420.3.14.16** Each new resident sleeping room or resident sleeping area that is separated by a permanent partition and door shall be provided with a separate thermostat to provide individual adjustment of room or area temperature.

**420.3.15 Exhaust.**

**420.3.15.1** Exhaust fans and other fans operating in conjunction with a negative duct system pressure shall be located at the discharge end of the system. Fans located immediately within the building located at the end of all exhaust ducts shall be permitted. Existing, nonconforming systems need not be brought into compliance when equipment is replaced due to equipment failure.

**420.3.15.2** Exhaust hoods in food preparation areas shall be listed or certified by a nationally recognized testing laboratory (NRTL).

**420.3.16 Ducts.**

**420.3.16.1** All new facility construction shall have totally ducted supply, return, exhaust and outside air systems including areas of all occupancy classifications.

**420.3.16.2** In new construction, duct system risers penetrating more than one floor shall be installed in vertical fire-rated shafts. Horizontal offsets of the risers shall not be allowed. Fire/smoke dampers shall be installed at duct penetrations of the chase. Existing nonconforming systems shall be brought into compliance when remodel or renovation work is proposed.

**420.3.17 Fan and damper control during fire alarm.**

**420.3.17.1** During a fire alarm activated by an automatic initiating device, fan systems and fan equipment serving more than one room shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones.

**420.3.17.2** Air-handling and fan coil units serving exit access corridors for the zone in alarm shall shut down upon fire alarm.

**420.3.17.3** Smoke or fire/smoke dampers shall close upon fire alarm and upon manual shutdown of the associated supply, return or exhaust fan.

**420.3.18 Plumbing.**

**420.3.18.1** All plumbing fixtures provided in spaces shall conform to the requirements of Table 420.3.18.1 of plumbing fixtures and minimum trim.

**420.3.18.2** The temperature of hot water supplied to resident and staff use lavatories, showers and bath shall be between 105°F (41°C) and 115°F (46°C) at the discharge end of the fixture.

**420.3.18.3** Wall-mounted water closets, lavatories, drinking fountains and hand-washing facilities shall be attached to floor-mounted carriers and shall withstand an applied vertical load of a minimum of 250 pounds (113.39 kg) to the front of the fixture.

**420.3.18.4** Grease interceptors shall be located outside of the building.

**420.3.18.5** Provide deep seal traps for floor drains in resident showers.

**420.3.18.6** Food preparation sinks, pot washing, dishwashers, janitor sinks, floor drains, and cart and can wash drains shall run through the grease trap. Garbage disposers shall not run through the grease trap.

**420.3.18.7** Ice machines, rinse sinks, dishwashers, and beverage dispenser drip receptacles shall be indirectly wasted.

**420.3.18.8** Each water service main, branch main, riser and branch to a group of fixtures shall have valves. Stop valves shall be provided for each fixture. Panels for valve access shall be provided at all valves.

**420.3.18.9** Backflow preventers (vacuum breakers) shall be installed on bedpan-rinsing attachments, hose bibs and supply nozzles used for connection of hoses or tubing in housekeeping sinks and similar applications.

**420.3.18.10** A backflow preventer shall be installed on the facility main water source(s).

**420.3.18.11** All piping, except control-line tubing, shall be identified. All valves shall be tagged, and a valve schedule shall be provided to the facility owner for permanent record and reference.

**TABLE 420.3.18.1**
**PLUMBING FIXTURES AND MINIMUM TRIM**

| ROOM/FUNCTION | FIXTURE, FITTING, AND TRIM |
|---|---|
| Barber and Beauty | G-6 |
| Bed Pan Sanitizer | K-7 |
| Clean Utility Room | C-2 |
| Corridor per nursing unit | I-5 |
| Eye Wash Station(s) | L-5 |
| Exam/Treatment Room | A-2 |
| Housekeeping/Janitor's Closet | E-6 |
| Laundry | A-1; H-1 |
| Medication Preparation Room | C-2 |
| Nourishment Room | C-2 |
| Resident Baths | J-1 |
| Resident bedrooms with three or more beds | A-1 |
| Resident Room Bath | A-1; B-4; J-1 |
| Resident Toilet Rooms | A-1; B-4 |
| Soiled Utility Room(s) | D-2; F-3 AND 4; K-5 |
| Therapy Areas | A-2 |
| Toilet Rooms, public and staff | A-1; B-5 |
| **FIXTURE LEGEND** | |
| A. Lavatory<br>B. Water Closet<br>C. Sink, Single Compartment<br>D. Sink, Double Compartment<br>E. Sink or Receptor, Janitor<br>F. Sink, Clinical Service and Rinsing Device | G. Sink, Shampoo<br>H. Sink, Laundry<br>I. Electric Drinking Fountain<br>J. Bathing Facilities or Shower (Note 1)<br>K. Sanitizer w/ rinse water at 140°F (60°C) or chemical rinse. If required by the functional program of the facility.<br>L. Eye Wash Fixtures |
| **FIXTURE LEGEND** | |
| 1. Hot and cold supplies.<br><br>2. Hot and cold supplies with wrist blades from 31/2inches (89 mm) to 41/2inches (114 mm) in length or foot or knee control and a gooseneck spout with discharge a minimum of 5 inches (127 mm) above the fixture rim.<br><br>3. Hot and cold supplies with elbow blades a minimum of 6 inches (152 mm) long or foot or knee control. | |

4. Bedpan rinsing attachment, cold water only. If required by the functional program of the facility.

5. Cold supply.

6. Hot and cold supplies with hose connection and backflow preventer.

7. Hot water supply.

**NOTES:**

1. Mixing valves used in shower applications shall be of the balanced-pressure type design.

2. If eye wash stations are provided, they shall be installed in accordance with American National Standards Institute (ANSI) Z358.1 for Emergency Eyewash and Shower Equipment.

**420.3.19 Medical gas and vacuum systems.**

**420.3.19.1** Provide a medical gas and vacuum system in conformance with the requirements for a Nursing Home as described in NFPA 99, Health Care Facilities.

**420.3.19.2** Provide a dedicated area for the location of the oxygen system emergency supply source with an impervious, noncombustible, nonpetroleum-based surface located adjacent to the emergency low pressure gaseous oxygen inlet connection. Provision shall be made for securing the vessel to protect it from accidental damage.

**420.3.20 Fire pump.** (Where required).

**420.3.20.1** Fire pumps and ancillary equipment shall be separated from other functions by construction having a 2-hour fire-resistance rating.

**420.3.20.2** The fire pump normal service disconnect shall be rated to hold locked rotor current. If the approved normal service disconnect is located on the exterior, it shall be supervised by connection to the fire pump remote annunciator and shall provide a separate fire alarm system trouble indication.

**420.3.20.3** When the fire pump is placed on the emergency system in addition to the normal supply, the emergency feeder protective device shall be sized in accordance with maximum rating or settings of Chapter 27 of the Florida Building Code, Building.

**420.3.20.4** The fire pump transfer switch may be either manual or automatic. If located on the line side of the controller as a separate unit, the switch must be rated for the pump motor locked rotor current indefinitely and must be located in the pump room.

**420.3.20.5** Combination fire pump controller and transfer switch units listed by the Underwriter's Laboratories, Inc., as prescribed by Chapter 27 of the Florida Building Code, Building are acceptable when the transfer switch has exposable and replaceable contacts, not circuit breaker types, rated for the available short-circuit current.

**420.3.20.6** The fire pump shall be installed in a readily accessible location. When it is located on the grade level floor, there shall be direct access from the exterior.

**420.3.21 Electrical requirements.**

**420.3.21.1** All material, including equipment, conductors, controls, and signaling devices, shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facility requirements as shown in the specifications and as indicated on the plans. All materials and equipment shall be listed as complying with applicable standards of Underwriter's Laboratories, Inc., or other nationally recognized testing facilities. Field labeling of equipment and materials will be permitted only when provided by a nationally recognized testing laboratory (NRTL) that has been certified by the Occupational Safety and Health Administration (OSHA) for that referenced standard.

**420.3.21.2** For purposes of this section, a resident room, a resident therapy area or an examination room shall be considered a "patient care area" as described in NFPA 99 Health Care Facilities, and Chapter 27, Electrical Systems, of this code.

**420.3.21.3** Panels located in spaces subject to storage shall have the clear working space per Chapter 27, Electrical Systems, of this code, permanently marked "ELECTRICAL—NOT FOR STORAGE" with a line outlining the required clear working space on the floor and wall.

**420.3.21.4** Panels and electrical equipment, other than branch circuit devices serving the corridor, shall not be located in egress corridors in new construction.

**420.3.21.5** There shall be documentation for equipotential grounding in all patient care areas, building service ground electrode systems, lightning protection ground terminals and special systems such as fire alarm, nurse call, paging, generator, emergency power and breaker coordination.

**420.3.22 Lighting.**

**420.3.22.1** All spaces occupied by people, machinery and equipment within buildings, approaches to buildings and parking lots shall have electric lighting.

**420.3.22.2** Resident bedrooms shall have general lighting from ceiling mounted fixtures, floor lamp fixtures or table mounted fixtures. Separate fixed night lighting shall be provided. The night-light shall have a switch at the entrance to each resident's room or separate sleeping aea. A reading light shall be provided for each resident. Resident reading lights and other fixed lights not switched at the door shall have switch controls convenient for use at the luminary. Wall-mounted switches for control of lighting in resident areas shall be of quiet operating type.

**420.3.22.3** All lighting in the resident use areas including corridors, shared spaces, treatment areas, sleeping areas, social areas and living areas shall meet the requirements of RP-28-07 Lighting and the Visual Environment for Senior Living as referenced in Chapter 35 of this code.

**420.3.22.4** All general resident room lighting and all corridor lighting used by residents shall be designed to minimize glare such as indirect lighting.

**420.3.23 Receptacles.**

**420.3.23.1** Provide one general purpose duplex receptacle on another wall to serve each resident and one additional duplex receptacle at the head of the bed if a motorized bed is provided.

**420.3.23.2** Duplex receptacles for general use shall be installed in all general purpose corridors, approximately 50 feet (15.24 m) apart and within 25 feet (7.52 m) of corridor ends.

**420.3.24 Fire alarm systems.**

**420.3.24.1** A fire alarm annunciator panel shall be provided at a single designated 24-hour monitored location. The panel shall indicate audibly and visually, the zone of actuation of the alarm and system trouble. As a minimum, devices located in each smoke compartment shall be interconnected as a separate fire alarm zone. Annunciator wiring shall be supervised. Annunciator shall clearly indicate the zone location of the alarm. Provide an adjacent zone location map to quickly locate alarm condition.

**420.3.25 Nurse call systems**. Wired or wireless type nurse call systems shall be permitted if they have been tested and approved by a national recognized testing laboratory (NRTL) to meet the requirements of UL 1069, 7th edition published October 12, 2007 as referenced in Chapter 35 of this code. All wireless systems shall be been tested and approved by a national recognized testing laboratory (NRTL) to meet the requirements of Section 49, Wireless Systems of UL 1069, 7th edition as referenced in Chapter 35 of this code. All nurse call systems whether wired or wireless shall be supervised in accordance with the requirements of UL 1069, 7th edition for wired and wireless nurse call systems and tested and approved by a nationally recognized testing laboratory (NRTL) to meet those requirements.

**420.3.25.1** A nurse call system shall be provided that will register a call from each resident bed to the related staff work area(s) by activating a visual signal at the resident room door or wireless pager and activating a visual and audible signal in the clean utility, soiled utility, nourishment station, medication prep or mobile nurse station receiver and the master station of the resident ~~unit~~. If a mobile nurse station receiver is utilized to receive the resident call, it will be worn by all staff who are assigned to the resident unit and shall identify the specific resident and or room from which the call was placed. Audible signals may be temporarily silenced, provided subsequent calls automatically reactive the audible signal. In rooms containing two or more calling stations, indicating lights shall be provided for each calling station. In multi-corridor nursing units, corridor zone lights shall be installed at corridor intersections in the vicinity of staff work areas.

**420.3.25.2** An emergency calling station of the pull cord type shall be provided and shall be conveniently located for resident use at each resident toilet, bath or shower room but not inside of the shower unless the nurse call device is listed for wet locations. The call signal shall be the highest priority and shall be cancelled only at the emergency calling station. The emergency calling station shall activate distinctive audible and visual signals immediately at the resident room door or wireless pager, and activate a visual and audible signal in the clean utility, soiled utility, nourishment station, medication prep or mobile nurse station receiver and the master station of the resident unit. If a mobile nurse station receiver is utilized to receive the resident call, it will be worn by all staff who are assigned to the resident unit and shall identify the specific resident and or room from which the call was placed.

**420.3.25.3** The nurse call master station shall be located inside the resident unit at a staff administrative area and shall not block any incoming resident calls. The master station control settings shall not prevent the activation of the incoming audible and visual signals. In wireless systems, all orphaned calls to mobile nurse station receivers will register at the nurse call master station.

**420.3.25.4** Activation of an emergency call shall not cancel a normal call from the same room.

**420.3.25.5** A corridor dome light shall be located directly outside of any resident care area that is equipped with a wired nurse call system.

**420.3.26 Essential electrical system.**

**420.3.26.1** A Type 1 essential electrical system shall be provided in all nursing homes as described in NFPA 99, Health Care Facilities. The emergency power for this system shall meet the requirements of a Level 1, Type 10, Class 48 generator as described in NFPA 110, Emergency Standby Power Systems.

**420.3.26.2** In new construction, the normal main service equipment shall be separated from the emergency distribution equipment by locating it in a separate room. Transfer switches shall be considered emergency distribution equipment for this purpose.

**420.3.26.3** The generator remote annunciator shall be located at a designated 24 hour staffed location.

**420.3.26.4** Switches for critical branch lighting shall be completely separate from normal switching. The devices or cover plates shall be of a distinctive color. Critical branch switches may be adjacent to normal switches. Switches for life safety lighting are not permitted except as required for dusk-to-dawn automatic control of exterior lighting fixtures.

**420.3.26.5** There shall be selected life safety lighting provided at a minimum of 1 footcandle (10 lux) and designed for automatic dusk-to-dawn operation along the travel paths from the exits to the public way or to safe areas located a minimum of 30 feet (9.14 m) from the building.

**420.3.26.6** A minimum of one elevator per bank serving any patient use floor shall be connected to the equipment branch of the essential electric system and arranged for manual or automatic operation during loss of normal power. Elevator cab lighting, controls, and communication and signal systems shall be connected to the life safety branch.

**420.3.26.7** If a day tank is provided, it shall be equipped with a dedicated low-level fuel alarm and a manual pump. The alarm shall be located at the generator derangement panel.

**420.3.26.8** Transfer switch contacts shall be of the open type and shall be accessible for inspection and replacement.

**420.3.26.9** If required by the facility's emergency food plan, there shall be power connected to the equipment branch of the essential electrical system for kitchen refrigerators, freezers and range hood exhaust fans. Selected lighting within the kitchen and dry storage areas shall be connected to the critical branch of the essential electrical system.

**420.3.27 Lightning protection.**

**420.3.27.1** A lightning protection system shall be provided for all new buildings and additions in accordance with NFPA 780, Installation of Lightning Protection Systems.

**420.3.27.2** Where additions are constructed to existing buildings, the existing building's lightning protection system, if connected to the new lightning protection system, shall be inspected and brought into compliance with current standards.

**420.3.27.3** There shall be surge protection for all normal and emergency electrical services.

**420.3.27.4** Additional surge protection shall be provided for all low-voltage and power connections to all electronic equipment in critical care areas and life safety systems and equipment such as fire alarm, nurse call and other critical systems. Protection shall be in accordance with appropriate IEEE Standards for the type of equipment protected.

**420.3.27.5** All low voltage system main or branch circuits entering or exiting the structure shall have surge suppressors installed for each pair of conductors and shall have visual indication for protector failure to the maximum extent feasible.

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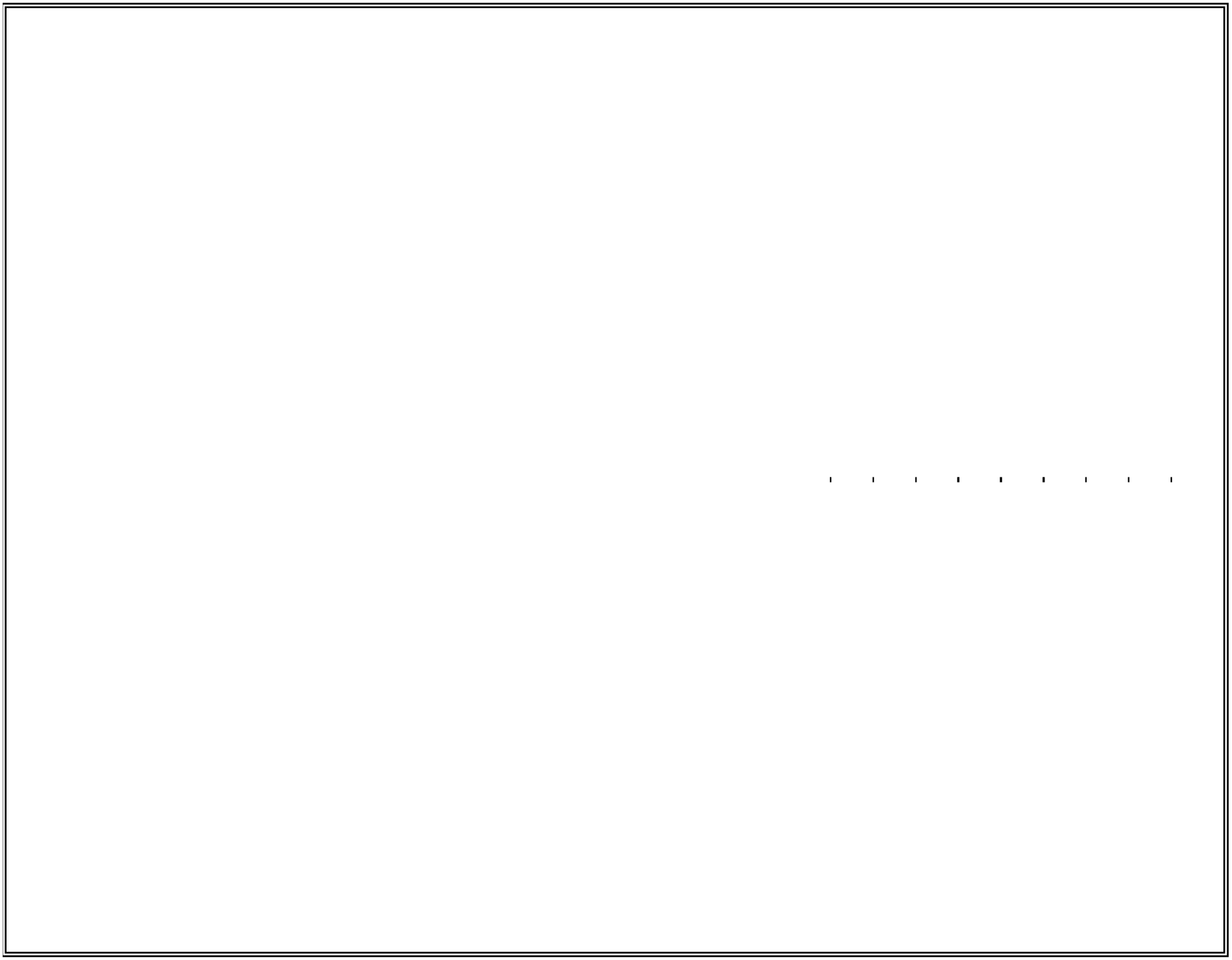

420.3.11.14 Toilet compartment partitions and urinal screens shall ~~not~~ be constructed of product<u>s</u> that do~~es~~ not rust, corrode or delaminate.

**420.3 Additional physical plant requirements for nursing homes.** In addition to the codes and standards referenced in Section 420.2 of the this code, the following minimum standards of construction and specified minimum essential facilities, shall apply to all new nursing homes and all additions, alterations or renovations to an existing licensed nursing home, as described in Section 420.1 of this code and listed in Section 420.3 of the this code:

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 420.3.16.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies this seciton.

**Rationale**

This is a clarification of the fan control requirement. It was never intended to require fan shut down from the activation of a manual pull station or a duct smoke detector. Because this is not made clear in this section, designers must correct their designs to omit the fan shut down from manual activation. Manual activation from false alarms can create a degradation of the indoor air for no emergency reason.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to improve patient safety.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by providing clarification to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying it.

420.3.16.1 During an automatic fire alarm activation, except for activation by a duct smoke detector, fan systems and fan equipment serving more than one room shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones.

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| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 420.3.20.4 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds clarifying language to the section.

**Rationale**

This adds clraifying language to help the user to understand the intent of this requirement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to imporve safety for the patient.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarification.

**420.3.20.4** Panels and electrical equipment, other than branch circuit devices serving the corridor, shall not be located ~~in~~ open to egress corridors ~~in new construction~~ but may be located inside of rooms or cabinets that open onto the egress corridor.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 420.4. |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Revises these sections to coordinate with the requirements of the code.

**Rationale**

Brings this section into coordinated compliance with the code. Clarifies this section of the code for users.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact on local entity for enforecement.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners relative to cost.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to increase safety of residents.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification of requirements.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materias, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarification and coordination.

**420.4.2.5 Exterior unit standards.**

**420.4.2.5.1** All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall ~~be designed to resist the wind load requirements of the code and the debris impact requirements in Sections 1626.2 through 1626.4.~~ be impact resistant or protected with an impact resistant covering meeting the requirements of the Testing Application Standards (TAS) 201, 202, and 203 of this code in accordance with the requirements of Sections 1626.2 thru 1626.4 of this code. The impact resistant coverings may be either permanently attached or may be removable if stored on site of the facility.

~~**420.4.2.5.2** Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements of this code and the debris impact requirements as specified in Sections 1626.2 through 1626.4.~~

~~**420.4.2.5.3** Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on site at the facility and that meet the wind load requirements of the code, and debris impact requirements of Sections 1626.2 through 1626.4 may be used to protect the exterior units.~~

~~**420.4.2.5.4** All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet wind load requirements of the code, and impact requirements of Sections 1626.2 through 1626.4. These designs shall be signed, sealed and dated by a Florida registered structural engineer~~.

~~**420.4.2.5.5** The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by Sections 1626.2 through 1626.4.~~

**420.4.2.5.6** ~~All of the exterior impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading.~~ The location or application of exterior impact protective systems shall not prevent required exit egress from the building.

**420.4.2.5.7** When not being utilized to protect the windows, the permanently attached impact resistant coverings ~~protective systems~~ shall not reduce the percentage of the clear window opening below that required by this code for the patient room.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 420.4.2.2 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Revises section for clarity.

**Rationale**

Revises section for clarity for existing building located in surge zones.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity to code enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There is no cost impact to building owners.

**Impact to industry relative to the cost of compliance with code**

There is no cost impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Protects the safety of residents by clarifying the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarifying this section.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against any materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying this section.

**Alternate Language**

**SP4294-A1**

**Proponent** James Gregory **Submitted** 5/31/2010 **Attachments** Yes

**Rationale**

This revision to modification 4294 is necessary to correct some outdated language, add correct references, and coordinate with section 1612 of this code. This should be coordinated with modification 3880.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity relative to enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to property owners relative to cost.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry realtive to cost of compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Immproves the health and safety of residents in nursing homes

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthens the code by better clarity and coordination.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against material products or etc.

**Does not degrade the effectiveness of the code**

Does not degrade the effectiveness of the code.

**420.4.2.2 Site standards.**

**420.4.2.2.1** All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation; or

**420.4.2.2.2** The floor elevations of all new additions to existing facilities of the occupied patient area(s) and all patient support area(s) and patient support utilities, including mechanical, electrical (except fuel storage as noted in Section 420.4.2.9.3 of this code) and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.

**420.4.2.2.3** ~~New~~ The floor elevations of all new additions or of floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 420.4.2.2.1 or 420.4.2.2.2 of this Code, or be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, applicable at the time of preliminary plan approval and ~~incorporated by reference and~~ available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024.

**420.4.2.2.4** Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route.

**420.4.2.2.5** New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the Florida Building Code, Building.

**420.4.2.2.6** New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria ~~of the~~ as described in the American Society of Civil Engineers (ASCE 7), 50-year recurrence interval of wind velocity with appropriate exposure category dependent on site location.

~~420.4.2.2.1 All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation; or~~

**420.4.2.2.1** Except as permitted by Section 1612 of this code, the lowest floor of all new facilities shall be elevated to the Base Flood Elevation as defined in Section 1612 of this code, plus 2 feet, or to the height of hurricane Category 3 (Saffir-Simpson scale) surge inundation elevation, as described by the Sea, Lake, and Overland Surge (SLOSH) from Hurricanes model developed by the Federal Emergency Management Agency (FEMA), United States Army Corps of Engineers (USACE), and the National Weather Service (NWS), whichever is higher.

~~**420.4.2.2.2** The floor elevations of all new additions to existing facilities of the occupied resident area(s) and all resident support area(s) and resident support utilities, including mechanical, electrical (except fuel storage as noted in Section 420.4.2.9.3 of this code) and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.~~

**420.4.2.2.2** For all existing facilities, the lowest floor elevations of all additions, and all resident support areas including food service, and all resident support utilities, including mechanical, and electrical (except fuel storage as noted in Section 420.4.2.9.3 of this code) for the additions shall be at or above the elevation of the existing building, if the existing building was designed and constructed to comply with either the site standards of section 420.4 of this code or local flood resistant requirements, in effect at the time of construction, unless otherwise permitted by Section 1612 of this code. If the existing building was constructed prior to the adoption of either the site standards of 420.4 of this code or local flood resistant requirements, then the addition and all resident support areas and utilities for the addition as described in this section shall either be designed and constructed to meet the requirements of Section 420.4.2.2.1 of this code or be designed and constructed to meet the dry flood proofing requirements of Section 1612 of this code.

~~**420.4.2.2.3** New The floor elevations of all new additions or of floors added to existing facilities, as determined by their site locations, shall meet either the requirements of Section 420.4.2.2.1 or 420.4.2.2.2 of this Code, or be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency management Agency, applicable at the time of preliminary plan approval and incorporated by reference and available from Federal Emergency management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024.~~

**420.4.2.2.3** Substantial improvement, as defined by Section 1612 of this code, to all existing facilities located within flood areas as defined in Section 1612 of this code or within a Category 3 surge inundation zone as described in Section 420.4.2.2.1 of this code, shall be designed and constructed in compliance with Section 1612 of this code.

**420.4.2.2.4** Where an off-site public access route is available to the new facility at or above the ~~100-year flood plain~~, base flood elevation, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 420.4.2.6.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

clarity and to bring it into conformity with the rest of the section.

**Rationale**

This modification requires all new units to meet the hurricane impact requirements of this seciton and allows the units to be self protected.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to the local entity relative to code enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners relative to cost of compliance with code because this is already in the code. This modification allows more flexibility to meet this section.

**Impact to industry relative to the cost of compliance with code**

There is not impact to the industry on cost because this requirement is already in the code. This modifiacation allows more flexibility to meet this section..

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the safety of the patients in nursing homes.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthens the code for all new HVAC units.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

It does not discriminate against materials, products, or methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code.

**420.4.2.6.1** All new ~~A~~ air-moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of, partially outside of, or on the roof of the ~~new facility or wing or floor addition to an existing~~ facility and providing service to the ~~new facility or wing or floor addition to an existing~~ facility shall be permitted only when either of the following are met:

**420.4.2.6.1.1** They are located inside a penthouse designed to meet the wind load requirements of the Florida Building Code, Building; or

**420.4.2.6.1.2** Their fastening systems are designed to meet the wind load requirements of the Florida Building Code, Building and they and all associated equipment are protected as required by TAS 201,202, and 203 ~~specified in Sections 1626.2 through 1626.4~~ in accordance with the requirements of Sections 1626.2 thru 1626.4 of this code from damage by horizontal impact by a separate and independent structure that allows access to all parts of the equipment at all times or

**420.4.2.6.1.3** They are completely protected by the equipment shrouding that meets the requirements of TAS 201,202,and 203 in accordance with the requirements of Sections 1626.2-1626.4 of this code.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 420.4.2.6.4 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds clarifying language to the section.

**Rationale**

This adds clraifying language to help the user to understand the intent of this requirement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to imporve safety for the patient.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by clarification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarification.

**420.4.2.6.4** Ventilation air change rates in occupied patient areas shall be maintained as specified in this section during and immediately following a disaster by connection to the essential electrical system.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 420.4.2.9.1.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds hurricane requirement for this section.

**Rationale**

This adds a requirement to connect some lighting necessary for the care and service to residents to the essential electrical system.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There may be some additional cost to the building owner to have lighting inside the facility during a power outage to supply care to the residents.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Adds a requirement for back up lighting for the health and safety of residents during a power outage in a nursing home.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by adding a safety requirement.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code for the health and safety of the residents.

420.4.2.9.1.5 Electric lighting required to provide care and service to the patient occupied areas and the necessary patient support areas shall be connected to the essential electrical system.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 421 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

3593

**Summary of Modification**

This modification makes general revisions to all of Section 421 to clarify, and update this section for new references.

**Rationale**

This modification is needed to update this secition to new references, new standards, and to clarify existing sections.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Does not impact the local entity relative to enforcement.

**Impact to building and property owners relative to cost of compliance with code**

Does not impact building or property owners because these are clarifications.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry relative to cost of compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies and updates the section to improve patietn safety.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by updating references and clarifying sections.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the codes effectiveness by provides updated references and clarifications.

**Alternate Language**

SP4375-A1

**Proponent** James Gregory **Submitted** 5/27/2010 **Attachments** Yes

**Rationale**

Puts back language deleted my mistake in the original revision.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No Impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies the code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

## SECTION 421 AMBULATORY SURGICAL CENTERS

### 421.1 Scope.

~~**421.1.1** Ambulatory surgical centers shall comply with all applicable requirements of the code and the following design and construction standards as described herein, and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80(1)(c), Florida Statutes.~~

~~**NOTE:** For project submission and fee requirements, codes and standards for existing facilities, and other administrative, licensure and programmatic provisions for ambulatory surgical centers, see Agency for Health Care Administration [AHCA] Rule 59A-5, Florida Administrative Code (F.A.C.) and Chapter 395, Florida Statutes.~~

**421.1.1** All newly licensed or newly constructed ambulatory surgical centers, all ambulatory surgical center outpatient facilities and ambulatory surgical center mobile and transportable units unless exempted by Chapter 395.0163, and all additions, alterations or renovations to an existing licensed ambulatory surgical center shall comply with all applicable requirements of this code and the minimum standards of design, construction and specified minimum essential utilities and facilities of this Section and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80 (1)(c), Florida Statutes to assure compliance with all applicable requirements of this code.

**421.1.2** A change of ownership of an existing licensed ambulatory surgical center shall not require compliance with this Section.

**421.1.3** The Florida Building Code, Existing Buildings, Section 101.2 Scope exempts state licensed ambulatory surgical centers from compliance with that code. Any repair, alteration, change of occupancy, addition and relocation of an existing state licensed ambulatory surgical center shall comply with the applicable requirements of this code and this Section.

**421.1.4** For project submission and fee requirements, and other administrative, licensure, and programmatic provisions for ambulatory surgical centers, see Agency for Health Care Administration [AHCA] Chapter 59A-5 Florida Administrative Code (F.A.C.) and Chapter 395, Florida Statutes.

**421.1.5** For state licensure purposes, these codes and standards shall be applicable to the project on the effective date of this code at the time of preliminary plan approval by the Agency for Health Care Administration (the Agency) or at the first construction document review if there has been no previous preliminary plan approval for that project.

~~-~~

**421.2 Additional ~~C~~codes and standards for the design and construction of ambulatory surgical centers , and unless exempted by Chapter 395.0163, Florida Statutes, all ambulatory surgical center outpatient facilities and hospital mobile and transportable units.** ~~**421.2.1** Except as modified and required~~ In addition to the minimum standards required by ~~this section of the~~ Section 421 of this code, Chapter 59A-5 Florida Administrative Code or by

Chapter 395, Florida Statutes, all new ambulatory surgical centers and all additions, alterations or renovations to existing ambulatory surgical centers shall also be in compliance with the following codes and standards on the effective date of ~~the~~ this code as described in Section 421.1.5 of this code:

**421.2.1.1** The fire codes described in Chapter 69A-3.012, Standards of the National Fire Protection Association Adopted, Florida Administrative Code

.

**421.2.1.2** The Guidelines for Design and Construction of Health Care Facilities (the Guidelines), ~~Part 1 General and Part 3 Ambulatory Care Facilities incorporated by reference and obtainable from the American Institute of Architects, 1735 New York Ave., N.W., Washington, D.C. 20006-5292;~~ as reference in Chapter 35 of this code.

~~**421.2.1.3** Fire, Smoke and Radiation Damper Installation Guide for HVAC Systems, Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA).~~

~~.~~

**421.3 Additional physical plant requirements for ambulatory surgical centers.**

**421.3.1** In addition to the codes and standards referenced in Section 421.2 of the code, the following minimum standards of construction and specified minimum essential facilities shall apply to all newambulatory surgical centers as described in Section 421.1 of this code ~~and to all new additions, alterations or renovations to existing ambulatory surgical center on the effective date of the code~~.

**421.3.2 Operating rooms.** (~~See~~ Referenc The Guidelines for other requirements.)

**421.3.2.1** All ambulatory surgical centers shall be equipped with a minimum of one operating room that is in compliance with the requirements of a "Class C" operating room as described in ~~Chapter 9.5.F of~~ The Guidelines. Only “Class C” operating rooms will be listed as operating rooms for purposes of licensure.

_

**421.3.2.2** If provided, all additional Class A or Class B operating rooms, procedure, examination, or treatment room(s~~) shall have a minimum clear area of 120 square feet (11.5 m$^2$) and~~ shall meet ~~only~~ the requirements ~~for an examination/treatment room as described in~~ for this rooms as described in The Guidelines.

**421.3.3 Recovery area.** ~~Reserved.~~ Reference The Guidelines for other requirements.) Only the Post-anesthesia recovery positions as described in The Guidelines will be listed as recovery positions for purposes of licensure.

**421.3.4 Details and finishes.** (~~See~~ Reference The Guidelines for other requirements.)

**421.3.4.1** No doors shall swing into the corridor except those to small closets or small mechanical or electrical rooms that cannot be usefully occupied with the doors in the closed position.

**421.3.4.2** All exit access corridor doors must be equipped with automatic positive latching hardware.

~~**421.3.4.3** Permanently installed single service paper towel dispensers and soap dispensers shall be provided at all lavatories and sinks used for handwashing.~~

**421.3.4.4** The use of sliding pocket doors to patient use toilets shall not be permitted.

**421.3.5 Elevators where required.** (~~See~~ Reference The Guidelines for other requirements.)

**421.3.5.1** All new ambulatory surgical centers located in multistory buildings where patient treatment areas are located on other than the exit floor shall have at least one 2,500 pound (933 kg) capacity elevator that shall be in compliance with the requirements of Section 421.3.13.5 of this code and the requirements of Chapter 30 of the code.

**421.3.5.2** This required elevator shall be sized to accommodate an ambulance stretcher 76 inches (1931 mm) long and 24 inches (610 mm) wide in the horizontal position. This elevator shall be identified with a sign indicating it as the ambulance stretcher elevator.

**421.3.6 Air-conditioning, heating and ventilating systems.**

**421.3.6.1** Air-handling equipment shall be located either on the roof of the building it serves or in mechanical equipment rooms unless it serves only one room and is located in that room. In buildings with multiple uses, tenants or occupancies, the licensed health care areas required by this code to maintain filter efficiencies and relative air pressure relationships shall be served by separate ducted mechanical air supply, return and exhaust systems.

~~**421.3.6.2** Ventilation shall be provided in all rooms in new and remodeled facilities by mechanical means. Rooms requiring positive or negative relative pressures, shall maintain the air quantities as required between the supply, return or exhaust at a minimum of 75 cfm (2.13 $m^3$/min) for room areas 100 square feet (9 $m^2$) or larger and 50 cfm (1.42 cu.m./min.) for rooms less than 100 square feet (9.29 $m^2$).~~

**421.3.6.~~3~~ 2** Variable volume systems shall not be permitted in surgical procedures rooms and recovery rooms.

**421.3.6.4 3** Friable duct linings exposed to air movement shall not be used in ducts, terminal boxes or other systems supplying operating rooms and recovery rooms, unless terminal filters of at least 90-percent efficiency are installed downstream of linings. Flexible duct work shall have a continuous metal inner liner encased by insulating material with an outer vapor jacket conforming to UL 181 unless the flexible duct meets the following criteria:

**421.3.6.3.1** The duct conforms to UL Class 1 Air Duct, Standard 181 with minimum rated air velocity of 4,000 feet per minute, and is pressure rated for a minimum of 4-inches water gage positive pressure and 1-inch water gage negative pressure.

**421.3.6.3.1** The inner core of the duct is constructed of Chlorinated Polyethylene (CPE) material encircling a steel helix bonded to the CPE.

**421.3.6.3.1** The duct has a fire-retardant metalized vapor barrier that is reinforced with crosshatched fiberglass scrim having a permanence of not greater than 0.05 perms when tested in accordance with ASTM E 96 Procedure A.

**421.3.6.3.1** The duct has passed an impact test similar to the UL 181 standard, conducted by a nationally recognized testing laboratory (NRTL) except it shall use a 25-pound weight dropped from a height of 10 feet. As a result of the test, the inner and outer surfaces of the sample shall not have ruptured, broken, torn, ripped, collapsed or separated

in order for the duct to pass the test. In addition, the helix shall rebound to a cross-sectional elliptical area not less than 80 percent of the original test sample diameter.
The use of flexible duct shall be limited to flexible air connector applications.

**421.3.7 Fan and damper control during fire alarm.**

**421.3.7.1** During a fire alarm, fan systems and fan equipment shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones or to adjacent areas within the smoke zone if there is only one zone in the facility.

**421.3.7.2** Fan control shall be designed so as to minimize the interruption of heating, ventilating and air conditioning in compartments remote from the compartment in alarm.

**421.3.7.3** Fan control shall not interfere with the continuous operation of exhaust systems conveying ethylene oxide or other hazardous chemicals and fumes or systems required to operate continuously for the health and safety of occupants. Air-handling systems shall be designed to allow for continuous operation of all such systems and to minimize movement of smoke by mechanical means from the zone in alarm.

**421.3.8 Plumbing fixtures.** ( Reference The Guidelines for other requirements.)

**421.3.8.1** Plumbing shall comply with the Florida Building Code, Plumbing.

~~**421.3.8.2** All examination or treatment rooms shall be equipped with hand washing facilities.~~

~~**421.3.8.3** Wall-mounted lavatories and hand washing facilities shall be attached to floor-mounted carriers and shall withstand an applied vertical load of a minimum of 250 pounds (113 kg) on the front of the fixture.~~

**421.3.9 Fire pump.**

**421.3.9.1** Where required in new construction, fire pumps and ancillary equipment shall be separated from other functions by construction having a 2-hour fire-resistance rating.

**421.3.9.2** The fire pump normal service disconnect shall be rated to hold locked rotor current indefinitely. If the approved normal service disconnect is located on the exterior, it shall be supervised by connection to the fire pump remote annunciator and shall provide a separate fire alarm system trouble indication.

**421.3.9.3** When the fire pump is placed on the emergency system in addition to the normal supply, the emergency feeder protective device shall be sized in accordance with maximum rating or settings of Chapter 27 of the Florida Building Code, Building.

**421.3.9.4** The fire pump transfer switch may be either manual or automatic. If located on the line side of the controller as a separate unit, the switch must be rated for the pump motor locked rotor current indefinitely and must be located in the pump room.

**421.3.9.5** Combination fire pump controller and transfer switch units listed by the Underwriter's Laboratories, Inc., as prescribed by Chapter 27 of the Florida Building Code, Building are acceptable when the transfer switch has exposable and replaceable contacts, not circuit breaker types, rated for the available short-circuit current.

**421.3.9.6** The fire pump shall be installed in a readily accessible location When it is located on the grade level floor, there shall be direct access from the exterior.

**421.3.10 Electrical requirements.** (~~See~~ Reference The Guidelines for other requirements.)

**421.3.10.1** All material, including equipment, conductors, controls, and signaling devices, shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities shown in the specifications or indicated on the plans.

**421.3.10.2** All materials and equipment shall be factory listed as complying with applicable standards of Underwriter's Laboratories, Inc., or other similarly established standards of a nationally recognized testing laboratory (NRTL) that has been certified by the Occupational Safety and Health Administration (OSHA) for that referenced standard.

**421.3.10.3** Field labeling of equipment and materials shall be permitted only when provided by a nationally recognized testing laboratory that has been certified by the Occupational Safety and Health Administration (OSHA) for that referenced standard.

**421.3.10.2 4** There shall be documentation for equipotential grounding in all patient care areas, building service ground electrode systems, and special systems such as fire alarm, nurse call, paging, generator, emergency power and breaker coordination.

**421.3.10.3 5** All spaces occupied by people, machinery and equipment within buildings, and the approaches thereto, and parking lots, shall have electric lighting.

**421.3.10.46** Patients' recovery rooms shall have general lighting. Fixed lights not switched at the door shall have switch controls convenient for use at the luminaries. All switches for control of lighting in recovery areas shall be of the quiet operating type.

**421.3.10.5 7** Operating rooms shall have general lighting for the room in addition to localized specialized lighting provided by a special lighting unit required at the surgical table. The type of special lighting unit shall be as specified by the functional program of the facility. Each special lighting unit for localized lighting at the surgical table shall be permanently installed and permanently connected to an independent circuit that shall be powered from the critical branch. In addition, a minimum of one general purpose lighting fixture shall be powered from a normal circuit in all operating rooms.

**421.3.10.6 8** Duplex receptacles in operating rooms and post-operative recovery rooms, shall be provided as follows:

~~**421.3.10.6.1** There shall be a minimum of six duplex electrical receptacles for each patient station.~~

**421.3.10.6.8.2** A minimum of four duplex receptacles ~~Four~~ shall be connected to the critical branch of the essential electrical system, and two of the ~~required number~~ four shall be connected to dedicated circuits.

**421.3.10.6 8.3** ~~Two shall be connected to a normal power circuit except in~~ In anesthetizing locations ~~where~~ an additional two duplex receptacles shall be connected to ~~critical power circuits~~ the critical branch of the essential electrical system.

**421.3.10.6 8.4** There shall be no more than two duplex receptacles per circuit for all receptacles for the areas as listed.

**421.3.10.7 9**All receptacles shall have engraved cover plates to indicate the panel board and circuit numbers powering the device.

**421.3.10.8 10** Branch circuit over-current devices shall be readily accessible to nursing staff and other authorized personnel.

**421.3.10.911** Nonmetallic sheathed cable or similar systems are not permitted for power and lighting wiring in any facility.

**421.3.10.10 12** Panel boards located in spaces subject to storage shall have the clear working space per Chapter 27 of the Florida Building Code, Building. "ELECTRICAL ACCESS-NOT FOR STORAGE" shall be permanently marked on the floor and wall about the panel. Panel boards shall not be located in egress corridors.

**421.3.10.13**The electrical system shall have coordinated short circuit protection.

**421.3.10.14**Provide color coding for the junction boxes for the branches of the essential electrical system.

**421.3.10.~~11~~ 15** Duplex receptacles for general use shall be installed approximately 50 feet (15 240 mm) apart in all general purpose corridors and within 25 feet (7620 mm) of ends of corridors.

**421.3.11 Nurses' calling system.**

**421.3.11.1** Wired or wireless type nurse call systems shall be permitted if they have been tested and approved by a national recognized testing laboratory (NRTL) to meet the requirements of UL 1069, 7th edition published October 12, 2007 as referenced in Chapter 35 of this code. All wireless systems shall be tested and approved by a national recognized testing laboratory (NRTL) to meet the requirements of Section 49, Wireless Systems of UL 1069, 7th edition as referenced in Chapter 35 of this code. All nurse call systems whether wired or wireless shall be supervised in accordance with the requirements of UL 1069, 7th edition for wired and wireless nurse call systems and tested and approved by a nationally recognized testing laboratory (NRTL) to meet those requirements.

**421.3.11.~~1~~ 2** In facilities which contain more than eight recovery beds, or where recovery beds are not in direct view from the nurse's station, a nurses' calling system shall be provided. Each recovery bed shall be provided with a call button. Two call buttons serving adjacent beds may be served by one calling station. Call shall activate a visual and audible signal at the nurses' station and in the clean workroom and soiled workroom. Call shall also activate a corridor dome light located at each patient recovery position.

**421.3.11.~~2~~ 3** A nurses' call emergency system shall be provided at each patient toilet and dressing room. Activation shall be by a pull cord conveniently located for patient use. This system will activate distinct audible and visual signals in the recovery room nurses' station and in the surgical suite nurses' station. The emergency call system shall be designed so that signal light activation will remain lighted until turned off at patient's calling station.

**421.3.11.~~3~~ 4** A corridor dome light shall be located directly outside of any patient use area that is equipped with a nurse call system.

**421.3.12 Fire alarm systems.**

**421.3.12.1** A fire alarm annunciator panel shall be provided per facility or building at a location that is constantly attended during the facility's hours of operation and shall annunciate a fire alarm from any manual or automatic fire alarm device. The panel shall indicate the zone of actuation of the alarm, and there shall be a trouble signal indicator. Each smoke compartment shall be annunciated as a separate fire alarm zone. A fire alarm system zone shall not include rooms or spaces in other smoke compartments and shall be limited to a maximum area of 22,500 square feet (2090 $m^2$).

**421.3.13 ~~Emergency~~ Essential electric system.**

**421.3.13.1** A Type 1 essential electrical system shall be provided in ambulatory surgical centers as described in NFPA 99, Health Care Facilities. The emergency power for this system shall meet the requirements of a Level 1, Type 10, Class 8 generator as described in NFPA 110, Emergency Standby Power Systems.

**421.3.13.2** In new construction, the normal main service equipment shall be separated from the emergency distribution equipment by locating it in a separate room. Transfer switches shall be considered emergency distribution equipment for this purpose.

**421.3.13.3** The generator remote annunciator shall be located in a location that is staffed during the hours of operation of the ambulatory surgical center.

**421.3.13.3** ~~3~~ **4** Switches for critical branch lighting shall be totally separate from normal switching. The devices or cover plates shall be of a distinctive color. Critical branch switches may be adjacent to normal switches. Switches for life safety lighting are not permitted except as required for dusk-to-dawn automatic control of exterior lighting fixtures.

**421.3.13.4** **5** There shall be selected life safety lighting provided at a minimum of 1 footcandle (10 lux) and designed for automatic dusk-to-dawn operation along the travel paths from the exits to the public way or to safe areas located a minimum of 30 feet (9.144 m) from the building.

**421.3.13.5** ~~5~~ **6** A minimum of one elevator serving any patient treatment floor shall be in compliance with Section 421.3.5 of this code and shall be connected to the equipment branch of the essential electric system and arranged for manual or automatic operation during loss of normal power.

**421.3.13.6** ~~6~~ **7** If a day tank is provided, it shall be equipped with a dedicated low level fuel alarm and a manual pump. The alarm shall be located at the generator derangement panel.

**421.3.13.7** ~~7~~ **8** Transfer switch contacts shall be of the open type and shall be accessible for inspection and replacement.

**421.3.1** In addition to the codes and standards referenced in Section 421.2 of the code, the following minimum standards of construction and specified minimum essential facilities shall apply to all new ambulatory surgical centers and to all new additions, alterations or renovations to existing ambulatory surgical center on the effective date of the code as described in Section 421.1 of this code~~and to all new additions, alterations or renovations to existing ambulatory surgical center on the effective date of the code~~

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 421.3.10.10 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies this seciton.

**Rationale**

Clarifies this section.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to improve patient safety.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by providing clarification to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying it.

**421.3.10.10** Panel boards located in spaces subject to storage shall have the clear working space per Chapter 27 of the Florida Building Code, Building. "ELECTRICAL ACCESS-NOT FOR STORAGE" shall be permanently marked on the floor and wall about the panel. Panel boards shall not be located ~~in~~ open to egress corridors but may be located inside of rooms or cabinets that open onto the egress corridor.

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| **Date Proposal Submitted** | 4/2/2010 | **Section** | 421.3.12 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies this seciton.

**Rationale**

Clarifies this section.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to improve patient safety.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by providing clarification to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying it.

**421.3.12 Fire alarm systems.**

**421.3.12.1** A fire alarm annunciator panel shall be provided per facility or building within the ASC at a location that is constantly attended during the facility's hours of operation and shall annunciate any fire alarm in the building from any manual or automatic fire alarm device. The panel shall indicate the zone of actuation of the alarm, and there shall be a trouble signal indicator.

**421.3.12.2** A shared building fire alarm system shall be permitted.

**421.3.12.3**Each smoke compartment shall be annunciated as a separate fire alarm zone. A fire alarm system zone shall not include rooms or spaces in other smoke compartments and shall be limited to a maximum area of 22,500 square feet (2090 $m^2$).

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| **Date Proposal Submitted** | 4/2/2010 | **Section** | 421.3.6.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifes location of HVAC equipment.

**Rationale**

Clarifies where HVAC equipment may be located.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building and property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code for the user makes the patient safer.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by adding clarification.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code for the health and safety of the residents.

**421.3.6.1** Air-handling equipment shall be located either on the roof of the building it serves or in mechanical equipment rooms unless it serves only one room and is located in that room. In buildings with multiple uses, tenants or occupancies, the licensed health care areas required by this code to maintain filter efficiencies and relative air pressure relationships shall be served by separate ducted mechanical air supply, return and exhaust systems.This equipment may be located in other areas of the building or in the same room as the building air-handling equipment if access during normal business hours is available.

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| **Date Proposal Submitted** | 4/2/2010 | **Section** | 421.3.7.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies this seciton.

**Rationale**

This is a clarification of the fan control requirement. It was never intended to require fan shut down from the activation of a manual pull station or a duct smoke detector. Because this is not made clear in this section, designers must correct their designs to omit the fan shut down from manual activation. Manual activation from false alarms can create a degradation of the indoor air for no emergency reason.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies the code to improve patient safety.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by providing clarification to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by clarifying it.

421.3.7.1 During an automatic fire alarm activation, except for activation by a duct smoke detector, fan systems and fan equipment serving more than one room shall be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones or to adjacent areas within the smoke zone if there is only one zone in the facility.

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| **Date Proposal Submitted** | 3/18/2010 | **Section** | 423.10 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jon Hamrick | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Requires water irrigation systems on public school district properties and Florida college properties to be equipped with soil moisture sensors. This is a requirement of Section 373.62, Florida Statutes. Renumbers building code sections that follow new language.

**Rationale**

Required by 2009 Legislative Session, Senate Bill 494.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None

**Impact to building and property owners relative to cost of compliance with code**

Additional cost for the installation of soil moisture sensors and control systems. Cost savings for shutting down automatic irrigation systems when soils contain sufficient moisture should more than offset the additional cost for providing the sensors.

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Required by Section 373.62, Florida Statutes.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Required by Section 373.62, Florida Statutes.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This change does not discriminate against materials, products, methods, or system of construction.

**Does not degrade the effectiveness of the code**

This change aligns the building code requirements with current Florida Statute requirements.

423.10.7 Landscaping. Refer to Section 1013.64(5), Florida Statutes, for school board and community college requirements. Xeriscape is defined in Section 373.185, Florida Statutes.

423.10.8 Water irrigation systems shall be equipped with soil moisture sensors that will override the irrigation systems cycle when soil contains sufficient moisture.

423.10.~~9~~8 Transmission line right-of-way. Buildings, play areas, and common use areas shall not be located within a high-voltage power transmission line right-of-way.

423.10.10~~9~~ School site master plan. New schools planned after the effective date of these standards shall include, as applicable: facility design capacity; floodplain locations; covered accessible walks; infrastructure locations for, and extensions of, technology, telephone, electricity, fire alarm; and, where applicable, water and sewer utilities, and relocatables.

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| **Date Proposal Submitted** | 4/2/2010 | **Section** | 423.10.2.8 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Anthony Apfelbeck | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

None.

**Summary of Modification**

Deletes 423.10.2.8.

**Rationale**

Parking ratios are not an issue regulated by the building code, nor should they be regulated by the building code other than for the purposes of accessibilty. The accessibility parking provisions are covered in Chapter 11. This is solely a use issue that should be regulated by SREF.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Parking ratios are not an issue regulated by the building code scope, nor should they be enforced by 468 individuals at the local level. This is strictly a design and planning issue that should be regulated by SREF or local owner decisions.

**Impact to building and property owners relative to cost of compliance with code**

Deletion of this provision will have no impact on the cost of compliance. This is a scioe and enforcment issue.

**Impact to industry relative to the cost of compliance with code**

Deletion of this provision will have no impact on the cost of compliance. This is a scope and enforcment issue.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The exisiting propvisions proposed for deletion have no imact on the scope of the building code or a building code safety, health or welfare provisions.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

The existing provisions proposed for deletion are Florida specific provision that do not add any value or are within the scope of a building code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This proposal does not discriminate against any materials, products or methods.

**Does not degrade the effectiveness of the code**

This proposal does not degrade the effectiveness of the building code in any manner.

**General Comment**

SP4394-G1

**Proponent** Tom Hogarth **Submitted** 5/14/2010 **Attachments** No

**Comment**

Recommend to oppose the modification:

Educational parking requirements in 423 provides useful information to designers and building departments in one central location. The Special Occupancy Chapter 4 is an appropriate location to provide statewide regulatory requirements beyond the traditional building code boundaries.
For comparison, Chapter 11 provides statewide parking regulations regarding accessibilty that also help building departments and designers.

**General Comment**

SP4394-G2

**Proponent** Victor Chodora **Submitted** 5/14/2010 **Attachments** No

**Comment**

While normally I agree that, many items in 423 are redundant of other code sections, and should be removed. This one needs to stay. It provides information to the Architect, Engineer, and Building Official that is provided by a zoning authority. However, since a local zoning authority does not govern public schools, this is the best place to provide parking requirements. Chapter 11 also has parking requirements requirements, so this is not an isolated section in the building code dealing with parking.

~~423.10.2.8 Minimum parking requirements.~~

- ~~**423.10.2.8.1 Faculty and staff.** One space for each member.~~
- ~~**423.10.2.8.2 Visitors.** One space for every 100 students.~~
- ~~**423.10.2.8.3 Community clinics where provided**. Ten spaces, including one accessible space.~~
- ~~**423.10.2.8.4 High schools.** One space for every 10 students in grades 11 and 12.~~
- ~~**423.10.2.8.5 Vocational schools.** One space for every two students.~~
- ~~**423.10.2.8.6 Community colleges.** One space for every two students.~~
- ~~**423.10.2.8.7 Accessible parking.** Parking spaces designated for persons with disabilities shall comply with the ADA, Chapter 11 of the Florida Building Code, Building, and Section 316.1955, Florida Statutes.~~

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 423.10.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Anthony Apfelbeck | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

None.

**Summary of Modification**

Deletes section 423.10.5.

**Rationale**

The language in 423.10.5 is not within the scope of a buliding code. The language is also unenforceable with such terms as "resulting in" "safe" "sound" and "verminproof." The last section adds no value in that the code already requires this provision of design.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

The current langauge needs to removed from the building code as it is not a building code issue that should be enforced by a local jurisdiction 468 individual.

**Impact to building and property owners relative to cost of compliance with code**

None. The language could be contained or relocated to SREF which is a more appropriate location for these provisions.

**Impact to industry relative to the cost of compliance with code**

None. The language could be contained or relocated to SREF which is a more appropriate location for these provision.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

These provisions are not germane to the building code or with the scope of building code. The provisions should be contained in a design standard such as SREF or in the design specifications.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

These provisions are not germane to the building code or with the scope of building code. The provisions should be contained in a design standard such as SREF or in the design specifiications.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code change does not discriminate in anyway against materials, methods or systems.

**Does not degrade the effectiveness of the code**

This code change does not degrade the effectiveness of the code as these provisions are not germane to the building code or within the scope of a building code. These provisions should be contained in SREF or the project design documents.

**General Comment**

SP4401-G1

**Proponent** Tom Hogarth **Submitted** 5/14/2010 **Attachments** No

**Comment**

Recommend to oppose this modification in part:

This modification would remove useful code references and design standards for public school playgrounds.

However, I agree the following section of 423.10.5.2 "resulting in facilities which are safe, structurally sound, verminproof, and do not have jagged or sharp projections" should be deleted as being unenforceable.

**General Comment**

SP4401-G2

**Proponent** Victor Chodora **Submitted** 5/14/2010 **Attachments** No

**Comment**

Oppose to this code change. The main purpose of 423 is to provide state requirements for public schools, which are additional requirements of the rest of the building code. These are special conditions and requirements for public schools only in the State of Florida. Some are from DOE's rules (SREF) and others from state law (FS 1013). They are placed in 423 as part of the one State code concept.

**General Comment**

SP4401-G3

**Proponent** Victor Chodora **Submitted** 5/14/2010 **Attachments** No

**Comment**

Oppose this code change. The main purpose of 423 is to provide state requirements for public schools, which are additional requirements of the rest of the building code. These are special conditions and requirements for public schools only in the State of Florida. Some are from DOE's rules (SREF) and others from state law (FS 1013). They are placed in 423 as part of the one State code concept.

**423.10.5 School board playgrounds, equipment, and athletic fields.** Playgrounds, equipment, and athletic fields shall be accessible, compatible with the educational facility served and shall comply with the following:

**423.10.5.1** Kindergarten play areas shall be separated from other play areas, fenced, and shall be directly accessed from the kindergarten classrooms.

**423.10.5.2** Playgrounds and equipment shall be designed and installed using the Handbook for Public Playground Safety by the U.S. Consumer Product Safety Commission, and the ASTM/CPSC Playground Audit Guide as applicable, resulting in facilities which are safe, structurally sound, verminproof, and do not have jagged or sharp projections.

**423.10.5.3** Direct access from the school buildings shall be provided to play areas and athletic fields without crossing public roads, on-site traffic lanes, and parking lots.

**423.10.5.4** Related facilities such as toilets, concessions, storage, shower and locker rooms, bleachers, press boxes, observation platforms, scoreboards, and dugouts shall be designed to meet code requirements and the occupant capacity anticipated for the program.

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|---|---|---|---|
| **Date Proposal Submitted** | 3/18/2010 | **Section** | 423.18 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jon Hamrick | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Deletes duplicate occupancy capacity requirements found in Chapter 10, Florida Building Code, Building, from Section 423.18.1 of the same volume. Renumbers section.

**Rationale**

Removes duplicate requirements found in Chapter 10 of the code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Removes duplicate requirements found in Chapter 10 of the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthens and improves the code by deleting duplicate requirements found in the code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This change does not discriminate against materials, products, methods, or system of construction.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by deleting duplicate requirements.

**423.18 Assembly occupancies in public educational facilities.**

**423.18.1** Occupant capacity ~~of an assembly occupancy shall be calculated as follows~~ for egress shall be in accordance with Table 1004.1.1 except as follows::

**423.18.1.1** ~~Auditorium. The number of fixed~~ seats~~, including accessible seating, in the main seating area plus the stage at 15 net square feet (1.4 m$^2$) per person, plus dressing~~ **Dressing Rooms.** Dressing rooms at 20 net square feet (2 m$^2$) per person.

**423.18.1.2 Gymnasium/~~gymnatorium with stage.~~** The number of fixed and telescopic bench-type bleacher seats ~~at 18 linear inches (457 mm) per person, including accessible seating,~~ plus the main court area at 15 gross square feet (1.4 m$^2$) per person, plus locker rooms at 5 net square feet (.5 m$^2$) per person~~, plus stage at 15 net square feet (1.4 m$^2$) per person, plus dressing rooms at 20 net square feet (2 m$^2$) per person. Bleachers shall be accessible as required~~.

~~**423.18.1.3 Dining rooms/cafetorium with stage/multipurpose room.** The main floor area at 15 gross square feet (1.4 m$^2$) per person, plus the stage at 15 net square feet (1.4 m$^2$) per person, plus dressing rooms at 20 net square feet (2 m$^2$) per person, plus the kitchen at 100 gross square feet (9 m$^2$) per person.~~

**423.18.1.~~3~~4 Classrooms and labs**. ~~Exiting capacity for classrooms shall be calculated at 20 net square (2 m$^2$) feet per occupant. Exiting capacity for laboratories shall be calculated at 50 net square feet (5 m$^2$) per occupant.~~ If spaces are combined through the use of folding partitions, the capacity and exiting shall be based on the capacity of all the spaces joined.

~~**423.18.1.5 Stadiums.** The number of fixed bench-type bleacher seats at 18 linear inches (457 mm) per person, plus accessible seating.~~

**423.18.1.~~4~~6 Small Group Areas in Media Centers ~~centers~~.** ~~The reading room and stacks floor area at 36 net square feet (3.3 m$^2$) per person, plus s~~Small group room or area (view and preview) in Media Centers at 5 net square feet (.5 m$^2$) per person.

**423.18.1.~~5~~7 Closed circuit television production, distribution, and control.** The main floor area at 15 net square feet (1.4 m$^2$) per person.

**423.18.1.~~6~~8 Interior courtyards.** The interior courtyard area at 15 gross square feet (1.4 m$^2$) per person. Raised, dedicated landscape areas may be deducted.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 423.25 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jon Hamrick | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Correct impact and cyclic loading and missle criteria reference.

**Rationale**

Update outdated reference to current standards

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Update code to current applicable standards.

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Updates code reference to current standards.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Updates code reference to current standards.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by referencing current standards.

423.25.4 Structural standard for wind loads. At a minimum, EHPAs shall be designed for wind loads in accordance with ASCE 7, Minimum Design Loads for Buildings and Other Structures, Category III (Essential Buildings) . Openings shall withstand the impact of wind-borne debris missiles in accordance with the impact and cyclic loading criteria per ASTM E-1886 and ASTM E-1996 ~~SBC/SSTD 12~~. Based on a research document, Emergency Shelter Design Criteria for Educational Facilities, by the University of Florida for the DOE, it is highly recommended by the department that the shelter be designed using the map wind speed plus 40 mph, with an importance factor of 1.0.

423.25.4.1 Missile impact criteria. The building enclosure, including walls, roofs, glazed openings, louvers and doors, shall not be perforated or penetrated by a flying object. For walls and roofs, the missile criteria is as provided in ASTM E-1886 and ASTM E-1996 ~~SBC/SSTD 12~~.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 423.26.8 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Anthony Apfelbeck | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

None.

**Summary of Modification**

Requires buildings with time-out rooms to be protected by a fire sprinkler system.

**Rationale**

A time-out creates a situation where the child is incapable of self-preservation. Every other occupancy in the code, where a occupant is restrained and incapable of self-preservation, requires fire sprinkler protection in order to protect the occupant.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None.

**Impact to building and property owners relative to cost of compliance with code**

Approximately $2.00 to $4.00 per square foot for a fire sprinkler system if it is not otherwise required. However, the sprinkler requirements for educational occupancies have become much more stringent over the years so many educational occupancies are already sprinklered.

**Impact to industry relative to the cost of compliance with code**

Minimual other than design and time cost which are charged back to the owner.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Section 423 occupancies are the only one that does not require fire sprinkler protection of occupants that are incapable of self-preservation. It will be impossible to defend to the public the lack of fire sprinkler protection in locking a child in a room if an injury or death occurs.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Occupants that are incapable of self-preservation must be protected by a defend in place strategy. The only effective defend in place solution is fire sprinkler protection.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code change does not discriminate against materials.

**Does not degrade the effectiveness of the code**

This change in no way degrades the effectiveness of the code.

**General Comment**

SP4373-G1

**Proponent** Tom Hogarth **Submitted** 5/14/2010 **Attachments** No

**Comment**

Recommend support of this modification

**423.26.8 Fire sprinkler system required.** Time-out rooms shall only be provided in buildings protected by a fire sprinkler system.

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|---|---|---|---|
| **Date Proposal Submitted** | 3/18/2010 | **Section** | 423.3 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jon Hamrick | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Raises the threshold for performing day-labor projects and for when a licensed contractor is required to bid on capital improvement projects from $200,000 to $300,000. This change reflects current Florida Statute requirements.

**Rationale**

Threshold limits for day-labor projects and for competitively bidding construction contracts were raised during the 2009 legislative session, see Section 255.20 and 1013.45, Florida Statutes

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Required by Sections 255.20 and 1014.45, Florida Statutes.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Required by Sections 255.20 and 1014.45, Florida Statutes.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This change aligns the building code requirements with current Florida Statute requirements.

**Does not degrade the effectiveness of the code**

This change aligns the building code requirements with current Florida Statute requirements.

**423.3.5 Day labor projects.** Any one construction project estimated to cost $~~200~~300,000 or less where bonafide board employees or contracted labor provide the work. Day labor projects are subject to the same Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal as new construction.

**423.3.6 Routine maintenance.** Maintenance projects are subject to the same Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal as new construction. Chapter 489, Florida Statutes, exempts boards from the use of a licensed general contractor for projects up to $~~200~~300,000 where bonafide board employees provide the work. Maintenance projects estimated to cost more than $~~200~~300,000 and which include construction, renovation and/or remodeling, shall be reviewed for compliance with the code.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 423.4.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Anthony Apfelbeck | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

None.

**Summary of Modification**

Deletes the provisions of 423.4.5

**Rationale**

This provision is not a building code issue and should not reside in the Florida Building Code nor be enforced by a FS 468 licensed individual. The appropriate location is in the SREF document.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

The enforcement of section 423.4.5 is not a building code compliance issue nor should it be enforced by a local entity or a 468 inspector.

**Impact to building and property owners relative to cost of compliance with code**

No change. If DOE wishes to continue to enforce this, it can be contained in the SREF document or contract documents.

**Impact to industry relative to the cost of compliance with code**

No change. If DOE wishes to continue to enforce this, it can be contained in the SREF document or contract documents.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Second 423.4.5 is Florida specific and is not contained in the core IBC document nor is there justification for the language in a building code. If DOE wishes to continue to enforce this, it can be contained in the SREF document or contract documents.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Second 423.4.5 is Florida specific and is not contained in the core IBC document nor is there justification for the language in a building code. If DOE wishes to continue to enforce this, it can be contained in the SREF document or contract documents.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This proposal does not discriminate in any manner.

**Does not degrade the effectiveness of the code**

This proposal does not degrade the effectiveness of the code scope of the building code. The 423.4.5 is not a building code provision.

~~**423.4.5 Handbook for public playground safety.** Playgrounds and equipment shall be designed and installed using the Handbook for Public Playground Safety by the U. S. Consumer Product Safety Commission, and the ASTM/CPSC Playground Audit Guide as applicable.~~

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|---|---|---|---|
| **Date Proposal Submitted** | 3/23/2010 | **Section** | 423.8.4 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jon Hamrick | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

3507

**Summary of Modification**

Add exemption for installing a fire sprinkler system in an existing educational occupany. This exemption is proposed by Modification 3507 to be removed from Section 903.2.3

**Rationale**

This modification is in response to Modification 3507. If Modification 3507 is approved the exception allowed by the code will no longer apply to public educational buildings. According to the rational for Modification 3507, the language is covered in the Exisitng Building Code. Public education facilities are exempt from the Existing Building Code, therefore this exemption would not be able to be applied to public educational buildings if Modification 3507 is approved.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None

**Impact to building and property owners relative to cost of compliance with code**

Keeps an already established exemption available for public educational occupancies to use.

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Modification replicates an existing code requirement into Section 423 for public educational facilities. Modification 3507 proposes to delete this requirement in section 903.2.3 because it is already in the Existing Building Code (EBC). Public educational facilities are exempt from the EBC.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Modification replicates an existing code requirement into Section 423 for public educational facilities. Modification 3507 proposes to delete this requirement in section 903.2.3 because it is already in the Existing Building Code (EBC). Public educational facilities are exempt from the EBC.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This modification does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

Modification replicates an existing code requirement into Section 423 for public educational facilities. Modification 3507 proposes to delete this requirement in section 903.2.3 because it is already in the Existing Building Code (EBC). Public educational facilities are exempt from the EBC.

**General Comment**

SP3690-G1

**Proponent** Tom Hogarth **Submitted** 5/14/2010 **Attachments** No

**Comment**

Recommend support of this modification.

423.8.4.1 An automatic fire sprinkler system is not required in existing educational buildings unless 50 percent of the aggregate area of the building is being remodeled.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 423.8.8 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Anthony Apfelbeck | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

None.

**Summary of Modification**

Deletes section 423.8.8.

**Rationale**

The langauge in 423.8.8 is unenforceable as code text as it is not written in accepted code language, provides only recommendations and utilizes terms such as "should." There is no method for an individual to gauge compliance with the section. This section needs to be deleted or relocated to the SREF document.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

The langauge in 423.8.8 is unenforceable as code text as it is not written in accepted code language, provides only recommendations and utilizes terms such as "should." There is no method for an individual to gauge compliance with the section.

**Impact to building and property owners relative to cost of compliance with code**

Unknown as the current language is unenforceable. One individuals determination of compliance may not be anothers.

**Impact to industry relative to the cost of compliance with code**

Unknown as the current languge is unenforceable. One individuals determination of compliance may not be anothers.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The langauge in 423.8.8 is unenforceable as code text as it is not written in accepted code language, provides only recommendations and utilizes terms such as "should." There is no method for an individual to gauge compliance with the section.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Deletion of this section will improve the code as the current text is unenforceable and not written in code text. The term should is used througout.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code change does not discriminate against any product.

**Does not degrade the effectiveness of the code**

This code change does not degrade the code as the current code is unenforceable as code text as it is not written in accepted code language, provides only recommendations and utilizes terms such as "should." There is no method for an individual to gauge compliance with the section.

**General Comment**

SP4389-G1

**Proponent** Tom Hogarth **Submitted** 5/14/2010 **Attachments** No

**Comment**

Recommend support of this modification:

The existing section sounds good but is unenforceable. The safety concepts in the section are too broad, vague or subjective.

**423.8.8 Safe school design.** School boards should design educational facilities and sites including pre-K through 12, vocational and community colleges to enhance security and reduce vandalism through the use of "safe school design" principles. Safe school design strategies are available from DOE/educational facilities and include but are not limited to the following:

**423.8.8.1 Natural access and control of schools and campuses.**

**423.8.8.2** Natural surveillance of schools and campuses both from within the facility and from adjacent streets by removing obstructions or trimming shrubbery.

**423.8.8.3** School and campus territorial integrity; securing courtyards, site lighting, building lighting.

**423.8.8.4** Audio and motion detection systems covering ground floor doors, stairwells, offices and areas where expensive equipment is stored.

**423.8.8.5** Designs which will promote the prevention of school crime and violence. Exterior architectural features which do not allow footholds or handholds on exterior walls, tamperproof doors and locks, nonbreakable glass or shelter window protection system; also landscaping and tree placement should be designed so they do not provide access to roofs by unauthorized persons. Sections of schools commonly used after hours should be separated by doors or other devices from adjacent areas to prevent unauthorized access. Install locks on roof hatches; apply slippery finishes to exterior pipes.

**423.8.8.6** Exterior stairs, balconies, ramps, and upper level corridors around the perimeter of buildings should have open-type handrails or other architectural features to allow surveillance.

**423.8.8.7** Open areas, such as plazas, the building's main entrance, parking lots, and bicycle compounds should be designed so they are visible by workers at workstations inside the buildings.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 424.1.6.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | jim manning | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

None

**Summary of Modification**

To prevent adding unnecessary fixtures to a building that only serves a swimming pool. And it is intended to prevent adding the building fixture count to the pool fixture count to determine the number of fixtures required. The cumulative practice has led to nonsensical fixture counts.

**Rationale**

A building serving a swimming pool does not require additional sanitary fixtures because it is a building. The building only serves the needs of those using the swimming facility so additional fixtures are not required. Keep in mind that swimming events do not have “half-times” or intermissions. There is not a peak rest room use period within a small time window. The reality is that most swimming pool restroom facilities, because of built in redundancy, are underutilized.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Removes conflicting language, will make local enforcement simpler.

**Impact to building and property owners relative to cost of compliance with code**

Potential to save swimming pool owners tens of thousand of dollars.

**Impact to industry relative to the cost of compliance with code**

No cost impact to swimming pool contractors, Most swimming pool contractors do not have a GC or BC license and cannot build the service building.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Fla Public Pool Code, 64E-9 FAC, determines sanitary fixtures adjacent to public pools. In 2009 review of 64E-9, Dept. of Health official stated the current fixture count is adequate for the pool and adjacent buildings with restrooms, dressing rooms, storage rooms, filter rooms, etc.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Removes ambiguousness and prevents spotty enforcement.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not.

**Does not degrade the effectiveness of the code**

Does not.

4.1.6.1. Sanitary facilities

424.1.6.1.1 Required fixtures

**Exception. If a swimming pool serves only a designated group of dwelling units and not the general public and a building is there to provide sanitary facilities, then the number of required fixtures is determined by the pool and not the building. Should it be determined that the building is multipurpose in use and that the building does require restroom facilities, then the prescribed sanitary fixture count that is the larger number of the building or the swimming pool shall be deemed adequate. The fixture count for the building and for the swimming pool are not cumulative to determine the total fixture count.**

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 428 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Ila Jones | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

This modification contains edits to Section 428 that maintains consistency with Rule 9B-1, Florida Administrative Code.

**Rationale**

This modification contains edits to Section 428 to maintain consistency with Rule 9B-1, Florida Administrative Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies intent of the code and maintains consistency with Rule 9B-1, Florida Administrative Code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves code by clarifying the intent of the code and maintaining consistency with Rule 9B-1, Florida Administrative Code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not descriminate.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

428.2.1 "~~Third party~~ Aagency" means an individual or entity authorized to perform inspections of or review plans for manufactured buildings as provided by Rule 9B-1, Florida Administrative Code.

428.2.2 "Factory-built school" means any building designed or intended for use as a school building which is manufactured in whole or in part at an off-site facility, including prefabricated educational facilities, factory-built educational facilities and modular built educational facilities that are designed to be portable, relocatable, demountable or reconstructible, are used primarily as classrooms or the components of an entire school and do not fall under the provisions of Sections 320.822-320.862, Florida Statutes.

428.2.3 Department. Refers to Department of Community Affairs.

428.3 Inspections. Inspection of installation of manufactured buildings and construction activities conducted at the site of the installation shall by conducted pursuant to Chapter 1 hereof. Inspections during the manufacturing process shall be conducted by those ~~third party~~ agencies as follows:

428.3.1 Inspections shall be conducted at the manufacturing facility by an appropriately licensed representative of an ~~third party~~ agency selected by the manufacturer. The inspections shall ~~be to~~ ensure that the buildings are being manufactured in compliance with the applicable codes and the approved plans. Once an ~~third party~~ agency has inspected a manufactured building, the manufacturer shall not seek to have the building inspected by another agency, nor shall any agency inspect a building that has already been inspected by another agency unless the subsequent inspection is at the direction of the department or unless the building or modification thereto is being inspected for recertification by the department.

428.3.2.3 During each inspection, the agency shall verify ~~that~~ the manufacturer's in- plant quality control program is working as set forth in the approved quality control manual.

428.3.2.4 Should work stop on a particular module or component for a period of two months, reinspection shall be required.

428.3.3 When an ~~third party~~ agency discovers a deviation from the code or the approved plans which creates or threatens to create an imminent life safety hazard, all buildings or components which have progressed through that stage of production since the agency's previous inspection shall be inspected to ensure the absence of that deviation, and the agency shall immediately notify the manufacturer and the department in writing. Any building or component exhibiting the deviation shall be brought into conformance with the applicable code ~~or~~ and the approved plans by the manufacturer within thirty days of notification of the deviation by the ~~third party~~ agency. The corrective action must be left available for reinspection by the ~~third party~~ agency.

428.3.4 The ~~third party~~ agency shall note all inspections, deviations and corrective actions in a written inspection report and shall complete the inspection report portion of the building code information system available via the Internet.

428.3.5 The agency shall give a copy of the inspection report(s) to the manufacturer for record and shall retain another copy. The agency or the manufacturer shall provide a copy of an inspection report to the department when requested.

428.4 Design plan and systems approval. Plan review pertaining to installation of manufactured buildings and construction activities conducted at the site of the installation shall be conducted pursuant to Chapter 1 hereof. Plan review pertaining to construction activities occurring within the manufacturing process shall be conducted by ~~those third party~~ Department approved agencies. ~~as follows: third party agencies shall review plans in conformity with Chapter 1 hereof and the following additional requirements: If the plans are for a residential manufactured building, certification from the design professional responsible for the plans that the structure has been designed only for erection or installation on a site built foundation in accordance with this code~~. If the residential manufactured building is transportable in one or more sections and is 8 body feet or more in width or 40 body feet (12 192 mm) or more in length, or, when erected on site, is 320 square feet (29 m2) or more, and which is built on a permanent chassis, the manufacturer shall certify ~~that~~ the manufactured building has been excluded from regulation by the United States Department of Housing and Urban Development.

428.4.2 Evidence of ~~third party~~ agency approval. Approved plans and specifications shall be evidenced by a letter of certification ~~certificate~~ from the agency. No manufacturing activity shall commence until plan approval has been obtained from the agency.

Approved copies of the design plans and specifications shall be returned to the manufacturer with an agency approval letter indicating the limitations, if any, of such approval. An approved copy of the plans shall be available at each place ofmanufacture, which shall be made available for inspection and monitoring. Upon approval of theplans, the ~~third party~~ agency shall electronically submit ~~a copy of~~ the plans bearing the approval stamp, with a list of any limitations of that plan approval, to the department ~~together, with a list of any limitations of that plan approval, and a separate copy of the plans and limitations on compact disk in a readable format~~ via the Building Code Information System at www.floridabuilding.org

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| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 428.3.2.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Ila Jones | **General Comments** | No |
| **Attachments** | Yes | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifying that during plant inspections of manufactured buildings, all subsytems (plumbing, electrical, etc.) requires inspection.

**Rationale**

If there is a production line of multiple units, the percentage requirement of a production line would be sufficient. When there is not a production line of multiple modules, inspection of subsystems is not possible. This modification is intended to be in keeping with the manufacturing process and the requirements of the Florida Building Code, Section 109.3. The retains one 468 licensed inspection event, but does require that event to have 75 % of the subsystems be inspected

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

Provides code required inspections for manufactured (modular) buildings equal to convention construction.

**Impact to industry relative to the cost of compliance with code**

No impact as this has been historical intent.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Provides required inspections.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Strengthen enforcement of code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not descriminate.

**Does not degrade the effectiveness of the code**

Does not degrade.

428.3.2 At a minimum, a certified ~~third party~~ agency shall meet the criteria in Sections 428.3.2.1 through 428.3.2.4.

428.3.2.1 With regard to manufactured buildings, observe the manufacture of the first building built subsequent to the plan approval ~~or the selection of the agency, whichever occurs last~~, from start to finish, inspecting all subsystems thereof. Continual observation and inspection shall continue until the ~~third party~~ agency determines ~~that~~ the implementation of the manufacturer's quality control program in conjunction with application of the approved plans and specifications and the manufacturer's capabilities result in a building that meets or exceeds the standards adopted herein. Thereafter, the agency shall inspect each module produced during at least one point of the manufacturing process ~~and shall inspect the entire production line during each plant inspection, so that~~ provided the production activity is such that the quality control at each subsystem point on the production line is inspected. If the production activity is such that all subsystems of the production line cannot be inspected, then a minimum of 75 percent ~~of the modules inspected will have a minimum of one~~ of the subsystems (electrical, plumbing, structural, mechanical or thermal) ~~exposed for inspection~~. of a building must be inspected or 20 percent of storage sheds that are not designed for human habitation and ~~that~~ have a floor area of 720 square feet (67m2) or less manufactured pursuant to the approved plan.

428.3.2.2 With regard to components, observe the manufacture of the first unit assembled subsequent to the plan approval ~~or the selection of the agency, whichever occurs last~~, from start to finish, inspecting all subsystems thereof. Continual observation and inspection shall continue until the ~~third party~~ agency determines ~~that~~ the implementation of the manufacturer's quality control program, in conjunction with application of the approved plans and specifications and the manufacturer's capabilities, result in a component that meets or exceeds the codes and standards adopted herein. Thereafter, the ~~third party~~ agency shall inspect not less than 20 percent of the manufactured building components and 75 percent, of the subsystems, in the inspected component ~~or 20 percent of storage sheds that are not designed for human habitation and that have a floor area of 720 square feet (67 m2) or less manufactured pursuant to the approved plan,~~

If in every case, when an inspector performed an in plant inspection, there was a production line of multiple units on the line, the percentage requirement of a production line would be sufficient. But in most manufacturing plants, there is not a production line of multiple modules, and in many of those cases, where a multiple unit line is present, most of the line are Mobile Homes, regulated by HUD, not Modular, regulated by the Florida Building Code. The inspection process language as revised is intended to be in keeping with the manufacturing process and the requirements of the Florida Building Code. (FBC, Section 109) The required inspections in FBC 109.3, lists five categories of inspection 1) Building, 2) Electrical, 3) Plumbing, 4) Mechanical, 5) Gas. The new language keeps in place one 468 licensed inspection event, but does require that event to have 75 % of the subsystems be inspected

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 428.4.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Ila Jones | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Clarifies the expiration date of approved manufactured building plans upon effective date of new code.

**Rationale**

Proposed modification reflects the findings of the Florida Building Commission in Declaratory Statement DCA 08-DEC-209 relative to the cut off date for constructing buildings to previously approved manufactured building plans after implementation of new codes.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

Reduces plan review costs for manufacturers and prospective customers by allowing manufacturers to build to approved plans for an additional 180 days as long as a signed contract is in place on last effective date of old code.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Allows manufacturers and customers to anticipate the cost of the building based on the code in place at time of design and plan review.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by incorporating the findings of the Florida Building Commission in Declaratory Statement DCA 08-DEC-209 into the Florida Building Code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not descriminate.

**Does not degrade the effectiveness of the code**

Does not degrade.

428.4.1 Plan approval expiration. Plan approvals for manufactured buildings shall expire upon the effective date of the new code. Upon revision~~,~~ of the Florida Building Code, plan approvals shall expire upon ~~the latter of~~ the effective date of that revision ~~or 90 days from adoption of that revision by the Florida Building Commission~~ unless the manufacturer files with the department a sworn statement by an ~~third party~~ agency ~~that~~ the plans have been reviewed and ~~that they~~ are in compliance with the revisions to the Florida Building Code. The Agency shall transmit plans electronically through the Building Code Information System to the Department.

**Exception**: In accordance with section 105.3.7, Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Community Affairs.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 428.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Ila Jones | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Deletes language that has been adopted in Rule 9B-1, Florida Administrative Code, regarding recertification of previously approved manufactured buildings. Also, deletes language that is not supported by Section 553.375, Recertification of Manufactured Buildings

**Rationale**

Programmatic language adopted in Rule 9B-1, Florida Administrative Code, is duplicated in the Florida Building Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact

**Impact to building and property owners relative to cost of compliance with code**

No impact

**Impact to industry relative to the cost of compliance with code**

No impact

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Eliminates code language that is not supported by Section 553.375, Florida Statutes.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by eliminating language duplicated in 9B-1, F.A.C. or not supported by Section 553.375, Florida Statutes.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not descriminate.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

~~428.5.1 On-site modifications. On-site modification to manufactured buildings must be inspected by either a third party agency or by the authority having jurisdiction and must comply with the Florida Building Code. The authority having jurisdiction has superseding authority over any onsite modifications to a manufactured building or may delegate this authority to the department in writing on a case-by-case basis. Upon issuance of a certificate of occupancy for the modified manufactured building, the old insignia shall be removed and returned to the department.~~

428.5.2 ~~In order to recertify a previously approvedused manufactured building that is being relocated and not otherwise altered, the owner must provide the approved inspection agency with a set of the original approved plans for the building and any modification of the building. As-built plans shall be acceptable as an alternative to approved plans for factory-built schools manufactured prior to t~~building with those plans and certifies to the department that ~~the building is in compliance with the applicable codes, the approved inspection agency shall affix a recertification insignia to the building. If a building complied with the code in effect on the date of the original plan approval, the applicable code as set forth above shall be that which was in effect on the date of the original plan approval. The relocation of a manufactured building does not constitute an alteration.~~

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 428.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Ila Jones | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Removes language from the code that has been adopted in Rule 9B-1, Florida Administrative Code regarding factory-built schools. Clarifies that code inspections for factory-built schools can be performed by a DCA approved agency.

**Rationale**

Programmatic language adopted in Rule 9B-1, Florida Administrative Code, is duplicated in the Florida Building Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

No impact.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Deletes code language previously adopted in 9B-1, Florida Administrative Weekly.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves code by deleting duplicative language.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not descriminate.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

**Alternate Language**

SP3933-A1

**Proponent** Tom Hogarth **Submitted** 5/24/2010 **Attachments** Yes

**Rationale**

I support this modification with changes as described. According to FAC 9B-1.028, School Boards are only responsible for inspecting the site installation and annual inspections. School Boards are no longer responsible for ensuring or providing inspection compliance of the manufacturing process. The Department insignia attests to compliance of the building with the Florida Building Code. School Boards and/or their code enforcement authorities are only expected to verify the units have an in

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Relieves school board staff or agents from having to visit remote factories to inspect relocatables.

**Impact to building and property owners relative to cost of compliance with code**

Cost savings for School boards which are the property owners.

**Impact to industry relative to the cost of compliance with code**

No impact as code modification acheives compliance with rule the industry is currently following.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

No impact

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Removes code-code and code-rule conflict.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

No impact.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by removing conflcit.

**General Comment**

SP3933-G1

**Proponent** Ila Jones **Submitted** 5/24/2010 **Attachments** No

**Comment**

In regards to 3399-A1, s.553.415(9), Florida Statutes, states " The school district or community college district for which any factory-built school building is constructed after July 1, 2001, shall provide for periodic inspection of the proposed factory-built school building during each phase of construction or alteration. The inspector shall act under the direction of the governing board for employment purposes. This does not prevent a school district or community college district from purchasing or using a factory-built school that has been inspected during all phases of construction or alteration after July 1,2001 by another school district or community college district or by an approved inspection agency certified pursuant to s.553.36(2)."

**General Comment**

SP3933-G2

**Proponent** Ila Jones **Submitted** 5/24/2010 **Attachments** No

**Comment**

Section 553.415(9), Florida Statutes, states " The school district or community college district for which any factory-built school building is constructed or altered after July 1,2001, shall provide for periodic inspection of the proposed factory-built school building during each phase of construction or alteration. The inspector shall act under the direction of the governing board for employment purposes. This subsection does not prevent a school district or community college district from purchasing or otherwise using a factory-built school building that has been inspected during all phases of construction or alteration conducted after July 1, 2001, by another school district or community college or by an approved inspection agency certified pursuant to s.553.36(2)."

**General Comment**

SP3933-G3

**Proponent** Joe Bigelow **Submitted** 5/24/2010 **Attachments** No

**Comment**

Test

428.5 ~~428.6~~ Factory-built schools, plan review (also see Section 423, State R~~r~~equirements for E~~e~~ducation F~~f~~acilities). Plan review of plans for ~~newly~~ constructed factory-built schools shall be performed by the ~~third-party~~ agency selected by the department. An applicant for plan approval shall submit complete plans to the ~~an~~ agency in the manner and format agreed to by the agency and the applicant. ~~Plan submittals shall include a schedule of inspections which shall be performed periodically as necessary to ensure that the building complies with applicable standards.~~ Upon determination by the agency that the submitted plans ~~submitted~~ comply with all applicable standards, the agency shall certify such determination by affixing an approval stamp on each page of the plans, and shall return one copy to the applicant, maintain an original set, and submit one copy electronically to the department. The agency shall be compensated for the actual cost of the plan review by the applicant. No manufacturing activity shall commence until plan approval has been obtained from the ~~third-party~~ agency. Plan review at a minimum shall include those items identified in Chapter 1 hereof. ~~Plans for modification of factory-built schools shall be reviewed by an approved third-party agency selected by the manufacturer as set forth in 9B-1.009, Florida Administrative Code.~~

428.5.1 ~~428.7~~ Factory-built schools, inspections and work progress reports (also see Section 423, S~~s~~tate R~~r~~equirements for E~~e~~ducation F~~f~~acilities).

428.5.2 ~~428.7.1~~ Inspectors. The school board or community college (educational entity) which is to utilize the factory-built school shall be responsible for compliance with inspection requirements. Inspections may be performed by an agency.

(change the modification to delete proposed 428.5.2, formally known as 428.7.1)

~~428.5.2 428.7.1 Inspectors. The school board or community college (educational entity) which is to utilize the factory-built school shall be responsible for compliance with inspection requirements. Inspections may be performed by an agency.~~

(also expand proposed modification to delete a related code section in 423 as follows:)

~~423.27.19 Inspection of units during construction. Boards shall provide for the inspection of relocatables during construction , as required by the Florida Building Code, as authorized by statute.~~

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 428.7 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Ila Jones | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Deletes requirement that factory-built schools designated as existing buildings must comply with Section 423. Clarifies that a DCA approved agency can perform inspections on factory-built schools.

**Rationale**

Existing buildings are not required to comply with Section 423,. Must comply with State Requirement for Education Facilities (SREF) requirements.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact.

**Impact to building and property owners relative to cost of compliance with code**

Deletes duplicative language found in Section 553.415, F.S., and Rule 9B-1, F.A.C. Reduces school district costs by allowing DCA approved agencies to conduct inspections at facility in lieu of school district personnel.

**Impact to industry relative to the cost of compliance with code**

No impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Deletes duplicative and noncompliant language from the code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by deleting duplicative and noncompliant language from the Code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate.

**Does not degrade the effectiveness of the code**

Does not degrade the code.

**Alternate Language**

SP3941-A4

**Proponent** Tom Hogarth **Submitted** 5/24/2010 **Attachments** Yes

**Rationale**

I support the modification. However, the second sentence of 428.7.2 should be deleted in order to comply with FAC 9B-1.026 and 1.028. Also, 423.27.19 should be deleted for the same rationale.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Relieves school boards or thier agents from having to visit factories to inspect units.

**Impact to building and property owners relative to cost of compliance with code**

School boards are the property owners.

**Impact to industry relative to the cost of compliance with code**

Complies with adopted rule 9B-1 which the industry presently follows.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

No impact.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves code by deleting code-code and code-rule conflict.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

No impact.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by eliminating conflict.

**General Comment**

SP3941-G1

**Proponent** Ila Jones **Submitted** 5/24/2010 **Attachments** No

**Comment**

Section 553.415(9), Florida Statute states, "The school district or community college district to which any factory-built school building is constructed or altered after July 1, 2001, shall provide for periodic inspection of the phase of construction or alteration. The inspector shall act under the direction of the governing board for employment purposes. This subsection does not prevent a school district or community college district from purchasing or otherwise using a factory-built school building that has been inspected by another school district or community college district or by an approved inspection agency certified pursuant to s.553.36(2)."

~~428.7.2 Existing buildings. Factory-built schools designated as existing buildings shall be inspected to determine compliance with the standards adopted in Section 423 hereof. All deficiencies shall be noted in an inspection report provided to the educational entity upon completion of the inspection. Activities performed to rehabilitate a noncompliant building shall be subject to plan review and reinspection. Upon an inspector's determination that the building complies with the applicable standards, the inspector shall provide to the department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the building code information system.~~

428.7.2~~-3~~ New construction. All buildings ~~other than existing buildings~~ shall be subject to inspection during the manufacturing process. The educational entity shall ensure that factory inspections are performed periodically and are sufficient to ensure ~~that~~ the building and its systems comply with the applicable standards. Inspections may be performed by an agency. The inspector shall require the correction of all deficiencies found during the manufacturing process. Upon an inspector's determination that the building complies with the applicable standards, the inspector shall provide ~~to~~ the department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the building code information system.

(delete second sentence in proposed section 428.7.2 as follows)

428.7.2~~-3~~ New construction. All buildings ~~other than existing buildings~~ shall be subject to inspection during the manufacturing process. ~~The educational entity shall ensure that factory inspections are performed periodically and are sufficient to ensure that the building and its systems comply with the applicable standards.~~ Inspections may be performed by an agency. The inspector shall require the correction of all deficiencies found during the manufacturing process. Upon an inspector's determination that the building complies with the applicable standards, the inspector shall provide ~~to~~ the department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the building code information system.

(also expand modification to delete section 423.27.19 as follows)

~~423.27.19 Inspection of units during construction. Boards shall provide for the inspection of relocatables during construction, as required by the Florida Building Code, as authorized by statute.~~

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 437.2.8.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Corrects the generator requirement.

**Rationale**

The hospice facility does not provide life support. Type I systems are meant for life support equipment. Type II systems are meant to support all other systems for a reliable emergency service. A Type II systems is the correct emergency service to provide for this type of facility.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to locat entity.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact to building or property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the safety of the residents by citing the correct emergency system.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by citing the correct emergency system.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminarte against any material, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by citing the correct system.

437.2.8.1 A Type ~~I~~ II essential electrical system shall be provided in all hospice facilities as described in National Fire Protection Association Life Safety Code 99, "Health Care Facilities", and incorporated by reference in Rule 69A-3.012, F.A.C. The emergency power for this system shall meet the requirements of a Level 1, type 10, Class 48 generator as described in National Fire Protection Association Life Safety Code 110, "Emergency Standby Power Systems", and incorporated by reference in Rule 69A-3.012, F.A.C .

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 437.2.8.1 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Corrects the type of essential electrical system for use in a Hospice.

**Rationale**

Currently the way this paragraph is written would require the same essential electrical systems as a hospital that has life support systems. Because a hospice provides palliative care but no life support , the essential electrical system should not be a Type I, Level I system but instead should be a Type III, Level II system.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Has no Impact.

**Impact to building and property owners relative to cost of compliance with code**

Has no Impact.

**Impact to industry relative to the cost of compliance with code**

Has no Impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Corrects the code to prevent costly unintended results and makes the code clearer to the user.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Corrects the code to prevent costly unintended results and makes the code clearer to the user.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

It does not discriminate against any materials or products or methods or systems of construction.

**Does not degrade the effectiveness of the code**

Corrects the code to prevent costly unintended results and makes the code clearer to the user.

**437.2.8.1** A Type ~~I~~ III essential electrical system shall be provided in all hospice facilities as described in National Fire Protection Association Life Safety Code 99, "Health Care Facilities", and incorporated by reference in Rule 69A-3.012, F.A.C. The emergency power for this system shall meet the requirements of a Level ~~I~~ II, type 10, Class 48 generator as described in National Fire Protection Association Life Safety Code 110, "Emergency Standby Power Systems", and incorporated by reference in Rule 69A-3.012, F.A.C.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | Table 436.5 |
| **Chapter** | 4 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jose Guanch | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Table 436.5 has "YES" and "NO" in the "1 story above LED1" row. This should state "YES".

**Rationale**

If "1 story below LED" requires sprinklers with limited construction types, it stands to reason that "1 story above LED" with "Any type" of construction would require Fire Sprinklers for an occupancy with occupants NOT capable of self-preservation which inherently would require more time to safely evacuate. This scenario (1 story above LED) would be considered an I4 occupancy in the IBC with an exception.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Helps to clarify the requirements Code.

**Impact to building and property owners relative to cost of compliance with code**

Helps to clarify the requirements Code, thereby avoiding costly mistakes.

**Impact to industry relative to the cost of compliance with code**

Helps to clarify the requirements Code, thereby avoiding costly mistakes.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Yes. Provides a high level of protection for those NOT capable of self-preservation.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Yes. Yes. Provides a high level of protection for those NOT capable of self-preservation.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

No.

**Does not degrade the effectiveness of the code**

No. On the contrary it strengthens the understanding and allows for uniform enforcement of the code.

**TABLE 436.5**

**DAY-CARE LOCATION AND TYPE OF CONSTRUCTION**

| LOCATION OF DAY CARE | TYPE OF CONSTRUCTION | |
|---|---|---|
| | **Sprinklered Building** | **Construction Type** |
| 1 story below LED[1] | Yes | I, II, IIIA, IV, V-A |
| Level of Exit Discharge | No | Any type permitted by this code |
| 1 story above LED[1] | Yes ~~/ No~~ | Any type |
| 2 or 3 stories above LED[1] | Yes | I, II, III-A, V-A |
| > 3 stories above LED[1] but not high rise | Yes | I |
| High rise | Yes | I |

Notes:

[1]LED means Level of Exit Discharge.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3001 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Revise section 3001.1 Scope: clarify administrative Note:; revise section 3001.2 consistent with references in section 3001.1 Scope; revise ASME national standard title; revise sections 3001.3 and 3001.5; and revise definitions in Section 3001.6.

**Rationale**

This modification provides continuity and clarifies code references, and merges the 2007 FBC Florida Supplements and the 2009 IBC code to update the Florida Elevator Safety Code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the International Building Code (IBC) revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements and the 2009 IBC code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and IBC 2009 code to include industry standard ASME A17 Safety Code for Elevators and Escalators to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3001**

**GENERAL**

**REVISE sections 3001.1 through 3001.3 to read as follows:**

**3001.1 Scope**. This chapter governs the design, construction, installation, alteration, ~~**and**~~ repair **and maintenance** of elevators and conveying systems and their components.

**Note:** Other administrative and programmatic provisions may apply. See the Department of Business and Professional Regulation [DBPR] Chapter 399, Florida Statutes, and 61C-5, Florida Administrative Code. The regulation and enforcement of the following sections of the adopted codes, and their addenda, are preempted to the Bureau of Elevator Safety of the Department of Business and Professional regulation: ASME A17.1, ~~**Part 8,**~~ ASME A17.3, ~~**Sections 1.2, 1.5,**~~ ASME A18.1, ~~**Part 10.**~~

**3001.2 Referenced standards.** Except as otherwise provided for in this code, the design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A17.1/CSA B44, ~~ASME A17.1S,~~ **ASME A17.3 and ASME A18.1,** ASME A90.1, ASME B20.1, ALI ALCTV, **and ASCE 24-05 for construction in flood hazard areas**.

The Division of Hotels and Restaurants may grant exceptions, variances and waivers to the Elevator Safety Code as authorized by the ~~Elevator Safety Code~~ Safety Code for Elevators and Escalators (ASME A17.1, Section 1.2) and Florida Statutes (Chapter 120.)

**3001.3 Accessibility.** Passenger elevators are required to be accessible by Chapter 11. ~~shall conform to ICC A117.1~~.

## REVISE Section 3001.5 to read as follows:

**3001.5 Design, installation and alteration of elevators.**

**3001.5.1** Each **new** elevator shall comply with the Florida Elevator Safety Code that was in effect at the time of receipt of application for the construction permit for the elevator.

**3001.5.2** Each alteration to, or relocation of, an elevator shall comply with the Florida Elevator Safety Code that was in effect at the time of receipt of the application for the construction permit for the alteration or relocation.

**3001.5.3 All existing elevators shall comply with ASME A17.3**

## REVISE Section 3001.6 to read as follows:

**3001.6** As used in this chapter, the term:

~~**ALTERATION.** Any change or addition to the vertical conveyance other than maintenance, repair or replacement.~~

**ALTERATION.** Any change to equipment, including its parts, components, and/or subsystems, other than maintenance, repair, or replacement.

**CERTIFICATE OF OPERATION** means a document issued by the department which indicates that the conveyance has had the required safety inspection and tests and that fees have been paid as provided in this Chapter 399, FS.

**CONVEYANCE.** An elevator, dumbwaiter, escalator, moving sidewalk, platform lift and stairway chairlift.

**DEPARTMENT.** For the purpose of this section, means the Department of Business and Professional Regulation.

**DIVISION.** For the purpose of this section, means the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

**ELEVATOR.** One of the following mechanical devices:

(a) A hoisting and lowering mechanism, equipped with a car and platform that moves in guide rails and serves two or more landings to transport material or passengers or both.

(b) An escalator, which is a power-driven, inclined continuous stairway used for raising or lowering passengers.

(c) A dumbwaiter, which is a hoisting and lowering mechanism equipped with a car of limited size which moves in guide rails and serves two or more landings.

(d) A moving walk, which is a type of passenger-carrying device on which passengers stand or walk and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.

(e) An inclined stairway chairlift, which is a device used to transport physically handicapped persons over architectural barriers.

(f) An inclined or vertical wheelchair lift, which is a device used to transport wheelchair handicapped persons over architectural barriers.

**Exceptions:**

Personnel hoists and material hoists within the scope of ASME A10.

Man lifts within the scope of ASME A90.1.

Mobile scaffolds, towers, and platforms within the scope of ANSI A92.

Powered platforms and equipment for exterior and interior maintenance within the scope of ASME A120.1.

Conveyors and related equipment within the scope of ASME B20.1.

Cranes, derricks, hoists, hooks, jacks and slings within the scope of ASME B30.

Industrial trucks within the scope of ASME B56.

Portable equipment, except for portable escalators that are covered by this code.

Tiered or piling machines used to move materials to and from storage located and operating entirely within one story.

Equipment for feeding or positioning materials at machine tools and printing presses.

Skip or furnace hoists.

Wharf ramps.

Railroad car lifts or dumpers.

Line jacks, false cars, shafters, moving platforms and similar equipment used for installing an elevator by a contractor licensed in this state.

Automated people movers at airports.

Elevators in television and radio towers.

Hand-operated dumbwaiters.

Sewage pump station lifts.

Automobile parking lifts.

Equipment covered in Section 1.1.2 of the ~~Elevator Safety Code~~ ASME A17.1 Safety Code for Elevators and Escalators.

Elevators, inclined stairway chairlifts, and inclined or vertical wheelchair lifts located in private residences.

**ESCALATOR.** An installation defined as an escalator in the Florida Building Code.

**EXISTING INSTALLATION.** An installation defined as an "installation, existing" in the Florida Building Code.

**PRIVATE RESIDENCE.** A separate dwelling or a separate apartment in a multiple dwelling which is occupied by members of a single family.

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|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3002 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

The Florida Building Code, Building volume, Section 3001, Mod #3440;

**Summary of Modification**

ADD Florida Supplement sections 3002.1 through 3002.3 and 3002.5 through 3002.8. DELETE Florida Supplement section 3002.4 and REVISE to read same as IBC 2009 Section 3002.4 with underlined text; and ADD Florida Supplement Section 3002.9.

**Rationale**

This change adds the rise requirement and automatic fire initiating devices. It also integrates the 2007 FBC Florida Supplements and the 2009 IBC code to update the Florida Elevator Safety Code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the International Building Code (IBC) revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code version for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The building industry is already designing structures to accommodate upgraded equipment. The benefit will be to formalize the triennial code version for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The industry is already manufacturing code compliant equipment. The benefit will be to formalize the triennial code version for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements and the 2009 IBC code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and IBC 2009 code to include industry ASME A17 Safety Code for Elevators and Escalators and Referenced Standards to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

Does not degrade the effectiveness of the code:

**General Comment**

SP3441-G1

**Proponent** Alys Roark **Submitted** 5/26/2010 **Attachments** No

**Comment**

OPPOSED, the economy is already having a hard enough time recovering, we cannot force owners of a 3+ story building to require a 3500# elevator to accommodate a 84" stretcher - the cost is much greater and the size is more than they would need. This bill would hurt the elevator industry further than it already is and should not be passed.

**General Comment**

SP3441-G2

**Proponent** Lee Rigby **Submitted** 6/1/2010 **Attachments** No

**Comment**

This modification should not be adopted as it conflicts with Florida Statute Chapter 399.035(2) which requires that those elevators required to accomodate a stretcher accomodate a stretcher 76" long by 24" wide. This proposed change was actually incorporated into the 2007 Edition of the FBC, but was changed back to the orginal wording in the 2009 Changes to be in harmony with the Statute. The underlined wording in this proposed modification is already in the 2010 Draft FBC, so there is no purpose for this modification.

**General Comment**

SP3441-G3

**Proponent** E Strawn **Submitted** 6/1/2010 **Attachments** No

**Comment**

Do not support.

**SECTION 3002**

**HOISTWAY ENCLOSURES**

**ADD Florida Supplement sections 3002.1 through 3002.3 and 3002.5 through 3002.8.**

**DELETE Florida Supplement section 3002.4 and REVISE to read same as IBC 2009 Section 3002.4 with underlined text as follows:**

~~**3002.4 Elevator car to accommodate an ambulance stretcher**. Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, or where the rise exceeds 25 feet, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 76 inches (610 mm by 1950 mm) with not less than 5 inch radius corners in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.~~

**3002.4 Elevator car to accommodate an ambulance stretcher**. Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, or where the rise exceeds 25 feet, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24-inch by 84 inch (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

**ADD Florida Supplement section 3002.9, to read as follows:**

**3002.9** Automatic fire alarm initiating devices shall be located and installed in accordance with ASME A 17.1 and NFPA 72

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|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3004 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE section 3004.3.1 to replace International Code reference with Florida Building Code reference.

**Rationale**

This change corrects an incorrect reference to code. The proposed modification will merge the 2007 FBC Florida Supplements and the 2009 IBC code to update the Florida Elevator Safety Code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the International Building Code (IBC) revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements and the 2009 IBC code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and IBC 2009 code to include industry standard ASME A17 Safety Code for Elevators and Escalators to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3004**

**HOISTWAY VENTING**

**REVISE section 3004.3.1 to read as follows:**

**3004.3.1 Reduced vent area.** Where mechanical ventilation conforming to the ~~International~~Florida Building Code, Mechanical ~~Code~~is provided, a reduction in the required vent area is allowed provided that all of the following conditions are met:

1. The occupancy is not in Group R-1, R-2, I-1 or I-2 or of a similar occupancy with overnight sleeping units.

2. The vents required by Section 3004.2 do not have outside exposure.

3. The hoistway does not extend to the top of the building.

4. The hoistway and machine room exhaust fan is automatically reactivated by thermostatic means.

5. Equivalent venting of the hoistway is accomplished.

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|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3005 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE section 3005.4 to remove reference to seismic restraint and to change sentence structure, and remove type of (a major) alteration.

**Rationale**

This modication removes the reference to seismic restraint to eliminate unecessary construction and tests, and deletes the undefined type (a major) alteration of a personnel hoist. The proposed modification will merge the 2007 FBC Florida Supplements and the 2009 IBC code to update the Florida Elevator Safety Code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the International Building Code (IBC) revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements and the 2009 IBC code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and IBC 2009 code to include industry standard ASME A17 Safety Code for Elevators and Escalators to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3005**

**CONVEYING SYSTEMS**

**REVISE section 3005.4.**

**3005.4 Personnel and material hoists. Change to read as shown.**

**3005.4 Personnel and material hoists.** Personnel and material hoists shall be designed utilizing an approved method that accounts for the conditions imposed during the intended operation of the hoist device. The design shall include, but is not limited to, anticipated loads, structural stability, impact, vibration, and stresses ~~and seismic restraint.~~ The design shall account for the construction, installation, operation and inspection of the hoist tower, car, machinery and control equipment, guide members and hoisting mechanism. Additionally, the design of personnel hoists shall include provisions for field testing and maintenance which will demonstrate that the hoist device functions in accordance with the design. Field tests shall be conducted upon the completion of an installation or following ~~**a major**~~ alteration of a personnel hoist.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/25/2010 | **Section** | 3008 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE section 3008.2 to read as follows.

**Rationale**

This change utilizes the 2009 IBC language for Occupant Evacuation Elevators and revises the code references. The overall revision will integrate the 2007 FBC Florida Supplement and the 2009 IBC code to update the Florida Elevator Safety Code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges International Building Code (IBC) revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

Modification costs will be incorporated in building design upgrades to include hoistway, lobby access and enclosures, and other new code compliance features. The IBC code merge with the FBC will ensure equitable compliance and benefit the industry with new safety requirements in the triennial code.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges IBC code revisions and the FBC. The benefit will be to formalize the triennial code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements and the 2009 IBC code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and IBC 2009 code to include industry ASME A17 Safety Code for Elevators and Escalators and Referenced Standards to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3008**

**OCCUPANT EVACUATION ELEVATORS**

**REVISE section 3008.2 to read as follows:**

**3008.2 Fire safety and evacuation plan.** The building shall have an approved fire safety and evacuation plan in accordance with the applicable requirements of Section 404 of the ~~International~~ Florida Fire Prevention Code. The fire safety and evacuation plan shall incorporate specific procedures for the occupants using evacuation elevators.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 3008 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Lee Rigby | **General Comments** | Yes |
| **Attachments** | Yes | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Renumber to meet FBC numbering system. Deletes rules adopted elsewhere Revises incorrect code reference

**Rationale**

See attached

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Clarifies the original intent of the Rule. No cost impact on enforcement.

**Impact to building and property owners relative to cost of compliance with code**

Saving over what would be required to comply with the original intent of the Rule. Estimated by a contractor $5,000 for the first elevator with the price per unit increasing with number of cars due to the pump volume required and the building space necesary for the oil/water separation equipment.

**Impact to industry relative to the cost of compliance with code**

No financial impact on elevator industry except delays in job acceptance due to enforcement that goes against the apparent (and stated) intent of the FBC.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

This modification only clarifies the intent of the rule for which modification is proposed.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarifies the original intent of the Rule to eliminate confusion.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This modification only clarifies the intent of the rule for which modification is proposed.

**Does not degrade the effectiveness of the code**

This modification only clarifies the intent of the rule for which modification is proposed.

**Alternate Language**

SP4377-A2

**Proponent** Lee Rigby **Submitted** 4/19/2010 **Attachments** Yes

**Rationale**

The proposed modification was based on the 2007 code numbering instead of the 2010 DRAFT FBC.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

none

**Impact to building and property owners relative to cost of compliance with code**

none

**Impact to industry relative to the cost of compliance with code**

none

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

corrects the numbering of the proposed modification to meet the 2010 base code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

No change other than corrected numbering for clarification

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

No change

**Does not degrade the effectiveness of the code**

No change

**General Comment**

SP4377-G1

**Proponent** Alys Roark **Submitted** 5/26/2010 **Attachments** No

**Comment**

Support

**General Comment**

SP4377-G2

**Proponent** E Strawn **Submitted** 6/1/2010 **Attachments** No

**Comment**

I support this change because the exemption for sump pumps should continue in the State of Florida.

Renumber and revise: ~~3008.1(1)~~ **3008.1.1 Serial numbers.** Each elevator shall have a serial number assigned by the division or authority having jurisdiction attached to the elevator car in plain view and also to the driving mechanism. This serial number shall be shown on all required certificates and permits.

Renumber: ~~3008.1(2)~~ **3008.1.2 Certificates of operation** must be posted in a conspicuous location in the elevator and shall contain the text of Section 823.12, Florida Statutes relating to the prohibition against smoking in elevators. The certificate must be framed with a transparent cover.

Renumber and revise: ~~3008.1(3)~~ **3008.1.3** ~~In addition to Item 3, t~~ **The designation "NO SMOKING"** along with the international symbol for no smoking shall be conspicuously displayed within the interior of the elevator in the plain view of the public.

Renumber: ~~3008.1(3)(a)~~ **3008.2** The following rules of ASME A17.1, are hereby amended to read as follows:

Renumber: ~~3008.1(3)(a)~~ **3008.2.1** Rule 2.29.1 is to have the following sentence added at the end of this rule: Each car in a multi-car group shall be sequentially identified from left to right, as viewed from the elevator lobby.

Renumber: ~~3008.1(3)(b)~~ **3008.2.2** Rule 2.7.3.1 of the ASME A17.1, which is amended to read as follows: "Rule 2.7.3.1 General Requirements. A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily available for use by State of Florida certified Elevator Inspectors."

Delete 3008.1(3)(c): ~~3008.1(3) c. Rule 2.27.8 Switch Keys, of ASME A17.1, is amended to read as follows: "The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 2.27.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys."~~

Delete 3008.1(3)(d): ~~3008.1(3) d. Rule 6.1.6.1 Starting Switch of ASME A17.1, is amended to read as follows: "Starting switches must be of the key-operated type and must be located so that the escalator steps are within sight. Automatic starting by any means is prohibited. The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public."~~

Renumber and revise: ~~3008.1(3)(e)~~ **3008.2.3** Rule ~~2.2.2.4~~ 2.2.2.5 Drains connected directly to sewers shall not be installed in elevator pits. Where drains are not provided to prevent the accumulation of water, a sump of adequate size and depth to accommodate a pump shall be provided, with or without a pump.

Renumber and revise: ~~3018.1(1)~~ **3010.1.1 Serial numbers.** Each elevator shall have a serial number assigned by the division or authority having jurisdiction attached to the elevator car in plain view and also to the driving mechanism. This serial number shall be shown on all required certificates and permits.

Renumber: ~~3018.1(2)~~ **3010.1.2 Certificates of operation** must be posted in a conspicuous location in the elevator and shall contain the text of Section 823.12, Florida Statutes relating to the prohibition against smoking in elevators. The certificate must be framed with a transparent cover.

Renumber and revise: ~~3018.1(3)~~ **3010.1.3** ~~In addition to Item 3, t~~ **The designation "NO SMOKING"** along with the international symbol for no smoking shall be conspicuously displayed within the interior of the elevator in the plain view of the public.

Renumber: ~~3018.1(3)(a)~~ **3010.2** The following rules of ASME A17.1, are hereby amended to read as follows:

Renumber: ~~3018.1(3)(a)~~ **30010.2.1** Rule 2.29.1 is to have the following sentence added at the end of this rule: Each car in a multi-car group shall be sequentially identified from left to right, as viewed from the elevator lobby.

Renumber: ~~3018.1(3)(b)~~ **3010.2.2** Rule 2.7.3.1 of the ASME A17.1, which is amended to read as follows: "Rule 2.7.3.1 General Requirements. A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily available for use by State of Florida certified Elevator Inspectors."

Delete 3010.1(3)(c): ~~3018.1(3) c. Rule 2.27.8 Switch Keys, of ASME A17.1, is amended to read as follows: "The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 2.27.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys."~~

Delete 3010.1(3)(d): ~~3018.1(3) d. Rule 6.1.6.1 Starting Switch of ASME A17.1, is amended to read as follows: "Starting switches must be of the key-operated type and must be located so that the escalator steps are within sight. Automatic starting by any means is prohibited. The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public."~~

Renumber and revise: ~~3018.1(3)(e)~~ **3010.2.3** Rule ~~2.2.2.4~~ 2.2.2.5 Drains connected directly to sewers shall not be installed in elevator pits. Where drains are not provided to prevent the accumulation of water, a sump of adequate size and depth to accommodate a pump shall be provided, with or without a pump.

# RATIONALE FOR MODIFICATION OF FBC CHAPTER 30, SECTION 3008

Requirements in FBC Rules 3008.1(3)(c) and 3008.1(3)(d) are now covered by the adopted ASME A17.1 Safety Code for Elevators and Escalators so can be deleted.

The existing rule 3008.1(3)(d) references ASME A17.1 "Rule 2.2.2.4", and this modification is to change the reference to 2.2.2.5. This FBC Rule was imported to the FBC from Florida Administrative Code Chapter 61C-5, and at that time it had the Rule reference as Rule 106.1b(3). With the adoption of the 2000 Edition of ASME A17.1, the rule numbering system went to ISO format, so all rule numbers were changed. Someone provided DCA with the new A17.1 code reference numbers to be used in Chapter 30 of FBC, and the number supplied to replace 106.1b(3) in FBC Rule 3008.1(3)(e) was incorrectly identified as 2.2.2.4, although the actual sump pump requirement is in 2.2.2.5. The intent of the FBC was made clear in FBC Informal Interpretation #5786, but since the incorrect rule was referenced, enforcement has been to the incorrect reference rather than the intent of the Code.

Justification provided for enforcing to the obviously incorrect reference was that the requirements in the referenced rule had changed; but actually the requirement previously applied to ALL elevators, and with the rule change it now only applies to elevators with firefighter's control operation. With the likely adoption of the 2007 edition of ASME A17.1, sump pumps if provided will be required to remove 3,000 gallons per hour per elevator, and may be required to have oil/water separators – a **very** expensive and possibly impractical requirement for multiple elevator groups. (a four-car group may have to provide oil/water separation capable of 12,000 gallons per hour)

Submitted by:

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# Informal Interpretation
# Report Number 5786

**Date:** Fri Jul 18 2008

**Report:** 5786

**Code:** Building **Code Year:** 2004

**Section:** 3008.1

**Question:**
Is it the intent of the Florida Building Code to delete the requirement for the drain or sump pump described in ASME A17.1, paragraph 2.2.2.5?

**Comment:**
In reference to ASME A17.1, Section 2.2, Pits and FBC Chapter 30, Elevators and Conveying Systems. Paragraphs 2.2.2.4 and 2.2.25 of ASME A17.1 describe the requirements for drains, sumps and sump pumps in elevator pits. ASME A17.1 was amended by the Florida Building Code, Section 3008.1, paragraph 3 and sub-paragraph 3008.1, (3), (e) states in part, A sump of adequate size to accommodate a pump shall be provided, with or without a pump.

**Answer:**
No, the sump is required, however, having a pump in place is optional. Additioanlly, the sump may not be connected to the building sewer.

**Commentary:**
None

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3009 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE Section 3009 to reformat for outline numbering form

**Rationale**

This change reformats the section into numbered outline form and merges Florida Elevator Accessibility requirements of the 2007 FBC Florida Supplements into the 2010 code to update the Florida Elevator Safety Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the Florida Building Code (FBC) revisions. The benefit will be to formalize the code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the industry code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

This change will strengthen and improve the Florida Elevator Safety Code by providing equivalent or better products, methods, or systems of construction through the regulated process, documented inspections and tests of the finished work to determine code conformance.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3009**

**ELEVATOR ACCESSIBILITY REQUIREMENTS FOR THE PHYSICALLY HANDICAPPED**

**REVISE Section 3009 to reformat in outline number form to read as follows.**

Each elevator must be made accessible to physically handicapped persons with the following requirements:

~~1.~~3009.1 In a building having any elevators that do not provide access to every floor level, elevator hallway call buttons on all main levels of ingress and on any floor that is commonly served by more than one group of elevators must be marked with Arabic and braille symbols that indicate floor levels to which access is provided. The symbols must be placed directly above each call button.

~~2.~~3009.2 Each elevator car interior must have a support rail on at least one wall. All support rails must be smooth and have no sharp edges and must not be more than 1½ inches (38 mm) thick or 2½ inches (63 mm) in diameter. Support rails must be continuous and a minimum length of 42 inches (1067 mm) overall.

The inside surface of support rails must be 1½ inches (38 mm) clear of the car wall. The distance from the top of the support rail to the finished car floor must be at least 31 inches (787 mm) and not more than 33 inches (838 mm). Padded or tufted material or decorative materials such as wallpaper, vinyl, cloth or the like may be not be used on support rails.

~~1.~~3009.3 A bench or seat may be installed on the rear wall of the elevator car enclosure, if the bench or seat does not protrude beyond the vertical plane of the elevator car enclosure wall when folded into a recess provided for the bench or seat and, when not in use, the bench or seat automatically folds into the recess. The bench or seat must be capable of supporting a live load of at least 250 pounds (113.4 kg) on any 12-inch by 12-inch (305 mm by 305 mm) area. A padded, tufted or other decorative material may not be used to cover the bench or seat; or may the bench or seat encroach on the minimum clear inside-car dimensions specified in this section.

This section applies only to elevators available for the transportation of the public. This section does not apply to elevators restricted by key or similar device to a limited number of persons in a building that has an elevator that otherwise meets the requirements of this section or to elevators used only for the transportation of freight. However, elevators that are used as freight and passenger elevators for the public and employees must comply with this section. This section does not apply to dumbwaiters or escalators.

This section supersedes all other state regulations and local ordinances and rules affecting the accessibility of passenger elevators to the physically handicapped, and the standards established by this section may not be modified by municipal or county ordinance.

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|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3010 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

REVISE Section 3010 to renumber in outline format, adds data plate requirement, and removes items 3010.1.3(c), 3010.1.3(d), and 3010.1.3(e) from the section.

**Rationale**

This change requires a permanently attached serial number, eliminates duplicate code references, and merges the 2007 FBC Florida Supplements into the 2010 code to update the Florida Elevator Safety Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the Florida Building Code (FBC) revisions. The benefit will be to formalize the code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the industry code for equitable compliance..

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

This change will strengthen and improve the Florida Elevator Safety Code by providing equivalent or better products, methods, or systems of construction through the regulated process with documented inspections and tests of the finished work to determine code conformance.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**Alternate Language**

SP3473-A1

**Proponent** Mo Madani **Submitted** 5/17/2010 **Attachments** Yes

**Rationale**

Comment is provided to implement HB 663

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Mandated by HB 663

**Impact to building and property owners relative to cost of compliance with code**

Mandated by HB 663

**Impact to industry relative to the cost of compliance with code**

Mandated by HB 663

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Mandated by HB 663

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Mandated by HB 663

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Mandated by HB 663

**Does not degrade the effectiveness of the code**

Mandated by HB 663

**General Comment**

SP3473-G1

**Proponent** Alys Roark **Submitted** 5/26/2010 **Attachments** No

**Comment**

oppose so sump pumps will not be required

**General Comment**

SP3473-G2

**Proponent** E Strawn **Submitted** 6/1/2010 **Attachments** No

**Comment**

submitter hasn't done their homework here. I believe the financial impact could be substantial to all Floridians. Recommend financial impact study prior to consideration of such changes to consider the percieved gain versus the actual cost. I strongly oppose this change.

**General Comment**

SP3473-G3

**Proponent** Lee Rigby **Submitted** 6/1/2010 **Attachments** No

**Comment**

This modification request should not be adopted in favor of SP 4377.

4377 is the same except for two items:

1. In 3010.1.1 the word "on a data plate" was added in this modification which would require the elevator serial number to be on a "data plate". Industry standard has been to stencil or mark with permanent marking the serial number on the equipment. Plates have been known to be removed and discarded or painted over as easily as painting over stenciled numbers.
As a former elevator installer and current inspector, I have inspected hundreds of elevators and in practically all instances the original numbers are still readily visible. This would be and addtional cost for no effective benefit.

2. The FBC has had an exception to the sump pump requirement due to the concern of contaminating ground water. The alternative is very expensive requirements for discharge through oil/water separators, which will become a severe hardship when the 2007 Edition of ASME A17.1 is adopted as it will require sump pumps to remove 3,000 gal per hour per elevator. This would be at a great expense for new construction. There have been a large number of variance requests submitted to the Bureau of Elevator Safety to the sump pump requirement due to the costs involved - but these requests are only being considered for buildings permitted prior to July 1, 2010. Not because of a code change, but a change of interpretation. FBC Informal Interpretation #5786 provides direction on the intent of the Code.

The current Rule in the FBC references the incorrect A17.1 Rule, and rather than throw it out as this modification is proposing, modification 4377 would correct the error and insert the correct reference.

SECTION **3010 SERIAL NUMBERS**

**REVISE Section 3010 to read as follows.**

**3010.1 Serial numbers.** Each elevator shall have a serial number assigned by the division or authority having jurisdiction on a data plate ~~painted on or~~ attached to the elevator car in plain view and also to the driving mechanism. This serial number shall be shown on all required certificates and permits.

3010.1.1. Certificates of operation must be posted in a conspicuous location in the elevator and shall contain the text of Section 823.12, Florida Statutes relating to the prohibition against smoking in elevators. The certificate must be framed with a transparent cover.

3010.1.2. ~~In addition to Item 3, t~~ The designation "NO SMOKING" along with the international symbol for no smoking shall be conspicuously displayed within the interior of the elevator in the plain view of the public.

3010.1.3. The following ASME A17.1, rule is hereby amended to read as follows:

a. Reserved.

b. Rule 2.7.3.1 of the ASME A17.1, which is amended to read as follows: "Rule 2.7.3.1 General Requirements. A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily available for use by State of Florida certified Elevator Inspectors."

~~c. Rule 2.27.8 Switch Keys, of ASME A17.1, is amended to read as follows: "The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 2.27.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys."~~

~~d. Rule 6.1.6.1 Starting Switch of ASME A17.1, is amended to read as follows: "Starting switches must be of the key-operated type and must be located so that the escalator steps are within sight. Automatic starting by any means is prohibited. The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public."~~

~~e. Rule 2.2.2.4 Drains connected directly to sewers shall not be installed in elevator pits. Where drains are not provided to prevent the accumulation of water, a sump of adequate size and depth to accommodate a pump shall be provided. with or without a pump.~~

3010.1.3. The following ASME A17.1 and A17.3, rules are hereby amended to read as follows:

a. Reserved.

b. Rule 2.7.3.1 of the ASME A17.1, which is amended to read as follows: “Rule 2.7.3.1 General Requirements. A permanent,

safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized

persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily

available for use by State of Florida certified Elevator Inspectors.”

c. Rule 3.11.3 of ASME A17.3 is amended to read as follows:

NOTE: Updates to the Safety Code for Existing Elevators and EscalatorsASME A17.1 and ASME A17.3 which require Phase II Firefighters’ Service shall apply except where section 399.02(9) Florida Statute states Phase II Firefighters' Service on elevators may not be enforced until July 1, 2015, or until the elevator is replaced or requires major modification, whichever occurs first, on elevators in condominiums or multifamily residential buildings, including those that are part of a continuing care facility licensed under chapter 651, or similar retirement community with apartments, having a certificate of occupancy by the local building authority that was issued before July 1, 2008. This exception does not prevent an elevator owner from requesting a variance from the applicable codes before or after July 1, 2015. This subsection does not prohibit the division from granting variances pursuant to s. 120.542, Florida Statute.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/2/2010 | **Section** | 3011 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE Section 3011 to renumber in outline format and ADD 3011.1.5 additional electrolysis protection and 3011.1.6 inspection for underground hydraulic piping

**Rationale**

This change reformats section numbering, adds the requirement to protect underground hydraulic piping, and to have the installation inspected the same as hydraulic cylinders. It will also migrate the 2007 FBC Florida Supplements into the 2010 code to update the Florida Elevator Safety Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the Florida Building Code (FBC) revisions. The benefit will be to formalize the code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

Current hydraulic systems electrolysis protection costs may be impacted by using new methods. The benefit will be to provide continuity in FBC, Florida Elevator Safety Code and industry for equitable compliance

**Impact to industry relative to the cost of compliance with code**

Current hydraulic systems electrolysis protection costs may be impacted by using new methods. The benefit will be to provide continuity in FBC, Florida Elevator Safety Code and industry for equitable compliance

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

This change will strengthen and improve the Florida Elevator Safety Code by providing equivalent or better products, methods, or systems of construction through the regulated process, documented inspections and tests of the finished work to determine code conformance.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**General Comment**

SP3476-G1

**Proponent** E Strawn **Submitted** 6/1/2010 **Attachments** No

**Comment**

Again the submitter has not done the homework. I cannot support at this time because a financial impact study should be conducted to consider the percieved gain versus the actual cost to the bldg owners (who are the ones that will pay for this).

**SECTION 3011 ELECTROLYSIS PROTECTION FOR UNDERGROUND HYDRAULIC ELEVATOR CYLINDERS**

**REVISE and renumber items 1 through 4 (replace) with outline numbered format 3011.1.1 through 3011.1.4 and ADD line number sections 3011.1.5 and 3011.1.6 to read as follows.**

**3011.1 Electrolysis protection for underground hydraulic elevator cylinders.** All newly installed underground hydraulic pressure cylinders shall be encased in outer plastic containment to minimize electrolytic corrosion between the metal cylinder and ground cathode.

~~1.~~3011.1.1 The plastic casing shall be capped at the bottom, and all joints must be solvent or heat welded to ensure water tightness.

~~2.~~3011.1.2 The plastic casing shall be constructed of polyethylene or polyvinyl chloride (PVC). The plastic pipe wall thickness must not be less than 0.125 inch (3.175 mm).

~~3.~~3011.1.3 The neck of the plastic casing shall have a means of inspection provided to monitor the annulus between the pressurized hydraulic cylinder and the protective plastic casing.

~~4.~~3011.1.4 Replacements of existing hydraulic cylinders shall be protected by the aforementioned method where existing physical dimensions permit.

3011.1.5 Hydraulic supply lines for newly constructed elevators (and replacement hydraulic lines), if located underground, shall also be protected in a similar manner as described above for hydraulic cylinders.

3011.1.6 The work described above shall be inspected by a Certified Elevator Inspector, and reported on an official inspection report form, prior to covering the work, for all installations and repairs, to ensure conformance with the requirements.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/3/2010 | **Section** | 3012 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE and renumber in outline numbering format for Section 3012

**Rationale**

This change will rerenumber the modification into outline format and migrate the 2007 FBC Florida Supplements into the 2010 code to update the Florida Elevator Safety Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the Florida Building Code (FBC) revisions. The benefit will be to formalize the code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the industry code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

This change will strengthen and improve the Florida Elevator Safety Code by providing equivalent or better products, methods, or systems of construction through the regulated process, documented inspections and tests of the finished work to determine code conformance.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3012 BULLETIN BOARDS**

**REVISE Section 3012 to reformat with outlined numbered form to read as follows.**

**3012.1 Bulletin boards.**

~~1.~~3012.1.1 Bulletin boards and frames used in elevator cars shall not create any conditions which will be unsafe for users of the elevator car. Users shall include:

a. Disabled persons;

b. Persons confined to wheelchairs; and

c. All other persons who may operate the elevator car in its normal course of use.

~~2.~~3012.1.2 Bulletin boards shall not protrude more than 1 inch (25.4 mm) beyond the vertical line of the car wall. They shall not encroach on any clearances required to be maintained in the elevator by Chapter 399, Florida Statutes, and ASME A17.1.

~~3.~~3012.1.3 Bulletin boards shall be framed and all edges must be smooth and rounded. No sharp edges of any kind shall protrude.

~~4.~~3012.1.4 A glass or plastic cover shall be provided. Glass, if used, must meet the following requirements:

a. Be laminated;

b. Meet the requirement for laminated glass as set forth in ANSI Z97.1;

c. The cover shall be securely held in place by the frame.

~~5.~~3012.1.5 The frame and bulletin board shall be permanently fastened to the car wall in such a manner so that all parts including the cover in place will withstand any and all tests required of the elevator.

~~6.~~3012.1.6 All materials used shall be fire resistive equal to the requirements of the cab enclosure.

~~7.~~3012.1.7 The bottom of the bulletin boards shall not be less than 5 feet (1524 mm) above the cab floor, and the total area shall not exceed 4 square feet (0.37 m2).

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|---|---|---|---|
| **Date Proposal Submitted** | 3/25/2010 | **Section** | 3013 |
| **Chapter** | 30 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

REVISE Section 3013 to replace an obsolete chart with text for clarity, remove ambiguity of purpose, and advise that an elevator construction permit is required when certain work is performed.

**Rationale**

This change replaces an obsolete chart with text to remove ambiguity and migrates the 2007 FBC Florida Supplements into the 2010 code to update the Florida Elevator Safety Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the Florida Building Code (FBC) revisions. The benefit will be to formalize the code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

There will not be any cost related to this modification. This modification merges the Florida Elevator Safety Code and the FBC revisions. The benefit will be to formalize the industry code for equitable compliance.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

This change will strengthen and improve the Florida Elevator Safety Code by providing equivalent or better products, methods, or systems of construction through the regulated process, documented inspections and tests of the finished work to determine code conformance.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**SECTION 3013**

**ALTERATIONS TO ELECTRIC AND HYDRAULIC ELEVATORS AND ESCALATORS**

**REVISE Section 3013.1 and REPLACE Section 3013.1 to read as shown.**

**3013.1 Alterations to electric and hydraulic elevators and escalators.**

1. ~~In addition to the alterations set forth in Rule 8.10.3.3.2 and Rule 8.10.2.3.3 ASME A17.1, the following alterations require , in addition to a construction permit, that inspections and tests be performed to determine conformance with ASME A17.1, rules cited below:~~

| ~~ALTERATIONS~~ | ~~Electric Elevators~~ | ~~Hydraulic Elevators~~ |
|---|---|---|
| ~~(a) Addition of elevator to existing hoistway (new installation)~~ | ~~8.7.2.1.2~~ | ~~8.7.2.1.2~~ |
| ~~(b) Brake (replacements of existing drive, machine brake by a new brake)~~ | ~~2.24~~ | ~~—~~ |
| ~~(c) Buffer (addition of oil buffer)~~ | ~~8.7.2.23~~ | ~~8.7.2.27~~ |
| ~~(d) Driving machine (replacement of)~~ | ~~8.7.2.25.1~~ | ~~8.7.3.23~~ |
| ~~(e) Freight elevator converted to passenger service~~ | ~~8.7.2.16.1~~ | ~~8.7.3.27~~ |
| ~~(f) Rope, replacement in size or number of ropes~~ | ~~8.6.2.5~~ | ~~8.6.2.5~~ |
| ~~(g) Sheave, driving machine (replacement in size)~~ | ~~8.7.2.25.1~~ | ~~8.7.2.25.1~~ |

1. ~~The following alterations require, in addition to a construction permit, that inspections be performed to determine conformance with ASME A17.1, rule cited below:~~

| ~~ALTERATIONS~~ | ~~Electric Elevators~~ | ~~Hydraulic Elevators~~ |
|---|---|---|
| ~~(a) Access Switch (addition of)~~ | ~~8.7.2.11.4, 8.7.7.2~~ | ~~8.7.3.11, 8.7.7.2~~ |
| ~~(b) Automatic transfer device (addition of)~~ | | ~~8.7.3.13~~ |
| ~~(c) Car, door or gate (addition of car door or gate electric contacts)~~ | ~~8.7.2.14~~ | |
| ~~(d) Car enclosure~~ | ~~8.7.2.14~~ | ~~8.7.3.13~~ |
| ~~(e) Car leveling device (addition of) and (trucking device)~~ | ~~8.7.2.27.2~~ | ~~8.7.3.31.2~~ |
| ~~(f) Control~~ | ~~8.7.2.27.5~~ | ~~8.7.3.31.6~~ |
| ~~(g) Control equipment~~ | ~~8.7.2.27~~ | ~~8.7.3.31~~ |
| ~~(h) Controller (existing controller w/new) (excluding dispatching device)~~ | ~~8.7.2.27.4~~ | ~~8.7.3.31.5~~ |
| ~~(i) Counterweight (change of)~~ | | |

| | | |
|---|---|---|
| | ~~8.7.3.23~~ | ~~8.7.3.26~~ |
| ~~(j) Increase in travel (or decrease)~~ | ~~8.7.2.17.1~~ | ~~8.7.3.22.1~~ |
| ~~(k) Door, hoistway (replacement of all hoistway doors)~~ | ~~8.7.2.10~~ | ~~8.7.3.10~~ |
| ~~(l) Escalator, relocation of~~ | ~~8.7.6.1~~ | ~~—~~ |
| ~~(m) Escalator, skirt (switches addition of safety device)~~ | ~~6.1.6~~ | ~~—~~ |
| ~~(n) Freight elevator permitted to carry passengers~~ | ~~8.7.2.16.3~~ | ~~8.7.3.19~~ |
| ~~(o) Guide rails (change in type or size)~~ | ~~8.7.2.24~~ | ~~8.7.3.28~~ |
| ~~(p) Hoistway door, power operation of (addition of)~~ | ~~8.7.2.12~~ | ~~8.7.3.12~~ |
| ~~(q) Hoistway door locking device (addition of)~~ | ~~8.7.2.11~~ | ~~8.7.3.11~~ |
| ~~(r) Operation, change in type of~~ | ~~8.7.2.27.6~~ | ~~8.7.3.31.7~~ |
| ~~(s) Platform, car (complete replacement of)~~ | ~~8.7.2.15.1~~ | ~~8.7.3.14~~ |
| ~~(t) Roller guide shoe, counter-weight and car (addition of)~~ | ~~8.7.2.22~~ | ~~8.7.2.22~~ |
| ~~(u) Rope equalizer (addition of)~~ | ~~8.7.2.21.2~~ | ~~8.7.3.25.2~~ |
| ~~(v) Rope fastening device, auxiliary (addition of)~~ | ~~8.7.2.21.3~~ | ~~8.7.2.21.3~~ |
| ~~(w) Tank (replacement of) (with different capacity)~~ | ~~—~~ | ~~8.7.3.29~~ |
| ~~(x) Top of car operating device (addition of)~~ | ~~8.7.2.27.1~~ | ~~8.7.3.31.1~~ |

Alterations set forth in Part 8, ASME A17.1 to include any change to equipment, including its parts, components, and/or subsystems, other than maintenance, repair, or replacement; require an elevator construction permit, along with documented performance of inspections and tests to determine conformance with ASME A17.1. A repair or replacement of equipment, parts, components or subsystems that requires inspection, tests and independent witnessing in other sections of ASME A17.1 and A18.1 shall also require an elevator construction permit, in accordance with Section 105, Florida Building Code, Building.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | 3109 |
| **Chapter** | 31 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Battaglia | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

No

**Summary of Modification**

Change language in the Code in relation to working within the CCCL.

**Rationale**

Clarification of the language and meaning would unify all municipalities in their interpretation.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

None

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Assures existing foundations are not modified without full safety compliance of the Code.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Adds much needed clarity.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Correct.

**Does not degrade the effectiveness of the code**

Correct.

**General Comment**

SP4416-G1

**Proponent** Joy Duperault **Submitted** 5/27/2010 **Attachments** No

**Comment**

The FL Division of Emergency Management, Floodplain Management Office, recommends disapproval of this proposal. It appears to create even greater differences with the flood provisions that will be retained in the FBC, especially for "repairs or modifications" since that phrase is proposed to be deleted from the exception to 3109.3 but retained in the exception to 3109.4.1. This proposal would likely create more difficulties when both Chapter 31 (CCCL) and Section 1612 (flood) apply.

**General Comment**

SP4416-G2

**Proponent** James Battaglia **Submitted** 6/1/2010 **Attachments** No

**Comment**

Previous comments made for this FBC 3109 code modification in relation to IBC 1612, Flood Loads, did not mention a specific section, nor does 1612 define the terms repair or modification, by the commentator. FBC 3109 is completely and distinctly separate from 1612, as is to interpreted as to put 'blinders-on' for this interpretation. Obviously, the more strict of the two shall apply if there conflict, if any. Also, the terms repairs and modifications are both covered under the definition of construction. The exception to 3109.3 where the repairs or modifications wording has been removed was on-purpose; the term does not apply specifically here, due to the topic of horizontal additions.

**General Comment**

SP4416-G3

**Proponent** James Battaglia **Submitted** 6/1/2010 **Attachments** Yes

**Comment**

Any reference in FBC 3109 to N.G.V.D. should now reference N.A.V.D. as per FAC 62B-33.

SECTION 3109 STRUCTURES SEAWARD OF A COASTAL CONSTRUCTION CONTROL LINE
3109.1 General.

3109.1.1 Scope. The provisions of Section 3109 shall ensure that structures located seaward of the coastal construction control line are designed to resist the predicted forces associated with a 100-year storm event and shall apply to the following:
1. All habitable structures which extend wholly or partially seaward of a coastal construction control line (CCCL) or 50-foot (15.3 m) setback line.
2. Substantial improvement of or horizontal additions to existing habitable structures.
3. Swimming pools that are located in close proximity to a habitable structure or armoring. An environmental permit from the Florida Department of Environmental Protection, requiring special siting considerations to protect the beach-dune system or proposed or existing structures and public beach access, is required prior to the start of construction. The environmental permit may condition the nature, timing and sequence of construction of permitted activities to provide protection to nesting sea turtles and hatchlings and their habitat, including review, submittal and approval of lighting plans.

Exception: The standards for 3109 ~~buildings seaward of a CCCL area~~ do not apply to any construction ~~modification, maintenance or repair~~ to any existing structure within the limits of the existing foundation or footprint which does not require, involve or include any additions to, or repair or modification of, the existing foundation only of that structure.

3109.3 Elevation standards. All habitable structures shall be elevated at or above an elevation which places the lowest horizontal structural member above the 100-year storm elevation as determined by the Florida Department of Environmental Protection in the report titled "One-Hundred-Year Storm Elevation Requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line."

An applicant may request the Department of Environmental Protection to determine a site-specific 100-year storm elevation for the applicant's proposed habitable structure as part of the environmental permit application process. The elevation will be provided as part of the applicant's environmental permit and shall be subject to review under the provisions of Chapter 120, Florida Statutes.

Exceptions:
1. Horizontal ~~A~~additions~~, repairs or modifications~~ to existing nonconforming ~~habitable~~ structures that do not advance the seaward limits of the existing ~~habitable~~ structure and ~~do not constitute rebuilding of the existing structure.~~ the actual cost of the addition only is less than full substantial improvement of the existing structure.

3109.4 Construction standards.

3109.4.1 Pile foundations. All habitable structures shall be elevated on, and securely anchored to, an adequate pile foundation. Pile foundations for habitable structures shall be designed to withstand all reasonable anticipated erosion, scour and loads resulting from a 100-year storm including wind, wave, hydrostatic and hydrodynamic forces acting simultaneously with typical structural (live and dead) loads. All habitable structures should be anchored to their pile foundation in such a manner as to prevent flotation, collapse or lateral displacement. The elevation of the soil surface to be used in the calculation of pile reactions and bearing capacities for habitable structures shall not be greater than that which would result from erosion caused by a 100-year storm event. Calculation of the design grade shall account for localized scour resulting from the presence of structural components. Design ratio or pile spacing to pile diameter should not be less than 8:1 for individual piles located above the design grade. Pile caps shall be set below the design grade unless designed to resist increased flood loads associated with setting the cap above the design grade, but at or below the natural grade. Pile penetration shall take into consideration the anticipated loss of soil above the design grade.

Exceptions:
1. Any ~~A~~additions, repairs or modifications to existing nonconforming ~~habitable~~ structures that do not advance the

seaward limits of the existing ~~habitable~~ structure and ~~do not constitute rebuilding of the existing structure.~~ the actual cost of the addition only is less than full substantial improvement of the existing structure.

CHAPTER 62B-33: BUREAU OF BEACHES AND COASTAL SYSTEMS - RULES AND PROCEDURES FOR COASTAL CONSTRUCTION AND EXCAVATION (PERMITS FOR CONSTRUCTION SEAWARD OF THE COASTAL CONSTRUCTION CONTROL LINE AND FIFTY-FOOT SETBACK)



**62B-33.002 Definitions.**

(1) "Agency" is an administrative division of local, municipal, county, state, or federal government.

(2) "Agent" is any person with the written power or authority to act on behalf of the applicant for purposes of an application submitted under Chapter 161, F.S.

(3) "Alongshore" is a directional reference meaning along or approximately parallel to the shoreline; alternatively, shore-parallel, or longshore.

(4) "Applicant" is any person, firm, corporation, county, municipality, township, special district, or any public agency or their authorized agent having authority pursuant to Section 161.052 or 161.053, F.S., to request a permit to conduct construction seaward of the control line or fifty-foot setback. An applicant may include the owner of record, agent, leaseholder, or holder of any legal instrument which gives the holder legal authority to undertake the construction for which a permit is sought.

(5) "Armoring" is a manmade structure designed to either prevent erosion of the upland property or protect eligible structures from the effects of coastal wave and current action. Armoring includes certain rigid coastal structures such as geotextile bags or tubes, seawalls, revetments, bulkheads, retaining walls, or similar structures but does not include jetties, groins, or other construction whose purpose is to add sand to the beach and dune system, alter the natural coastal currents, or stabilize the mouths of inlets.

(6) "Beach" is the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation.

(7) "Beach and Dune System" is that portion of the coastal system where there has been or there is expected to be, over time and as a matter of natural occurrence, cyclical and dynamic emergence, destruction, and reemergence of beaches and dunes.

(8) "Beach quality sand" is sand which is similar to the native beach sand in both coloration and grain size and is free of construction debris, rocks, clay, or other foreign matter.

(9) "Breakaway Wall" or "Frangible Wall" is a partition independent of supporting structural members that is intended to withstand design wind forces but to collapse from a water load less than that which would occur during a 100-year storm event without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

(10) "Building Support Structure" is any shore-parallel structure which supports floor, wall, or column loads and transmits them to the foundation.

(11) "Bureau" is the Bureau of Beaches and Coastal Systems of the Department of Environmental Protection. The head of the Bureau is the Chief.

(12) "Coastal Construction Control Line" (CCCL) or "Control Line" is the line established pursuant to the provisions of Section

161.053, F.S., and recorded in the official records of the county, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves, or other predictable weather conditions.

(13) "Coastal System" is the beach and adjacent upland dune system and vegetation seaward of the coastal construction control line; swash zone; surf zone; breaker zone; offshore and longshore shoals; reefs and bars; tidal, wind, and wave driven currents; longshore and onshore/offshore drift of sediment materials; inlets and their ebb and flood tide shoals and zones of primary tidal influence; and all other associated natural and manmade topographic features and coastal construction.

(14) "Construction" is any work or activity, including those activities specified in Section 161.053(2), F.S., which may have an impact as defined in this rule, except as applicable in Rule 62B-33.004, F.A.C.

(15) "Construction Debris" is the material resulting from the demolition of a structure. For the purpose of this rule chapter, construction debris shall not include such material which has been sorted, cleaned, and otherwise processed such that it meets the suitability criteria for armoring materials set forth in this rule chapter.

(16) "Department" is the Florida Department of Environmental Protection. The head of the Department is the Secretary.

(17) "Dune" is a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation and is subject to fluctuations in configuration and location.

(a) "Significant dune" is a dune which has sufficient height and configuration or vegetation to offer protective value.

(b) "Primary dune" is a significant dune which has sufficient alongshore continuity to offer protective value to upland property. The primary dune may be separated from the frontal dune by an interdunal trough; however, the primary dune may be considered the frontal dune if located immediately landward of the beach.

(18) "Eligible Structures" are public infrastructure and private structures qualified for armoring as follows:

(a) Public infrastructure includes those roads designated as public evacuation routes, public emergency facilities, bridges, power facilities, water or wastewater facilities, other utilities, hospitals, or structures of local governmental, state, or national significance.

(b) Private structures include:

1. Non-conforming habitable structures,

2. Major non-habitable structures which are not expendable,

3. Expendable major structures which are amenities necessary for occupation of the major structure, and

4. Expendable major structures whose failure would cause an adjacent upland non-conforming habitable structure or major non-habitable structure, which is not expendable, to become vulnerable.

(c) Eligible structures do not include minor structures.

(19) "Emergency Protection" is the use of armoring or other measures such as sand fill or expedient foundation reinforcement to temporarily protect eligible structures which are threatened by erosion as a result of recent storm events.

(20) "Erosion" is the wearing away of land or the removal of consolidated or unconsolidated material from the beach and dune system by wind, water, or wave action. Erosion includes:

(a) Landward horizontal movement of the line of mean high water or beach and dune system profile.

(b) Vertical lowering or volumetric loss of sediment from the beach and dune system or the offshore profile.

(21) "Excavation" is any mechanical or manual removal or alteration of consolidated or unconsolidated soil or rock material from or within the beach and dune system.

(22) "Expendable Structure" means a structure that is subject to use or consumption, suitable for sacrifice, or is not essential to preserve.

(23) "Fifty (50)-foot Setback" or "Setback Line" is the line of jurisdiction established pursuant to the provisions of Section 161.052, F.S., in which construction is prohibited within 50 feet of the line of mean high water at any riparian coastal location fronting the Gulf of Mexico or the Atlantic coast shoreline.

(24) "Fixed Coastal Cell" is a geomorphological component of the coastal system which is closely linked internally by active physical processes and is bounded by physical features which exercise a major control on refraction patterns or which compartmentalize or severely limit longshore sediment transport such as headlands or inlets.

(25) "Florida Building Code" (FBC) refers to Part VII of Chapter 553, F.S., the Florida Building Codes Act, effective March 1, 2002.

(26) "Foundation" is the portion of a structure which transmits the associated dead and live loads of the structure to the ground and includes, but is not limited to, spread footings, foundation walls, posts, piers, piles, beams, girders, structural slabs, cross

bracing, and all related connectors. For habitable major structures, the foundation includes all load bearing components below the first habitable floor. For pavements, the foundation includes the subbase and base course layers supporting the pavement layer.

(27) "Geotextile container" is a bag or tube, made of blanket-like synthetic fibers manufactured in a woven or loose nonwoven manner, used as an agent to hold together a large mass of sand forming a rigid tubular structure.

(28) "Global Positioning Systems (GPS)" is a passive, satellite-based, navigation system operated and maintained by the United States Department of Defense. Its primary mission is to provide passive global positioning/navigation for land, air, and sea-based activities.

(29) "Governmental Entity," as used in Rule 62B-33.0051, F.A.C., Coastal Armoring and Related Structures, is defined as an agency, political subdivision, or municipality having jurisdiction over the proposed activities.

(30) "Hydrodynamic Loads" are those horizontal and vertical forces resulting from a mass of water in motion, such as the forces associated with the flow accompanying a storm surge. Hydrodynamic loads include the effects of turbulence resulting from the interaction of the flowing water mass with a rigid structure.

(31) "Hydrostatic Loads" are those horizontal and vertical forces resulting from a standing mass of water.

(32) "Immediately Adjacent Properties" are properties lying contiguous to a property proposed for construction including properties separated by a road, right-of-way, or accessway and those seaward and landward of the property.

(33) "Impacts" are those effects, whether direct or indirect, short or long term, which are expected to occur as a result of construction and are defined as follows:

(a) "Adverse Impacts" are impacts to the coastal system that may cause a measurable interference with the natural functioning of the coastal system.

(b) "Significant Adverse Impacts" are adverse impacts of such magnitude that they may:

1. Alter the coastal system by:

a. Measurably affecting the existing shoreline change rate;

b. Significantly interfering with its ability to recover from a coastal storm;

c. Disturbing topography or vegetation such that the dune system becomes unstable or suffers catastrophic failure or the protective value of the dune system is significantly lowered; or

2. Cause a take, as defined in Section 379.2431(1), F.S., unless the take is incidental pursuant to Section 379.2431(1)(f), F.S.

(c) "Minor Impacts" are impacts associated with construction which are not adverse impacts due to their magnitude or temporary nature.

(d) "Other Impacts" are impacts associated with construction which may result in damage to existing structures or property or interference with lateral beach access.

(34) "Major Reconstruction" is the complete or partial replacement or rebuilding, to its original level of protection, of a significant portion of an existing armoring structure which has failed or deteriorated.

(35) "Marine Turtle" is any turtle, including all life stages from egg to adult, of the species Caretta caretta (loggerhead), Chelonia mydas (green), Dermochelys coriacea (leatherback), Eretmochelys imbricata (hawksbill), and Lepidochelys kempi (Kemp's ridley).

(36) "Mean Tidal Range" is the difference in height between mean high water and mean low water.

(37) "Minor Reconstruction" is the routine repair of an existing, functional, and intact armoring which is necessary to maintain the structural and functional integrity of the structure as originally designed and includes: repair or replacement of caps, return walls, tiebacks, individual sheet piles, and armor stone.

(38) "Mitigation" is an action or series of actions taken by the applicant that will offset impacts caused by a proposed or existing construction project.

(39) "NAD 83/90" – is the North American Datum 1983 adjustment of 1990.

(40) "NAVD 88" is the North American Vertical Datum of 1988.

(41) "NGVD" is National Geodetic Vertical Datum, as established by the National Ocean Survey (formerly called "mean sea level datum, 1929").

(42) "Nesting Activity" is any activity by marine turtles associated with nesting including: beach selection, emergence from marine waters onto the beach, nest site selection, transit to and from the nest site, nest excavation, egg deposition, nest covering, incubation of eggs, hatching, hatchling emergence, orientation, and the transit of hatchlings into marine waters.

(43) "Nesting Season" is the nesting period for marine turtles from May 1 through October 31 of each year for all counties

except Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward. Nesting season for these counties is the period from March 1 through October 31 of each year.

(44) "Nonconforming Structure" is any major habitable structure which was not constructed pursuant to a permit issued by the Department pursuant to Section 161.052 or 161.053, F.S., on or after March 17, 1985.

(45) "Notice to Proceed" is the formal notification from the Department authorizing all or portions of the permitted construction to commence.

(46) "One-hundred-year Storm" or "100-year Storm" is a shore-incident hurricane or any other storm with accompanying wind, wave, and storm surge intensity having a one percent chance of being equaled or exceeded in any given year.

(47) "Permit" is the authorization issued by the Department to conduct certain specified construction in a specified location seaward of a control line, upon issuance of a Notice to Proceed. Permit shall also include variances of the 50-foot setback requirements.

(48) "Permit Condition" is a statement or stipulation issued with, and appearing in or referenced in, a permit.

(49) "Pile Foundation" is a system of piles providing the support of a structure, including those piles terminating below grade at pile caps and those piles extending above grade to superelevate a structure.

(50) "Protective Value" is the measurable protection level afforded by the dune system to upland property and structures from the predictable erosion and storm surge levels associated with coastal storm events.

(51) "Rebuilding" is a substantial improvement of the existing structure as defined in Section 161.54, F.S.

(52) "Repair" is the restoration of a portion of an existing structure, including the foundation of the structure, to its original design or an equivalent structural standard. Repair of a structure assumes that a significant portion of the structure, including its foundation, remains intact.

(53) "Revetment" is a sloped, facing structure made of an armoring material designed to protect an escarpment or embankment or an upland structure from erosion by wave or current action.

(54) "Scour" is erosion caused by the interaction of waves and currents with man-made structures or natural features.

(55) "Seawall" is a structure separating land from water areas, primarily designed to prevent erosion and other damage due to wave or current action.

(56) "Shoreline" is the intersection of a specified plane of water with the beach. For example, the mean high water shoreline is the intersection of the plane of mean high water with the beach.

(57) "Shoreline Change Rate" is the average annual horizontal shift of the intersection of the foreshore slope of the beach with the referenced water plane, based on recorded historical measurements.

(58) "Shore-normal" is a directional reference meaning approximately perpendicular to the shoreline.

(59) "Storm Surge" is the rise of water above normal water level on the open coast due to a number of factors, including the action of wind stress on the water surface and the rise in water level due to atmospheric pressure reduction.

(60) "Structure" is the composite result of putting together or building related components in an ordered scheme. Enumeration of types of structures in this rule subsection shall not be construed as excluding from the application of this rule chapter any other structure which by usage, design, dimensions, or structural configuration meets the general definition herein provided and requires engineering considerations similar to the following:

(a) "Rigid Coastal Structures" are characterized by their solid or highly impermeable design or construction. Typically included within this category are groins, breakwaters, mound structures, jetties, weirs, seawalls, bulkheads, and revetments.

(b) "Minor Structures" are designed to be expendable, and to minimize resistance to forces associated with high frequency storms and to break away when subjected to such forces, and which are of such size or design as to have a minor impact on the beach and dune system.

(c) "Major Structures" which, as a result of design, location, or size could cause an adverse impact to the beach and dune system. Major structures include:

1. "Nonhabitable Major Structures" which are designed primarily for uses other than human occupancy. Typically included within this category are roads, bridges, storm water outfalls, bathhouses, cabanas, swimming pools, and garages.

2. "Habitable Major Structures" which are designed primarily for human occupancy and are potential locations for shelter from storms. Typically included within this category are residences, hotels, and restaurants.

(61) "Thirty-year Erosion Projection" or "30-year Erosion Projection" is the projection of long-term shoreline recession occurring over a period of 30 years based on shoreline change information obtained from historical measurements.

(62) "Toe scour protection" is a supplemental structure or structural component of armoring designed to prevent waves from scouring and undermining the base of the armoring.

(63) "Understructure" is any wall, partition, or other solid fabrication not comprising a part of the structural support system and located below the first floor support structure.

(64) "Vulnerable" is when an eligible structure is subject to either direct wave attack or to erosion from a 15-year return interval storm which exposes any portion of the foundation.

*Specific Authority 161.053 FS. Law Implemented 161.052, 161.053, 161.0535, 161.054, 161.061, 161.071, 161.081, 161.085 FS. History–New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.02, Amended 5-12-92, Formerly 16B-33.002, Amended 9-12-96, 1-26-98, 8-27-00, 7-1-01, 12-31-01, 6-13-04, 5-31-07, 7-17-08.*

**62B-33.004 Exemptions from Permit Requirements.**

(1) Any structures under construction prior to the establishment of a coastal construction control line (CCCL) in a particular county are exempt from the provisions of Section 161.053, F.S., and this rule chapter, except as noted in Sections 161.053(9) and (12), F.S.

(a) "Under construction" is the ongoing physical activity at the time of consideration of the exemption referenced in Section 161.053(9), F.S., of placing the foundation of, or continuation of construction above the foundation of, any structure seaward of the established CCCL or the setback line.

(b) A pile-supported structure shall be deemed "under construction" when placement of the permanent pile members for the foundation has begun. Driving of test piles and temporary placement of piles in preparation for driving shall not qualify a structure as "under construction." For concrete footer, base, slab, or grade beam supported structures, a structure will be deemed "under construction" when the placement of concrete for the foundation has begun. For roads, parking lots, driveways, walkways, or similar paved structures, the structure will be considered "under construction" when placement of the base course, if used, or surface has been started.

(c) Whenever it is unclear under either paragraph 62B-33.004(1)(a) or (b), F.A.C., that a structure is "under construction", the applicant shall provide to the Department the following documents demonstrating that the structure is under construction:

1. A copy of all required local government permits authorizing the structure,

2. A full set of construction plans for the structure approved by the local government in conjunction with the building permit, and

3. Other documentation, including local building inspectors' construction reports, construction contracts, or other information, substantiating that a bona fide construction process, which appears will be continuous in nature, has started.

(d) Exemptions granted under this rule subsection shall only apply to those individual structures or parts of such structures which are determined to be under construction and are also described in both the local permit and the building plans. Only those structures which are under construction as defined in this rule section may be exempted. Other proposed structures shown on site plans, building permits, planned unit developments, or similar documents are not exempt. Any subsequent construction activity in addition to that so described and exempted shall require a permit, unless exempted under other provisions of this rule.

(e) Property owners may request a determination of exemption status within the period starting with the date of the first Public Hearing on reestablishing the CCCL held within the respective county and ending with the date of the establishment of the CCCL. The effective date of an exemption granted under this rule section shall be the date the CCCL is established.

(2) In addition to the exemptions provided in Section 161.053(12), F.S., the following are exempt from the provisions of Section 161.053, F.S., and this rule chapter:

(a) Construction of offshore structures, such as drilling platforms, gas and oil rigs, towers, or navigation aides, located beyond the effective limits of littoral sediment transport.

(b) Construction, excavation, and damage or destruction of vegetation conducted by the United States Government on lands owned and maintained by the United States Government.

(c) Minor activities which do not cause an adverse impact on the coastal system and do not cause a disturbance to any significant or primary dune are exempt from the permitting requirements of this rule chapter. Such activities shall be conducted so as not to disturb marked marine turtle nests or known nest locations or damage existing native salt-tolerant vegetation. The activities which are exempt pursuant to this rule paragraph include, but are not limited to, the following:

1. Beach or deck furniture and awnings.

2. Tie-downs, or anchors to existing minor structures or trees.

3. Portable public lifeguard stands.

4. Mono-post structures including umbrellas, antennas, or light posts provided there is minimal disturbance to the beach and dune system, no damage to vegetation, and the grade is restored.

5. Minor recreational diggings and other forms of art on the unvegetated beach provided there is no removal or filling of sand at the site.

6. The removal of windblown sand from paved roads and parking areas, beach access ramps, pools, patios, walkways, or decks not involving a change in the general grade and provided that any beach quality sand is returned to the beach and dune system seaward of the CCCL.

7. The minor maintenance of bulkheads and seawalls specifically involving scraping, chipping, sandblasting, guniting, and painting.

8. Minor structures, including but not limited to driveways, water wells, and irrigation wells which are either located within the landward shadow of existing habitable major structures, landward of the second line of development of major structures, or landward of public evacuation routes.

9. Maintenance or repair of the structures listed below. The structure(s) must be located a minimum of 30 feet landward of the frontal dune, escarpment, or coastal armoring structure, and the maintenance or repair must not expand or enlarge the existing structure(s).

a. Streets and roads, parking areas, and other paved areas not draining or discharging onto the beach; and

b. Swimming pools, provided the activity does not involve excavation.

10. Landscaping located a minimum of 30 feet landward of the frontal dune, escarpment, or coastal armoring structure which does not involve excavation of existing grade or destruction or removal of native salt-resistant vegetation.

11. Repairs to pile supported foundations which include replacing bolts, hurricane straps, secondary members, and shore-normal cross bracing.

(3) The Department shall issue a letter of exemption pursuant to the provisions of Section 161.053(12)(b), F.S., provided that the applicant fulfills the information requirements of subsection 62B-33.008(11), F.A.C., and provided that the Department determines that the proposed project will not cause a measurable interference with the natural functioning of the coastal system. Prior to commencement of work under the exemption, the applicant shall comply with the public notice requirements for the agency action of Chapter 120, F.S.

(4) If the Department determines the proposed minor construction is exempt from the provisions of Section 161.053(12)(c)9., F.S., the Department shall issue a notice of exemption using the DEP exemption form. The exemption form, which is entitled "Exemption Determination Pursuant to Section 161.053 or 161.052, F.S.," DEP form number 73-120 (Updated 3-05), is hereby incorporated by reference. A copy of the form can be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, or by telephoning (850)488-7708. The exemption notice shall be posted on site for the duration of the activity. If the proposed activity is determined not to be exempt, a permit pursuant to Section 161.053, F.S., and this rule chapter is required.

(5) Major structures and additions to major structures proposed above existing patio slabs, decks, or similar unenclosed areas are considered as new structures separate and independent of the existing slab, deck, or other unenclosed area and shall comply with regulatory requirements set forth in this rule chapter.

*Specific Authority 161.052, 161.053 FS. Law Implemented 161.052, 161.053 FS. History–New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.04, Amended 5-12-92, 11-11-92, Formerly 16B-33.004, Amended 1-26-98, 8-27-00, 5-31-07.*

**62B-33.005 General Criteria.**

(1) The beach and dune system is an integral part of the coastal system and represents one of the most valuable natural resources in Florida, providing protection to adjacent upland properties, recreational areas, and habitat for wildlife. A coastal construction control line (CCCL) is intended to define that portion of the beach and dune system which is subject to severe fluctuations caused by a 100-year storm surge, storm waves, or other forces such as wind, wave, or water level changes. These fluctuations are a necessary part of the natural functioning of the coastal system and are essential to post-storm recovery, long term stability, and the preservation of the beach and dune system. However, imprudent human activities can adversely interfere with these natural processes and alter the integrity and functioning of the beach and dune system. The control line and 50-foot setback call attention to the special hazards

and impacts associated with the use of such property, but do not preclude all development or alteration of coastal property seaward of such lines.

(2) In order to demonstrate that construction is eligible for a permit, the applicant shall provide the Department with sufficient information pertaining to the proposed project to show that adverse and other impacts associated with the construction have been minimized and that the construction will not result in a significant adverse impact.

(3) After reviewing all information required pursuant to this rule chapter, the Department shall:

(a) Deny any application for an activity which either individually or cumulatively would result in a significant adverse impact including potential cumulative effects. In assessing the cumulative effects of a proposed activity, the Department shall consider the short-term and long-term impacts and the direct and indirect impacts the activity would cause in combination with existing structures in the area and any other similar activities already permitted or for which a permit application is pending within the same fixed coastal cell. The impact assessment shall include the anticipated effects of the construction on the coastal system and marine turtles. Each application shall be evaluated on its own merits in making a permit decision; therefore, a decision by the Department to grant a permit shall not constitute a commitment to permit additional similar construction within the same fixed coastal cell.

(b) Deny any application for an activity where the project has not met the Department's siting and design criteria; has not minimized adverse and other impacts, including stormwater runoff; or has not provided mitigation of adverse impacts.

(4) The Department shall issue a permit for construction which an applicant has shown to be clearly justified by demonstrating that all standards, guidelines, and other requirements set forth in the applicable provisions of Part I, Chapter 161, F.S., and this rule chapter are met, including the following:

(a) The construction will not result in removal or destruction of native vegetation which will either destabilize a frontal, primary, or significant dune or cause a significant adverse impact to the beach and dune system due to increased erosion by wind or water;

(b) The construction will not result in removal or disturbance of in situ sandy soils of the beach and dune system to such a degree that a significant adverse impact to the beach and dune system would result from either reducing the existing ability of the system to resist erosion during a storm or lowering existing levels of storm protection to upland properties and structures;

(c) The construction will not direct discharges of water or other fluids in a seaward direction and in a manner that would result in significant adverse impacts. For the purposes of this rule section, construction shall be designed so as to minimize erosion induced surface water runoff within the beach and dune system and to prevent additional seaward or off-site discharges associated with a coastal storm event.

(d) The construction will not result in the net excavation of the in situ sandy soils seaward of the control line or 50-foot setback;

(e) The construction will not cause an increase in structure-induced scour of such magnitude during a storm that the structure-induced scour would result in a significant adverse impact;

(f) The construction will minimize the potential for wind and waterborne missiles during a storm;

(g) The activity will not interfere with public access, as defined in Section 161.021, F.S.; and

(h) The construction will not cause a significant adverse impact to marine turtles, or the coastal system.

(5) In order for a manmade frontal dune to be considered as a frontal dune defined under Section 161.053(6)(a)1., F.S., the manmade frontal dune shall be constructed to meet or exceed the protective value afforded by the natural frontal dune system in the immediate area of the subject shoreline. Prior to the issuance of a permit for a single-family dwelling meeting the criteria of Section 161.053(6)(c), F.S., the manmade frontal dune must be maintained for a minimum of 12 months and be demonstrated to be as stable and sustainable as the natural frontal dune system.

(6) Sandy material excavated seaward of the control line or 50-foot setback shall be maintained on site seaward of the control line or 50-foot setback and be placed in the immediate area of construction unless otherwise specifically authorized by the Department.

(7) Swimming pools, wading pools, waterfalls, spas, or similar type water structures are expendable structures and shall be sited so that their failure does not have adverse impact on the beach and dune system, any adjoining major structures, or any coastal protection structure. Pools sited within close proximity to a significant dune shall be elevated either partially or totally above the original grade to minimize excavation and shall not cause a net loss of material from the immediate area of the pool. All pools shall be designed to minimize any permanent excavation seaward of the CCCL.

(8) Major structures shall be located a sufficient distance landward of the beach and frontal dune to permit natural shoreline fluctuations, to preserve and protect beach and dune system stability, and to allow natural recovery to occur following storm-induced

erosion. Where a rigid coastal structure exists, proposed major structures shall be located a sufficient distance landward of the rigid coastal structure to allow for future maintenance or repair of the rigid coastal structure. Although fishing piers shall be exempt from this provision, their foundation piles shall be located so as to allow for the maintenance and repair of any rigid coastal structure that is located in close proximity to the pier.

(9) If in the immediate area a number of existing major structures have established a reasonably continuous and uniform construction line and if the existing structures have not been unduly affected by erosion, except where not allowed by the requirements of Section 161.053(6), F.S., and this rule chapter, the Department shall issue a permit for the construction of a similar structure up to that line.

(10) In considering applications for single-family dwellings proposed to be located seaward of the 30-year erosion projection pursuant to Section 161.053(6), F.S., the Department shall require structures to meet criteria in Section 161.053(6)(c), F.S., and all other siting and design criteria established in this rule chapter.

(11) In considering project impacts to native salt-tolerant vegetation, the Department shall evaluate the type and extent of native salt-tolerant vegetation, the degree and extent of disturbance by invasive nuisance species and mechanical and other activities, the protective value to adjacent structures and natural plant communities, the protective value to the beach and dune system, and the impacts to marine turtle nesting and hatchlings. The Department shall restrict activities that lower the protective value of natural and intact beach and dune, coastal strand, and maritime hammock plant communities. Activities that result in the removal of protective root systems or reduce the vegetation's sand trapping and stabilizing properties of salt tolerant vegetation are considered to lower its protective value. Construction shall be located, where practicable, in previously disturbed areas or areas with non-native vegetation in lieu of areas of native plant communities when the placement does not increase adverse impact to the beach and dune system. Planting of invasive nuisance plants, such as those listed in the Florida Exotic Pest Plant Council's 2005 List of Invasive Species – Categories I and II, will not be authorized if the planting will result in removal or destruction of existing dune-stabilizing native vegetation or if the planting is to occur on or seaward of the dune system. A copy of this list is available on the Internet at www.fleppc.org; or can be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000; or by telephoning (850) 488-7708. Special conditions relative to the nature, timing, and sequence of construction and the remediation of construction impacts shall be placed on permitted activities when necessary to protect native salt-tolerant vegetation and native plant communities. A construction fence, a designated location for construction access or storage of equipment and materials, and a restoration plan shall be required if necessary for protection of existing native salt-tolerant vegetation during construction.

(12) Special conditions relative to the nature, timing, and sequence of construction shall be placed on permitted activities when necessary to protect marine turtles and their nests and nesting habitat. In marine turtle nesting areas, all forms of lighting shall be shielded or otherwise designed so as not to disturb marine turtles. Tinted glass or similar light control measures shall be used for windows and doors which are visible from the nesting areas of the beach. The Department shall suspend any permitted construction when the permittee has not provided the required protection for marine turtles and their nests and nesting habitat.

*Specific Authority 161.053 FS. Law Implemented 161.052, 161.053 FS. History–New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.05, 16B-33.005, Amended 9-12-96, 1-26-98, 8-27-00, 6-13-04, 5-31-07.*

**62B-33.0051 Coastal Armoring and Related Structures.**

(1) General Armoring Criteria. In determining the appropriate means to protect existing private structures and public infrastructure from damage from frequent coastal storms, applicants should be aware that armoring may not be the only option for providing protection. Applicants are encouraged to evaluate other protection methods such as foundation modification, structure relocation, and dune restoration. If armoring (other than through the use of geotextile containers as the core of a reconstructed dune, which are governed exclusively by Chapter 62B-56, F.A.C.), is the selected option, the following siting, design, and construction criteria shall apply in order to minimize potential adverse impacts to the beach and dune system:

(a) Construction of armoring shall be authorized under the following conditions:

1. The proposed armoring is for the protection of an eligible structure; and

2. The structure to be protected is vulnerable. The determination of vulnerability will be made utilizing the dune erosion model contained in the report entitled "Erosion due to High Frequency Storm Events," by the University of Florida, dated November 22, 1995, which is incorporated herein by reference. Where direct application of the model shows that the structure to be protected is not vulnerable, but the construction otherwise meets the requirements of this rule chapter, an applicant may further demonstrate

vulnerability by taking into account the effects of shoreline change rates, natural physical features, and existing manmade structures in accordance with the following circumstances:

a. If it is projected that the eligible structure will become vulnerable at some future date which falls within the authorized time limit of a permit, then the permit shall authorize the construction of armoring once the anticipated site condition changes occur and the structure becomes vulnerable. The permit shall allow additional time to allow for construction operations and appropriate timing to avoid construction during the marine turtle nesting season.

b. Where there are multiple eligible structures in close proximity to one another, but not all of the structures are vulnerable and shoreline trends indicate continued erosion stress on the shoreline, and the Department determines through the use of numerical modeling and engineering analysis that the construction of armoring for only the vulnerable structures would cause the adjacent structures to become vulnerable following installation of the armoring, then all the eligible structures are considered vulnerable.

c. Where an eligible structure is located on a dune or escarpment and the dune erosion model predicts that the erosion from a 15-year return interval storm would fall landward of the existing dune crest or escarpment and seaward of the eligible structure, and where the applicant has provided the Department appropriate geotechnical analysis by a qualified professional engineer specialized in geotechnical or foundation engineering which demonstrates that the structure would be in danger of imminent collapse following the occurrence of erosion from a 15-year return interval storm. Imminent collapse means the structure's foundation will fail due to its own weight under normal conditions, resulting in structural damage to the supported structure.

d. Where an applicant demonstrates to the Department that another site specific circumstance exists other than listed in sub-subparagraphs 62B-33.0051(1)(a)2.a. through c., F.A.C., such that the eligible structure is vulnerable; or

3. A gap exists, that does not exceed 250 feet, between a line of rigid coastal armoring that is continuous on both sides of the unarmored property. Such adjacent armoring shall not be deteriorated, dilapidated, or damaged to such a degree that it no longer provides adequate protection to the upland property. The top of the adjacent armoring must be at or above the still water level, including setup, for the design storm of a 15-year return interval storm plus the breaking wave calculated at its highest achievable level based on the maximum eroded beach profile and highest surge level combination. The adjacent armoring must be stable under the design storm of 15-year return interval storm, including maximum localized scour with adequate penetration, and must have sufficient continuity or return walls to prevent upland erosion and flooding under the design storm of 15-year return interval storm. Such installation shall:

a. Be sited no farther seaward than the adjacent armoring;

b. Close the gap between the adjacent armoring;

c. Avoid significant adverse impacts to marine turtles;

d. Not exceed the highest level of protection provided by the adjoining walls; and

e. Comply with the requirements of Section 161.053, F.S.

4. The armoring shall not result in a loss of public access along the beach without providing alternative public access;

5. The construction will not result in a significant adverse impact.

(b) Where all permit criteria of this rule have been met, but a beach nourishment, beach restoration, sand transfer, or other project which would provide protection for the vulnerable structure is scheduled for construction within nine months and all permits and funding for the project are available, then no permit for armoring shall be issued.

(c) Minor reconstruction of existing armoring is exempt from the conditions of paragraph 62B-33.0051(1)(a), F.A.C., provided that the proposed construction would not result in a significant adverse impact.

(d) Major reconstruction of existing armoring is exempt from the requirements of subparagraph 62B-33.0051(1)(a)2., F.A.C., unless the habitable structure protected by the armoring has been destroyed to the extent that it requires rebuilding.

(2) Siting and Design. Armoring shall be sited and designed to minimize adverse impacts to the beach and dune system, marine turtles, native salt-tolerant vegetation, and existing upland and adjacent structures and to minimize interference with public beach access, in accordance with the following criteria:

(a) Siting. Armoring shall be sited as far landward as practicable to minimize adverse impacts while still providing protection to the vulnerable structure. In determining the most landward practicable location, the following criteria apply:

1. Excavation shall be the minimum required to properly install the armoring and shall not result in the destabilization of the beach and dune system seaward of the armoring or have an adverse impact on upland structures.

2. If armoring must be located close to the dune escarpment in order to meet the criteria listed above and such siting would result in destabilization of the dune causing damage to the upland structure, the armoring shall be sited seaward of, and as close as

practicable to, the dune escarpment.

3. Armoring shall be sited a sufficient distance inside the property boundaries to prevent destabilizing the beach and dune system on adjacent properties or increasing erosion of such properties during a storm event. Return walls shall be sited as close to the building as practicable while ensuring the building is not damaged and space is allowed for maintenance.

4. Existing armoring in need of major reconstruction, whose alignment either interferes with movement of sediment material along the beach or causes significant adverse impacts, shall be relocated consistent with the siting requirements of subsection 62B-33.0051(2), F.A.C.

5. When construction of armoring interferes with public access along the beach, the permittee shall provide alternative access.

(b) Design. Armoring shall be designed to provide protection to vulnerable structures while minimizing adverse impacts and shall be designed consistent with generally accepted engineering practice. The following criteria apply:

1. Coastal armoring structures shall be designed for the anticipated runup, overtopping, erosion, scour, and water loads of the design storm event. Design procedures are available in the latest edition of the Department of the Army Corps of Engineers' Coastal Engineering Manual (EM 1110-2-1100), or other similar professionally recognized publications.

2. To minimize adverse impacts to the beach and dune system, adjacent properties, and marine turtles, the shore-normal extent of armoring which protrudes seaward of the dune escarpment, vegetation line, or onto the active beach shall be limited to minimize encroachment on the beach. In areas with viable marine turtle habitat, the highest part of any toe scour protection shall be located to minimize encroachment into marine turtle nesting habitat.

3. All armoring shall be designed to remain stable under the hydrodynamic and hydrostatic conditions for which they are proposed. Armoring shall provide a level of protection compatible with existing topography, not to exceed a 50-year design storm.

4. Armoring shall be designed to minimize interference with public access along the beach.

5. Armor stone, including that used for toe scour protection, shall have a minimum dry unit weight of 135 pounds per cubic foot. In locations where there is potential for adverse impacts on marine turtles and their habitat, armor stone, except that used for toe scour protection, shall have a minimum dry unit weight of 150 pounds per cubic foot to reduce the armoring footprint. Armor stone shall be durable, hard, and free from laminations and weak cleavages, and sound enough to avoid fracturing under the design storm forces.

6. Armoring which utilizes any construction material other than stone in the construction shall be designed to meet both the requirements outlined in subparagraph 62B-33.0051(2)(b)5., F.A.C., and the unit weight, strength, and durability requirements generally accepted by the engineering community for use in the marine environment.

7. Armoring, which utilizes sand-filled geotextile containers as the core of a reconstructed dune for dune stabilization or restoration activities is not authorized under this rule. These structures are governed under Chapter 62B-56, F.A.C.

(c) The applicant shall provide the Department with certification by a professional engineer licensed in the State of Florida that the design plans and specifications submitted as part of the permit application are in compliance with this rule chapter.

(3) Marine Turtle Protection. Construction of armoring shall not be conducted during the marine turtle nesting season if the Department determines that the proposed construction will result in a significant adverse impact, except as allowed under subsection 62B-33.0051(6), F.A.C., or unless under the provisions of Rule 62B-33.014, F.A.C., emergency permitting procedures are enacted. No additional armoring shall be permitted on public lands in the Archie Carr National Wildlife Refuge. For the purposes of this provision, public lands means lands owned by local, state, or federal governments, or any lands acquired for the specific purpose of allowing them to be managed as part of the refuge. This ban does not apply where armoring is necessary, and there is no reasonable alternative, to protect public infrastructure as that term is defined in Section 161.085, F.S.

(4) In addition to the requirements provided in this rule section, armoring shall meet all other applicable provisions of this rule chapter.

(5) Emergency Protection. Upon the occurrence of a coastal storm which causes erosion of the beach and dune system such that existing structures have either become damaged or vulnerable to damage from a subsequent frequent coastal storm, pursuant to Section 162.085, F.S., the governmental entity may take emergency protection measures to protect public infrastructure and private structures within its jurisdiction. Alternatively, upon declaring a shoreline emergency and providing notification to affected property owners and to the Department, the governmental entity may issue permits authorizing private property owners within their jurisdiction to protect their private structures. Local governments shall not authorize the use of geotextile containers. Emergency protection measures shall be subject to the following:

(a) If the Department has declared a shoreline emergency pursuant to this rule chapter and affected governmental entities do not

provide for emergency protection permits, pursuant to Section 161.085, F.S., and this rule section, then private property owners must obtain such permits from the Department prior to construction.

(b) Emergency protection timelines shall be as follows:

1. If a governmental entity declares a localized emergency event and the Department does not issue an emergency final order, emergency protection measures shall be taken within 30 days after the initial erosion event. Delay in providing protection measures in excess of 30 days from the declaration of emergency shall result in a finding of no emergency, and emergency protection pursuant to this rule section shall no longer be authorized. Governmental entities may extend this period up to 30 additional days upon their revalidation of the emergency conditions.

2. If the state of Florida declares a shoreline emergency, emergency protection measure timelines for activities considered under Section 161.085, F.S., shall be concurrent with the Department's emergency final order timelines.

(c) Measures used for temporary protection shall be the minimum required as determined by the governmental entity pursuant to Section 161.085, F.S., to protect the structure from imminent collapse. Armoring or other measures shall be sited and designed to minimize excavation of the beach and frontal dune; impacts to existing native coastal vegetation, marine turtles, and adjacent properties; and encroachment onto the beach. Temporary protection shall be sited and designed to facilitate removal.

(d) Other measures used for temporary protection include the following:

1. Temporary reinforcement of foundations, placement of sandbags, and construction of protective sand berms. Sand used to fill sandbags or construct protective berms shall be beach compatible material and be obtained from an upland source. Excavation of the beach face or near shore area shall require a permit from the Department, pursuant to this rule chapter. Any excavation that occurs below the mean high water line on sovereignty lands is subject to the provision of Section 161.041 and Chapter 253, F.S. Sandfilled geotextile containers used as the core of a reconstructed dune for dune stabilization or restoration activities are not authorized under this rule. These structures are governed under Chapter 62B-56, F.A.C.

2. Construction of temporary wooden retaining walls, cantilever sheetpile walls (without concrete caps, tiebacks, or other reinforcement), or similar structures.

(e) Construction debris resulting from the coastal storm shall not be buried.

(f) Construction debris shall not be used for emergency protection. Any materials used for emergency protection shall either comply with the materials criteria in paragraph 62B-33.0051(2)(b), F.A.C., or shall be clean and easily removed or designed to assimilate into the natural environment without damage to the beach and dune system or marine turtles nesting habitat.

(g) Temporary structures shall be removed within 60 days of installation unless a complete application for a permit seeking authorization to retain the temporary structure or to provide alternative protection has been provided to the Department pursuant to Sections 161.053 and 161.085, F.S. In order for a temporary structure to remain in place, it must be permitted and meet all eligibility, siting, and design criteria for permanent armoring provided in this rule chapter.

(h) No activities shall result in a significant adverse impact.

(i) Under Section 161.085, F.S., if installation of a temporary emergency protection structure has caused, is causing, or has the reasonable potential to cause a significant adverse impact, the governmental entity that authorized the structure shall conduct or require appropriate action to eliminate any significant adverse impact.

(j) The Department shall require mitigation of any adverse impacts caused by emergency protection structures. In addition, the Department shall require removal of a temporary emergency protection structure if a significant adverse impact, as defined in Rule 62B-33.002, F.A.C., occurs.

(k) If installation of emergency protection structures occurs during the marine turtle nesting season, the following measures for the protection of marine turtles shall be implemented prior to siting and during installation of the emergency protection structure:

1. The Department shall be contacted for information on appropriate siting of the emergency structure to minimize impacts to marine turtles and provided with the location of any known marine turtle nests within the area of the proposed project.

2. Temporary emergency protection structures shall be sited and constructed in a manner that protects marine turtles.

3. Construction and storage of equipment or materials shall be conducted from or located at upland locations landward of the nesting beach.

4. In order to be prepared for coastal emergencies, local governmental entities who anticipate installing or authorizing emergency coastal protection structures should obtain a federal Endangered Species Act, Section 10, Incidental Take authorization from the United States Fish and Wildlife Service through the development of a marine turtle habitat conservation plan.

(l) Governmental entities shall notify the Department's Bureau of Beaches and Coastal Systems, within three (3) working days

of installing or authorizing the installation of any armoring pursuant to this rule section (overnight delivery to Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304, or facsimile copy to (850)488-5257). Notification shall include:

1. A description of the structure, including a sketch and location;

2. The name and address of the property owner; and

3. The date of installation.

(m) Other authorizations under Chapters 253, 258, 373 and 379, F.S., are necessary to conduct activities below mean high water.

(6) The provisions of this rule section shall apply until the following measures to reduce the threat of erosion damage to upland property and structures within the specific fixed coastal cells of a coastal region have been taken:

(a) The shoreline has been restored such that private structures and public infrastructure are no longer vulnerable to frequent coastal storms; and

(b) The shoreline restoration project provides authority for future nourishment to maintain the level of protection; or

(c) Where applicable, an inlet management plan has been adopted by the Department and implemented by the governmental entity having jurisdiction over the inlet.

*Specific Authority 161.053, 161.085 FS. Law Implemented 161.052, 161.053, 161.085 FS. History–New 9-12-96, Amended 1-26-98, 8-27-00, 7-1-01, 6-13-04, 7-3-05, 5-31-07, 7-17-08.*

**62B-33.007 Structural and Other Requirements Necessary for Permit Approval.**

(1) All building permit applications submitted to the Department or to the appropriate local building department prior to March 1, 2002, the effective date of the Florida Building Code Act (Part VII, Chapter 553, F.S.), shall be governed in accordance with the standards contained within this rule section for the life of the permitted work and for any extensions granted to the permit.

(2) Upon the March 1, 2002 effective date of the Florida Building Code Act (pursuant to Sections 553.73 and 553.79, F.S.), the standards contained in this rule section shall be enforced by the local governments, except as noted in subsection 62B-33.007(1) and paragraphs 62B-33.007(4)(k) and (l), F.A.C.

(3) Habitable major structures which extend wholly or partially seaward of the CCCL or 50-foot setback shall be designed to resist the predicted forces associated with a 100-year storm event.

(4) Major structures shall conform to the following requirements:

(a) Habitable major structures shall be designed in accordance with the FBC, pursuant to Sections 553.70 through 553.898, F.S., the Florida Building Codes Act. In the event of conflict between the requirements of this rule chapter and the above building codes or other state or federal laws, the requirements resulting in the more restrictive design for wind, wave, hydrostatic and hydrodynamic loads, and erosion conditions shall apply.

(b) All structures shall be designed in accordance with the applicable wind standards contained in Chapter 16 of the FBC, which is adopted herein by reference.

(c) All habitable major structures shall be elevated on and securely anchored to an adequate pile foundation in such a manner as to locate the building support structure above the design breaking wave crests or wave approach as superimposed on the storm surge with dynamic wave setup of a 100-year storm. The storm surge with dynamic wave setup of a 100-year storm shall be the elevation determined by the Department in studies published as a part of the CCCL establishment process. The Department will evaluate the applicant's proposed structural elevation based upon available scientific and coastal engineering data and will advise the applicant of the specific elevation requirement for the site. The Department shall authorize the construction of additions, repairs, or modifications to existing nonconforming habitable major structures that do not meet the elevation or foundation standards of this paragraph, provided that the addition, repair, or modification does not advance the seaward limits of habitable construction at the site, does not constitute rebuilding of the existing structure, or does not otherwise comply with the requirements of this rule chapter. Staff evaluation in such cases will be based on engineering data, site elevations, any impact on the beach and dune system, and design life of the structure.

(d) Pile foundations for habitable major structures shall be designed to withstand all reasonable anticipated erosion, scour, and loads resulting from a 100-year storm including wind, wave, hydrostatic, and hydrodynamic forces acting simultaneously with typical structural (live and dead) loads. All major habitable structures should be anchored to their pile foundation in such a manner as to prevent flotation, collapse, or lateral displacement.

(e) The elevation of the soil surface to be used in the calculation of pile reactions and bearing capacities for habitable major structures shall not be greater than that which would result from erosion due to a 100-year storm event. Calculation of the design grade shall account for localized scour due to the presence of structural components. Design ratio of pile spacing to pile diameter should not be less than 8:1 for individual piles located above the design grade. Pile caps shall be set below the design grade unless designed to resist increased flood loads associated with setting the cap above the design grade, but at or below the natural grade. Pile penetration shall take into consideration the anticipated loss of soil above the design grade.

(f) Substantial walls or partitions shall not be constructed below the level of the first finished floor of habitable major structures and seaward of the CCCL or 50-foot setback. This does not preclude, subject to Department permit and applicable federal, county, and municipal regulations, the construction of:

1. Stairways;

2. Shearwalls perpendicular to the shoreline;

3. Shearwalls parallel to the shoreline, which are limited to a maximum of 20 percent of the building length in the direction running parallel to the shore;

4. Shearwalls parallel to the shoreline, which exceed 20 percent of the total building length (including any attached major structure) when they meet the following criteria:

a. A certification is provided by a Florida licensed professional engineer that certifies the increased length of shearwalls over 20 percent is located landward of the 100-year erosion limit;

b. A hydraulic analysis is provided and certified by a Florida licensed professional engineer that evaluates the potential impact of flow increase on the subject parcel and adjacent properties;

c. The hydraulic analysis demonstrates that although the overall shearwall coverage is more than 20 percent, the increased shearwall length will not result in substantial increase of flow velocities and drag forces on the structural components of the proposed structure and neighboring structures; and

d. These provisions do not include any low-rise building as defined in Section 1606.1.5 of the FBC.

5. Wind or sand screens constructed of fiber or wire mesh;

6. Light, open lattice partitions with individual, wooden lattice strips not greater than 3/4 inch thick and 3 inches wide;

7. Elevator shafts;

8. Small mechanical and electrical equipment rooms; or

9. Break-away or frangible walls.

(g) The requirements specified in paragraph 62B-33.007(4)(f), F.A.C., are not applicable if the Department determines that the substantial wall or partition is landward of the predicted erosion limits of a 100-year storm, that the 100-year storm stillwater depth at the substantial wall or partition is less than 1.5 feet, and that the applicant complies with all other requirements of this rule chapter.

(h) Structural design shall consider all design wave forces. Habitable major structures shall be designed in consideration of a 100-year storm event. Breaking, broken, and nonbreaking waves shall be considered as applicable. Design wave loading analysis shall consider vertical uplift pressures and all lateral pressures to include impact as well as dynamic loading and the harmonic intensification resulting from repetitive waves.

(i) Structural design shall consider all applicable hydrostatic loads. Habitable major structures shall be designed in consideration of the hydrostatic loads which would be expected under the conditions of maximum inundation associated with a 100-year storm event. Calculations for hydrostatic loads shall consider the maximum water pressure resulting from a fully peaked, breaking wave superimposed on the design storm surge with dynamic wave setup. Both free and confined hydrostatic loads shall be considered. Hydrostatic loads which are confined shall be determined using the maximum elevation to which the confined water would freely rise if unconfined. Vertical hydrostatic loads shall be considered as forces acting both vertically downward and upward on horizontal or inclined surfaces of major structures (e.g., floors, slabs, roofs, and walls). Lateral hydrostatic loads shall be considered as forces acting horizontally above and below grade on vertical or inclined surfaces of major structures and coastal or shore protection structures. Hydrostatic loads on irregular or curving geometric surfaces may be determined in consideration of separate vertical and horizontal components acting simultaneously under the distribution of the hydrostatic pressures.

(j) Structural design shall consider all applicable hydrodynamic loads. Habitable major structures shall be designed in consideration of the hydrodynamic loads which would be expected under the conditions of a 100-year storm event. Calculations for hydrodynamic loads shall consider the maximum water pressures resulting from the motion of the water mass associated with a 100-

year storm event. Full intensity loading shall be applied on all structural surfaces above the design grade which would affect the flow velocities.

(k) Fishing or ocean piers or the extension of existing fishing or ocean piers shall be designed to withstand at a minimum the erosion, scour, and loads accompanying a twenty (20)-year storm event. Pier decking and rails may be designed to be an expendable structure. Major structures constructed on the pier shall be designed for the wind loads as set forth in the FBC. Pile foundations shall not obstruct the longshore sediment transport and shall be designed to minimize any impact to the shoreline or coastal processes.

(l) Pipelines and ocean outfalls crossing the beach and littoral zone or the extension of existing pipelines or ocean outfalls shall be designed to withstand at a minimum the erosion, scour, and loads accompanying a 20-year or greater storm event. Pipelines or ocean outfalls shall be constructed below grade across the beach and littoral zone.

(m) Swimming pools located in close proximity to an existing habitable structure or armoring shall be designed with an adequate pile foundation for the erosion and scour conditions of a 100-year storm event.

(5) All structures shall be designed to reduce the potential for generating aerodynamically or hydrodynamically-propelled missiles.

*Specific Authority 161.053 FS. Law Implemented 161.052(2), 161.053 FS. History–New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.07, Amended 5-12-92, Formerly 16B-33.007, Amended 9-12-96, 1-26-98, 8-27-00, 12-31-01, 6-13-04, 5-31-07.*

**62B-33.008 Permit Application Requirements and Procedures.**

(1) All applications submitted to the Department or to the appropriate local building department prior to March 1, 2002, the effective date of the Florida Building Code Act (Part VII, Chapter 553, F.S.), shall contain all the information required in subsection 62B-33.008(3), F.A.C.

(2) Applications received by the Department after the March 1, 2002 effective date of the Florida Building Code Act shall not be required to comply with the provisions of paragraphs 62B-33.008(3)(j), and subsection 62B-33.008(4), F.A.C., except as noted in subsection 62B-33.008(1), F.A.C.

(3) Any person desiring to obtain a permit for construction seaward of the coastal construction control line (CCCL) or 50-foot setback from the Department, except those persons applying pursuant to the emergency procedures in Rule 62B-33.014, F.A.C., shall submit two (2) copies of a completed application form to the Bureau at the address below. The permit application form, which is entitled "Application for a Permit for Construction Seaward of the Coastal Construction Control Line or Fifty-Foot Setback" – DEP Form 73-100 (Revised 12/06), is hereby adopted and incorporated by reference. Copies of the form can be obtained by writing the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000; or by telephoning (850)488-7708. The application shall contain the following specific information:

(a) Name, mailing address, and telephone number of the property owner and of any duly authorized agent making the application on behalf of the owner, and the signature of the applicant.

(b) The name and mailing address of the owners of the immediately adjacent properties, exclusive of street-ends or easements.

(c) Sufficient evidence of ownership including the legal description of the property for which the permit is requested. Examples of evidence of ownership may include a copy of an executed warranty deed bearing evidence of appropriate recordation; a copy of a long term lease-purchase agreement, or contract for deed; a copy of a property tax receipt bearing the name and address of the current owner; articles of condominium bearing evidence of appropriate recordation (for condominiums); or the cooperative documents defined in Section 719.103(13)(a), F.S. (for residential cooperatives). Other documents submitted as evidence of ownership will be reviewed by the staff and shall be rejected if found not to be sufficient. A copy of a quit claim deead, a purchase contract, an affidavit from the owner, or a tax record obtained from an Internet website (unless obtained from an authenticated official county record) is not sufficient evidence of ownership. If the applicant is not the property owner, the applicant shall submit certification on the form provided by the Department as part of the permit application form, which is referenced in subsection 62B-33.008(3), F.A.C., authorizing the applicant to act as the owner's agent for the purpose of applying for a permit and to act on behalf of the owner in other matters pertaining to the permit.

(d) Written evidence, provided by the appropriate local governmental entity having jurisdiction over the activity, that the proposed activity, as submitted to the Bureau, does not contravene local setback requirements or zoning codes.

(e) A statement describing the proposed work, activity, or construction.

(f) Two original copies of a signed and sealed survey of the subject property. The information depicted on the drawing shall be

from a field survey conducted not more than six months prior to the date of the application. The survey shall comply with the requirements given in Rule 62B-33.0081, F.A.C.

(g) For major and rigid coastal structures, two copies of a dimensioned site plan drawn to an appropriate scale, on eight and one-half (8 1/2)-inch by eleven (11)-inch size paper showing property boundaries, the location of the proposed structure(s), the proposed construction limits, the location and volume of any proposed excavation or fill, and the locations of roads, adjacent dwellings, the vegetation line, and the approximate mean high water line.

(h) For major and rigid coastal structures, two copies of dimensioned cross-sections drawn to an appropriate scale, on eight and one-half (8 ½)-inch by eleven (11)-inch paper, showing:

1. All subgrade construction or excavation with elevations referenced to NAVD 88 (U.S. survey foot).
2. Typical cross-sections of major structures and crest elevations for any proposed coastal or shore protection structure.
3. Location of the control line or, if not established, the MHWL and the 50-foot setback.
4. Typical profile of existing and proposed grade at the site.
5. The location of the contour line corresponding to elevation 0.0 NAVD 88 (U.S. survey foot).

(i) For structures with proposed permanent exterior lighting, two copies of a dimensioned lighting plan drawn an appropriate scale showing:

1. The location of all proposed permanent exterior lighting fixtures clearly marked by distinctive symbols for each model used,
2. A table with the column headings shown below providing the specified information for each fixture model used, and

| SYMBOL | FIXTURE (e.g., name or stock number) | TOTAL NUMBER OF EACH FIXTURE | BULB LUMENS OUTPUT AND TYPE (e.g., 420 lumens output standard incandesent yellow "bug" bulb) | TYPE OF MOUNT (e.g., wall, pole, bollard) | MOUNTING HEIGHT |
|---|---|---|---|---|---|
| | | | | | |

3. A detailed description or manufacturer's catalog sheet (cut sheet) for each fixture model used.
4. Multi-family and commercial project applications shall include three copies of the items listed in rule subparagraphs 62B-33.008(3)(i)1., through 3., F.A.C.

(j) Two copies of detailed final construction plans and specifications for all proposed structures or excavation including all planned appurtenant structures, permanent exterior lighting, and utilities. For major structures, these documents shall be signed and sealed by an engineer or architect (as appropriate) licensed in the State of Florida, and the site plan shall include all information required in subsection 62B-33.0081(1), F.A.C.

(k) For major habitable multifamily dwelling structures, two copies of detailed foundation plans and specifications. These documents shall be signed and sealed by an engineer or architect (as appropriate) licensed in the State of Florida.

(l) Two copies of a dimensioned site plan. The drawings shall be signed and sealed by an architect, engineer, landscape architect, or professional surveyor and mapper (as appropriate) licensed in the state of Florida. The site plan shall include:

1. The locations and exterior dimensions of all proposed structures, including foundations and other activities, and the bearings and distances from the CCCL or 50-foot setback to the seaward corners of the foundations of any major structures or the seaward limit of any coastal or shore-protection structure.
2. Dimensions and locations of the foundation outlines of any existing structures on adjacent properties and distances from the CCCL or 50-foot setback to the seaward corners of the foundations of any existing structures or the seaward limit of any coastal or shore-protection structure. These measurements shall include all structures that the applicant contends have established a reasonably continuous and uniform construction line for permits requested under the provisions of Sections 161.052(2)(b) or 161.053(5)(b), F.S.
3. Dimensions and locations of the foundation outlines of any existing structures on the subject property and distances from the CCCL or 50-foot setback to the seaward corners of the foundations of any major structures or the seaward limit of any coastal or shore-protection structure.
4. The horizontal location of the erosion control line (if one exists), any contour lines corresponding to elevation 0.00, the approximate contour of mean high water and the seasonal high water, and the horizontal location of the seaward line of vegetation and outlines of existing natural vegetation.
5. The horizontal location of the CCCL or the 50-foot setback (if no CCCL is established for the county in which the property is

located) for the full width of the subject property, including the location and full stamping of the two nearest Department or published second order or higher horizontal control points.

6. The location and dimensions of the property boundary, rights of way, and easements, if any.

7. The property owner and project name, street address, scale, north arrow, sheet number, and date of drawings.

8. The location of work limits, construction fences, and dune features and vegetation to be protected during construction.

(m) Two copies of a dimensioned grading plan. The drawings shall be signed and sealed by an architect, engineer, landscape architect, or professional surveyor and mapper (as appropriate) licensed in the State of Florida. The grading plan shall include:

1. Existing and proposed elevations, contours and spot elevations.

2. For any proposed excavation or fill:

a. A table of all permanent, temporary, and net excavation and fill volumes seaward of the CCCL;

b. The storage locations and description of handling methods for all temporary excavation and fill material; and

c. Soil and geotechnical data for beach compatible imported or excavated material proposed for placement on the beach seaward of a frontal dune or on the sandy beach.

(n) Two copies of dimensioned cross-sections. The drawings shall be signed and sealed by an architect, engineer, landscape architect, or professional surveyor and mapper (as appropriate) licensed in the State of Florida. The cross-sections shall include a typical view from the mean high water line to the CCCL depicting all structures and building elevations, proposed and existing grades, subgrade construction, excavation, fill, and elevations for any proposed or existing rigid coastal structures.

(o) For rigid coastal structures, two copies of a dimensioned site plan and detailed final construction plans and specifications for all proposed structures or excavation. These documents shall be signed and sealed by an engineer licensed in the State of Florida and shall bear the certification specified in paragraph 62B-33.0051(2)(c), F.A.C., and the site plan shall include all information required in subsection 62B-33.0081(1), F.A.C.

(p) Details, including engineering design computations, for any proposed waste or storm water discharge onto, over, under, or across the beach and dune system, such as storm water runoff, swimming pool drainage, well discharge, domestic waste systems, or outfalls. For multi-family dwellings, commercial developments, paved roadways, parking lots, and any de-watering projects, the applicant shall provide two copies of a dimensioned storm water management plan or other drainage plan(s). These plans shall show all conveyance systems (pipes, swales, culvers, wells, catchbasins, outlets), retention areas, invert elevations, and surface runoff drainage arrows.

(q) An anticipated construction schedule.

(r) Two copies of detailed planting plans, including the location of proposed plants, existing native vegetation, and plants to be removed. Plans shall include a plant list with both scientific and common names.

(4) If the application proposes to repair or rebuild, improve, or add an addition to an existing structure, the applicant shall submit a statement from the local governmental agency having jurisdiction over the activity which clearly states whether or not the proposed construction is a substantial improvement as defined in Section 161.54(12), F.S. If a statement is not available, the applicant shall submit to the Department all documentation necessary for the Department to make such a determination. The documentation shall include the cost of the improvement or repair and a figure representing the cumulative total of 50 percent of the market value of the structure, either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred.

(5) The staff shall require the applicant to provide other site specific information or calculations as is necessary for proper evaluation of the application. The dimensions for that plans referenced in this section shall be submitted in U.S. Customary System units. Structures shall be located with distances measured perpendicular to the control line, 50-foot setback line, or the mean high water line, as appropriate. All elevations in this rule shall be referenced to NAVD 88 (U.S. survey foot). Site, grading, drainage, and landscape plans as well as cross-sections shall be drawn to a scale no smaller than 1" = 40' in the horizontal dimension.

(6) The Department recognizes that the requirements specified in paragraphs 62B-33.008(3)(f) through (r), and Rule 62B-33.0081, F.A.C., may not, due to the project specific circumstances, be applicable or necessary to ensure protection to the beach and dune system. In such cases, the applicant shall, as part of the application, identify those requirements and state the reason why they are inapplicable. The Department shall waive requirements that do no apply.

(7) The applicant shall have 180 days from the date the Department mails a timely request for additional information to submit that information to the Department. If an applicant requires more than 180 days in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in

active status for a period of up to 90 days. Additional extensions shall be granted for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested additional information shall constitute good cause. Failure of an applicant to provide the timely requested information by the applicable deadline shall result in denial of the application.

(8) Permits for major structures shall expire three (3) years from the date of issuance unless the Department receives a written request for extension from the applicant demonstrating that the construction phase of the project cannot be completed within three years. In such case, permits for major structures shall expire five (5) years from the date of issuance. Permits for minor structures shall expire one year from the date of issuance. Once a permit has expired, all activity authorized must cease unless a new permit, a time extension, or a permit renewal is approved by the Department.

(9) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to subsection 62B-33.0085(4), F.A.C., and shall restart the time requirements of Section 120.60, F.S. For purposes of this rule section, the term "substantial modification" shall mean a modification that is reasonably expected to lead to new or increased adverse impacts that require a detailed review.

(10) As an alternative to the above procedure, the Department issues field permits for certain minor structures and activities if the Department determines the activity has minor impacts. The field permit form that, is entitled "Field Permit Pursuant to Section 161.053 or 161.052, F.S.," DEP Form 73-122 (Revised 3/05), is hereby adopted and incorporated by reference. A copy of the form can be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, or by telephoning (850) 488-7708.

(11) Requests for the Department to determine that the proposed activity is exempt from permitting pursuant to the provisions of Section 161.053(12)(b), F.S., shall include, at a minimum, a survey meeting the requirements of Rule 62B-33.0081, F.A.C., and the information requirements of paragraphs 62B-33.008(3)(l), (m), (n), (p), (r), and subsection 62B-33.008(5), F.A.C. The Department recognizes that the requirements specified above may not be necessary to make an exemption determination. In such cases, the applicant shall, as part of the request for exemption, identify those requirements and state the reason why they are inapplicable. The Department shall waive requirements that do not apply.

*Specific Authority 161.053, 161.0535 FS. Law Implemented 161.052, 161.053 FS. History–New 11-18-80, Amended 7-7-81, 3-17-85, 11-10-85, Formerly 16B-33.08, Amended 8-7-86, Formerly 16B-33.008, Amended 1-26-98, 8-27-00, 12-31-01, 6-13-04, 5-31-07.*

**62B-33.0081 Survey Requirements.**

(1) The certified survey of the subject property, which is required by paragraph 62B-33.008(3)(f), F.A.C., shall include the following information:

(a) The property owner's name.

(b) All vertical data specified on the survey shall be referenced to NAVD 88 (U.S. survey foot).

(c) The location of the property in relation to bordering roads and streets.

(d) Property boundaries and right-of-ways.

(e) Legal description of the property.

(f) All horizontal coordinates, bearings, and distances referenced to the control provided upon the most recently recorded Map of Record for the CCCL in the county where the subject property is located.

(g) The recording date, book, and page of the Map of Record of the CCCL as recorded in the county public records where the subject property resides.

(h) The horizontal location of the CCCL or the fifty (50)-foot setback (if no CCCL is established for the county in which the property is located) for the full width of the subject property, including the location and full stamping of the two (2) nearest Department or published second order or higher horizontal control points.

(i) The horizontal location of the erosion control line, if one exists,

(j) The horizontal locations of the contour lines corresponding to elevation 0.00, the approximate contour of the mean high water, and the contour of the seasonal high water.

(k) The horizontal location of the seaward line of vegetation and outlines of existing natural vegetation. Each contiguous stand shall be circumscribed at the outermost edge of the vegetation or the drip line of a tree canopy and shall be identified as being one of the following categories:

1. Beach dune (grasses and groundcovers);

2. Coastal strand (saw palmetto and salt pruned shrubs);

3. Hammock (overhead forest canopy);

4. Wetland (mangrove, marsh, or swamp); or

5. Exotics (greater than 50 percent Australian pine, Brazilian pepper, Australian scaevola, or other invasive nuisance species).

(l) When the topographic contours of the subject property are uniform in nature in the shore-normal direction throughout the project area, show (1) a minimum of three transects, (2) one transect per lot line, and (3) one transect per 100 feet of shore-normal direction, with data points at 25-foot intervals and at one-foot or greater changes in elevation on each transect. In project areas that are irregular or not uniform in nature or where abnormal topographic entities exist in a dune system, provide sufficient transect data points and elevations to establish a two-foot contour interval throughout the dune system.

(m) Dimensions and locations of the foundation outlines of any existing structures on the subject property and the bearings and distances perpendicular from the CCCL or 50-foot setback to the seaward corners of the foundations of any major structures or the seaward limit of the crest or cap at the extremities of any coastal or shore protection structure.

(n) If the permit is requested under the provisions of Section 161.053(5)(b) or 161.052(2)(b), F.S., the survey shall show the dimensions and locations of the foundation outlines of any existing structures in the immediate contiguous or adjacent areas that the applicant contends have established a reasonably continuous and uniform construction line. The survey shall show bearings and distances perpendicular from the CCCL or fifty (50)-foot setback to the seaward corners of the foundations of any major structures or the seaward limit of the crest or cap at the extremities of any coastal or shore protection structure, including the down line bearings and distances from the nearest point of intersection of the CCCL and the established perpendicular intersection.

(2) When conventional route surveying is used to locate the CCCL, the following information must be shown, reported, and become a part of the drawing:

(a) The location traverse showing all adjusted angles, distances, and directions shall be shown, reported, and become a part of the drawing.

(b) At least two (2) CCCL Map of Record control points or any two (2) published second order or higher horizontal control points shall be used in the location traverse. The bearing and distance from the nearest control monuments to the points of intersection on the CCCL shall be shown upon the survey.

(c) The survey shall provide the Florida State Plane Coordinates referenced to NAD 83/90 (U.S. survey foot) for two consecutive property corners on the subject property and the perpendicular bearings and distances to the most recently recorded CCCL or 50-foot setback, including the down-line bearing and distance from the nearest point of intersection of the CCCL and the established perpendicular intersection.

(3) When Global Positioning Systems are used, the following must be shown, reported, and become a part of the drawing:

(a) A tabular listing of all Geodetic Control Stations occupied and checked into, along with their latitude, longitude, State Plane Coordinate, zone, and specifications of units (U.S. survey foot).

(b) The software brand and version number used for the baseline or real-time processing and or adjustment.

(c) Identification of the Geodetic Control that was held fixed or used as Base Station installation. The Geodetic Control that was checked or allowed to take adjustment. When using real-time kinematic carrier phase processing, at least one additional control monument shall be occupied and a statistical comparison to the published values shall be provided.

(d) A general statement of accuracy for each newly established coordinate.

(e) A graphic representation of the final fixed position data depicting the three-dimensional vector baseline established between the control station and the newly established stations, including three-dimensional loop closure statistics on the checked monumentation.

(f) A tabular listing of all newly established positions obtained from the final fixed vectors which includes their latitude, longitude, State Plane Coordinate, zone, grid Azimuth (convergence angle), scale factor, and specification of units (U.S. survey foot). Newly established stations shall be identified as such. The number of decimal places displayed shall reflect the level of precision of the work performed.

(g) The survey drawings shall include the following notes or equivalent:

1. The procedures and or network design meet the Geodetic Accuracy Standards and Specifications for Using GPS Related Positioning as set forth by the Federal Geodetic Control Sub-Committee in their most current publication for 3rd order class 1 horizontal control survey or provide the horizontal accuracy for all new positions established as a positional tolerance.

2. Provide the vertical accuracy for all new positions established as a positional tolerance.

3. The survey shall provide the Florida State Plane Coordinates referenced to NAD 83/90 (U.S. survey foot) for two (2) consecutive property corners on the subject property and the perpendicular bearings and distances to the most recently recorded CCCL or fifty (50)-foot setback, including the down line bearing and distance from the nearest point of intersection of the CCCL and the established perpendicular intersection.

4. For general location purposes the survey shall provide a bearing and distance from the state plane coordinated property corners to the nearest Department range baseline monitoring location.

*Specific Authority 161.053 FS. Law Implemented 161.052, 161.053 FS. History–New 6-13-04, Amended 5-31-07.*

**62B-33.0085 Permit Fees.**

(1) Each application for a new permit or for a change in permit status to be considered by the Department pursuant to Section 161.053, F.S., or Rule 62B-33.013, F.A.C., except the applications listed in paragraphs 62B-33.0085(1)(a) through (e), F.A.C., shall be accompanied by a fee. Monies from fees assessed pursuant to this rule section shall be deposited into the Florida Permit Fee Trust Fund. No fee shall be assessed for:

(a) Applications pursuant to Rule 62B-33.014, F.A.C., Emergency Procedures;

(b) Applications filed by agencies of government of the executive branch of the State of Florida;

(c) Applications for permits pursuant to Section 161.052, F.S., for work to be conducted in counties where no CCCL has been established pursuant to Section 161.053, F.S.;

(d) Field permits; or

(e) Transfer of permits.

(2) The appropriate fee is to be submitted to the Department at the time of application. No permit application will be considered complete until the required fee has been received by the Department.

(3) If an applicant has submitted a fee for an activity which is exempt from the fee provisions of this rule section, such fee shall be refunded to the applicant pursuant to the provisions of Section 120.60(2), F.S. Any fee payment in excess of the amount required by this rule section shall be refunded to the applicant. Fees submitted to the Department pursuant to this rule section shall not be refunded if the application is withdrawn, denied, or if separate application(s) to other governmental agencies are denied.

(4) The total permit fee shall be the sum of the fees assessed for each individual major structure plus any additional fee for minor structure. The fees for each activity, experimental project, rigid coastal structure, permit modification, time extension, permit renewal, area wide permit, or structure or addition, when any portion of the foundation or any habitable portion of such structure or addition is proposed by the applicant to extend seaward of the CCCL, shall be assessed in accordance with the following schedule:

(a) Nonhabitable major structures: $1,000.

(b) Habitable major structures with a roof footprint less than 2,400 square feet for a single family dwelling: $2,000.

(c) Habitable major structures with a roof footprint equal to or greater than 2,400 square feet for a single family dwelling: $4,000.

(d) Habitable major structures with more than one dwelling unit (e.g., hotels, motels, apartment buildings, and condominiums): $5,000 plus $100 per dwelling unit for each dwelling unit in the structure.

(e) Other major habitable structures (e.g., commercial or public buildings, restaurants, and towers): $3,000.

(f) Additions to existing habitable structures for a single family dwelling: $1,000.

(g) Additions to existing habitable structures with more than one dwelling unit: $2,500 for the first unit and $100 for every additional dwelling unit in the structure.

(h) Minor structures and activities: $300 for a single minor structure, $500 for multiple minor structures, and $300 for one or more minor activities. Minor activities include but are not limited to dune construction and enhancement, placement of fill, and removal of debris. Minor structures and activities exclude minor structures and activities authorized by a field permit. There shall be no additional fee for minor activities in conjunction with a permit for a major structure.

(i) Experimental Projects: $3,000 for experimental projects permitted in accordance with Section 161.053, F.S., and Section 27, Chapter 89-175, Laws of Florida.

(j) Area Wide Permits pursuant to Section 161.053(18), F.S.: $500.

(k) Rigid Coastal Structures: $3,000 for structures up to 100 feet in length, plus $500 for each additional 50 feet of length or portion thereof. For fee payment purposes, the length of the structure shall include return walls.

(l) Other Activities: $500. Other activities include, but are not limited to minor reconstruction of coastal protection structures,

repairs to major structures, excavation, and large landscaping projects.

(m) Time Extension: $200 for projects that are certified by a professional engineer or architect licensed in the State of Florida to be at least 75 percent complete, $500 for projects that are certified by a professional engineer or architect licensed in the State of Florida to be less than 75 percent complete and above the foundation, and $750 for projects in which the foundation is incomplete. In order to be eligible for a time extension, a request, pursuant to subsection 62B-33.013(3), F.A.C., must be filed in writing with the Bureau of Beaches and Coastal Systems prior to the permit expiration date.

(n) Permit Renewal: $1,000 or 10 percent of the original permit fee whichever is greater for permits which expire without a request for time extension or in cases in which a request for a time extension is not received prior to the permit expiration date.

(o) Revisions or Modifications of Approved Permits.

1. For a modification to a permit for a minor structure or activity which adds a new minor structure or activity, the fee will be the amount assessed for the additional structure or activity under subsection 62B-33.0085(4), F.A.C. For a modification which includes revisions to a permitted minor structure or activity and does not include a new minor structure or activity, the fee will be $150.

2. For a modification to a permit for a major structure which adds a new major structure or dwelling unit, the fee will be $500 or the amount assessed for the structure or dwelling unit under subsection 62B-33.0085(4), F.A.C., whichever is greater. For a modification which includes revisions to a permitted major structure or dwelling unit and does not include a new major structure or dwelling unit, the fee will be $500.

(p) Fee Waiver: For projects which are cost shared under Section 161.101, F.S., with the state government, the local government may request a waiver of that portion of the fee above the local government pro rata share. (Example: local share 50%, computed total fee $5,000, waived fee is $2,500, local pro rata fee $2,500). In no case will the local pro rata share be less than $2,000.

(q) Development Agreements pursuant to Section 161.0531, F.S.: $2000.

*Specific Authority 161.053, 161.0535 FS. Law Implemented 161.053, 161.0535 FS. History–New 8-7-86, Formerly 16B-33.0085, Amended 6-16-97, 4-30-98, 8-27-00, 6-13-04.*

**62B-33.013 Permit Modifications, Time Extensions, and Renewals.**

(1) Requests for major changes or modifications including additions, revisions, or structural modifications of permitted projects or activities shall be reviewed in the same manner as the initial application. Changes considered major are those changes that will affect compliance with structural standards of this rule or which increase the potential for adverse impacts.

(2) A determination that minor changes or modifications, including minor additions, revisions, or structural modifications of permitted projects or activities that are within the scope of the permit, shall be made upon request of the applicant. Minor additions, revisions, or structural modifications are those changes which will not increase the risk of adverse impacts.

(3) The permittee or authorized agent may request an extension of the permit expiration date by filing a written request with the Bureau prior to the permit expiration date. If a request for a time extension is completed pursuant to paragraph 62B-33.013(3)(a), F.A.C., and received prior to the permit expiration date, the permit will be valid until the Department acts upon the extension request. If a timely but incomplete request for a time extension is received, construction must cease upon the expiration date of the permit and shall not restart until the request is complete or until the Department acts upon the request. Time extensions for major structures can be issued for periods of up to three years. The total time extensions shall not extend beyond three years from the permit's original expiration date. The request shall be made using the time extension form entitled "Application for a Permit Time Extension Pursuant to Rule 62B-33.013, F.A.C.," DEP Form 73-113 (Revised 7/04), which is hereby adopted and incorporated by reference. A copy of the form can be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, or by telephoning (850)488-7708.

(a) A written request for a permit time extension shall include the following items:

1. The permit number;

2. The length of time requested;

3. A copy of a valid building permit or evidence provided by the applicable county or municipality that the authorization previously provided under paragraph 62B-33.008(3)(d), F.A.C., shall remain in effect throughout the duration of the requested time extension;

4. Reasonable assurance that the activity can be completed within the time extension requested based on a schedule for

completion included with the request, that no significant change in shoreline conditions has occurred since the original permit was issued, and that the nature of the work has not changed; and

5. A fee pursuant to Rule 62B-33.0085, F.A.C.

(b) The Department shall deny a request for a time extension if:

1. Shoreline or other conditions have changed so that the project is no longer permittable under this rule chapter;

2. Application for a time extension is made after the expiration date of the permit;

3. Construction has not started within the five (5)-year period following the date of permit issuance for a major structure;

4. The permit has previously been extended to the limit allowed under this subsection or renewed pursuant to subsection 62B-33.013(4), F.A.C.; or

5. The time extension request would extend the expiration date beyond three years from the permit's original expiration date.

(4) If a permit has expired before the work is complete, the applicant may apply in writing for a permit renewal provided the request is made within six months of the original permit expiration date. A permit renewal can be issued for periods of up to two years. Permit renewals are not available if a time extension, pursuant to subsection 62B-33.013(3), F.A.C., was previously issued. In order to obtain a renewal, the applicant must provide information required in subparagraphs 62B-33.013(3)(a)1. through 5., F.A.C. Time extensions are not authorized while a permit renewal is in effect.

(5) If construction is not complete after having been granted additional time by means of either a time extension or a permit renewal, the permittee must submit a new application pursuant to Rule 62B-33.008, F.A.C.

*Specific Authority 161.053 FS. Law Implemented 161.052, 161.053 FS. History–New 11-18-80, Amended 3-17-85, Formerly 16B-33.13, 16B-33.013, Amended 1-26-98, 8-27-00, 6-13-04, 5-31-07.*

**62B-33.014 Emergency Procedures.**

(1) A "shoreline emergency" declared by the Governor or the Department is any unusual incident resulting from a hurricane, storm, or other violent coastal disturbance that has resulted in erosion, beach or coastal damage, sudden and unpredictable hazards to navigation, damage to upland structures, or any other unusual incident from natural or unnatural causes that endangers the coastal system or health, safety, welfare, or resources of the citizens of the state. Permits approved under the emergency procedures described in this rule section are intended to alleviate conditions resulting from a shoreline emergency and for purposes of this rule section shall be referred to as "emergency permits".

(2) Once a state of emergency is declared by either Executive Order of the Governor, pursuant to Section 252.36, F.S., or by the Secretary, pursuant to Section 120.569(2)(l), F.S., the following emergency procedures shall be followed:

(a) Designated representatives of the Department shall process emergency permits upon the request for an emergency field permit or the submittal of an emergency permit application. All construction shall be reasonably expected to be completed within ninety (90) days of permit issuance;

(b) Emergency field permits that are processed pursuant to subsection 62B-33.008(11), F.A.C., may be issued for construction, including but not limited to: temporary or remedial activities to protect structures; repair or replace minor structures, including dune walkovers, retaining walls, decks, and gazebos; dune restoration with beach compatible sand; repair or replacement of minor damages to coastal armoring structures, including bulkhead or seawall caps, return walls, tiebacks, individual sheet piles, and armor stone; and other similar activities;

(c) Emergency permit applications may be submitted for the following activities: permanent foundation repair to major structures, repair or reconstruction of major structures, or repair or reconstruction of major damages to coastal armoring structures. The request shall be submitted using the form entitled "Emergency Permit Application Pursuant to Section 161.052 or 161.053, F.S." – DEP Form 73-303 (New 12/06), which is hereby adopted and incorporated by reference;

(d) Processing fees for emergency permits shall be waived;

(e) Information requirements of this rule chapter shall be deferred if the delay necessary to gather and submit the information will compound the emergency; and

(f) Public notice procedures shall be waived.

(3) Emergency permit processing procedures shall be designated for no longer than the period stated in the executive order. The Department shall authorize emergency permit processing extensions, of thirty (30) days each, not to exceed three extensions, concurrent with an emergency final order.

(4) Emergency permits shall expire 90 days after the date of issuance unless an earlier date is specified in the permit. If the

permittee demonstrates that the emergency conditions still exist and that failure to complete the project was beyond the permittee's control, the Department shall grant an extension of no more than 90 days after the initial expiration date.

(5) When the proposed activity is not for the purpose of alleviating conditions resulting from the shoreline emergency, permitting and authorization procedures set forth in the other sections of this rule chapter shall be followed.

(6) Emergency permits shall not be issued for the creation of new lands or permanent structures that did not exist before the emergency.

*Specific Authority 161.053 FS. Law Implemented 161.041, 161.052, 161.053 FS. History–New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.14, 16B-33.014, Amended 1-26-98, 5-31-07.*

**62B-33.0155 General Permit Conditions.**

(1) The following general permit conditions shall apply, unless waived by the Department or modified by the permit:

(a) The permittee shall carry out the construction or activity for which the permit was granted in accordance with the plans and specifications that were approved by the Department as part of the permit. Deviations therefrom, without written approval from the Department, shall be grounds for suspension of the work and revocation of the permit pursuant to Section 120.60(7), F.S., and shall result in assessment of civil fines or issuance of an order to alter or remove the unauthorized work, or both. No other construction or activities shall be conducted. No modifications to project size, location, or structural design are authorized without prior written approval from the Department. A copy of the notice to proceed shall be conspicuously displayed at the project site. Approved plans shall be made available for inspection by a Department representative.

(b) The permittee shall conduct the construction or activity authorized under the permit using extreme care to prevent any adverse impacts to the beach and dune system, marine turtles, their nests and habitat, or adjacent property and structures.

(c) The permittee shall allow any duly identified and authorized member of the Department to enter upon the premises associated with the project authorized by the permit for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department until all construction or activities authorized or required in the permit have been completed and all project performance reports, certifications, or other documents are received by the Department and determined to be consistent with the permit and approved plans.

(d) The permittee shall hold and save the State of Florida, the Department, and its officers and employees harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property that might result from the construction or activity authorized under the permit and from any and all claims and judgments resulting from such damage.

(e) The permittee shall allow the Department to use all records, notes, monitoring data, and other information relating to construction or any activity under the permit, which are submitted, for any purpose necessary except where such use is otherwise specifically forbidden by law.

(f) Construction traffic shall not occur and building materials shall not be stored on vegetated areas seaward of the control line unless specifically authorized by the permit. If the Department determines that this requirement is not being met, positive control measures, such as temporary fencing, designated access roads, adjustment of construction sequence, or other requirements, shall be provided by the permittee at the direction of the Department. Temporary construction fencing shall not be sited within marine turtle nesting habitats.

(g) The permittee shall not disturb existing beach and dune topography and vegetation except as expressly authorized in the permit. Before the project is considered complete, any disturbed topography or vegetation shall be restored as prescribed in the permit with suitable fill material or revegetated with appropriate beach and dune vegetation.

(h) All fill material placed seaward of the control line shall be sand which is similar to that already existing on the site in both coloration and grain size. All such fill material shall be free of construction debris, rocks, clay, or other foreign matter; shall be obtained from a source landward of the coastal construction control line; and shall be free of coarse gravel or cobbles.

(i) If surplus sand fill results from any approved excavation seaward of the control line, such material shall be distributed seaward of the control line on the site, as directed by the Department, unless otherwise specifically authorized by the permit.

(j) Any native salt-tolerant vegetation destroyed during construction shall be replaced with plants of the same species or, by authorization of the Department, with other native salt-tolerant vegetation suitable for beach and dune stabilization. Unless otherwise specifically authorized by the Department, all plants installed in beach and coastal areas – whether to replace vegetation displaced, damaged, or destroyed during construction or otherwise – shall be of species indigenous to Florida beaches and dunes, such as sea oats, sea grape, saw palmetto, panic grass, saltmeadow hay cordgrass, seashore saltgrass, and railroad vine, and grown from stock

indigenous to the region in which the project is located.

(k) All topographic restoration and revegetation work is subject to approval by the Department, and the status of restoration shall be reported as part of the final certification of the actual work performed.

(l) If not specifically authorized elsewhere in the permit, no operation, transportation, or storage of equipment or materials is authorized seaward of the dune crest or rigid coastal structure during the marine turtle nesting season. The marine turtle nesting season is May 1 through October 31 in all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward counties where leatherback turtle nesting occurs during the period of March 1 through October 31.

(m) If not specifically authorized elsewhere in the permit, no temporary lighting of the construction area is authorized at any time during the marine turtle nesting season and no additional permanent exterior lighting is authorized.

(n) All windows and glass doors visible from any point on the beach must be tinted to a transmittance value (light transmission from inside to outside) of 45% or less through the use of tinted glass or window film.

(o) The permit has been issued to a specified property owner and is not valid for any other person unless formally transferred. An applicant requesting transfer of the permit shall sign two copies of the permit transfer agreement form, agreeing to comply with all terms and conditions of the permit, and return both copies to the Bureau. The transfer request shall be provided on the form entitled "Permit Transfer Agreement" – DEP Form 73-103 (Revised 1/04), which is hereby adopted and incorporated by reference. No work shall proceed under the permit until the new owner has received a copy of the transfer agreement approved by the Department. A copy of the transfer agreement shall be displayed on the construction site along with the permit. An expired permit shall not be transferred.

(p) The permittee shall immediately inform the Bureau of any change of mailing address of the permittee and any authorized agent until all requirements of the permit are met.

(q) For permits involving major structures or activities, the permittee shall submit to the Bureau periodic progress reports on a monthly basis beginning at the start of construction and continuing until all work has been completed. If a permit involves either new armoring or major reconstruction of existing armoring, the reports shall be certified by an engineer licensed in the State of Florida. The permittee or engineer, as appropriate, shall certify that as of the date of each report all construction has been performed in compliance with the plans and project description approved as a part of the permit and with all conditions of the permit, or shall specify any deviation from the plans, project description, or conditions of the permit. The report shall also state the percent of completion of the project and each major individual component. The reports shall be provided to the Bureau using the form entitled "Periodic Progress Report" – DEP Form 73-111 (Revised 6/04), which is hereby adopted and incorporated by reference. Permits for minor structures or activities do not require submittal of periodic reports unless required by special permit condition.

(r) For permits involving habitable major structures, all construction on the permitted structure shall stop when the foundation pilings have been installed. At that time the foundation location form shall be submitted to and accepted by the Bureau prior to proceeding with further vertical construction above the foundation. The form shall be signed by a professional surveyor, licensed pursuant to Chapter 472, F.S., and shall be based upon such surveys performed in accordance with Chapter 472, F.S., as are necessary to determine the actual configuration and dimensioned relationship of the installed pilings to the control line. The information shall be provided to the Bureau using the form entitled "Foundation Location Certification" – DEP Form 73-114B (Revised 9/05), which is hereby adopted and incorporated by reference. Phasing of foundation certifications is acceptable. The Department shall notify the permittee of approval or rejection of the form within seven (7) working days after staff receipt of the form. All survey information upon which the form is based shall be made available to the Bureau upon request. Permits for repairs or additions to existing structures with nonconforming foundations are exempt from this condition.

(s) For permits involving major structures, the permittee shall provide the Bureau with a report by an engineer or architect licensed in the State of Florida within thirty (30) days following completion of the work. The report shall state that all locations specified by the permit have been verified and that other construction and activities authorized by the permit have been performed in compliance with the plans and project description approved as a part of the permit and all conditions of the permit; or shall describe any deviations from the approved plans, project description, or permit conditions, and any work not performed. Such report shall not relieve the permittee of the provisions of paragraph 62B-33.0155(1)(a), F.A.C. If none of the permitted work is performed, the permittee shall inform the Bureau in writing no later than 30 days following expiration of the permit. The report shall be provided on the form entitled "Final Certification" DEP Form 73-115B (Revised 9/05), which is hereby adopted and incorporated by reference.

(t) Authorization for construction of armoring or other rigid coastal structures is based on an engineering review and assessment of the design and anticipated performance and impact of the structure as a complete unit. Construction of any less than the complete

structure as approved by the Department is not authorized and shall result in the assessment of an administrative fine and the issuance of an order to remove the partially constructed structure. Modifications to the project size, location, or structural design shall be authorized by the Department in accordance with Rule 62B-33.013, F.A.C.

(2) The permittee shall not commence any excavation, construction, or other physical activity on or encroaching on the sovereignty land of Florida seaward of the mean high water line or, if established, the erosion control line until the permittee has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(3) The permittee shall obtain any applicable licenses or permits required by Federal, state, county, or municipal law.

(4) This permit does not authorize trespass onto other property.

(5) In the event of a conflict between a general permit condition and a special permit condition, the special permit condition shall prevail.

(6) Copies of any forms referenced above can be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, or by telephoning (850)488-7708.

*Specific Authority 161.053 FS. Law Implemented 161.052, 161.053 FS. History–New 6-13-04, Amended 5-31-07.*

**62B-33.024 Thirty-Year Erosion Projection Procedures.**

(1) A 30-year erosion projection is the projection of long-term shoreline recession occurring over a period of 30 years based on shoreline change information obtained from historical measurements. A 30-year erosion projection of the seasonal high water line (SHWL) shall be made by the Department on a site specific basis upon receipt of an application with the required topographic survey, pursuant to Rules 62B-33.008 and 62B-33.0081, F.A.C., for any activity affected by the requirements of Section 161.053(6), F.S. An applicant may submit a proposed 30-year erosion projection for a property, certified by a professional engineer licensed in the state of Florida, to the Department for consideration.

(2) A 30-year erosion projection shall be determined using one or more of the following procedures:

(a) An average annual shoreline change rate in the location of the mean high water line (MHWL) at a Department reference survey monument shall be determined and multiplied by 30 years. The resulting distance shall be added landward of the SHWL located on the application survey. The rate shall be determined as follows:

1. The shoreline change rate shall be derived from historical shoreline data obtained from coastal topographic surveys and maps, controlled aerial photography, and similar sources approved by the Department. Data from periods of time that clearly do not represent current prevailing coastal processes acting on or likely to act on the site shall not be used.

2. The shoreline change rate shall include the zone spanned by three adjacent Department reference monuments on each side of the site. A lesser or greater number of reference monuments can be used as necessary to obtain a rate representative of the site, and a rationale for such use shall be provided.

3. In areas that the Department determines to be either stable or accreting, a minus one-foot per year shoreline change rate shall be applied as a conservative estimate.

(b) If coastal armoring is present at the site, the Department shall determine whether or not the 30-year erosion projection shall stop at the armoring. The applicant shall provide scientific and engineering evidence, including a report with data and supporting analysis certified by a professional engineer licensed in the state of Florida, which verifies that the armoring has been designed, constructed, and maintained to survive the effects of a 30-year storm and has the ability to stop erosion of the MHWL for 30 years. The Department shall waive the requirement for the applicant to provide scientific and engineering evidence if the Department determines the information is not necessary in order to make the erosion projection determination.

(c) Some shoreline areas, such as those adjacent to or in the vicinity of inlets without jetty structures, can experience large-scale beach-width fluctuations with or without net erosional losses. Other beach areas can fluctuate greatly due to the observed longshore movement of large masses of sand, sometimes referred to as sand waves. In these areas, a 30-year erosion projection shall be estimated from the available data at the SHWL landward limit of the large beach-width fluctuations within the last 100 years.

(d) Beach nourishment or restoration projects shall be considered as follows:

1. Future beach nourishment or restoration projects shall be considered as existing if all funding arrangements have been made and all permits have been issued at the time the application is submitted.

2. Existing beach nourishment or restoration projects shall be considered to be either a one-time beach construction event or a

long-term series of related sand placement events along a given length of shoreline. The Department shall make a determination of remaining project life based on the project history, the likelihood of continuing nourishments, the funding arrangements, and consistency with the Strategic Beach Management Plan adopted by the Department for managing the state's critically eroded shoreline and the related coastal system.

3. The MHWL to SHWL distance landward of the erosion control line (ECL) shall be determined. If the ECL is not based on a pre-project survey MHWL, then a pre-project survey MHWL shall be used instead of the ECL. The pre-project SHWL shall be located by adding the MHWL to the SHWL distance landward of the pre-project MHWL (usually the ECL). The remaining project life, which is the number of years the restored beach MHWL is expected to be seaward of the ECL, shall be subtracted from the 30 years as a credit for the nourishment project. The non-credited remaining years times the pre-project shoreline change rate for the site yields the 30-year projection distance landward of the pre-project SHWL.

4. If the Department is unable to scientifically determine a pre-project erosion rate due to a lack of pre-project data, the Department shall set the 30-year erosion projection along an existing, reasonably continuous, and uniform line of construction that has been shown to be not unduly affected by erosion.

(e) The 30-year erosion projection shall extend no farther landward than the coastal construction control line (CCCL). In the event that the plane of the seasonal high water elevation does not intercept the upland terrain on the site, the 30-year erosion projection shall stop at the CCCL, unless it is determined to be stopped by armoring as described in paragraph 62B-33.024(2)(b), F.A.C.

(f) When the Department approves a permit for new, repaired, or significantly modified coastal structures or activities that affect the lateral movement of sand along the shore, the change in site conditions can significantly affect the future shoreline location. In these areas, if the Department is unable to use historic data to determine a 30-year erosion projection, the Department shall make a 30-year erosion projection assessment based on the best available information and shall provide the rationale to all interested parties.

(g) If a specific shoreline change rate for a 30-year erosion projection has not yet been determined for a given area, but the Department can determine that a proposed structure is sufficiently landward such that it will not likely be affected by a worst case erosion projection estimate, then the proposed structure shall be considered as being landward of the 30-year erosion projection. Such an estimate shall be based on the topography, geomorphology, the erosion experienced at the site thus far, the sand supply situation, and any other applicable coastal engineering factors.

(h) In the event the Department is unable to make a site specific 30-year erosion projection following the procedures in this rule section, the Department shall make an assessment based on the best available information and shall provide the rationale to all interested parties.

(3) The Department shall continue to develop, maintain, and update a database of shoreline data for assistance in making 30-year erosion projections.

*Specific Authority 161.053 FS. Law Implemented 161.053(6) FS. History–New 11-10-85, Formerly 16B-33.24, 16B-33.024, Amended 1-26-98, 6-13-04, 5-31-07.*

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| **Date Proposal Submitted** | 4/2/2010 | **Section** | 3109 |
| **Chapter** | 31 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | George Merlin | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

4416, 4203, 4234

**Summary of Modification**

Clarifies language regarding exceptions to 100 year storm event design standards.

**Rationale**

Clarifies Fl. Stat.161.053(12)a prior admin.by FLDEP. Proposed modification definition is from Fl. Fire Prevention Code. Section 3109.1.1 explains if an existing foundation remains unmodified, construction above such foundation is exempt. Section 3109.3 and 3109.4 explain if an existing foundation becomes modified, then construction above must be less than a substantial improvement; and if an existing foundation is added to then the addition must be less than a substantial improvement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Non

**Impact to building and property owners relative to cost of compliance with code**

Non

**Impact to industry relative to the cost of compliance with code**

Non

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarify limits and allowances of construction seaward of a CCCL

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarify code language to avoid misinterpretation

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate

**Does not degrade the effectiveness of the code**

Hepls the code by clarifying its language and intention

**General Comment**

SP4434-G1

**Proponent** Christy Brush **Submitted** 5/18/2010 **Attachments** No

**Comment**

This exception is straightforward and excludes improvements to structures that do not require a foundation modification. Proposed addition of the language: "Modification is defined as the reconfiguration of any space; the addition, relocation, or elimination of any door or window; the addition or elimination of load-bearing elements; the reconfiguration or extension of any system; or the installation of any additional equipment." is not relevant or appropriate, as it references modification to parts of a structure that are not associated with the foundation. If anything, perhaps a definition of "foundation" should be added to Sec. 3109.2 to clarify. The definition for "foundation" in Ch. 62B-33, F.A.C., which Sec. 3109 is based on, is: "the portion of a structure which transmits the associated dead and live loads of the structure to the ground and includes, but is not limited to, spread footings, foundation walls, posts, piers, piles, beams, girders, structural slabs, cross bracing, and all related connectors. For habitable major structures, the foundation includes all load bearing components below the first habitable floor."

**General Comment**

SP4434-G2

**Proponent** Joy Duperault **Submitted** 5/27/2010 **Attachments** No

**Comment**

The FL Division of Emergency Management, Floodplain Management Office, recommends disapproval of this proposal It appears to create even greater differences with the flood provisions that will be retained in the FBC, especially for horizontal and vertical additions. In 3109.1.1 Exception: terms should not be defined within an exception. In 3109.3(1): it is incorrect to indicate an interpretation or alternate meaning in parentheses; in addition, although "rebuilding" is not defined in the code, its plain meaning is not equivalent to the statutory definition of "substantial improvement" nor is it consistent with the definition of "substantial improvement" in Sec. 1612 (flood hazard areas). This proposal would likely create more difficulties when both Chapter 31 (CCCL) and Section 1612 (flood) apply.

**General Comment**

SP4434-G3

**Proponent** James Battaglia **Submitted** 6/1/2010 **Attachments** No

**Comment**

Any relation to Section 3109 to that of IBC 1612 is mute. Both, if passed, would apply. Typically, all CCCL jurisdiction structures are in a Floodway; whereas, not all Floodway properties are in the CCCL jurisdiction. If an existing structure presently meets or exceeds the Base Flood Elevation, then the term substantial improvement does not apply. This would also be the same for any structure in which may be below BFE, but when 'construction' is completed, shall be at or above BFE. There is no confusion I can see.

**3109.1.1 Exception**: The standards for buildings seaward of a CCCL area do not apply to any modification, maintenance or repair to any existing structure, without regard to cost, and therefore including vertical additions and substantial improvements, within the limits of the existing foundation which does not require, involve or include any additions to, or repair or modification of, the existing foundation only of that structure. Modification is defined as the reconfiguration of any space; the addition, relocation, or elimination of any door or window; the addition or elimination of load-bearing elements; the reconfiguration or extension of any system; or the installation of any additional equipment.

Note to FBC editor: This paragraph exception should not be indented as subparagraph of 3109.1.1.3. It should align vertically with paragraphs 3109.1.1.1,2and 3 since it applies to all 3 paragraphs above. See also FBC 2004 where this exception is shown correctly.

**3109.3 Exceptions:**

1. Horizontal and vertical additions, repairs or modifications to any part of an existing nonconforming habitable structure, including additions, repairs or modifications to their foundations, that do not advance the seaward limits of the existing habitable structure and do not constitute rebuilding (i.e. substantial improvement) of the existing structure.

**3109.4 Exceptions:**

1. Horizontal and vertical additions, repairs or modifications to any part of an existing nonconforming habitable structure, including additions, repairs or modifications to their foundations, that do not advance the seaward limits of the existing habitable structure and do not constitute rebuilding (i.e. substantial improvement) of the existing structure.

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|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 3109.1.1 |
| **Chapter** | 31 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jack Glenn | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Modification corrects a formatting error in the 2007 Florida Building Code relating to construction of structures seaward of the coastal construction control line (CCCL).

**Rationale**

The section as written and formatted in the code is not clear. The change makes the code clear the exception applies to the entire section and moves the Environmental permit provisions to a standalone statement.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact on local enforcement

**Impact to building and property owners relative to cost of compliance with code**

Nnone

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

No change

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Adds clarity to the code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate

**Does not degrade the effectiveness of the code**

Do not degrade the code.

**General Comment**

SP4203-G1

**Proponent** Christy Brush **Submitted** 5/18/2010 **Attachments** No

**Comment**

Addition of the language "except for substantial improvement of or additions to existing habitable structures" narrows the scope of the exception and changes its original intent/application. A substantial improvement that does not require a foundation modification/addition has always been, and should remain, within the scope of the exception.

**General Comment**

SP4203-G2

**Proponent** James Battaglia **Submitted** 6/1/2010 **Attachments** No

**Comment**

The change to the exception, derived specifically from Florida Statutes, is not consistent with past interpretations. Jim Richmond, attorney for the FBC, stated for this section of the FBC, that the general public is entitled to consistent application of the past interpretations to the current rules. This change is not.

**3109.1.1 Scope.** The provisions of Section 3109 shall ensure that structures located seaward of the coastal construction control line are designed to resist the predicted forces associated with a 100-year storm event and shall apply to the following:

1. All habitable structures which extend wholly or partially seaward of a coastal construction control line (CCCL) or 50-foot (15.3 m) setback line.

2. Substantial improvement of or additions to existing habitable structures.

3. Swimming pools that are located in close proximity to a habitable structure or armoring. ~~An environmental permit from the Florida Department of Environmental Protection, requiring special siting considerations to protect the beach-dune system, proposed or existing structures and public beach access, is required prior to the start of construction. The environmental permit may condition the nature, timing and sequence of construction of permitted activities to provide protection to nesting sea turtles and hatchlings and their habitat, including review, submittal and approval of lighting plans.~~

~~**Exception:** The standards for buildings seaward of a CCCL area do not apply to any modification, maintenance or repair to any existing structure within the limits of the existing foundation which does not require, involve or include any additions to, or repair or modification of, the existing foundation of that structure.~~

**Exception:** The standards for buildings seaward of a CCCL area do not apply to any modification, maintenance or repair of any existing structure within the limits of the existing foundation which does not require, involve or include any additions to, or repair or modification of, the existing foundation of that structure, except for substantial improvement of or additions to existing habitable structures.

An environmental permit from the Florida Department of Environmental Protection, requiring special siting considerations to protect the beach-dune system, proposed or existing structures and public beach access, is required prior to the start of construction. The environmental permit may condition the nature, timing and sequence of construction of permitted activities to provide protection to nesting sea turtles and hatchlings and their habitat, including review, submittal and approval of lighting plans.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 3109.2 |
| **Chapter** | 31 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Jack Glenn | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

4302

**Summary of Modification**

Add statutory definition for "Substantial improvement" to the code.

**Rationale**

By adding the current definition from statute the code will be consistent with the legislative intent at the time the code is adopted.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact on local enforcement.

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

No change

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Will improve the code by adding clarity to the code.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate

**Does not degrade the effectiveness of the code**

Does not degrade the code.

**Alternate Language**

SP4234-A1

**Proponent** Rebecca Quinn **Submitted** 5/24/2010 **Attachments** Yes

**Rationale**

Because the Building Code will include flood provisions in Sec. 1612, and because Sec. 1612.2 includes a definition for "substantial improvement," it is important to clarify that this statutory definition applies only to structures seaward of a CCCL. Also see S3873, S3885, and S3901 where similar clarification is added to definitions for "substantial improvement" and "substantial damage".

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Clarification only; no change to the proponent's intent or statement for this impact.

**Impact to building and property owners relative to cost of compliance with code**

Clarification only; no change to the proponent's intent or statement for this impact.

**Impact to industry relative to the cost of compliance with code**

Clarification only; no change to the proponent's intent or statement for this impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarification only; no change to the proponent's intent or statement for this impact.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Clarification only; no change to the proponent's intent or statement for this impact.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Clarification only; no change to the proponent's intent or statement for this impact.

**Does not degrade the effectiveness of the code**

Clarification only; no change to the proponent's intent or statement for this impact.

**General Comment**

SP4234-G1

**Proponent** James Battaglia **Submitted** 6/1/2010 **Attachments** No

**Comment**

I would assume if the alt language of... For the purpose of this section... is added and approved, it shall also be done to the definition of substantial improvement in 1612.

SUBSTANTIAL IMPROVEMENT. ~~See definition in Section 161.54(12), Florida Statutes~~ means any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the improvement or repair of the structure to its pre-damage condition equals or exceeds 50 percent of the market value of the structure either:

(a) Before the improvement or repair is started; or

(b) If the structure has been damaged and is being restored, before the damage occurred.

The total cost does not include nonstructural interior finishings, including, but not limited to, finish flooring and floor coverings, base molding, nonstructural substrates, drywall, plaster, paneling, wall covering, tapestries, window treatments, decorative masonry, paint, interior doors, tile, cabinets, moldings and millwork, decorative metal work, vanities, electrical receptacles, electrical switches, electrical fixtures, intercoms, communications and sound systems, security systems, HVAC grills and decorative trim, freestanding metal fireplaces, appliances, water closets, tubs and shower enclosures, lavatories, and water heaters, or roof coverings, except when determining whether the structure has been substantially improved as a result of a single improvement or repair.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

Shown assuming proponent's changes accepted

SUBSTANTIAL IMPROVEMENT. For the purpose of this section, ~~means~~ any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the improvement or repair of the structure to its pre-damage condition equals or exceeds 50 percent of the market value of the structure either:

remainder unchanged

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/9/2010 | **Section** | 3500 |
| **Chapter** | 35 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | Yes |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

This modification updates the code references to the ASME A17.1 and A18.1 national standards.

**Rationale**

This change revises code references for clarity and integrates the 2007 FBC Florida Supplements into the 2010 code to update the Florida Elevator Safety Code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification to update references to the national standard ASME (American Society of Mechanical Engineers) code revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

This modification updates the references to the national standard ASME (American Society of Mechanical Engineers) code revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

This modification updates the references to the national standard ASME (American Society of Mechanical Engineers) code revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable compliance

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and the 2010 code to include industry ASME A17 Safety Code for Elevators and Escalators and Referenced Standards to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**Alternate Language**

**SP3519-A2**

**Proponent** Lee Rigby **Submitted** 6/1/2010 **Attachments** Yes

**Rationale**

The proposed language herein is the same as the original modification request except that the exclusion of requirement 1.2.1 was deleted. The rational in the modification request does not explain why it included ", excludes A17.1 requirement 1.2.1 (b) and (c)." This Rule should not be excluded as it allows the use of ASME A17.7, Performanced Based Safety Code for Elevators and Escalators. The use of this document would allow ASME Certified "Accredited Elevator Certifyin

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

none

**Impact to building and property owners relative to cost of compliance with code**

Cost savings by use of newer more efficient technology for new construction and major modifications to existing equipment.

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

This modification would allow the use of alternative Rules, which require AECO approval to ensure the safety of the equipment, method, or system.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Allows new technology to be utilized earlier than would take place by going through the code modification process.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This would remove barriers to use of new technology while ensuring safety by adopting a National Standard for performance-based elevator safety code.

**Does not degrade the effectiveness of the code**

AECO approval ensures equal or greater safety and effectiveness

**General Comment**

SP3519-G1

**Proponent** Andy Juhasz **Submitted** 5/20/2010 **Attachments** No

**Comment**

The exclusion of 1.2.1 (b) and (c) is unecessary and hinders the development and use of new technologies to provide safer transportation for the public. A17.7 utilizes competent, accredited bodies (accredited by ANSI) such as UL and the LiftInstituut to ascertain the equivalent safety of the the new technology. They have the technical expertise that a local authority may not have. When the AECO (Accredited Elevator/Escalator Certifying Organization) has throughly investigated the new technology to comply with the requirements of A17.7, they issue a cetificate of conformace. This CoC is then submitted to the authority having jurisdiction, AHJ, for acceptance. The AHJ then evaluates the CoC and makes it's determination if they will accept it. A17.7 in no way usurpts the authority of the relevant elevator/escalator authority, it in fact enables them to make an informed decision.

**General Comment**

SP3519-G2

**Proponent** Alys Roark **Submitted** 5/26/2010 **Attachments** No

**Comment**

1.2.1 should be in this bill to allow flexibility of new products and would make it easier to use new technology. The elevator industry is revolutionizing and should be allowed to bring new products to the market as they become available and not wait on legislative sessions to approve new technology.

**General Comment**

SP3519-G3

**Proponent** Stefan Gruber **Submitted** 5/27/2010 **Attachments** No

**Comment**

To Whom It May Concern,

We are herewith requesting that reference 1.2.1, which allows compliance with A17.7, is not eliminated from the Florida Building Code as suggested by the Bureau of Elevator Safety. ASME A17.7 was created with the purpose of ensuring that new technology, for which code has not yet been written, be used as a standard and guideline. One of the Florida Building Code modifications proposed this year would adopt the 2007 Edition of A17.1, Safety Code for Elevators and Escalators, including the 2008 Addenda, but eliminates the reference in 1.2.1 which allows compliance with A17.7. We feel that the adoption of the code is fine, but the FBC should not remove 1.2.1 because that was written to ensure that new equipment technology that does not meet code is not permitted through a variance process without qualified risk analysis and equipment testing. We, at Pneumatic Vacuum Elevators, are pleased to announce that we have recently received our Certificate of Conformance for ASME A17.7-2007/CSA B44.7-07 (Certificate # NA10-0842-1004-003-01), under the AECO (Accredited Elevator and Escalator Certification Organizations) Program. This ANSI approved certification verifies the performance-based safety code for elevators and escalators. As our product has gone through rigorous testing to meet international and national code, as stated above, we feel it is unnecessary to remove 1.2.1 from the upcoming proposal. Thank you for your understanding and if you have any questions or concerns, please feel free to contact us.

**Building Chapter 35 - Referenced Standards**

**ASME**

American Society of Mechanical Engineers

Three Park Avenue

New York, NY 10016-5990

| Standard reference number | Title | Referenced in code section number |
|---|---|---|

**REVISE text as shown.**

| | | |
|---|---|---|
| A17.1 - 1990 | | 11-4.10 |
| ~~A17.1 (2004)~~ | ~~Safety Code for Elevators and Escalators includes A17.1a in~~ | ~~2005 Addenda~~ |
| ~~A17.1S-05~~ | ~~Supplement to Safety Code for Elevators and Escalators~~ | ~~3001.2~~ |
| A17.1/CSA B44-2007 excludes A17.1 requirement 1.2.1 | Safety Code for Elevators and Escalators includes A17.1a-- 2008 Addenda, (b) and (c) | 1607.8.1, 3001.1, 3001.2, 3001.4, 3001.6, 3002.5, 3002.9, 3003.2, 3007.1, 3008.3, 3008.11.5, 308.14.1, 3010.1, 3011.1, 3012.1, 3013.1 |
| A17.3—96 | Safety Code for Existing Elevators and Escalators | 3001.1, 3001.2, 3001.5 |
| ~~A18.1—03~~ A18.1—08 | Safety Standard for Platform Lifts and Stairway Chairlifts | 3001.1, 3001.2 |
| A90.1 - 03 | Safety Standard for Belt Manlifts | 3001.2 |
| A120.1—01 | Safety Requirements for Powered Platforms for Building Maintenance | 3001.6 |
| B20.1 - 2003 | Safet Standard for Conveyors and related equipment | 3001.2, 3005.3 |

Text of Modification

**Building Chapter 35 - Referenced Standards**

**ASME**

American Society of Mechanical Engineers

Three Park Avenue

New York, NY 10016-5990

Standard reference number Title
Referenced in code section number

**REVISE text as shown.**

A17.1 - 1990
.....11-4.10

~~A17.1—(2004) Safety Code for Elevators and Escalators includes A17.1a in 2005 Addenda~~

~~A17.1S-05 Supplement to Safety Code for Elevators and Escalators 3001.2~~

A17.1/CSA B44-2007 Safety Code for Elevators and Escalators includes A17.1a-- 2008 Addenda 1607.8.1, 3001.1, 3001.2, 3001.4, 3001.6, 3002.5,

3002.9, 3003.2, 3007.1, 3008.3, 3008.11.5, 308.14.1, 3010.1, 3011.1,

3012.1, 3013.1

A17.3—96 Safety Code for Existing Elevators and Escalators 3001.1, 3001.2, 3001.5

~~A18.1—03~~ A18.1—08 Safety Standard for Platform Lifts and Stairway Chairlifts 3001.1, 3001.2

A90.1 - 03 Safety Standard for Belt Manlifts 3001.2

A120.1—01 Safety Requirements for Powered Platforms for Building Maintenance 3001.6

B20.1 - 2003 Safety Standard for Conveyors and related equipment 3001.2, 3005.3

having jurisdiction will establish the effective date for their local regulations.

(07)

## SECTION 1.2
## PURPOSE AND EXCEPTIONS

### 1.2.1 Purpose

The purpose of this Code is to provide for the safety of life and limb, and to promote the public welfare. Compliance with this Code shall be achieved by

*(a)* conformance with the requirements in ASME A17.1/CSA B44; or

*(b)* conformance with some of the requirements in ASME A17.1/CSA B44 and for systems, subsystems, components, or functions that do not conform with certain requirements in ASME A17.1/CSA B44, conform with the applicable requirements in ASME A17.7/CSA B44.7; or

*(c)* conformance with the requirements in ASME A17.7/CSA B44.7

### 1.2.2 Exceptions to ASME A17.1

The provisions of this Code are not intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety to those prescribed by this Code, provided that there is technical documentation to demonstrate the equivalency of the system, method, or device.

**1.2.2.1** The specific requirements of this Code shall be permitted to be modified by the authority having jurisdiction based upon technical documentation or physical performance verification to allow alternative arrangements that will assure safety equivalent to that which would be provided by conformance to the corresponding requirements of this Code.

**1.2.2.2** This Code contains requirements that are also covered in the National Building Code of Canada (NBCC). Reference to the NBCC is recognition that said requirements are not within the scope of this Code in Canada.

In jurisdictions not enforcing the NBCC, the use of the NBCC is not intended.

**1.2.2.3** Exceptions shall be based on the requirements of 1.2.2.1.

(07)
(05S)

## SECTION 1.3
## DEFINITIONS

Section 1.3 defines various terms used in this Code. In addition, some nomenclature and terminology used in the elevator industry and other ASME publications are defined.

**access switch:** see *hoistway access switch.*

**alteration:** any change to equipment, including its parts, components, and/or subsystems, other than maintenance, repair, or replacement.

*alteration, as part of an:* a repair or replacement that is included with other work that is classified as an alteration.

**alternate level:** a floor level identified by the building code or fire authority, other than the designated level.

**annunciator, car:** an electrical device in the car that indicates visually the landings at which an elevator landing signal registering device has been actuated.

**applied frame entrance:** a wraparound or partial addition to an existing entrance frame used to improve the appearance or to provide the required clearances.

**approved:** acceptable to the authority having jurisdiction.

**authority having jurisdiction:** the organization, office, or individual responsible for enforcement of this Code. Where compliance with this Code has been mandated by legislation or regulation, the "authority having jurisdiction" is the regulatory authority (see *regulatory authority).*

**authorized personnel:** persons who have been instructed in the operation of the equipment and designated by the owner to use the equipment.

**automatic transfer device:** a power-operated mechanism that automatically moves a load consisting of a cart, tote box, pallet, wheeled vehicle, box, or other similar object from and/or to the car.

**auxiliary power lowering device:** an alternatively powered auxiliary control system that will, upon failure of the main power supply, allow a hydraulic elevator to descend to a lower landing.

**brake, driving machine, elevator, dumbwaiter, or material lift:** an electromechanically or electrohydraulically released spring, or gravity applied device, that is part of the electric driving machine of the elevator, dumbwaiter, or material lift used to apply a controlled force at a braking surface to hold or retard the elevator, dumbwaiter, or material lift. See Nonmandatory Appendix F.

*electrohydraulically released:* a means of release in which an electric current applied to a solenoid valve or the motor of a hydraulic pump directs pressurized hydraulic fluid to an actuator (such as a hydraulic jack) that overcomes a resisting force (such as a spring) as long as the electric current flows.

*electromechanically released:* a means of release in which an electric current applied to an actuator (such as a solenoid) causes an electromagnetic force that overcomes a resisting force (such as a spring) as long as the electric current flows.

**brake, driving machine, escalator, or moving walk:** an electromechanical device that is part of the electric driving machine of the escalator or moving walk, used to

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|---|---|---|---|
| **Date Proposal Submitted** | 3/15/2010 | **Section** | 3500 |
| **Chapter** | 35 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Updates referenced code.

**Rationale**

The publisher and year edition have changed of this referenced code for hospitals, nursing homes and ambulatory surgical centers. This revision updates to the correct publisher and year edition of this referenced code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no fiscal impact to local entity relative to enforcement

**Impact to building and property owners relative to cost of compliance with code**

There is not fiscal impact to building and property owners.

**Impact to industry relative to the cost of compliance with code**

There is no fiscal impact to industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Corrects the publisher and year editon.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Corrects the publisher and year edition.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against any material or product or method or system.

**Does not degrade the effectiveness of the code**

Corrects the publisher and year edition.

~~AIA~~

~~American Institute of Architects~~

~~1735 New York Ave. N.W~~

~~Washington, D.C. 20006-5292~~

FGI

Facility Guidelines Institute

1919 McKinney Avenue

Dallas, Texas 75201

www.fgiguidelines.org

| Standard reference number | Title | Referenced in code section number |
|---|---|---|
| HHCF ~~06~~ 10 | Guideline for the Design and Construction of Health Care Facilities | 419.2.1.2, 419.2.2, 419.3.2, 419.3.3, 419.3.4, 419.3.4.1, 419.3.4.2, 419.3.5, 419.3.5.1, 419.3.5.2, 419.3.6, 419.3.6.1, 419.3.7, 419.3.8.8, 419.3.8.9, 419.3.9, 419.3.10, 419.3.11, 419.3.13, 419.3.15, 419.3.17, 420.2.2, 420.2.5, 421.2.1.2, 421.2.2, 421.3.2, 421.3.2.1, 421.3.2.2, 421.3.3, 421.3.3.2.2, 421.3.3.3, 421.3.4, 421.3.5, 421.3.10 |

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 3500 |
| **Chapter** | 35 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adding a new reference standard.

**Rationale**

This is a required reference from section 420.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to the locat entitiy.

**Impact to building and property owners relative to cost of compliance with code**

There is no cost impact. This reference improves lighting design levels.

**Impact to industry relative to the cost of compliance with code**

There is no industry cost impact.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the health and safety of elders in nursing homes.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by referencing the latest edition.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against any materials, products, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code.

ANSI/IESNA RP-28-07 Lighting and the Visual Environment for Senior Living

Illuminating Engineering Society of North America,

120 Wall Street, 17th Floor,

New York, NY 10005-4001.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/1/2010 | **Section** | 3500 |
| **Chapter** | 35 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Gregory | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Adds and updates the UL standard for nurse call systems.

**Rationale**

This standard contains the requirements for new wireless nurse call systems.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact on the local entitiy.

**Impact to building and property owners relative to cost of compliance with code**

There is no impact on the property owners.

**Impact to industry relative to the cost of compliance with code**

There is no impact on the industry.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Improves the safety of residents by adding the updates Ul standard for nurse call.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by adding the updated version of Ul 1069 for nurse call.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against materials, producats, methods or systems.

**Does not degrade the effectiveness of the code**

Improves the effectiveness of the code by adopting updated Ul standard.

UL 1069, 7th edition

Underwriters Laboratories Inc. (UL),

333 Pfingsten Road, Northbrook,

IL 60062-2096.

# Sub Code: Existing Building

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/26/2010 | **Section** | 1101.3 |
| **Chapter** | 11 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Rebecca Quinn | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

The NFIP regs allow work on certain historic structures that would otherwise be substantial improvement to be performed without compliance, provided the building retains its historic designation. This mod specifies those “certain” structures that qualify.

**Rationale**

Flood Resistant Stnds Workgroup recommended, Structural TAC concurred, to retain flood provisions w/ FL-specific mods. FL Dept State (Historic Bldgs) on Workgroup; concurs w/mod. FBC adopted recommendation Oct 09. Workgroup final report online at http://consensus.fsu.edu/FBC/Flood-Resistant-Standards.html

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

No impact; 454 Florida communities participate in the NFIP and administer ordinance that include NFIP requirements (44 CFR 60.3).

**Impact to building and property owners relative to cost of compliance with code**

No impact; building and property owners already are required to comply with local floodplain management ordinances.

**Impact to industry relative to the cost of compliance with code**

No impact; building and property owners already are required to comply with local floodplain management ordinances.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Compliance with flood-resistant provisions reduces flood damage and protects life, property and general welfare.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves the code by having all load requirements addressed; provides equivalency with requirements of local floodplain management ordinances. The requested statutory authority will allow locally-adopted higher standards to preserve better protection and insurance discounts.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Includes provisions for flood damage-resistant materials and methods, consistent with the NFIP and current floodplain management ordinances.

**Does not degrade the effectiveness of the code**

Improves effectiveness by requiring buildings to be designed and constructed with consideration of all applicable codes.

**1101.3 Flood hazard areas.** In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with Section 1612 of the Florida Building Code.

**Exception:** If a historic building will continue to be a historic building after the proposed work is completed, then the proposed work is not considered to be a substantial improvement. For the purposes of this exception, a historic building is:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or

2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or

3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/9/2010 | **Section** | 1500 |
| **Chapter** | 15 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | DOUG MELVIN | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

This modification updates the code references to the ASME A17 and A18 national standards.

**Rationale**

This change revises code references for clarity and integrates the 2007 FBC into the 2010 code consistent with the industry.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There will not be any cost related to this modification to update references to the national standard ASME (American Society of Mechanical Engineers) code revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable enforcement.

**Impact to building and property owners relative to cost of compliance with code**

This modification updates the references to the national standard ASME (American Society of Mechanical Engineers) code revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable compliance.

**Impact to industry relative to the cost of compliance with code**

This modification updates the references to the national standard ASME (American Society of Mechanical Engineers) code revisions and the Florida Building Code (FBC). The benefit will be to formalize the triennial code for equitable compliance

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

The migration of the 2007 FBC Florida Supplements into the 2010 code provides for the enhanced health, safety, and welfare of the general public consistent with the industry.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

It will harmonize the FBC 2007 and the 2010 code to include industry ASME A17 Safety Code for Elevators and Escalators and Referenced Standards to strengthen and improve the Florida Elevator Safety Code, and provide equivalent or better products, methods, or systems of construction.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This code merge does not discriminate against materials, products, methods, or systems of construction.

**Does not degrade the effectiveness of the code**

This code merge does not degrade the effectiveness of the code.

**Existing Building Chapter 15 - Referenced Standards**

**ASME**

American Society of Mechanical Engineers

Three Park Avenue

New York, NY 10016-5990

| Standard reference number | Title | Referenced in code section number |
|---|---|---|

**REVISE text as shown.**

~~A17.1S-2005, Safety Code for Elevators and Escalators, Supplement to A17.1-2004~~

A17.3-1996, Safety Code for Existing Elevators and Escalators, section 802.1.2

A17.1/CSA B44-2007 Safety Code for Elevators and Escalators includes A17.1a--2008 Addenda, excludes A17.1 requirement 1.2.1 (b) and (c)
310.8.2, 605.1.2, 802.1.2, 1

A18.1 -- ~~2003~~ 2008 Safety Standard for Platform Lifts and Stairway Chairlifts ~~with A18.1a--2001 Addenda;~~ 310.8.3, 605.1.3

# Sub Code: Plumbing

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 4/2/2010 | **Section** | All |
| **Chapter** | 1 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | Doug Harvey | **General Comments** | Yes |
| **Attachments** | Yes | **Alternate Language** | Yes |

**Related Modifications**

**Summary of Modification**

Replace the Florida Building Code-Plumbing with the 2009 International Plumbing Code in its entirety.

**Rationale**

There are no Florida specific problems that are not covered by the regulations contained within the 2009 International Plumbing Code.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

There is no impact to local enforcement other than gaining consistency and putting inspection and review personnel in line with the Code that certification is attained under and used throughout the nation

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

Allows for a code that is more up to date with the new standards, practices and materials. Improves consistency and compliance in design, construction and enforcement. Saves money and time by allowing for a single place to request and present code modifications.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

No change

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Improves

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

This change does not discriminate

**Does not degrade the effectiveness of the code**

This change does not degrade the effectiveness of the code and should improve effectiveness as consistency will be increased

**Alternate Language**

SP4380-A1

**Proponent** Eberhard Roeder **Submitted** 6/1/2010 **Attachments** Yes

**Rationale**

Oppose proposal P4380. Florida statutes provide statutory delineations and authorizations that are different from those in the International Plumbing Code. Changing these delineations by administrative procedures appears to be lacking legislative authority. As an example, the currently proposed Florida specific language already recognizes the regulation of what the IPC terms “private” sewage disposal systems by health authorities in Florida. As an alternative proposal, the proposed alt

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

should make enforcement easier by referring to Florida-specific authority

**Impact to building and property owners relative to cost of compliance with code**

no change to current rules

**Impact to industry relative to the cost of compliance with code**

no change to current rules

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Clarifies coordination between plumbing, health and environmental authorities

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

clarifies terms in the code

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

yes

**Does not degrade the effectiveness of the code**

yes

**General Comment**

SP4380-G1

**Proponent** Doug Harvey **Submitted** 6/1/2010 **Attachments** No

**Comment**

We, the Building Officials Association of Florida (BOAF), believe this modification may require some additional explanation. The BOAF executive board has been consulted regarding this code proposal and they are in agreement that the proposal appears to go along the line of the vote taken by the Commission last fall to remove non-Florida specific items, return to the base documents and have a separate Florida supplement, if needed. The International Code is the base code for the Florida Codes. As such, a strike-through/underline version of the document has not been attached to this modification. Due to the length and file sizes needed, as well as the proposed document being familiar as the base code, this did not seem necessary. Since the base document is the root document for the Florida code, and the Commission voted to return to the base documents over the next two (2) code cycles, we ask the Commission to accept the proposal and allow it to move forward. This is based on the vote taken by the Commission during a public meeting in the Fall of 2009. BOAF supports taking the very specific items modifying the base code to meet Florida Statutes or rules into a smaller and easier to manage stand alone Florida supplement.

Replace the ~~Florida Building Code Plumbing~~ with the 2009 International Plumbing Code in its entirety.

**701.2 Sewer required.**

Every building in which plumbing fixtures are installed and all premises having sanitary drainage piping shall be connected to a ~~public sewer, where available,~~ collection/transmission system and/or a treatment plant regulated by environmental authorities under Chapter 403, Florida Statutes, and Chapters 62-620 (Wastewater Facility Permitting) and 62-604 (Collection Systems and Transmission Facilities), Florida Administrative Code, or to an approved ~~private~~ onsite sewage treatment and disposal system regulated by health authorities under Chapter 381.0065, Florida Statutes, and ~~in accordance with~~ Chapter 64E-6, Florida Administrative Code, Standards for Onsite Sewage Treatment and Disposal Systems ~~the International Private Sewage Disposal Code~~.

| | |
|---|---|
| ***Date Submitted*** | |
| ***Mod Number*** | |
| *Code Version* | 2010 |
| *Code Change Cycle* | 2010 Triennial Original Modifications 03/01/2010/-/04/02/2010 |
| *Sub-code* | Plumbing |
| *Chapter Topic* | Publication |
| *Section* | All |
| *Related Modification* | |
| *Affects HVHZ* | No |
| *Summary of modification* | Replace the Florida Building Code-Plumbing with the 2009 International Plumbing Code in its entirety. |
| *Text of Modification* | The 2009 International Plumbing Code text in its entirety. |
| ***Rational*** | There are no Florida specific problems that are not covered by the regulations contained within the 2009 International Plumbing Code. |
| ***Fiscal Impact statement*** | There is no fiscal impact by this change |
| *Impact to Local Enforcement* | There is no impact to local enforcement other than gaining consistency and putting inspection and review personnel in line with the Code that certification is attained under and used throughout the nation |
| *Impact to Building owner* | None |
| *Impact to Industry* | Allows for a code that is more up to date with the new standards, practices and materials. Improves consistency and compliance in design, construction and enforcement. Saves money and time by allowing for a single place to request and present code modifications. |
| ***Requirements*** | None |
| *Has connection to health safety and Welfare* | None |
| *Strengths or improves Code* | Improves |
| *Does not discriminate* | This change does not discriminate |
| *Does not degrade effectiveness of code* | This change does not degrade the effectiveness of the code and should improve effectiveness as consistency will be increased |

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/15/2010 | **Section** | 1003.3.4 |
| **Chapter** | 10 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | James Bickford | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | Yes |

**Related Modifications**

NONE

**Summary of Modification**

Clarifies intent to permit the use of grease traps that comply with Rule 64E-6 and are sized 750 to 1250 gallons.

**Rationale**

This clarifies the intent of the exception to allow the use of large tanks outdoors that do not meet the requirements of the PDI and ASME standards but do meet the Florida specific Rule 64E-6 requirements.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

none

**Impact to building and property owners relative to cost of compliance with code**

none

**Impact to industry relative to the cost of compliance with code**

none, simply permits the use of proven technology.

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Permits proven interceptor to be used.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Yes

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Yes

**Does not degrade the effectiveness of the code**

Improves clarity and uniformity of enforcement.

**Alternate Language**

SP3530-A2

**Proponent** Eberhard Roeder **Submitted** 6/1/2010 **Attachments** Yes

**Rationale**

The original proposal addressed the issue that the referenced standards are difficult to implement for public sewers and large flow volumes, and recognizes that alternatives exist that work satisfactorily in many cases. The exception language also is consistent with the Florida-specific definition of grease interceptor. Grease interceptors that are part of onsite sewage treatment and disposal systems are in the jurisdiction of the Department of Health. The current Florida plumbing code langua

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Clarifies approval standards, should make enforcement easier.

**Impact to building and property owners relative to cost of compliance with code**

No change relative to 2004 and 2007 FBC

**Impact to industry relative to the cost of compliance with code**

No change relative to 2004 and 2007 FBC

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

Properly operating grease interceptors protect sewer systems and onsite sewage and disposal systems and their functioning, which in turn protects health, safety and welfare of the general public.

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Provides choices for grease interceptors on public sewers, clarifies standards.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

yes

**Does not degrade the effectiveness of the code**

yes; improves effectiveness by providing clearer standards for an exception rule.

**1003.3.4 Grease interceptors and automatic grease removal devices.** Grease interceptors and automatic grease removal devices shall be sized in accordance with PDI G101, ASME A112.14.3 Appendix A, or ASME A112.14.4. Grease interceptors and automatic grease removal devices shall be designed and tested in accordance with PDI G101, ASME A112.14.3, or ASME A112.14.4. Grease interceptors and automatic grease removal devices shall be installed in accordance with the manufacturer's instructions.

**Exception:** Interceptors that are constructed in accordance with Rule 64E-6, Florida Administrative Code and have a volume of not less than 750 ~~500~~ or more that 1250 gallons ~~(1893 L)~~ and that are located outdoors shall not be required to meet the requirements of this section.

**1003.3 Grease traps and grease interceptors ~~for public sewer~~.** Grease interceptors shall comply with the requirements of Sections 1003.3.1 through 1003.3.4.2.

1003.3.1 through 1003.3.3 unchanged

**1003.3.4 Grease interceptors and automatic grease removal devices.** Grease interceptors and automatic grease removal devices shall be sized in accordance with PDI G101, ASME A112.14.3 Appendix A, or ASME A112.14.4. Grease interceptors and automatic grease removal devices shall be designed and tested in accordance with PDI G101, ASME A112.14.3 or ASME A112.14.4. Grease interceptors and automatic grease removal devices shall be installed in accordance with the manufacturer's instructions.

**Exception:** Grease ~~i~~Interceptors that are sized, constructed and approved in accordance with Rule 64E-6, Florida Administrative Code ~~have a volume of not less than 500 (1893 L)~~ and that are located outside the building ~~outdoors~~ shall not be required to meet the requirements of this section.

**1003.3.4.1 Grease interceptor capacity.** Grease interceptors and grease traps shall have the grease retention capacity indicated in Table 1003.3.4.1 for the flow-through rates indicated.

**1003.3.4.2 Rate of flow controls.** Grease interceptors and grease traps shall be equipped with devices to control the rate of water flow so that the water flow does not exceed the rated flow. The flow-control device shall be vented and terminate not less than 6 inches (152 mm) above the flood rim level or be installed in accordance with the manufacturer's instructions.

delete 1003.5

# Sub Code: Residential

| | | | |
|---|---|---|---|
| **Date Proposal Submitted** | 3/28/2010 | **Section** | 306.3 |
| **Chapter** | 3 | **TAC Recommendation** | Pending Review |
| **Affects HVHZ** | No | **Commission Action** | Pending Review |
| **Proponent** | J Glenn-BASF | **General Comments** | No |
| **Attachments** | No | **Alternate Language** | No |

**Related Modifications**

**Summary of Modification**

Retain base code (IRC) language.

**Rationale**

The base code change provides more specific direction and restores the Florida Code to the nationally accepted practice.

**Fiscal Impact Statement**

**Impact to local entity relative to enforcement of code**

Change has no impact on local enforcement.

**Impact to building and property owners relative to cost of compliance with code**

None

**Impact to industry relative to the cost of compliance with code**

None

**Requirements**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public**

No change

**Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction**

Brings Florida in-line with nationally accepted practice.

**Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities**

Does not discriminate against anything.

**Does not degrade the effectiveness of the code**

Does nor degrade the code.

~~**R306.3 Sewage disposal.** All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system in accordance with Chapter 64E-6, Florida Administrative Code, Standards for Onsite Sewage Treatment and Disposal Systems.~~

**R306.3 Sewage disposal.** All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system.