

**TAC CODE MODIFICATION REVIEW AND RECOMMENDATION PROCESS**  
**MARCH 2019 TAC MEETINGS**  
**2020 CODE UPDATE PROCESS—7<sup>TH</sup> EDITION, FLORIDA BUILDING CODE (2020)**  
**(ADOPTED UNANIMOUSLY FEBRUARY 19, 2019)**

Proposed Code modifications to the Florida Building Code will be reviewed by the Commission's TACs in meetings conducted during the week of March 14 - 26, 2019. The TACs' recommendations regarding proposed Code modifications will subsequently be posted to the Commission's website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs' recommendations during this time-frame (second 45-day review period). The TACs will meet for a second time during the week of July 8-12, 2019 to review the public comments, and provide TAC comments to the Commission regarding whether the submitted comments address their concerns regarding their recommendations on proposed code modifications (TAC feedback on public comments to the Commission). In addition, the Residential Construction Cost Impact Workgroup will review the TACs' recommendations and provide comments regarding costs/impacts of the TACs' recommended modifications for approval relevant to the Residential Building Code (amendments identified as impactful). These comments will be incorporated into the TACs' consent agendas of recommendations.

The Commission will consider the TACs' recommendations concurrent with the August, 2019 Commission meeting, conduct rule development workshops on February 4, 2020 and April 7, 2020, and conduct a rule adoption hearing on the final version of the Code on June 8, 2020.

### **CODE MODIFICATION REVIEW AND CONSIDERATION PROCESS**

Facilitator will serve as moderator and assist with adopted process and groundrules.

- One person speaks at a time.
- Limit your comment and be concise.
- Comments are limited to a maximum of three-minutes (3) per person.
- Do not read lengthy prepared statements; Summarize and submit complete text of comment for the record.
- Offer new points and/or state agreement with previous speakers; Please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
  
- Facilitator will introduce each modification.
- Proponents of proposed modification will speak first.
- Opponents of proposed modification will follow proponents.
- Proponents/opponents will be allowed one (1) collective brief counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.
  
- *Withdrawal of Proposal:* A code modification proposal may be withdrawn by the proponent at any time prior to the TAC's consideration of that proposal.

- Standing motion to approve will be in effect.
- TAC will vote in favor of the Standing Motion to Approve (found on page 3) prior to considering proposed modifications.
- Findings Considered: rationale, Florida specific need, does not diminish requirements related to wind resistance or prevention of water intrusion, and fiscal impact data reviewed.
- Clarifying questions by TAC members only.
- Staff, proponent, or specified commenter will respond to TAC Member's questions.
- Once a motion (second to the standing motion) is on the floor, discussion is limited to TAC members except as allowed by the Chair/Facilitator.
  
- **TAC Amendments.** TAC members should avoid spending time revising a code modification proposal, and instead TAC members should focus on providing a proponent with constructive comments for possible revision of their modification during the 2<sup>nd</sup> 45 - day review/comment period. This approach will ensure that consideration of modifications are completed within the time frame allocated for the meeting.
- Any TAC revisions (amendments) to proposed modifications: require additional public comment, and TAC analysis of findings, rationale, and fiscal impact.
  
- *Amendments:* Amendments to proposed Code modifications may be suggested by any person participating in the TAC meeting. The person proposing the amendment is deemed to be the proponent of the modification. All amendments must be written, unless determined by the Chair to be either editorial or minor in nature. The proponent of the amendment shall provide an electronic version in an editable format, and 20 hard copies to staff for distribution to the TAC.
- A proposed amendment shall not be considered by the TAC if it:
  - Is not legible;
  - Changes the scope of the original proposal; or,
  - Is not readily understood so that a proper assessment of its impact on the original proposal of the Code can be determined.
  
- **Rationale for No Affirmative Recommendation (NAR).** TAC members are encouraged to provide feedback regarding their reason for not recommending the approval of a Code modification proposal.
  
- The standing motion to approve will be in effect, a second is required in order to vote for the modification—Only motions to approve may be considered.
- Motions to deny are not allowed by Commission Rules.
- If a modification does not receive a second it will be deemed to have received no affirmative recommendation (NAR).
- All modifications must be voted on individually.
- Motions require a two-thirds (67%) favorable vote for approval; those with less than a two-thirds favorable vote, are deemed to have received no affirmative recommendation (NAR).
- In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a two-thirds vote of the members present at the Technical Advisory Committee meeting and at least half of the regular members must be present in order to conduct a meeting. [Section 553.73 (3) (b), F.S.]

## **STANDING MOTION TO APPROVE MODIFICATIONS TO THE FLORIDA BUILDING CODE**

Facilitator will read the following motion, ask for a motion and second to approve, and the TAC will then vote in favor.

**Move to recommend approval of the proposed modifications by the Technical Advisory Committee (TAC) based on the following findings [Section 553.73 (9)(a) and (9)(b), F.S.]:**

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