**Administration Technical Advisory Committee - Comments**

**7th Edition (2020) Florida Building Code, Building**

**Chapter 1 SCOPE AND ADMINISTRATION**

CA –B-Ch. 1- Comment #1

Submitted by staff

**Language HB 447**

**110.8 Threshold building.**

**110.8.1**

During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, ~~T~~the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect, or the engineer of record. The contractor’s contractual or statutory obligations are not relieved by any action of the special inspector.

**TAC Recommendation:**

**Commission Action:**

CA-B- Ch. 1- Comment #2

Submitted by staff

**Language HB 827**

**105.4 Conditions of the permit.**

**105.4.1 Permit intent.**

A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced.

**105.4.1.1**

If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

**105.4.1.2**

If a new permit is not obtained within 180 days from the date the initial permit became null and void, the building official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

**105.4.1.3**

Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

**105.4.1.4**

The fee for renewal reissuance and extension of a permit shall be set forth by the administrative authority.

**~~105.4.1.5~~ 105.5 ~~Expiration~~ Additional Options for Closing a Permit**

~~Reserved.~~

Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building permit, may close a building permit by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the permit. If a contractor other than the original contractor listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an owner-builder, in accordance with ss. 489.103(7) and 489.503(6).
3. If a building permit is expired and its requirements have been substantially completed, as determined by the local enforcement agency, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the permit, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design, or method of construction.
4. A local enforcement agency may close a building permit 6 years after the issuance of the permit, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term “close” means that the requirements of the permit have been satisfied.

**[A] 105.6 Denial or revocation.**

Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

Pursuant to Section 553.79(16), F.S., a local enforcement agency may not deny issuance of a building permit to, issue a notice of violation to, or fine, penalize, sanction, or asses fees against an arms-length purchaser of a property for value solely because a building permit was applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

Pursuant to Section 553.79(16), F.S., a local enforcement agency may not deny issuance of a building permit to a contractor solely because the contractor is listed on other building permits that were not closed.

**[A] 105.7 Placement of permit.**

The building *permit* or copy shall be kept on the site of the work until the completion of the project.

**TAC Recommendation:**

**Commission Action:**

**7th Edition (2020) Florida Building Code, Residential**

CA –R-App. Q.- Comment #1

**APPENDIX Q TINY HOUSES**

**From:** Dan Fitzpatrick [mailto:cityrenewal@hotmail.com]
**Sent:** Thursday, December 19, 2019 7:10 PM
**To:** Madani, Mo
**Cc:** Janet Thome
**Subject:** Comment letter re: IRC 2018 Appendix Q

Dear Mr Madani;

Please see attached letter in support of Florida's addition of IRC 2018 Appendix Q to your state’s Building Code.  Thank you for your kind attention to this important matter.

Dab

Daniel R. Fitzpatrick

**President**

Tiny Home Industry Association (THIA)

**Director of Government Relations**

American Tiny House Association (ATHA)

559-930-7484

Dear Mo Madani

As a matter of public comment: From The Tiny Home Industry Association

We write this letter in support of Florida's addition of IRC 2018 Appendix Q to your

state’s Building Code.

Appendix Q relaxes various requirements in the body of the code as they apply to tiny

houses that are 400 square feet or less.

Attention is specifically paid to features such as compact stairs, including hand rails and

headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape

and rescue opening requirements of lofts.

Over the past three years, an increasing number of states and jurisdictions have

adopted Appendix Q into their building codes for use in site-built homes, industrialized

factory-built houses, and prefabricated modular housing.

Appendix Q is used for design of many types of residential construction including

emergency accommodations, accessory dwelling units, primary residences, and tiny

home communities.

Market demands have shifted toward smaller homes as the need for affordable housing

expands. Appendix Q gives back living space to limited size and/or height restricted

residences of 400 square feet or less. Having appropriate accommodations as guided

by Appendix Q aids in the management of design, permitting, construction, inspection,

and certification of small residential dwelling units.

There is a great deal of interest in the market for tiny home in Florida and these units

are perfect for the following:

Live/work office

In-Law Suite

Guest House

Vacation rentals

Caregiver Unit

Disaster recovery

Student Housing

Studio

Affordable Rental

Site Security

Employee Housing

ADU

Alternative to assistive living

Supports aging in place

2021 IRC Editions Appendix Q

Your board, committees, and work groups may also review proposed changes that are

on-track for inclusion in the forthcoming IRC 2021 edition.

Original planned modifications to Appendix Q, including floor modifications from the first

hearings, begin on electronic page 2824 of http://media.iccsafe.org/code-development/

group-b/2019-Group-B-CAH-compressed.pdf and includes Sections RB292-19,

RB293-19 (which is the one we helped produce) and RB294-19.

Also see subsequent committee style modifications beginning on electronic page 408 of

https://www.iccsafe.org/wp-content/uploads/GROUP-B-2019-REPORT-OF-THECOMMITTEE-

ACTION-HEARING.pdf

The Public Hearing agenda, including markup language for all proposed modifications

that were modified from the original planned modifications to Appendix Q appears

beginning on electronic page 1035 of https://cdn-web.iccsafe.org/wp-content/uploads/

2019-ICC-PUBLIC-COMMENT-AGENDA-compressed-2019-upload-upload.pdf

You will see that our section, RB293-19, proceeded unmolested by the public comment

phase, so the original planned modifications are still intact as modified only by the floor

modifications offered by Martin Hammer during the previous hearings in Albuquerque.

This process should wrap up after the government voting phase sometime in December.

https://www.tinyhomeindustryassociation.org/appendix-q/

Thank you for your consideration,

Brad Wiseman, CEO And Chairman

Dan Fitzpatrick, Director Of Government Relations And President

Zack Giffin, Vice President

https://www.tinyhomeindustryassociation.org

**TAC Recommendation:**

**Commission Action:**

CA –General- Comment #1

**From:** Neil Burning [mailto:nburning@ICCSafe.ORG]
**Sent:** Thursday, January 02, 2020 1:50 PM
**To:** Madani, Mo
**Cc:** Campbell, Thomas
**Subject:** Floridians for Safe Communities Coalition Comments regarding Draft 7th Edition of Florida Building Code

Mo,

I have attached our coalition’s comments regarding the draft 7th edition of the Florida Building Code.

Thank you,

**Neil Burning, CBO**

Vice President, Technical Resources

Government Relations (Florida)

International Code Council

(See attachment)

**TAC Recommendation:**

**Commission Action:**