

TAC CODE MODIFICATION REVIEW PROCESS
OCTOBER 2013 TAC MEETINGS—2013 CODE UPDATE PROCESS
(Adopted Unanimously June 8, 2010)

CODE MODIFICATION REVIEW AND CONSIDERATION PROCESS

Facilitator (or TAC chair if there is not a facilitator present) will serve as moderator and assist with adopted process and groundrules.

- ☛ One person speaks at a time.
- ☛ Limit your comment and be concise.
- ☛ Chair/Facilitator may limit comments to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak. *(This provision would only need to be used if there are a large number of speakers relative to the total number of modifications and total time for review allocated for the specific TAC.)*
- ☛ 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 (or TAC chair) 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) 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- ☛ ***Withdrawal of Proposal:*** A code modification proposal may be withdrawn by the proponent at any time prior to the TAC consideration of that proposal.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 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 2nd 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.
- ☛ **Modifications:** Modifications to proposals may be suggested by any person participating in the TAC meeting. The person proposing the modification is deemed to be the proponent of the modification. All modifications must be written, unless determined by the Chair to be either editorial or minor in nature. The modification proponent shall provide 20 copies to staff for distribution to the TAC.
- ☛ A proposed modification 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.
- ☛ TAC members should provide specific and clear reason(s) for not supporting/approving a Code modification proposal. It is the responsibility of the moderator to make sure that staff has ample time to record such reasoning and the vote count.
- ☛ 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.
- ☛ All modifications must be voted on individually.
- ☛ Motions require a 75% favorable vote for approval; those with less than a 75% favorable recommendation, are recommended for denial.
- ☛ In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a three-fourths 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.}

Note: Florida specific modifications that expire with the updated code and are resubmitted as amendments to the updated Code must specifically address whether:

1. The provisions contained in the proposed amendment are addressed in the applicable international code.
2. The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.
3. The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process.

If the proposed amendment has been addressed in the international code in a substantially equivalent manner, the Florida Building Commission may not include the proposed amendment in the foundation code. {Section 553.73 (7) (g), F.S.}

STANDING MOTION TO APPROVE MODIFICATIONS TO THE FLORIDA BUILDING CODE

TAC chair 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:

- 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.
- I. Florida specific amendments that expire with the updated code and are resubmitted as amendments to the updated Code have addressed whether:
 - 1. The provisions contained in the proposed amendment are addressed in the applicable international code.
 - 2. The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.
 - 3. The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process.

TAC AMENDMENTS TO PROPOSED MODIFICATIONS

TAC amendments to proposed modifications: require additional public comment, and TAC analysis of findings, rationale, and fiscal impact.