



**PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION**

November 1, 2016

Company: Bliss & Nyitray, Inc.
Address: 800 Douglas Road, Suite 300
Coral Gables, FL 33134

Name: Paul A. Zilio, PE
Title: Sr. Principal/Partner
Telephone: (305) 442-7086
Facsimile: (866) 832-5291
Email: p-zilio@BNlengineers.com

DS 2016-083

**Statutes(s), Agency Rule(s), Agency Order(s) and/or Code Section(s) on which the
Declaratory Statement is sought:**

Florida Building Code, 5th (2014) Edition
Portions of Chapters 10 and 16

Background:

Bliss & Nyitray, Inc. is a 60-year-old Structural Engineering firm. We have designed the structures for thousands of projects and numerous hotels.

We are currently starting design of a 5-story hotel in Miami. The elevated floors have private hotel rooms on each side of a central corridor. There is an elevator in the middle and exit stairways at each end.

We are seeking clarification of certain sections of the Florida Building Code, 5th (2014) Edition to ensure that we design the most economical structure possible, yet consistent with the requirements of the code. Petitioner seeks these clarifications as a "substantially affected person" under the procedures set forth in Section 553.775, F.S. (2016).

Specifically, there are several sections of Chapters 2 and 16 of the Florida Building Code, 5th (2014) Edition, that require clarification as are more specifically outlined below:



Chapter 2 – Definitions

Corridor: An enclosed exit access component that defines and provides a path of egress travel.

Exit: That portion of a means of egress system between the exit access and the exit discharge or public way. Exit components include exterior exit doors at the level of exit discharge, interior exit stairways, interior exit ramps, exit passageways, exterior exit stairways and exterior exit ramps and horizontal exits.

Exit Access: That portion of a means of egress system that leads from an occupied portion of a building or structure to an exit.

Means of Egress: A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge.

Chapter 16 – Structural Design

Section 1607 Live Loads

Table 1607.1 Minimum Uniformly Distributed Live Loads...

8. Corridors – Other Floors: Same as occupancy served except as indicated.

18. Hotels (see residential)

25: Residential – Hotels and Multi-Family Dwellings – Private Rooms and Corridors Serving Them: 40psf

30. Stairs and Exits – All Others: 100psf

Question

Is the live load 40psf for the hotel upper level corridor that serves only private rooms but also serves as exit access from each room to the exit (stairways)?

Summary

Petitioner respectfully believes the answer to the question outlined above is “YES”. Clearly the live load for corridors serving private hotel rooms is 40psf. While the live load for Stairs and Exits is 100psf, the corridor is, by definition, an exit access component. Further, corridor meets the definition of exit access (1st part of means of egress), not exit (stairway) (2nd part of means of egress). If the answer is “NO”, then it seems the 40psf live load for hotel corridors serving private rooms is never applicable.

A change to 100psf would add significant construction cost to this hotel.

Petitioner fully understands the extensive work of the Commission in developing the new codes for greater safety and improvement for the consumer and, likewise, it would seem reasonable to ensure that the codes are uniformly interpreted. In fact, Section 553.775(1), Florida Statutes (2016) states:

It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

Sincerely,

BLISS & NYITRAY, INC.



PAUL A. ZILIO, PE
Sr. Principal, Partner