Question of Balance

Considering the 1997 Legislature’s interest in building codes as a policy tool, it is appropriate to reflect on how balance is maintained among major state policies implemented through the Florida Building Code.

The law establishing the Florida Building Code indicates its intent to provide for effective and reasonable protection of the public safety, health and welfare at the most reasonable cost. The law further specifies that the Code is “primarily for public health and life safety and secondarily for protection of property.” These principles reflect traditional consensus on the purpose of building code regulations. However, as this recent legislative session reminds us, lawmakers also consider the Code an effective tool for other public welfare policies.

The need for energy independence and the problem of global warming led to energy conservation initiatives. Hurricane threats to the property insurance market and the state economy led to calls for more aggressive structural codes for both new and existing buildings.

The risk in increasing our reliance on the Code as a tool to implement policy is that the politics of government can interfere with the deliberative processes essential to maintaining an effective balance among multiple state policies.

The need for policy makers to quickly react to crises leads to a narrowed legislative focus and setting priorities that can distort the balance. During crises or perceived crises, proposals for regulatory action can be grand, and in some cases extreme. Consider an early legislative proposal to require installation of shutters or impact windows throughout the state when a building permit is issued for any kind of work on an existing building. In less reactive times, more consideration would be given to the cost to the homeowner and the balance of cost increases for property protection, energy efficiency and home safety requirements.

Affordable housing has traditionally been given greater consideration, compared to other perceived critical needs, than it currently does. In many areas of the state, affordable housing is insufficient for the workforce. Property values, taxes and insurance increases place home ownership beyond the reach of many workers. As costs mount, some interests advocate increasing the cost of construction to offset the costs of operation and insuring homes. When government makes such decisions for its citizens via regulation, there must be a balance established between societal interests and individual interests.

Florida’s Energy Code is a model for how societal interest policies can be balanced with the individual’s ability to bear the costs of regulation. When the code was established by law in the late 1970s, the means to maintain balance was also established. Energy Code requirements must be cost-effective for the consumer. This criterion is not generally applied to building code life safety requirements, but is appropriate for policies primarily directed to societal welfare and property protection.

Those who advocate property protection to mitigate hurricane-related damage have proposed that the state optimize minimum construction regulations based on standardized cost/benefit considerations. The Legislature previously addressed costs and benefits, revising the state property protection policy as it relates to hurricane resistance. It amended the building code law to explicitly recognize mitigation of property damage due to windstorms as an objective of the Code, and directed the Commission to consider measurable benefits relative to costs for Code requirements that benefit property protection but not life safety. The Legislature also established a specific increased cost limit for required hurricane protection retrofits when existing homes are re-roofed.

The Commission, as steward of the Florida Building Code, must also consider the impacts of the Code on housing affordability and other state policies. The policy makers respond to immediate crises and set priorities through directives to the Commission. However, it is the Commission’s responsibility to maintain continuity and balance among all established policies while responding to the priorities. Consistency and balance may not result in the responses desired by advocates of individual policies, but they are fundamental to the stable regulatory environment essential for long-term progress in achieving a better built environment for Florida.

Raul L. Rodriguez, AIA, is president of Rodriguez and Quiroga Architects Chartered, in Coral Gables.
Note: This edition of Codes Quarterly marks the change in administration of Florida government by shifting emphasis in content to underscore the Florida Building Commission’s role in promoting uniformity and consistency regarding technical requirements and enforcement. We believe the changes will help local governments, industry and consumers better understand the Code and the work of the Commission.

The Florida Building Commission has been busy in recent months working on the next edition of the Florida Building Code, a rule for product approval and several legislative assignments. This article is dedicated to recapping tasks from the previous reporting period and identifying new ones for the coming quarter.

The Commission’s principal task is development of the 2007 Edition of the Florida Building Code (the Code). The Commission selected the 2006 Edition of the International Codes as the foundation for the state Code, and proposals for Florida-specific modifications were due January 1, 2007. In mid-March, the Commission’s Technical Advisory Committee reviewed the proposals and developed recommendations for consideration at the June 27 meeting. A decision on the proposals will be made at a workshop held during this meeting, and the 2007 Code will be finalized at the August 22 meeting. Code books are scheduled to be available by January 1, 2008, and the new Code will take effect on October 1, 2008. Information on the proposals can be found at the Commission’s website under Code Modifications.

Hurricane protection activities were also a major focus during the Winter-Spring of 2007. The 2006 Supplement to the 2004 Code, effective December 23, 2006, implemented a number of enhancements including additional requirements for roofing and substantial upgrades for residential structural requirements. The highest profile issue, however, was windborne debris protection. The 2005 Legislature directed the Commission to review the effects of Hurricane Ivan with building officials from the Florida Panhandle. [Section 39, ARA Report] However, during the January 2007 special session on insurance, the Legislature superceded the 130 mph and higher wind speed requirement that applies throughout the rest of the state.

Wind tunnel testing conducted during the windborne debris study indicated ASCE 7 may under-predict wind pressures on roofs of buildings located in open terrain, such as that in South Florida. The second phase of the windborne debris study focused on developing more accurate pressure coefficients for the design procedure. The Legislature directed the Commission to help Citizens Insurance, the state-backed insur-

continue to page 4
The Commission continued efforts to address building officials’ concerns with the difficulty of enforcing Code requirements for windows, shutters and garage doors. The 2004 hurricanes revealed significant problems with water intrusion and wind pressure-related performance of building components and cladding. Standards and evaluation/certification programs have been in place for a number of years for windows, shutters and garage doors, so attention turned to improving the linkage between product evaluation and acceptance and the approval of installed products through the Code enforcement process. Building officials wanted a better way to determine that the component installed is the one for which code compliance has been demonstrated through the evaluation and acceptance part of the product approval process. Manufacturers and building officials worked to develop consensus criteria for window, shutter and garage door labels that provide all information essential to field inspections, and submitted a Code amendment proposal for the 2007 Code. Window manufacturers and building officials also worked on default criteria for installation of windows to control water intrusion, and the manufacturers are developing an improved test protocol for water leakage through the windows themselves. Work on these improvements will continue.

Another issue receiving renewed state interest is energy conservation. The Florida Energy Code, a major component of state energy conservation policy since the late 1970s, was reviewed by the Commission before work began on development of the 2007 Code, and it was compared to the International Energy Conservation Code (IECC). The Commission decided to retain the current Florida-specific code and adopt portions of the IECC as appropriate. During the review process, air conditioning contractors expressed concern that indoor humidity control and mold/mildew problems may become more frequent with equipment developed to comply with the minimum equipment efficiency standards incorporated into the 2006 Code Supplement. A Commission-organized symposium concluded that the combination of over-sized air conditioners, poorly designed duct systems and the SEER 13 builder model air conditioners increases the risk of indoor air quality problems. New conservation requirements that significantly reduce sensible heat gain without reducing moisture input to homes can further increase this risk. Recommended solutions included contractor education and promotion of greater use of variable fan speed air conditioners [see Symposium report]. Caution is essential to ensuring that energy conservation goals are balanced with healthy building goals.

Finally, the Commission began a process to amend product approval rules. The product approval validation work group finalized recommendations in Fall 2006 and submitted them for review by the Program Oversight Committee in January 2007. Changes will address validation of certifications by certification agencies and evaluations by independent evaluation entities, architects and engineers will be considered administrative validations and will not involve engineering verification. Additionally, a new process will be authorized allowing evaluations by manufacturers’ engineers when a technical validation is done by an approved validation entity. The rule changes have several more steps before final adoption; they are scheduled to take effect in January 2008, after necessary upgrades to the building code information system are completed.

Completion of the 2007 Florida Building Code and the product approval rule will be the major focus of the Commission during the summer, and work will begin on tasks assigned by the 2007 Legislature. In the next several months, the Energy Code will be reviewed to identify cost-effective enhancements for residential and commercial building energy efficiency requirements. The Commission will also work with stakeholder groups to improve energy conservation awareness and to develop local planning ordinances that improve energy conservation. The Commission will also develop and adopt a special rule that: identifies hurricane protection retrofit techniques for re-roofing and window protection, to take effect in October 2007; identifies alternative techniques for electrical grounding and bonding of swimming pools, and establishes carbon monoxide detector requirements for buildings with spaces used for sleeping purposes, to take effect in June 2008. The Commission will also continue investigating hurricane protection standards and code enforcement issues that address water intrusion, wind resistance and windborne debris weaknesses of building components and cladding.

The Commission’s work plan identifies its tasks and timelines. It is updated for each Commission meeting and can be found in the Facilitator’s Report for the meeting located in the chart at [Commission minutes and agenda].

Rick Dixon is the Executive Director of the Florida Building Commission housed within the Florida Department of Community Affairs.
Florida Building Code, Building, 507.2.2
Petitioner: CSP Roof Consultants
DCA06-DEC-270

Conclusion: The Commission concluded that Section 507.2.2 requires that wood roof deck attachments be checked when 50% of the roof or 50% of an area of the roof covering is removed, and that additional fastening be installed when the roof deck attachments are found to be deficient.

Product Approval Rule 9B-72.005 Florida Administrative Code
Petitioner: Atlantic Windows and Doors, Inc.
DCA06-DEC-294

Conclusion: The Commission determined that a proposed metal receptor system for windows is subject to product approval as a new technology related to wind resistance. Furthermore, the proposed metal receptor system may be approved for its intended use following the appropriate testing; however, the use of the product must be evaluated on a case-by-case basis and would have to be evaluated by the specific window manufacturer for the specific installation.

Product Approval Rule 9B-72-005, Florida Administrative Code
Petitioner: Perma-Column, Inc.
DCA06-DEC-287

Conclusion: The Commission determined that pre-cast concrete posts are structural components according to Rule 9B-72.010, Florida Administrative Code, and their use in Florida is contingent upon state approval pursuant to Rule 9B-72-090, Florida Administrative Code, or local approval.

Petitioner: John O’Connor, Marion County Building Official
DCA06-DEC-216

Conclusion: The Commission determined that in addition to No. 26 gauge sheet metal, an alternative to 26 gauge sheet metal is allowed as authorized by Section 308.1.1, Florida Building Code, Residential Volume. The clause implies that there could be acceptable alternative duct types. A fiberglass duct complying with Underwriters Laboratories 181 and the requirements of the Sheet Metal and Air Conditioning Contractors National Association and the North American Insulation Manufacturers Association may be used if it has an equivalent flame and smoke rating as 26 gauge metal.

Florida Building Code, Building, Section 507.2
Petitioner: City of Cape Coral Department of Community Development and NAP Pondella LLC, Intervenor
DCA06-DEC-218

Conclusion: The Commission determined that the Coral Walk Shopping Center and the Super Target retail store demonstrated compliance with the provisions of Section 507.2, Florida Building Code, Building Volume (2004, as amended in 2005) and, therefore, the area limitations of Table 503 do not apply to the project.

Florida Building Code, Residential R905.2.8.4
Petitioner: Florida Roofing Sheet Metal and Air Conditioning Contractors Association, Inc.
DCA06-DEC-212

Conclusion: The Commission concluded that the code permits both “L” flashing and step flashing to be installed in accordance with Roofing Application Standard 115 against sidewalls on residential construction inside the High Velocity Hurricane Zone. Outside the High Velocity Hurricane Zone, Section R905.2.8.4, Florida Building Code, Residential Volume, explicitly requires that step flashing be installed against the sidewall on residential construction. However, other installation methods may be allowed by the building official in accordance with Section 104.11, Florida Building Code, Building Volume, as an alternative method permitted by that section.

Product Approval Rule 9B-72, Florida Administrative Code
Petitioner: FTP Plastic Accessories for Construction, S.A. de C.V
DCA06-DEC-216

Conclusion: Rule 9B-72 limits the scope of products subject to approval to panel walls, exterior doors, roofing products, skylights, windows, shutters and structural components that comprise the building envelop and structural frame. The Commission determined that the Petitioner’s product -- plastic accessories that reinforce concrete in rebar and mesh applications -- is not subject to product approval because the product is not

continue to page 6
one of the enumerated categories requiring approval, nor is it a product or system that comprises the building envelope and structural frame.


**Petitioner:** Structural Engineering and Inspections, Inc.
**DCA06-DEC-300**

**Conclusion:** The Commission concluded that the lot in question is to be considered located in Exposure B for wind resistance. However, any final determination should be made by the design professional based on review of site-specific circumstances and conditions. The term “scattered obstruction” is subject to accepted engineering practices defined by American Society of Civil Engineers Standard ASCE 7-02, Commentary, for guidance.


**Petitioner:** Clemons-Rutherford and Associates
**DCA07-DEC-011**

**Conclusion:** The Commission determined that in Type II-B construction, the flooring assembly is required to be non-combustible. Section 703.4.1, Florida Building Code, Building Volume, directs that materials required to be non-combustible meet ASTM E-136, and that the test cannot be reduced to ten minutes. Cement-based particle board is considered combustible until it can pass an unmodified ASTM E 136-99e1 test.

**Product Approval Rule 9B-72, Florida Administrative Code**
**Petitioner:** Andrew Croft, Fastnet International
**DCA05 DEC-284**

**Conclusion:** The Commission determined that protective netting for pitched roofs does not fall in any expressed subcategory of products and systems that comprise the building envelope and structural frame and is not subject to product approval requirements.

**Product Approval Rule 9B-72, Florida Administrative Code**
**Petitioner:** William Schaefer, P. E.
**DEC06-DEC-200**

**Conclusion:** The Commission concluded that the proposed anchor substitutes are not acceptable substitutes to what originally was tested. Rational Engineering analysis cannot be used in lieu of standard testing except that local projects may have specific product approval in accordance with alternate methods and materials authorized in the code.

**Florida Building Code, Building 1609.2**
**Petitioner:** William Schaefer, P. E.
**DEC06-DEC-201**

**Conclusion:** The Commission determined that defining the acceptable tributary area of a window, door and shutter system to be considered in the wind load analysis is subject to accepted engineering practice. Defining accepted engineering practice is beyond the jurisdiction of the Florida Building Commission.
NOTICE: Legislature Makes Immediate Changes To Building Code

During its special and regular legislative sessions this year, the Florida Legislature enacted four building code requirements that take effect either immediately or by July 1, 2007. Three additional requirements were enacted in two separate bills, to take effect on October 1, 2007, or July 1, 2008.

Effective January 25, 2007

1. Panhandle Windborne Debris Region, REDEFINED as 120 mph and HIGHER DESIGN WIND SPEED AREAS, consistent with 2006 IBC and IRC

   CS/HB 1A, ENROLLED
   (Special Legislative Session bill)

   P65
   1793 Section 9. Upon the effective date of this act, each
   1794 jurisdiction having authority to enforce the Florida Building
   1795 Code shall, at a minimum, require wind-borne-debris protection
   1796 in accordance with s. 1609.1, International Building Code (2006)
   1797 and the International Residential Code (2006) within the "wind-
   1798 borne-debris region" as that term is defined in s. 1609.2,
   1799 International Building Code (2006), and s. R301.2, International

Effective June 1, 2007

2. Elimination of internal pressure design option for windborne debris regions throughout the state, DELAYED

   [Note: The 2006 International Building and Residential Code mandated by special legislative session bill CS/HB 1A eliminates the internal pressure design option.]

   CS/SB 2498, ENROLLED
   (Regular Legislative Session bill)

   P 87
   4 Section 26. (1) Notwithstanding section 9 of chapter
   5 2007-1, Laws of Florida, the internal design option provided
   6 in Section 1609.1.4.1, Florida Building Code, Building Volume,
   7 and Section R301.2.1.2, Florida Building Code, Residential
   8 Volume, shall remain in effect until June 1, 2007, for a
   9 building permit application made before that date.
   10 (2) Subsection (1) shall take effect upon becoming a
11 law and shall apply retroactively to January 25, 2007.
12 Subsection (1) applies to any action taken with respect to a
13 building permit affected by section 9 of chapter 2007-1, Laws
14 of Florida, including any actions, legal or ministerial,
15 pertaining to the issuance, revocation, or modifications of
16 any building permit initiated or issued before, on, or after
18 (3) If the retroactivity of any provision of
19 subsection (1) or its retroactive application to any person or
20 circumstance is held invalid, the invalidity shall not affect
21 the retroactivity or retroactive application of other
22 provisions of subsection (1).

Effective July 1, 2007

3. Sprinklers for the existing portion of an expanded warehouse, NOT REQUIRED

CS/SB 404, ENROLLED
(Regular Legislative Session bill)

P12
24 Section 9. If an existing warehouse is expanded, the
25 addition must comply with the requirements in chapter 9 of the
26 Florida Building Code; however, the existing warehouse need
27 not be updated to meet those requirements so long as it is in
28 compliance with the Florida Building Code, 2001 edition, and
29 with requirements concerning automatic sprinkler systems in
30 section 903 of the Florida Building Code.

Effective June 2007 (upon bill becoming law)

4. Electrical bonding and grounding system for swimming pools, ALTERNATIVE TO NATIONAL ELECTRIC CODE (NEC) APPROVED

CS/CS/SB 2836, ENROLLED
(Regular Legislative Session bill)

P3
15 Section 1. The Florida Building Commission shall
16 review the requirements in the National Electrical Code (2005)
17 which relate to bonding and grounding systems for swimming
18 pools. The commission may adopt a rule authorizing the use of
19 a method for bonding and grounding systems which is an
20 alternative to what is permitted by the National Electrical
21 Code. The commission is further authorized to integrate that
22 alternative method into the 2007 edition of the Florida
23 Building Code, notwithstanding the requirements of s. 553.73, 24 Florida Statutes. Until the commission adopts a rule for an 25 alternate method for bonding and grounding systems for 26 swimming pools, the use of an underground bonding conductor 27 made of a single #8 AWG bare solid copper wire buried to a 28 minimum depth of 4 inches to 6 inches below subgrade, and 18 29 inches to 24 inches from inside the wall of a swimming pool or 30 spa, is deemed a permissible alternative or equivalent to 31 compliance with s. 680.26(c) of the National Electrical Code.

Effective October 1, 2007  (re-roofing retrofits)
Effective July 1, 2008  (shutter retrofits)

5. Hurricane protection retrofits for existing homes, REQUIRED – roof enhancements required when re-roofing homes valued at more than $300,000 and shutter installation required when any permit is issued for more than $50,000 of work on homes valued at more than $750,000
607 and fasteners during reroofing; and
608 5. Adding or strengthening opening protections.
609 (3) The Legislature finds that the integration of these
610 specifically identified mitigation measures is critical to
611 addressing the serious problem facing the state from damage
612 caused by windstorms and that delay in the adoption and
613 implementation constitutes a threat to the health, safety, and
614 welfare of the state. Accordingly, the Florida Building
615 Commission shall develop and adopt these measures by October 1,
616 2007, by rule separate from the Florida Building Code, which
617 take immediate effect and shall incorporate such requirements
618 into the next edition of the Florida Building Code. Such rules
619 shall require or otherwise clarify that for site-built, single
620 family residential structures:
621 (a) A roof replacement must incorporate the techniques
622 specified in subparagraphs (2)(b)2. and 4.
623 (b) For a building that is located in the wind-borne
624 debris region as defined in s. 1609.2 of the International
625 Building Code (2006) and that has an insured value of $300,000
626 or more or, if the building is uninsured or for which
627 documentation of insured value is not presented, has a just
628 valuation for the structure for purposes of ad valorem taxation
629 of $300,000 or more, a roof replacement must incorporate the
630 techniques specified in subparagraph (2)(b)3.
631 (c) Any activity requiring a building permit that is
632 applied for on or after July 1, 2008, and for which the
633 estimated cost is $50,000 or more, must include provision of
634 opening protections as required within the Florida Building Code
635 for new construction for a building that is located in the wind
636 borne debris region as defined in s. 1609.2 of the International
637 Building Code (2006) and that has an insured value of $750,000
638 or more, or, if the building is uninsured or for which
639 documentation of insured value is not presented, has a just
640 valuation for the structure for purposes of ad valorem taxation
641 of $750,000 or more.

Effective July 1, 2008

6. Carbon monoxide detectors in buildings with rooms used for sleeping, REQUIRED

CS/CS/SB 1822, ENROLLED
(Regular Legislative Session bill)

Section 1. Subsection (5) is added to section 509.211,
22 Florida Statutes, to read:
23 509.211 Safety regulations.--
24 (5) Every enclosed space or room that contains a
25 boiler regulated under chapter 554 which is fired by the
26 direct application of energy from the combustion of fuels and 
27 that is located in any portion of a public lodging 
28 establishment that also contains sleeping rooms shall be 
29 equipped with one or more carbon monoxide sensor devices that 
30 bear the label of a nationally recognized testing laboratory 
31 and have been tested and listed as complying with the most 
1 recent Underwriters Laboratories, Inc., Standard 2034, or its 
2 equivalent, unless it is determined that carbon monoxide 
3 hazards have otherwise been adequately mitigated as determined 
4 by the division. Such devices shall be integrated with the 
5 public lodging establishment’s fire detection system. Any such 
6 installation or determination shall be made in accordance with 
7 rules adopted by the division. 
8 Section 2. Section 553.885, Florida Statutes, is 
9 created to read: 
10 553.885 Carbon monoxide alarm required.-- 
11 (1) Every building for which a building permit is 
12 issued for new construction on or after July 1, 2008, and 
13 having a fossil-fuel-burning heater or appliance, a fireplace, 
14 or an attached garage shall have an approved operational 
15 carbon monoxide alarm installed within 10 feet of each room 
16 used for sleeping purposes. 
17 (2) The Florida Building Commission shall adopt rules 
18 to administer this section and shall incorporate such 
19 requirements into its next revision of the Florida Building 
20 Code. ■
By the time the Florida Legislature adjourned its 2007 regular session at about 4:45 p.m. on Friday, May 4, it had successfully addressed many issues important to the Commission. Of relevance, the Legislature set its sights on decreasing storm damage to homes, increasing efforts in the area of energy conservation and the lean budget. Pending action by Governor Crist, the Commission was successful on most fronts and faces some challenges over the next seven months.

The budget arose as an issue early during the session as the experts estimated that, for the first time since the 1970s, the State would have less income than the year before. The Senate and House entered the budget negotiations with three of the Commission’s issues to be resolved – $500,000 for research related to the wind resistance of components and cladding; $250,000 for research related to fundamental wind pressure and windborne debris design criteria; and $100,000 in additional travel funds. Both research items were approved by the Legislature, but the travel funds were not allocated. However, the Legislature did appropriate $1 million to address a revamped education and outreach program (discussed below).

Senator Bill Posey of Rockledge, Chair of the Senate Banking and Insurance Committee, led the charge on behalf of mitigation efforts. Motivated by the liability assumed by the State for insurance, Senator Posey initially pursued some mitigation measures no matter the cost they would impose. The final version [HB 7057] requires the Commission to develop and adopt prescriptive measures for retrofitting single-family residences to incorporate gable end bracing, roof deck nailing, secondary water barriers and enhanced roof-to-wall connections when the roof covering is replaced. The latter is required when single-family residences with an insured value of $300,000 or less located in the windborne debris region are re-roofed if the roof-to-wall connections can be enhanced for less than 15% of the cost. This bill additionally requires that shutters be added to single-family residences located in windborne debris regions and valued at $750,000 or more when $50,000 of alteration work is being done. Senator Posey and his committee also called for an update to the study of wind-related losses and ways to reduce them through mitigation efforts, to be led by the Office of Insurance Regulation with the participation of the Commission.

Several legislators found green to be a flattering color this session, as shown by their introduction of numerous energy conservation bills. [HB 7123] sponsored by Representative Page Kreegel of Punta Gorda with a Senate companion by Senators Lee Constantine of Altamonte Springs and Mike Bennett of Bradenton, contains three projects of particular relevance. The Commission has been charged with convening a work group to develop a model energy conservation ordinance, reviewing the Energy Code in comparison to ASHRAE standards and the International Code, and developing and implementing an outreach and education campaign on energy efficiency, and then reporting on those subjects next year. The Department is to review energy efficiency standards for residential and commercial appliances, as well as the...
process for updating those standards for application in Florida. A report of recommendations is to be submitted prior to the 2008 session. This bill also requires related and overlapping studies to be performed by the Public Service Commission and the Energy Policy Governance Task Force.

Several incidents in Florida that resulted in deaths due to carbon monoxide poisoning led to legislation requiring detection and alarm notification. Senate Bill 1822 directs the Commission to adopt a rule requiring detectors near sleeping areas in buildings that have a fossil fuel burning heater or appliance, a fireplace or an attached garage and rooms used for sleeping purposes. The rule must be in effect by July 1, 2008, and must be in the 2007 Florida Building Code when it takes effect. The bill also requires detectors in public lodging buildings that have combustion-fired boilers and sleeping rooms.

Though somewhat belated, the Legislature provided retroactive relief to builders using the internal pressure design option for protection of buildings in the wind borne regions throughout the state. House Bill 2498, passed during the January 2007 special session, eliminated the option immediately upon becoming law. Senate Bill 2836 expands the glitch amendment process to be utilized whenever necessary and adds changes to state and federal law as issues that may be addressed. The effort to ensure outreach and education on the Florida Building Code underwent significant changes, including eliminating the advisory council of licensing board representatives and placing the program under the Department of Community Affairs while preserving the accreditation process. The program will be responsible for administering two elements that historically had been managed through the Residential Construction Mitigation Program; outreach via a builder’s conference in the state and what is commonly referred to as the Disaster Contractors Network. The bill also implements the Commission’s recommendations pertaining to product approval; limitation of the certification method of approval to those products that are subject to standardized testing, and the authority to discipline validation entities.

Additionally, several constituent issues were addressed in the bill. The Commission was directed to review current and proposed Code requirements for the prohibition on gravel roofs contained in the International Codes, pool grounding and bonding requirements contained in the National Electrical Code, and the requirement to retrofit the existing portion of a warehouse that is being expanded with sprinkler systems as well as the new portion of the warehouse. The Legislature also addressed warehouse sprinkler systems in Senate Bill 404, which requires that the Commission defer to the International Code requirements. Additional non-Code constituent issues include revised requirements relating to private providers, fire inspections, and provisional licensing of building code administrators.

All in all, the Commission’s initiatives and the public interest were well served during the 2007 legislative session. The stakeholders all worked together with integrity and presented a unified position. Appreciation is also due for the efforts of Melissa Joiner, Matt McGill and Melissa Newmons from the Department’s Legislative Affairs Office for their efforts on behalf of the Commission.

Jim Richmond is the counsel for the Florida Building Commission as well as the Commission’s liaison to the Florida Legislature.
Residential Green Building Standards

The International Code Council (ICC) and the National Association of Home Builders (NAHB) recently announced plans to jointly develop and publish a residential green building standard. Many NAHB members have been leaders and innovators in building green homes, but their efforts were voluntary as there was no regional or national green standard. The Code Council promoted green building requirements in its family of international codes, which set minimum standards for energy efficiency and sustainable building practices. It has now recognized the need for a national set of standards for home builders and others who wish to voluntarily use standards that exceed the minimum.

The standard is being developed through a consensus process and will be based on the NAHB Model Green Home Building Guidelines. The consensus committee met for the first time in Washington, D.C., on April 19-20 to discuss the proposal and receive public comments. Seven task groups -- on Administration and Points; Site Development and Global Impact; Resource Efficiency and Owner Education; Water Efficiency and Indoor Environmental Quality; Energy Efficiency; Multi-Family, and Remodeling -- also met at the April meeting and will continue to model the working draft to be reviewed by the full consensus committee in Washington in July.

The process, from the formation of a consensus committee to public review and final acceptance by the American National Standards Institute (ANSI), is projected to be completed by February 2008. The result will be a voluntary green home building standard that can be adopted by local home building programs or local building departments as a conformance guide. After completion of the ANSI process, the standard will be promulgated as a joint publication of NAHB and ICC. Both organizations recognize and support the development and implementation of the standard and its importance to the environmental and economic health of the nation. The standard is expected to serve as a benchmark for green building in all 50 states.

Editor’s Note: The International Code Council considers energy efficiency, rainwater collection, high-efficiency HVAC and lighting systems, water-efficient fixtures and waterless urinals, day-lighting and views and use of recycled content materials to be among green construction features.

Residential Construction in High Wind Regions

Beginning in July 2004, industry leaders were identified to participate in a Consensus Committee on Hurricane Resistant Construction. The previously recognized standard for residential construction -- SSTD 10 -- is no longer applicable since the standards for wind load resistance have changed. This new document will specify prescriptive methods to construct wind resistant buildings and will provide construction details for walls, floors, roofs, foundations, windows, doors and other applicable components.

After public comments were accepted and evaluated, the Draft Standard for Residential Construction was completed in November 2006, and is available for further review. A final review will be held in August 2008, and the anticipated publication date of the new standard is January 2009.

Storm Shelters

The International Code Council, working in conjunction with the National Storm Shelter Association, will develop a standard for the design and construction of storm shelters. The standard will provide criteria for shelters that can withstand Category 5 hurricanes or F5 (Fuji Scale) tornadoes. When completed, the standard can be used by communities as well as residences and will be applicable to free-standing structures and safe rooms located within larger buildings, such as a safe room in a school. The design methodology will address a structure’s ability to withstand ultimate wind loads. For example, tornadic winds in “tornado alley” in the Central Plains states could be as high as 250 mph, while design winds for hurricanes will be based on contour maps generated for a 10,000-year wind. These winds could be as high as 210 mph in the windborne debris regions of South Florida.

The residential standard will be available in 2008. Prior to publication the committee will review public comments as well as the proposed draft standard. The Draft Standard, published in November 2006, is available and the committee will meet in August 2007 for final review before the expected publication date of January 2008.

Mr. Kopczynski is a former member of the Florida Building Commission and currently serves as a member of the ICC Standards Council, Chairman of the IS-HRC Committee and Vice Chairman of the NAHB Consensus Committee on the National Green Building Standard.
Upcoming Events

Florida Building Commission
June 24, 25, 26 and 27, 2007
Don Shula’s Hotel
Miami Lakes

Topics:
- Rule Development Workshop on 2007 Florida Building Code
- Rule Development Workshop on wind mitigation roof retrofits; pool deck electrical bonding; carbon monoxide detectors.
- Rule Adoption Hearing on product approval validation
- Rule Adoption Hearing on accessibility code amendments

Florida Building Commission
August 20, 21 and 22, 2007
Embassy Suites Hotel
Tampa

Topics:
- Rule Adoption Hearing on 2007 Florida Building Code
- Rule Adoption Hearing on Wind mitigation roof retrofits; pool deck electrical bonding; carbon monoxide detectors

If you would like your event added, please email: codesquarterly@floridabuilding.org