

# FLORIDA BUILDING COMMISSION

## ATTACHMENT TO THE OCTOBER 19, 2004 MINUTES

### FACILITATOR'S REPORT OF THE OCTOBER 10, 2004 COMMISSION PLENARY SESSION

*Orlando, Florida*

Meeting Design & Facilitation By



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# FLORIDA BUILDING COMMISSION

## ATTACHMENT TO THE OCTOBER 19, 2004 MINUTES

### OVERVIEW OF COMMISSION'S KEY DECISIONS

#### TUESDAY, OCTOBER 19, 2004

##### **Agenda Review and Approval**

The Commission voted unanimously, 20 - 0 in favor, to approve the agenda as presented. Following are the key agenda items approved for consideration:

- To Consider/Decide on Chair's Discussion Issues/Recommendations
- To Review Results of the Workplan Prioritization and Assessment Survey
- To Review and Update the Workplan
- To Consider/Decide on Accessibility Waiver Applications
- To Consider/Decide on Requests for Declaratory Statements
- To Consider/Decide on Approval of Products and Product Approval Entities
- To Review the Progress Report of the Product Approval Work Group
- To Consider the Report and Recommendations of the Alternative Plans Review and Inspections Work Group
- To Discuss Preliminary Observations from Hurricanes Charley, Frances, Ivan, and Jeanne
- To Consider the Recommendations from the FBC Wind Resistance Design Forum
- To Identify and Agree on Issues for the Report to the 2005 Legislature
- To Consider/Decide on Accessibility, Education, Electrical, and Structural TAC Reports/Recommendations
- To Consider/Decide on Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee (POC) Report/Recommendations
- To Receive Public Comment
- To Discuss Commissioner Issues
- To Review Assignments and Issues for the Next Commission Meeting

##### **Review and Approval of August 31, 2004 Meeting Minutes**

###### ***Commission Actions:***

The Commission will approve the minutes for the August 31, 2004 meeting at their December 7, 2004 meeting.

##### **Chair's Discussion Issues/Recommendations**

**Hurricane Charley, Frances, Ivan, and Jeanne.** Chairman Rodriguez spoke to the Commission regarding the four serious hurricanes that impacted Florida during the 2004 hurricane season: Charley, Frances, Ivan, and Jeanne. The Chair stated:

There are many groups conducting assessments and studies related to the Hurricanes in terms of successes and lessons to be learned. These groups include

state and local governments, researchers and scientists, design professionals and trades, product manufacturers and testers, and various interest groups. As was done after Hurricane Andrew and Opal, the Commission is convening workshops co-sponsored by the Institute of Business and Home Safety (IBHS) and the Department of Community Affairs (DCA) to review this data and seek consensus on lessons learned from this research. The workshops will be one of the key steps in determining whether the Commission should effect any code enhancements, and if so, to develop consensus code amendments in time for the 2006 annual code amendment cycle. We anticipate a first workshop in December with a follow-up workshop in February of 2005. The objective of the first workshop will be to provide a forum for researchers to exchange information and initial analyses. The second, a symposium will be broader in scope and more policy oriented with the objective of developing consensus on lessons learned and recommendations for future actions. This is an important issue that deserves a thorough and rigorous review prior to the Commission acting on any code amendments. The Commission will review the technical data to determine how well the FBC performed and propose modifications based on the science and engineering data. It has been reported that in general, the Code has performed well and this is encouraging. However, the Code is a living document that we are committed to refining as any new information emerges. As always, we will use new information to develop consensus recommendations for code enhancements as appropriate.

**FBC Participation in ICC Process.** Chairman Rodriguez stated that the Commission's most pressing and time consuming issue is the code development process. He indicated that the Commission needs to maintain and update the Code with an emphasis on Florida Specific issues and defer to the national model code development process for issues which are more general and national in scope. As a result of delays arising from the code update process, the Chair stated, "It is my recommendation that the Commission participate in the ICC code development process by providing input related to amending the base national model code without having to make these nationally applicable type of changes on an interim basis in the Florida Building Code."

The Chair indicated that participating in the ICC process, the Commission will be able to influence code changes on non-Florida specific issues as well as work on a broader national consensus for the Florida specific issues that the Commission has had to address before the national processes can achieve a consensus solution.

The Chair appointed Commissioner D'Andrea to head up a task group that would investigate the Commission's options including how they could work with state partners like BOA,F and then to make a recommendation for a practical process for the Commission to use in participating in the ICC code development processes. The Chair stated that he will bring back a process recommendation to the Commission at the December meeting.

**Quality of Construction Assessment.** The Chair updated the Commission on how the Quality of Construction Assessment, initiated in response to Senator Constantine's request of the Commission, was going. He indicated that Jeff Blair is in the interview process and to date has completed over 32 hours of interviews. Jeff is still in the interview process and he anticipates having a draft assessment report for the Commission's review at the December meeting.

**Pool and Spa Industry Participation with the Commission.**

John Schwartz, executive director of the Florida Swimming Pool Association, notified Chairman Rodriguez that the association meeting did not occur due to the hurricanes, and that the group would meet as soon as feasible to evaluate and decide on a proposal for the Commission's consideration. He indicated it would probably be January before they will be able to give this issue the consideration it deserves.

**Special Session Opportunity and Senator Constantine.** Chairman Rodriguez informed the Commission that Senator Constantine has indicated to him, that the special session may be a good opportunity to forward some of the Commission's consensus legislative requests. The Chair indicated that the Senator would speak to the Commission later during the meeting in order to discuss his thoughts on where code related issues may go.

**Meeting Schedule.** The Chair stated that in response to comments in the assessment survey indicating many Commissioners feel there is inadequate time to consider key policy issues, that he is proposing a new plenary session format. First, TAC and POC meetings will be held on Mondays and Tuesday mornings, and staff will try to avoid Sunday meetings altogether. The first Commission plenary session will be held Tuesday afternoon from 2:00 PM until around 5:00 and will focus on the Commission's regular procedural issues: accessibility waivers, declaratory statements and product approvals. The Commission will hold a second half day plenary session on Wednesday morning from 8:00 AM until around 12:00 PM, which will focus on key policy issues. The Chair indicated that this will allow member's an opportunity to get up to speed over night on policy issues and be fresh in the morning to consider and evaluate policy issues with more time allocated per issues as needed. In addition, staff will have more time to prepare reports prior to Wednesday's plenary session, The Chair stated, that in order for this split plenary session proposal to work, it will be critical that members participate in both days of the plenary sessions.

***Commission Actions:***

**Motion**—The Commission voted 13 - 4 in favor, to adopt a split Commission plenary session meeting format.

**Review Commission Workplan Prioritization and Assessment Survey Results**

Jeff Blair, Commission facilitator, reviewed the results of the Commission's assessment survey, which was compiled and conducted prior to the October meeting.

*(See Attachment II for results)*

## **Review and Approval of Commission's Updated Workplan**

### ***Commission Actions:***

**Motion**—The Commission voted unanimously, 18 - 0 in favor, to approve the updated workplan and meeting schedule as amended to reflect the Commission's priorities.

*(See Attachment III)*

## **Consideration of Accessibility Waiver Applications**

The Commission reviewed and decided on the Waiver applications submitted for their consideration.

## **Petitions For Declaratory Statements**

Following are the actions taken by the Commission on petitions for declaratory statements. Jim Richmond and Richard Shine served as legal counsel for the Commission.

## **Second Hearings**

### **DCA04-DEC-139 by T. A. Krebs**

**Motion**—The Commission voted unanimously, by a vote of 18 – 0 in favor, to approve their previous action on the petition.

### **DCA04-DEC-145 by C. W. McComber, Palm Beach County**

**Motion**—The Commission voted unanimously, by a vote of 18 – 0 in favor, to approve their previous action on the petition.

### **DCA04-DEC-147 by Ricco Longo, Fire Districts**

**Motion**—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

### **DCA04-DEC-157 by James Bell, Assa Abloy Inc.**

**Motion**—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

## **First Hearings**

### **DCA-DEC-123 by Stephen P. Maslan, PE**

**Motion**— The Commission voted unanimously, by a vote of 16 - 0 in favor, to approve the TAC/POC's recommendations on the petition as presented.

### **DCA-DEC-161 by Robert G. Boyer of Palm Beach County**

**Motion**— The Commission voted unanimously, by a vote of 16 - 0 in favor, to approve the TAC/POC's recommendations on the petition as presented.

### **DCA-DEC-162 by Robert G. Boyer of Palm Beach County**

**Motion**— The Commission voted unanimously, by a vote of 18 - 0 in favor, to approve the TAC/POC's recommendations on the petition as presented.

**DCA-DEC-163 by C.W. Macomber of Palm Beach County**

**Motion**— The Commission voted unanimously, by a vote of 18 - 0 in favor, to approve the TAC/POC's recommendations on the petition as presented.

**DCA-DEC-165 by Ricardo Lizaranu of Suncoast Post-Tension**

Deferred

**DCA-DEC-171 by Jo McCann of Coral Springs**

**Motion**— The Commission voted 18 - 1 in favor, to defer to the TAC and legal staff for review.

**DCA-DEC-188 by C.W. Macomber of Palm Beach County**

**Motion**— The Commission voted unanimously, by a vote of 19 - 0 in favor, to approve the TAC/POC's recommendations on the petition as presented.

**Consideration of Applications for Product and Entity Approval**

Commissioner Carson presented the committee's recommendations for entities and Jeff Blair presented the committee's recommendations for product approval. The results of product and entity applications are found in the Product Approval POC report included as an attachment to the minutes.

**Consideration of the Alternative Plans Review and Inspections Work Group Report**

At the January 2004 meeting the Commission voted to convene a work group tasked with reviewing issues related to the implementation of legislation (Section 553.791, F.S.) authorizing the use of private providers to conduct plans review and inspections. The Commission adopted a plan that would address the issue in phases, with phase I focusing on identifying and agreeing on consensus recommendations to enhance the system's efficacy in the short-term. The Commission adopted Phase I recommendations at the March 2004 meeting, and the Work Group's Phase II recommendations were considered at the October meeting, approved and forwarded as a part of the Commission's recommendations to the 2005 Legislature. On behalf of the Commission the Chair thanked 13 members of the group for their consensus-building efforts. The members were: Barry Ansbacher, George W. Dixon, Allen Douglas, Bill Dumbaugh, Gary H. Elzweig, Jack Glen, Do Kim, Doug Murdock, Robert Nagin, Mike Rodriguez, Ronnie Spooner, Jim Schock, and George Wiggins. Following public comment, the Commission took the following action:

***Commission Actions:***

**Motion**— The Commission voted unanimously, 18 - 0 in favor, to adopt the package of Phase I and Phase II recommendations related to the private provider system authorized in Section 553.791, F.S., and to submit them as part of the Commission's recommendations to the 2005 Florida Legislature.

## **Consider/Develop Recommendations Regarding FBC Wind Resistance Design**

Jim Richmond reviewed the relevant laws related to wind resistance design. Following public comment, the Commission took the following actions:

### **200-141 LOF**

#### **Current Law**

Section 109 (3) For areas of the state not within the high velocity hurricane zone, the commission shall adopt, pursuant to s. 553.73, Florida Statutes, the wind protection requirements of the American Society of Civil Engineers, Standard 7, 1998 edition as implemented by the International Building Code, 2000 edition, and as modified by the commission in its February 15, 2000, adoption of the Florida Building Code for rule adoption by reference in Rule 9B-3.047, Florida Administrative Code.

#### ***Commission Action:***

**Motion**— The Commission voted unanimously, 18 - 0 in favor, to seek legislative authority for the Commission to adopt and update the **ASCE 7** edition by rule and remove the specific edition listed in law.

#### **Current Law**

However, from the eastern border of Franklin County to the Florida-Alabama line, only land within 1 mile of the coast shall be subject to the windborne-debris requirements adopted by the commission. The exact location of wind speed lines shall be established by local ordinance, using recognized physical landmarks such as major roads, canals, rivers, and lake shores, wherever possible.

#### ***Commission Action:***

**Motion**— The Commission voted unanimously, 18 - 0 in favor, to seek legislative authority for the Commission to establish the **windborne-debris requirements** for the eastern border of Franklin County to the Florida-Alabama line, and remove current requirements from law.

#### **Current Law**

Buildings constructed in the windborne debris region must be either designed for internal pressures that may result inside a building when a window or door is broken or a hole is created in its walls or roof by large debris, or be designed with protected openings. Except in the high velocity hurricane zone, local governments may not prohibit the option of designing buildings to resist internal pressures.

#### ***Commission Action:***

**Motion**— The Commission voted unanimously, 18 - 0 in favor, to seek legislative authority for the Commission to make determinations related to designing for internal pressures.

#### **Current Law**

**553.71 (10)** "Exposure category C" means, except in the high velocity hurricane zone, that area which lies within 1,500 feet of the coastal construction control line, or within

1,500 feet of the mean high tide line, whichever is less. On barrier islands, exposure category C shall be applicable in the coastal building zone set forth in s. 161.55(5).

***Commission Action:***

**Motion**— The Commission voted unanimously, 18 - 0 in favor, to seek legislative authority for the Commission to define “Exposure category C”.

**Motion**— The Commission voted unanimously, 18 - 0 in favor, to adopt the package of recommendations related to the statutory wind resistance design requirements, and submit as part of the Commission’s recommendations to the 2005 Florida Legislature.

**Identify and Agree on Issues for the Commission’s Report to the 2005 Legislature**

***Commission Action:***

**Motion**—The Commission voted unanimously, 18 - 0 in favor, to adopt the following package of recommendations to include as their report to the 2005 Legislature.

**Motion**—The Commission voted unanimously, 18 - 0 in favor, to send Senator Constantine their consensus recommendations on hospice facilities and on the statutory wind resistance design requirements, for consideration during the special session.

Following are the Commission’s legislative issues:

**Alternate Plan Review and Inspection**

Proposed revisions to section 553.791 resulting from working with stakeholders to review and propose changes to the private provider law.

**Disciplinary Actions Authority**

Authorize the Florida Building Commission to establish rules for disciplinary actions for violations of its rules governing manufactured buildings, prototype buildings and product approval.

**Facility Permits**

Authorize the Commission to establish facility types and maintenance characteristics which would qualify for annual facility permits.

**Building Code Training Program Clarification**

Amend Florida Statute to clarify the roles of the Florida Building Commission, Department of Business and Professional Regulation, and various licensing boards re: the Building Code Training Program.

**Hospice Facilities**

Addition of Hospice Facilities as a designated occupancy under the jurisdiction of the Florida Building Code.

**Evaluation Entity Recognition**

Amend section 553.842, F.S., to recognize the International Code Council, Evaluation Services as a Florida approved building product evaluation entity.

### **Wind Resistance Standard, Florida Building Code**

Seek legislative authority for the Commission to adopt and update the **ASCE 7** edition by rule and remove the specific edition listed in law.

Seek legislative authority for the Commission to establish the **windborne-debris requirements** for the eastern border of Franklin County to the Florida-Alabama line, and remove current requirements from law.

Seek legislative authority for the Commission to make determinations related to designing for internal pressures.

Seek legislative authority for the Commission to define "Exposure category C".

### **Electronic Seals for Architects**

Support efforts by the Board of Architecture and Interior Design to seek legislative authority for architects to use electronic seals.

## **COMMITTEE REPORTS AND RECOMMENDATIONS**

The Commission agreed that unless a TAC/POC required specific Commission action, the balance of the reports would be submitted into the record and approved as a part of the next Commission meeting minutes approval process.

### **Education TAC**

Commissioner Browdy presented the Education TAC's recommendations for action, and the Commission voted unanimously, by a vote of 18 – 0 in favor, to adopt each of the TAC's recommendations listed below.

- Review and approval of the Build A Safer Florida (BASF) FY 2004-05 Budget Proposal.
- Residential Construction Mitigation Funds endorsement of proposal to: endorse the allocation of RCMP Funds – Place the coordination of the Disaster Contractors Network under BASF, establish a single point contact for design and construction needs after a disaster, and continue outreach aimed at all licensees and individual professions and trades.
- Approval of the 4 hour Building/Fire Core Course.
- Approval of the 4 hour Building/Structural Core Course.
- Approval of the 4 hour Residential Advance Course
- Schedule Rule Development Workshop on Rule 9B-70 at December 2004 FBC meeting.

### **General Public Comment**

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission's purview.

### **Adjourn**

The Commission voted unanimously, 18 - 0 in favor, to adjourn the meeting at 3:35 PM.

### **Staff Assignments**

# ATTACHMENT 1

## FBC—Meeting Evaluation Results

October 19, 2004—Orlando, Florida

**0 TO 10 RATING SCALE WHERE A 0 MEANS TOTALLY DISAGREE AND A 10 MEANS TOTALLY AGREE.**

### **1. Please assess the overall meeting.**

- 8.6 \_\_\_ The background information was very useful.
- 7.9 \_\_\_ The agenda packet was very useful.
- 9.4 \_\_\_ The objectives for the meeting were stated at the outset.
- 9.4 \_\_\_ Overall, the objectives of the meeting were fully achieved.
- 9.6 \_\_\_ Chairs issues and recommendations.
- 9.4 \_\_\_ Workplan Prioritization and FBC Assessment Survey Exercise.
- 8.8 \_\_\_ Accessibility Waiver Applications.
- 9.6 \_\_\_ Requests for Declaratory Statements.
- 8.8 \_\_\_ Approval of products and product approval entities.
- 9.3 \_\_\_ TAC and POC reports and recommendations.
- 8.9 \_\_\_ Alternative Plans Review and Inspections Recommendations.
- 9.0 \_\_\_ Discussion on Preliminary Observations from Hurricanes Charley and Ivan.
- 9.2 \_\_\_ Recommendations Regarding FBC Wind Resistance Design Issues.
- 8.6 \_\_\_ Agreement on Issues for Report to the 2005 Legislature.

### **2. Please tell us how well the facilitator helped the participants engage in the meeting.**

- 9.6 \_\_\_ The participants followed the direction of the facilitator.
- 9.8 \_\_\_ The facilitator made sure the concerns of all participants were heard.
- 9.0 \_\_\_ The facilitator helped us arrange our time well.
- 9.8 \_\_\_ Participant input was documented accurately.

### **3. What is your level of satisfaction with the meeting?**

- 9.4 \_\_\_ Overall, I am very satisfied with the meeting.
- 9.7 \_\_\_ I was very satisfied with the services provided by the facilitator.
- 9.0 \_\_\_ I am satisfied with the outcome of the meeting.

### **4. What progress did you make?**

- 9.9 \_\_\_ I know what the next steps following this meeting will be.
- 8.8 \_\_\_ I know who is responsible for the next steps.

**5. Do you have any other comments that you would like to add? We are very interested in your comments.**

- Some computer files are not clearly delineated—had to search for some files.
- Thanks to staff for all of your hard work to make the meetings flow smoothly.
- Request that the Governor attend one of our (Commission) meetings.
- We need written legislative recommendations at the meeting.
- The tables should be arranged to provide each Commissioner with at least 3' of room. 16" – 18" doesn't cut it when your shoulders are 22 inches plus wide.
- Each Commissioner should have their own laptop if we are going electronic. If the funds aren't there please say so and have current CD's available for use in private laptops (not the mailed CD Which is outdated at the meeting). I have 3 laptops, but brought none since at the Panama City meeting it was in the way. This meeting I did not have a seat, let alone a laptop to reference.
- Suggestion: Adobe Acrobat files can be arranged just like the 3-ring binders we used to use. The folder-click set up we use now is confusing at best. I suggest you compile all data into 1 PDF file and tab it, then the facilitator can reference tabs and/or which page on the file. If one file is too large, than break it up into a few files. All files including alad, xls, doc. etc. can be converted into PDF and put into 1 PDF book with tabs, no matter the size of the individual sheet.
- While I know we save paper, I don't really like the new "paperless" meetings. It is difficult to make notes and check off items on the screen!
- We did not have on disc or in writing a number of items we took up. We should have virtually every item before the meeting unless the item was taken up at a committee meeting first prior to the Commission meeting, or due to some sort of an emergency.

## ATTACHMENT II

### PRIVATE PROVIDER RECOMMENDATIONMS ADOPTED BY THE FLORIDA BUILDING COMMISSION

#### **Direct versus Contract Labor (duly authorized representative)**

Clarify in 553.791(7) that a duly authorized representative means an employee of the private provider as defined by the Fair Labor Standards Act and the Internal Revenue Service.

#### **Job Site Notification**

Amend 553.791 to require that a private provider must post contact information on the job site permit board. The permit holder shall be responsible to ensure the required information is posted. The information must be provided for plans review and/or inspection services.

#### **30 Business Days versus 30 Calendar Days to start permit clock**

Support legislative efforts to retain the 30 business day provision currently found in 553.791(6). The Work Group voted to recommend maintaining the existing provisions.

#### **Valid Permit Application**

Amend 553.791(1)(f) to read:

(f) **“Permit Application,”** means a properly completed and submitted application for the requested building or construction permit, and includes:

1. The plans reviewed by the private provider.
2. The affidavit from the private provider required pursuant to subsection (5).
3. Any applicable fees.
4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

#### **Insurance Tail Coverage**

The Work Group discussed requiring 5 year tail coverage for claims made policies, and not requiring tail coverage for occurrence based policies but was unable to reach a 75% level of agreement.

At the recommendation of Jim Richmond, DCA attorney, the Commission discussed the issue and made a recommendation.

#### **Insurance**

Require private provider to submit to the local jurisdiction a certificate of their insurance coverage (certificate of insurance), pursuant to the requirements found in F.S. 553.791 (15) prior to providing services within the jurisdiction.

#### **Appeal Rights Of Private Providers**

Recommend adding a new section to 553.791 that clarifies the law does not limit the authority of the local jurisdiction to stop work as authorized by provisions of other law or local ordinance.

### **Audit Requirements**

Revise F.S. 553.79 (17) “Each local building code enforcement agency shall develop and maintain a process to audit the performance of building code inspection services by private providers operating within the local jurisdiction. Work may proceed after inspection and approval by the private provider provided that notice is given pursuant to 553.791(8).

### **Documentation Requirements**

Revise F.S. §553.791(9) “Upon completing the required inspections at each applicable phase of construction, the private provider shall record such inspections on a form acceptable to the local building official. These inspection records shall reflect those inspections required by the applicable codes of each phase of construction for which permitting by a local enforcement agency is required. The private provider, before leaving the project site, shall post each completed inspection record, indicating pass or fail, at the site and provide the record to the local building official within 2 business days. The Building Official may is authorized to waive the requirement for a written record of each inspection within the time frame indicated provided that a copy is posted at the building site and they are submitted with the Certificate of Compliance. Records of all required and completed inspections shall be maintained at the building site at all times and made available for review by the local building official. The private provider shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.” Revise F.S. §553.791 (10) Upon completion of all required inspections, the private provider shall prepare a certificate of compliance, on a form acceptable to the local building official, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that, to the best of the private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes. The statement required of the private provider shall be substantially in the following form:

### **Local Qualifications For The Private Provider**

Revise 553.791 (14) “ No local enforcement agency, local building official, or local government may adopt or enforce any laws, rules, procedures, qualifications, or standards more stringent than those prescribed by this section. Local enforcement agencies, local building officials, local governments, or other authorities having jurisdictions may establish a system of registration for the Private Providers and Duly Authorized Representatives working within their jurisdiction, whereby staff verifies statutory compliance with the insurance requirements of 553.791 (15) and the licensure requirements of 553.791 (1) (e) & (g).

### **Buyer’s Choice And Disclosure To Buyer**

The Commission recommend to the Legislature a statutory change authorizing the Commission to adopt by rule a jobsite notice form.

The Commission determine and adopt by rule who the viewer should be directed to regarding contacting a provider.

### **Time For Private Providers To Notify Their Intent To Conduct Inspections On A Project**

Revise F.S. 553.791 (4) “A fee owner using a private provider to provide building code inspection services shall notify the local building official at the time of permit application on a form to be adopted by the commission. This notice shall include the following information:...”

(4)(a) Exception: A fee owner using a private provider to provide only the inspection portion of the building code inspection services shall notify the local building official ~~at the time of permit application~~ or at least seven (7) business days prior to the first scheduled building department inspection.”

### **Job Size Restrictions For Chapter 468 Private Providers**

Change definition of “Private provider” to allow any person licensed under Chapter 468 as a Building Code Administrator to perform services as a private provider subject to the limitations of the license/s they hold.

### **Uniform Interpretation And Enforcement By Licensing Boards**

Recommend that the respective licensing boards shall adopt rules to facilitate better communication, uniform interpretation & enforcement of the laws regarding plan review and inspections, and training for both building officials and private providers. The Building Commission should further this effort by publishing applicable rules, interpretations & enforcement actions on its website. The Florida Building Commission believes this should be a coordination effort, and not a specific requirement.

### **Commission Rule Authority to Establish Format for Forms**

553.791(5) third line

The private provider shall stamp each sheet of all plans reviewed and approved. The Commission should seek authority to establish the minimum information required on the stamp by rule.

### **Policy Statement**

The Building Commission should implement an education program to inform consumers, local governments, contractors and industry of the purposes & limitations of plan review & inspections, the role of local building officials, private providers and their respective regulatory bodies, and the procedures.

This education program should include specific information informing consumers, local governments, contractors and industry as to the proper implementation of building code inspection services, what additional steps they may take to assure that construction meets building code requirements and what steps an owner may take to resolve a grievance or file a complaint.

## ATTACHMENT III

### COMMISSION'S UPDATED WORKPLAN

#### MEETING DATES

##### 2004

January 11, 12 & 13	Orlando	Adams Mark Hotel
February 28 & March 1 & 2	Orlando	Rosen Plaza Hotel
April 18, 19 & 20	Orlando	Rosen Centre Hotel
June 13, 14 & 15	Panama City	Marriot Baypoint Hotel
August 29, 30 & 31	Miami	Eden Roc Hotel
October 17, 18 & 19	Orlando	Rosen Plaza Hotel
December 5, 6 & 7	Orlando	Rosen Centre Hotel

##### 2005

January 24, 25 & 26	Orlando
March 14, 15 & 16	Orlando
May 9, 10 & 11	Orlando
June 27, 28 & 29	Sarasota/St. Pete
August 22, 23 & 24	Miami
October 10, 11 & 12	Orlando
December 5, 6 & 7	Orlando

# FLORIDA BUILDING COMMISSION 2004 WORKPLAN

## 2004 Update of the Florida Building Code:

### Phase I, Approval of Florida specific statewide and local amendments:

Amendment submittal cutoff (independent submittals)	4/18/03
Post on website (independent/base code updates/local amends)	4/23/03
TACs review and develop recommendations	6/16-18/03
TACs complete review and recommendations	7/14/03
Post TAC recommendations on website	7/25/03
Commission considers TACs recommendations and approve amends	10/13-14/03

### Phase II, Consider model code changes together with all approved statewide and local amendments, draft rule changes and adopt by rule:

Administration, Fire and Structural TACs review and consult with staff on where to integrate Florida specific amendments into the IBC and IRC	12/03 to 1/04
Plumbing and Mechanical TACs review and consult with staff on where to integrate Florida specific amendments into the IRC plumbing, mechanical and fuel gas chapters	12/03 to 1/04
Rule development workshop	3/1-2/04
Rule adoption hearing	4/19-20/04
Approve change per JAPC comments but delay filing rule till 7/19 meeting	6/15/04
Authorize additional rule hearing for 8/31 meeting	7/19/04
Rule adoption hearing	8/31/04
Rule effective	1/1/04
Code implemented	7/1/04

### *Update Rule Chapter 9B-3 Sections .048, .049 and .050*

Rule development workshop	4/20/04
Rule adoption hearing	
Rule effective	

## 2006 Annual Interim Amendments:

Amendment submittal cutoff (independent submittals)	4/04
Post on website (independent/base code updates/local amends)	To be determined
TAC's consider	To be determined
Post TAC recommendations on website	To be determined
Commission considers	To be determined
Rule development workshop	To be determined
Rule adoption hearing	To be determined
Effective date of first update	To be determined

## Adopt Revised Chapter 34 for Existing Buildings

### Schedule:

Draft code amendments	<b>Completed</b>	Dec 2002
Report to the Legislature recommended expedited adoption ( <i>no bill</i> )		Dec 2002

Adopt via the 2004 FBC Update Process (see schedule above)  
Code effective

7/1/04

**Develop Code Commentaries:**

**Plan:**

Amend Rule 9B-3 to require submittal of “rationale” for proposed amendments (See task above). Capture rationales for proposed amendments, declaratory statements and advisory opinions in BCIS to provide “commentary”.

**Appeals Procedures** [98-287, LOF/ss.553.73 & .77 & 2000-141, LOF/s.120.80,FS]

**Schedule:** (Adopting through 2004 FBC update, see schedule above)

Effective date

1/1/04

**ISO Ratings Program for Building Departments** [s.553.77(1)(n),F.S.]

**Ongoing:** Addressed by establishment of policy on updating the FBC. ISO ratings dependent upon building codes being kept current with national standards.

**Review the implementation of s.553.891, F.S., Alternative Plans Review and Inspections, and report to the Legislature on or before January 1, 2004:**

**Schedule:**

Contractor hired to collect data on system operation	Jul 2003
Contractor report due	Sep 2003
Fact finding public workshop	Oct 2003
Review report to the Legislature	Nov 2003
<b>Report submitted to Legislature by Jan 1 (recommend further study)</b>	Jan 2004
Plan for continued study approved	1/13/04
Task Group Formed	Jan 2004
First public workshop	2/18/04
Additional recommendations to Legislature (if any)	3/ 2/04
Additional workshops and task group meetings	Apr- Jun 2004
Recommendations to Commission	8/31/04
Finalize recommendations for report to Legislature	10/19/04

**Establish standards and criteria for foundation permits and other “specialty permits”:**

(CS/CS/SB 336 & 180, 2001)

**Schedule:**

Develop recommendations for criteria Feb 2003

Adopting through 2004 FBC update (see schedule above)

Effective (2004 edition of FBC)

7/1/04

**Amend Product Approval Rule 9B-72, 2004**

POC Planning Workshop 2/11/04

DEC statement and rule amendment plan approved 3/ 2/04

Rule development workshop 4/8/04

Local Product Approval Work Group approved 6/15/04

Rule adoption hearing 7/23/04

Rule amendment plan revised (roll 2 stage process into single stage process)	8/2/04
And Product Approval Work Group (expanded scope) approved	
Local Product Approval Work Group meeting	8/11/04
Local Product Approval Work Group report to Commission	8/31/04
Product Approval Work Group meetings	10/20/04, 12/14 – 15, 2004, 1/12/05, 2/9/05

### **Address Statutory Requirements for Modular School Buildings**

Commission considers for recommendation to Legislature	10/19/04
Finalize report to Legislature	12/ 7/04

### **Review Wind Loads Design Criteria (ASCE 7)**

Workshop (Canceled due to hurricanes)	9/29/04
Commission considers recommendation to Legislature	10/19/04
Finalize report to Legislature	12/ 7/04

### **Recommendations for Report to 2005 Legislature**

Consider recommendations to Legislature	10/19/04
Finalize report to Legislature	12/ 7/04

### **Review Attic Ventilation Criteria**

Hire contractor to conduct literature search and provide consulting services	10/04
Conduct issue assessment/consensus development workshop	1/05
Conduct second consensus workshop	2/05
Report to TACs and Commission	3/14-15/05

### **Review Duplicate Provisions of Florida Building Code and Florida Fire Code**

#### *Delayed until completion of the 2004 FBC*

Joint Fire TAC/Fire Code Advisory Council begin identifying overlap	10/04
Conduct stakeholder assessment and recommended process	Oct-Nov 04
Appoint workgroup and begin consensus recommendation development	Dec 04

### **Update Florida Energy Code Compliance Software and Develop Training Materials**

Obtain match funding from US Department of Energy	10/04
Software Updated and Training Materials Delivered	3/05

### **Conduct a Design Options Workshop (Charette) on Miniature Golf Courses**

Conduct Charette	12/04
Report to Commission	1/05

### **Quality of Construction Issues Assessment**

Conflict Resolution Consortium conducts assessment	Sep-Nov 2004
Report on assessment considered and recommendations developed	12/7/04