

STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of

FTP Plastic Accessories for
Construction S.A. ve C.V.,

Case #: DCA06-DEC-216

Petitioners.

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DECLARATORY STATEMENT

The foregoing proceeding came before the Florida Building Commission (the Commission) by a Petition from Eddie Fischer, on behalf of FTP Plastic Accessories for Construction S.A. ve C.V., (Petitioners) which was received on September 1, 2006. Based on the statements in the Petition and the material subsequently submitted, it is hereby ORDERED:

Finding of Fact

1. The petition is filed pursuant to section 120.565, Florida Statutes, and must conform to the requirements of Rule 28-105.002, Florida Administrative Code (F.A.C.).
2. The Petitioner designs, manufactures, and markets products for use in construction in the State of Florida.
3. The Petitioner, designs, manufactures, and markets plastic accessories which reinforce concrete in rebar and mesh applications used for building construction.
4. The Petitioner inquires whether the aforementioned product requires Florida Product Approval, pursuant to Chapter 9B-72, F.A.C.

Conclusions of Law

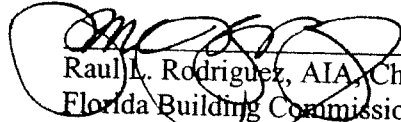
1. The Florida Building Commission has specific statutory to enter declaratory statements interpreting the provisions of the Florida Building Code (FBC) and Chapter 9B-72, F.A.C.

2. Rule 9B-72.005, F.A.C., limits the scope of products subject to approval by the Commission to the following categories: panel walls, exterior doors, roofing products, skylights, windows, shutters, and structural components which comprise the building envelope and structural frame.

3. Based upon the foregoing, the Commission determines that the Petitioner's product is not subject to product approval pursuant to Chapter 9B-72, F.A.C. The Petitioner's product is outside the scope of Chapter 9b-72, F.A.C., because the product is not on of the enumerated categories requiring approval, nor is the product a product or system which comprises the building envelope and structural frame.

Petitioner an all other interested parties are hereby advised of their right to seek judicial review of this Order in accordance with Section 120.68(2)(a), Florida Statutes, and with Fla. R. App. 9.030(b)(1)(C) and 9.110(a). To initiate an appeal, a Notice of Appeal must be filed with Paula P. Ford, Clerk of the Commission, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and with the appropriate District Court of Appeal no later than thirty (30) days after this Order is filed with the Clerk of the Commission. A Notice of Appeal filed with the District Court of Appeal shall be accompanied by the filing fee specified by section 35.22(3), Florida Statutes.

DONE AND ORDERED this 13th of December, 2006, in City of Coral Gables, County of Miami Dade, State of Florida.

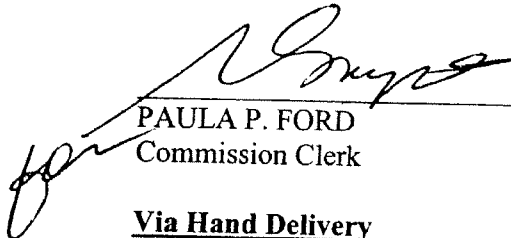

Raul L. Rodriguez, AIA, Chair
Florida Building Commission
Department of Community Affairs
Sadowski Building
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to the following by the method indicated on this 18th day of Dec, 2006.

Via U.S. Mail

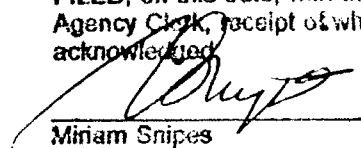
Eddie Fisher
233 S. Princeton Circle
Lynchburg, Va. 24503


PAULA P. FORD
Commission Clerk

Via Hand Delivery

Mo Madani, C.B.O. Manager
Codes and Standards Section
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Agency Clerk, receipt of which is hereby
acknowledged.


Miriam Snipes
Deputy Agency Clerk

12/18/06
Date