

FLORIDA BUILDING COMMISSION



FACILITATOR'S SUMMARY REPORT OF THE DECEMBER 7-8, 2010 COMMISSION PLENARY SESSION MELBOURNE BEACH, FLORIDA

FACILITATION, MEETING AND PROCESS DESIGN BY



CONSENSUS CENTER

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FLORIDA BUILDING COMMISSION
SUPPLEMENT TO THE DECEMBER 7-8, 2010 MEETING MINUTES

OVERVIEW OF COMMISSION'S KEY DECISIONS

TUESDAY, DECEMBER 7, 2010

Welcome

Chairman Rodriguez welcomed the Commission, staff and the public to Melbourne Beach and the December 2010 plenary session of the Florida Building Commission. The Chair indicated that the primary focus of December's meeting was to consider recommendations from the Commission's various committees, to decide on product approvals, declaratory statements and accessibility waivers, and to conduct a rule development workshop on TAC recommendations for modifications to the Florida Building Code for the 2010 Code Update process.

The Chair explained that if one wished to address the Commission on any of the issues before the Commission they should sign-in on the appropriate sheet(s), and as always, the Commission will provide an opportunity for public comment on each of the Commission's substantive discussion topics. The Chair explained that if one wants to comment on a specific substantive Commission agenda item, they should come to the speaker's table at the appropriate time so the Commission knows they wish to speak. The Chair noted that public input is welcome, and should be offered before there is a formal motion on the floor.

Commission Attendance

Raul L. Rodriguez, AIA, Chair, Hamid Bahadori, Bob Boyer, Dick Browdy, Ed Carson, Kiko Franco, Herminio Gonzalez, Jim Goodloe, Ken Gregory, Dale Greiner, Jeff Gross, Jon Hamrick, Scott Mollan, Nick Nicholson, Rafael Palacios, Drew Smith, John Scherer, Jim Schock, Chris Schulte, Jeff Stone, Tim Tolbert, Mark Turner, and Randall Vann.

Absent:

Donald Dawkins, and Tony Grippa.

DCA Staff Present

Joe Bigelow, Rick Dixon, Jim Hammers, Ila Jones, Mo Madani, Marlita Peters, Ann Stanton, and Jim Richmond.

Meeting Facilitation

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>



Project Webpage

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found in downloadable formats at the project webpage below:

<http://consensus.fsu.edu/FBC/index.html>

Agenda Review and Approval

The Commission voted unanimously, 23 - 0 in favor, to approve the agenda for the December 7 - 8, 2010 meeting as presented/posted. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the October 13, 2010 Minutes and Facilitator's Summary Report and November 15, 2010 Teleconference Meeting Report.
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Review and Update the Commission Workplan.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Consider/Decide on Legal Issues: Binding Interpretations, Petitions for Declaratory Statements.
- To Consider/Decide on Code Administration, Electrical, Energy, Fire, Mechanical, Plumbing, Roofing, Special Occupancy, and Structural Technical Advisory Committees (TACs) Report/Recommendations.
- To Consider/Decide on Product Approval and Education Program Oversight Committee (POCs) Reports/Recommendations.
- To Consider/Decide on Workgroup/Subcommittee Reports/Recommendations: Accessibility Code Workgroup.
- To Consider Issues and Recommendations to the 2011 Legislature.
- To Provide Building Code System Assessment Public Comment Opportunity II.
- To Consider Proposed Modifications for the 2010 Florida Building Code, Rule Development Workshop.
- To Discuss Commissioner Comments and Issues.
- To Receive Public Comment.
- To Review Committee Assignments and Issues for the Next Meeting—January 31 – February 2, 2011 in Tampa.

Amendments to the Agenda:

None were offered.

Review and Approval of the October 13, 2010 Minutes and Facilitator's Summary Report and November 15, 2010 Teleconference Meeting Report

Motion—The Commission voted unanimously, 23 - 0 in favor, to approve the October 13, 2010 Minutes and Facilitator's Summary Report and November 15, 2010 Teleconference Meeting Summary Report as presented.

Amendments:

None.

Chair's Discussion Issues and Recommendations

Appointments

Chairman Rodriguez made the following appointments at the December 2010 meeting: J.W. Longman rolled-off of the Accessibility Code Workgroup; and, Doug Murdock rolled-off of the Roofing TAC.

Continuing Education for Commission Participation

Chairman Rodriguez indicated that there have been questions regarding receiving CEUs for attending and or participating at/on Commission and/or TAC/POC meetings. To clarify, the individual licensing boards, located within the Department of Business and Professional Regulation, have adopted rules regarding continuing education credits for attending Florida Building Commission meetings and/or Technical Advisory Committee meetings. The number of hours and criteria for earning continuing education credit for attending FBC/TAC meetings are specific to each professional licensing board. The maximum number of hours allowed and criteria required for each profession are as follows:

Board Architecture and Interior Designers 4 hours
Credit for attending Florida Building Commission meetings

Building Code Administrator and Inspector Board 7 hours
Credit for attending TAC or Florida Building Commission meetings

Construction Industry Licensing Board 4 hours
Must be a member of a Technical Advisory Committee

Electrical Contractors Licensing Board 4 hours
Must be a member of a Technical Advisory Committee

Board of Professional Engineers 4 hours Pending
A request for continuing education credits for attending Florida Building Commission meetings was placed on the FBPE's December 1, 2010 agenda, and they voted to provide licensees with credits for attending TAC, workgroup and Commission meetings. They will initiate rulemaking in February of 2011 and once rule adoption is completed licensees will qualify for CE credits. The Chair offered appreciation to Ila Jones, DCA, for working with the Board of Professional Engineers on this issue. The Chair noted that if participants have any questions or issues regarding the number and/or whether credits are available for their licensing category they should contact DBPR and/or their respective licensing board(s).

The Chair explained, that DCA is developing a computer system to be available at the February 2011 meeting that will allow attendees of Technical Advisory Committees and Florida Building Commission meetings to access their license numbers, using a touch-screen monitor (kiosk), and sign in/out for FBC/TAC meetings. The number of hours accrued for each license will be submitted to DBPR 90-days prior to the end of the license cycle.

Introduce Workplan Prioritization Exercise and Effectiveness Assessment Survey Exercise

The Chair reported that the Commission will conduct their annual workplan prioritization and effectiveness assessment exercises on-line between now and December 31, 2010 and review the results at the February meeting. The Commission's rankings will be one of the inputs for deciding

workplan priorities and considering changes to procedural functions. Jeff Blair will provide Commissioners with a reminder e-mail with the web-links (2) and the time frame for completing the exercises.

Rule Development for Education Rule to Eliminate Core Requirement

Chairman Rodriguez explained that at the October meeting the Commission voted to repeal the language related to the Building Code Core Education Requirement, contained in Rule 9B-70.001, Florida Administrative Code, and in order to implement this action the Commission needs to vote to initiate rule development.

Commission Actions:

Motion—The Commission voted unanimously, 23 - 0 in favor, to proceed with rule development on Rule 9B-70.001 for the purpose of repealing the Building Code Core education requirement by conducting a rule development workshop at the February 2011 meeting.

Accessibility Code Changes Education Courses

Chairman Rodriguez reported that he had requested DCA staff develop updated Accessibility Code education courses on changes to the FACBC. The Chair indicated that as the Accessibility Code Workgroup develops recommendations for the integration of the Draft 2010 FACBC with the ADA Standards for Accessible Design, it will be important for stakeholders to be educated on the changes.

Review and Update of Commission Workplan

Rick Dixon reviewed the updated Workplan and meeting schedule with the Commission and answered member's questions.

Commission Actions:

Motion—The Commission voted unanimously, 23 - 0 in favor, to approve the updated Commission Workplan and meeting schedule as presented. The Commission approved the Building Code System Assessment project workplan as a part of the Commission's Workplan.
(Included as Attachment 2—Commission's Updated Workplan)

Consideration of Accessibility Waiver Applications

The Commission reviewed and decided on the Waiver applications submitted for their consideration. A complete summary of accessibility waiver applications is included as an attachment to this Report.
(Included as Attachment 3—Accessibility Waiver Summary Report)

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 approvals. The complete results of product and entity applications are included as an attachment to this Report.
(Included as Attachment 5—Product and Entity Approval Report)

Consider Applications for Accreditor and Course Approval

Commissioner Browdy presented the POC's recommendations, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows.

Commission Actions—Education POC:

There were no courses recommended for approval by the Education POC.
(See *Commission Minutes for Committee Report*)

Consideration of Legal Issues

Appeals/Product Approval Revocations/Binding Interpretations

None/None/None

Legal Report

Appeal of Binding Interpretations

None

Petitions For Declaratory Statements

Following are the actions taken by the Commission on petitions for declaratory statements.

Second Hearings

DCA10 –DEC-175 by James Paula, Plans Examiner of St. Johns Building Department

Motion—The petition was dismissed.

DCA10-DEC-182 by Jeffrey C. Friant, P.E. and Jeff Bedard of Sunesta Products, LLC.

Motion—The Commission voted 23 – 0 in favor, approve the draft order.

First Hearings

DCA10-DEC-209 by Michael Murray of StormWatch, Inc.

Motion—The Commission voted 23 – 0 in favor, to approve the TAC's recommendation on the petition.

DCA10-DEC-216 by Geoff Mcleod of MESA Modular Systems, Inc.

Motion—The Commission voted 23 – 0 in favor, to approve the TAC's/POC's recommendation on the petition.

DCA10-DEC-217 by Dwight Wilkes - Consultant for AAMA

Motion—The Commission voted 23 – 0 in favor, to approve the TAC's recommendation on the petition.

DCA10-DEC-219 by David Karins, P.E. of Karins Engineering Group, Inc.

Motion—The Commission voted 23 – 0 in favor, to approve the TAC's recommendation on the petition.

DCA10-DEC-220 by John H. Kampmann Jr., PE of MEA Engineers Inc.

DCA10-DEC-221 by John H. Kampmann Jr., PE of MEA Engineers Inc.

DCA10-DEC-222 by John H. Kampmann Jr., PE of MEA Engineers Inc.

DCA10-DEC-224 by John H. Kampmann Jr., PE of MEA Engineers Inc.

DCA10-DEC-225 by John H. Kampmann Jr., PE of MEA Engineers Inc.

Motion—The Commission voted 23 – 0 in favor, to approve the TAC’s recommendation on the petitions.

(Included as Attachment 4—Legal Report)

Committee Reports and Recommendations

The Chair requested TAC/POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing those issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion. This will ensure that the Commission understands exactly what the TAC/POC’s are recommending, and the subsequent action requested of the Commission. The Chair explained that the complete reports/minutes will be entered into the record and included as a part of the Commission’s report for review and approval at the next Commission meeting.

Accessibility Code Workgroup Report and Recommendations

Jeff Blair reported that the Workgroup is finalizing recommendation regarding the Draft Document Integrating Accessibility Standards of Florida Law with the New DOJ Standards for Accessible Design (ADA Standards) and the document identifying where Florida Requirements are integrated into the ADA Standards/2004 ADAAG, and proposed statutory revisions necessary to conform Florida Requirements with the ADA Standards for inclusion in the Commission’s Report to the 2011 Legislature.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the meeting report (December 6, 2010).

Code Administration TAC

Commissioner Gonzalez presented the Committee’s report and recommendations.

Motion—The Commission voted unanimously, 20 – 0 in favor, to accept the reports (November 15 & 19, 2010).

Education POC

Commissioner Browdy presented the Committee’s report and recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the report.

Motion—The Commission voted unanimously, 22* – 0 in favor, to approve (rule authorized administrative approval) course #: 309.2.

Motion—The Commission voted unanimously, 23 – 0 in favor, to approve (self-affirmation for minor technical changes) course #: 413.1.

(See Commission Minutes for Committee Report)

Electrical TAC

Commissioner Turner presented the Committee’s report and recommendations.

Motion—The Commission voted unanimously, 22 – 0 in favor, to accept the report (November 19, 2010).

(See Commission Minutes for Committee Report)

Energy TAC

Commissioner Greiner presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the report (November 16, 2010).

(See Commission Minutes for Committee Report)

Fire TAC

Commissioner Goodloe presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the report (November 19, 2010).

(See Commission Minutes for Committee Report)

Mechanical TAC

Commissioner Palacios presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the reports

(November 19 & 29, 2010).

(See Commission Minutes for Committee Report)

Plumbing TAC

Commissioner Vann presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the report (November 15, 2010).

(See Commission Minutes for Committee Report)

Product Approval POC

Commissioner Carson presented the Committee's report and recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 23 – 0 in favor to accept the report (December 6, 2010).

Motion—The Commission voted unanimously, 23 – 0 in favor to initiate revocation proceedings for the Following products: FL #s: 12888, 13271, 13569, 13663, 9655, 10348, and 13227.

Motion—The Commission voted unanimously, 23 – 0 in favor to incorporate JAPC's comments into Rule 9N-3 by publishing a Notice of Proposed Change based on JAPC's comments, and to proceed with rule adoption on Rule 9N-3, Product Approval Rule.

(See Commission Minutes for Committee Report)

Roofing TAC

Commissioner Schulte presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the report (November 19, 2010).

(See Commission Minutes for Committee Report)

Special Occupancy TAC

Commissioner Hamrick presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the report (November 15, 2010).

(See Commission Minutes for Committee Report)

Structural TAC

Commissioner Schock presented the Committee's report and recommendations.

Motion—The Commission voted unanimously, 23 – 0 in favor, to accept the meeting reports

(November 19 & 29, 2010).

(See Commission Minutes for Committee Report)

Adoption of Commission Recommendations to 2011 Legislature and Summary of Issues for Inclusion in the Commission's 2011 Report to the Florida Legislature

Chairman Rodriguez noted that the plan as always, with the Commission's support and approval, is for the Chair to review and approve the final draft of the Report and Recommendations to the 2011 Legislature, ensure completeness and accuracy, and approve the Report for submittal to the Legislature.

The package of recommendations to the 2011 Legislature includes:

- 1.) Recommendations from projects addressed by committees this year and already adopted by the Commission; and,
- 2.) Recommendations taken up by the Commission for the first time, if any.

Jeff Blair reviewed the Draft Summary of Issues and Recommendations for Inclusion in the Commission's 2011 Report to the Legislature and answered members questions.

Commission Actions:

Motion—The Commission voted unanimously, 23 - 0 in favor, to recommend to the 2011 Legislature that amendments to Part II, Chapter 553, Florida Statutes, essential to conforming the law to the references in the 2010 ADA Standards for Accessible Design and to ensuring the equivalency of requirements necessary to maintain federal certification of the Florida Accessibility Code as required by current law.

Motion—The Commission voted unanimously, 23 - 0 in favor, to support the consensus recommendation for sizing residential septic systems developed by the Septic System Sizing Workgroup (Interagency Workgroup: FBC and DOH), and further requests that the Florida Legislature grant jurisdictional authority to the Florida Building Commission to implement the recommendation by integration into Chapter 26-Section P2602.1 of the most current edition of the Residential Florida Building Code.

Motion—The Commission voted unanimously, 23 - 0 in favor, to recommend to the 2011 Legislature that it be directed to conduct a study in cooperation with other agencies, means by which the Florida Building Code and its system of development and enforcement can be used to coordinate public health, safety and welfare, property protection and conservation and sustainability policies for the built environment to improve the efficiency and effectiveness of their implementation and to provide recommendations to the 2012 Legislature.

Motion—The Commission voted unanimously, 23 - 0 in favor, to recommend to the 2011 Legislature that ratification of 2010 Florida Building Code and modifications thereto adopted pursuant to 553.73(8), and/or exemption of the code development and adoption process from requirements for legislative ratifications.

Motion—The Commission voted unanimously, 23 - 0 in favor, to support industry's initiative regarding seeking a legislative solution regarding the unauthorized use of documents submitted in support of product approval applications.

Motion—The Commission voted unanimously, 23 - 0 in favor, to adopt the Summary of Issues and Recommendations for Inclusion in the Commission's 2011 Report and Recommendations to the Legislature, including recommendations adopted at the December 2010 meeting, and to charge the Chair with reviewing and approving the final report prior to submittal to the 2011 Legislature.

The recommendations adopted by the Commission for submittal to the 2011 Legislature are as follows:

- 1.) *The Commission recommends amendments to Part II, Chapter 553, Florida Statutes, essential to conforming the law to the references in the 2010 ADA Standards for Accessible Design and to ensuring the equivalency of requirements necessary to maintain federal certification of the Florida Accessibility Code as required by current law.*
- 2.) *The Commission supports the consensus recommendation for sizing residential septic systems developed by the Septic System Sizing Workgroup (Interagency Workgroup: FBC and DOH), and further requests that the Florida Legislature grant jurisdictional authority to the Florida Building Commission to implement the recommendation by integration into Chapter 26-Section P2602.1 of the most current edition of the Residential Florida Building Code.*
3. *The Commission recommends it be directed to conduct a study in cooperation with other agencies, of the means by which the Florida Building Code and its system of development and enforcement can be used to coordinate public health, safety and welfare, property protection and conservation and sustainability policies for the built environment to improve the efficiency and effectiveness of their implementation and to provide recommendations to the 2012 Legislature.*
4. *Ratification of 2010 Florida Building Code and modifications thereto adopted pursuant to 553.73(8), and/or exemption of the code development and adoption process from requirements for legislative ratifications.*
5. *Commission supports industry's initiative seeking a legislative solution regarding the unauthorized use of documents submitted in support of product approval applications.*

Building Code System Assessment Public Comment Opportunity II

The Chair noted that at the October meeting the Commission voted to initiate a comprehensive assessment process to evaluate the Florida Building Code System with recommendations for enhancements to the System delivered to the 2012 Florida Legislature, and at the December meeting the Commission approved the project workplan. The on-line Survey currently being conducted is one aspect of the assessment process and soliciting feedback during Commission meetings is another. The Commission solicited feedback at the October meeting and as a part of the process will be seeking public input at each of the Commission meetings throughout the assessment project. The requested that if anyone from the public would like to provide input please come to the speaker's table and provide your name, representation and comment. Please also provide your comments in writing so the Ad Hoc will have the benefit of your feedback for their assessment of the System.

There were no members of the public that offered comment to the Commission on the Building Code System.

Consideration of Proposed Modifications for the 2010 Florida Building Code, Rule Development Workshop (Conducted from Tuesday, December 7 – Wednesday, December 8, 2010)

The Chair noted as Jim Richmond reported during the November Teleconference meeting that due to Chapter 120 rule development provisions December's meeting would be a rule development workshop instead of a rule adoption hearing. In addition, due to the Legislature's Special Session adoption of new legislation requiring all rules to be ratified by the Legislature, the Commission will conduct a rule adoption

hearing at the February 1, 2011 Commission meeting, and conduct an additional rule adoption hearing concurrent with the June 2011 rule adoption hearing to consider glitch amendments to the 2010 Code. On December 7 – 8, 2010 the Commission conducted a rule development workshop on Rule 9N-01, Florida Building Code, for the purpose of deciding on TAC's recommendations regarding proposed Code modifications to serve as the 2010 Edition of the Florida Building Code.

Jim Richmond opened the Rule Development Workshop, and Jeff Blair explained the Commission's Code Modification review process as follows:

Proposed Code modifications to the Florida Building Code were reviewed by the Commission's TACs in rule development workshops conducted in July and August. The TAC's recommendations regarding proposed Code modifications were posted to the Commission's website for a minimum of 45 days and the public was provided an opportunity to comment on the TACs recommendations during this time-frame (second 45-day review period). The TACs met in November of 2010 to review the public comments and provide their comments to the Commission regarding whether the submitted comments address their concerns.

The Commission will consider the TAC's recommendations on two (2) consent agendas. TAC chairs will pull for individual consideration all modifications that received comments that address the TAC's concerns. Any Commissioner can pull any modification for individual consideration.

After the Commission takes action on all of the proposed code modifications they will move to proceed with rule adoption for Rule 9N-1, Florida Building Code for the purpose of adopting approved modifications to the Florida Building Code, by conducting a rule adoption hearing at the February 1, 2011 Commission meeting, and conducting an additional rule adoption hearing concurrent with the June 2011 rule adoption hearing to consider glitch amendments to the 2010 Code.

The TAC's recommendations regarding proposed code modifications for the 2010 Code Update are arranged on two (2) consent agendas as follows:

TAC's Recommendations are on Two (2) Consent Agendas Per TAC (By Code Areas):

1. "Consent Agenda 1": Approval of consent agenda of TAC's recommendations regarding proposed modifications that did not receive public comment during the comment period. The Commission votes to approve the TAC's recommendations on the modifications as posted incorporating the findings (A – G). Includes TAC's recommendations "For Approval": As Modified (AM), and As Submitted (AS); and "Against Approval": No Affirmative Recommendation (NAR, Without Second, and Withdrawn). Standing motion to approve is in effect, a second is needed and the Commission votes in favor of the consent agenda. Commissioners should pull-off any modifications(s) that would prevent them from offering a second.
2. "Consent Agenda 2": Approval of consent agenda of TAC's recommendations regarding proposed modifications that received public comment during the comment period. The Commission votes to approve the TAC's recommendations on the modifications as posted incorporating the findings (A – G). Includes TAC's recommendations "For Approval": As Modified (AM), and As Submitted (AS); "Against Approval": No Affirmative Recommendation (NAR, Without Second, and Withdrawn). Standing motion to approve is

in effect, a second is needed and the Commission votes in favor of the consent agenda. Commissioners should pull of any modifications(s)* that would prevent them from offering a second.

* TAC chairs will pull all modifications that their TAC commented favorably regarding the public comment (defined as 75% or greater in support that the comment addresses TAC concerns and the TAC supports the public comment relative to their original recommendation). Modifications that the TAC commented on favorably are listed by TAC on a separate document (matrix). The Commission will consider all pulled modifications individually. Each individually considered modification requires a second to the standing motion to approve.

The Commission Will Move to Adopt Four (4) Standing Motions to Approve as follows:

1. “Consent Agenda 1”: TAC’s recommendations regarding proposed modifications that did not receive public comment during the comment period.
2. “Consent Agenda 2”: TAC’s recommendations regarding proposed modifications that received public comment during the comment period.
3. “Pulled Modifications”: Modifications pulled-off of the consent agenda(s) by a Commissioner for individual consideration.
4. “Correlation and Florida Specifics Integration”: Staff’s recommendations regarding correlation issues and integration of Florida Specific amendments for the 2010 Code Update.

TAC chairs will pull off any amendments that the TAC’s provided a favorable comment on that would change the TAC’s original recommendation on the amendment (comments considered during the TAC’s public comment review process).

Any Commissioner may pull any amendment for individual consideration based on public comment(s) (submitted in writing or verbally). Standing motion to approve is in effect. Second to discuss and vote for each modification considered individually. If no second offered, motion dies for lack of second (modification is deemed not approved).

1. Commissioners decide whether to pull any amendment(s) based on TAC and public comment(s).*
2. Approval of the two (1 - 2) consent agendas as amended by the Commission (minus any modifications pulled for individual consideration). Standing motion to approve is in effect. Second offered and then a vote.

Commission consideration of modifications pulled for individual consideration.

*The Commission agreed to pull for individual consideration all modifications requested by the public.

Following review of the process and the proposed motions the Commission took the following actions:

Commission Actions:

Motion—The Commission voted unanimously, 23 - 0 in favor to adopt the Commission’s Code modification review process for the 2010 Code Update as presented (above).

Motion—The Commission voted unanimously, 23 - 0 in favor to approve the consent agenda(s) of the modifications that did not receive public comments as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the following findings:

- A. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and,
- B. The amendment does not degrade the effectiveness of the Code and either strengthens or improves the Code or provides for innovation or new technology by allowing equivalent or better products, methods, or systems of construction; and,
- C. The Amendment does not discriminate against products, methods, or systems of construction of demonstrated capabilities; and,
- D. The Amendment has the following fiscal impact:
 1. The fiscal impact of enforcement imposed upon local government is as indicated by TAC review.
 2. The fiscal impact of compliance imposed upon property and building owners is as indicated by TAC review.
 3. The fiscal impact of compliance imposed upon industry is as indicated by TAC review.
 4. The fiscal impact of compliance imposed upon small business is as indicated by TAC review (no impact or as specified by the TAC).
- E. The Amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- F. The Amendment addresses a Florida-specific need.
- G. The Amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

Motion—The Commission voted unanimously, 23 - 0 in favor to approve the consent agenda(s) of the modifications that received public comment(s) as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the findings (A – G above).

Motion—The Commission voted unanimously, 23 - 0 in favor to approve each amendment pulled from the consent agendas of TAC recommendations for individual consideration, based on the findings (A – G above).

The Commission proceeded to consider TAC's recommendations on modification to the 2010 Florida Building Code using the adopted procedures as follows:

- Facilitator will serve as the moderator, and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise.
- Chair may limit comments to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak.
- 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 FBC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- Facilitator will introduce consent agenda(s) of modifications by Code area.
- Public will speak to any modifications they wish the Commission to consider individually.
- Standing motion to approve will be in effect.
- Commissioner(s) will decide which, if any, modifications to pull for individual consideration.
- Clarifying questions by FBC members only.
- FBC will vote in favor of the Standing Motion(s) to Approve (found on previous page) as and/or if amended prior to considering proposed modifications.
- Once a motion (second to the standing motion) is on the floor, discussion is limited to FBC members except as allowed by the Chair.

Modifications Pulled for Individual Consideration

- Standing motion to approve will be in effect, a second is required in order to vote for the modification(s)—By Commission rule only motions to approve may be considered.
- All modifications not voted for on a consent agenda must be voted on individually.
- Any modification considered individually that does not receive a second is deemed denied due to failure to receive a second.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote, are deemed denied.

Results of the Commission’s action on proposed modifications for the 2010 Florida Building Code can be found at the Commission’s website www.FloridaBuilding.org under “What’s New” at the “Florida Building Code” link.

At the conclusion of considering all of the proposed modifications to the Florida Building Code (2010 Code Update) the Commission took the following action:

Commission Action:

Motion—The Commission voted unanimously, 20 - 0 in favor, to proceed with rule adoption for Rule 9N-01, Florida Building Code, for the purpose of adopting approved modifications to the Florida Building Code, by conducting a rule adoption hearing at the February 1, 2011 Commission meeting, and conducting an additional rule adoption hearing concurrent with the June 2011 rule adoption hearing to consider Glitch amendments to the 2010 Florida Building Code to allow for ratification of the 2010 Florida Building Code and modifications thereto adopted pursuant to 553.73(8) and/or exemption of the code development and adoption process from the requirement for legislative ratification to allow for Legislative ratification.

Next Steps in Code Adoption Proceedings

Chairman Rodriguez reported that The TACs developed recommendations on proposed modification to the Florida Building Code during rule development workshops conducted in July and August of 2010. At the December 2010 meeting the Commission conducted a rule development workshop to decide on proposed modifications to serve as the 2010 Edition of the Florida Building Code, and voted to proceed with rule adoption by conducting a rule adoption hearing at the February 1, 2011 Commission meeting, and conducting an additional rule adoption hearing concurrent with the June 2011 rule adoption hearing to consider glitch amendments to the 2010 Code. The Commission’s decisions on proposed Code modifications will be posted and serve as a draft of the rule. The Commission will conduct a rule adoption hearing at the February 2010 meeting

for the purpose of providing an additional opportunity for public comment, and the rule will be finalized with the concurrent adoption of glitch amendments at the June 2011 meeting.

Commission Member Comment and Issues

Chairman Rodriguez invited Commission members to make any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

Commission Member Comments:

- Carson: Would like to have a meeting of the Budget Committee as soon as good numbers are available to reflect the impacts of the revised formula for receiving funding from the permit surcharge system.
- Dixon: The numbers will likely be available for the February 2011 meeting, but if not they will be presented at the April 2011 meeting.
- Schock: Expressed appreciation to staff and Jeff Blair for the good job conducting the 2010 Code Update process.
- Rodriguez: Expressed thanks to all for participating in the Code development process.

General Public Comment

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

Public Comments:

- Mark Scallop: Expressed appreciation for the Commission's adoption of ASCE 7-2010, and recommended that the Commission use a supplement for Florida Specific requirements.
- Joe Belcher: Thanked FBC staff for a great job with the 2010 code development process.
- Tom Allen: BOAF appreciates the Commission's efforts regarding development of the 2010 Florida Building Code, and will support the Commission's decisions regarding modifications to the Code.
- Jack Glenn: Expressed thanks to staff for a great job with the 2010 code development process.
- Arlene Stuart: Agreed with others regarding the efficacy of the code development process.
- Joe Crum: Expressed thanks to staff for a great job with the 2010 code development process.
- Jamie Gascon: Expressed appreciation for the process and the ability for the public to speak in a meaningful way. Appreciate the public forum aspect of the Commission's process.
- Dwight Wilkes: Expressed appreciation to staff for a job well done.

January/February 2011 Meeting

The January/February 2011 Commission meeting will focus on the Rule Adoption Hearing for Commission adopted modifications to the Florida Building Code, and any additional recommendations for submittal to the 2011 Florida Legislature.

Adjourn

The Chair adjourned the meeting at 10:30 AM on Wednesday, December 8, 2010.

ATTACHMENT 1

MEETING EVALUATION RESULTS

December 7-8, 2010—Melbourne Beach, Florida

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting.

- 9.65 The background information was very useful.
- 9.70 The agenda packet was very useful.
- 9.90 The objectives for the meeting were stated at the outset.
- 9.89 Overall, the objectives of the meeting were fully achieved.

2. Do you agree that each of the following meeting objectives was achieved?

- 9.85 Chairs Issues and Recommendations.
- 9.85 Commission's Workplan and Meeting Schedule Review and Update.
- 9.80 Accessibility Waiver Applications.
- 9.89 Approvals and Revocations of Products and Product Approval Entities.
- 9.89 Applications for Accreditor and Course Approval.
- 9.70 Legal Issues and Requests for Declaratory Statements.
- 9.75 TAC and POC Reports and Recommendations.
- 9.75 Workgroup, Ad Hoc, and Committee Reports and Recommendations.
- 9.75 Adoption of Issues and Recommendations for Submittal to the 2011 Legislature.
- 9.40 Consideration of Modifications for the 2010 FBC, Rule Development Workshop.

3. Please tell us how well the Facilitator helped the participants engage in the meeting.

- 9.85 The members followed the direction of the Facilitator.
- 9.95 The Facilitator made sure the concerns of all members were heard.
- 9.85 The Facilitator helped us arrange our time well.
- 10.00 Participant input was documented accurately in Meeting Notes and Facilitator's Report.

4. Please tell us your level of satisfaction with the meeting?

- 9.55 Overall, I am very satisfied with the meeting.
- 9.80 I was very satisfied with the services provided by the Facilitator.
- 9.70 I am satisfied with the outcome of the meeting.

5. Please tell us how well the next steps were communicated?

- 9.70 I know what the next steps following this meeting will be.
- 9.70 I know who is responsible for the next steps.

6. What did you like best about the meeting?

- Facilitation.
- Jeff and Staff- Great job!
- Good job by J.B. and staff on moving through modifications and on computer access and organization.
- Efforts made by facilitator to move along the tedious meeting.
- A strong effort was made to organize a very burdensome task. I was pleased.
- Moved thru agenda very well.
- Encouragement of full public comment.
- Location, location, location!
- Everyone used the microphone.
- Combining items to be voted on.
- Everyone used the microphone. Because of this it was easier to follow the process because we could hear.

7. How could the meeting have been improved?

- Maybe submission in writing of MOD's to be polled and the reason not sure why a number of them were polled if they had unanimous support.
- This code update process is still confusing and overly complicated.
- Go to the Hilton next time.
- Can we move from the Crown Plaza?
- Code MOD proposed system was very efficient up until the final votes. Very confusing for staff/commissioners/public with voting procedures.
- No idea.
- Next time, try to pull less items from the consent agenda.
- Don't let attorneys talk for 30 minutes for no reason.

8. Do you have any other comments?

- Nice job by all- super difficult challenge. Thank you Chairman Rodriguez- you are like a good referee in a boxing match.
- Jeff did a fantastic job with the code amendment process. Staff at DCA are great and dedicated employees. The chairman is fantastic. Keep it up.
- Not very impressed by this hotel- used to be a favorite but it has gone downhill.
- Don't like to be threatened by anyone especially an attorney. Stick to the subject. Don't need a lesson in lawsuits.

Comments on Specific Agenda Items:

None were provided.

PUBLIC-MEETING EVALUATION AND COMMENT RESULTS

None were completed.

ATTACHMENT 2
COMMISSION’S UPDATED WORKPLAN AND MEETING SCHEDULE

(Adopted December 7, 2010)

MEETING DATES

<u>2010</u>	<u>Meeting Location</u>	<u>Reservation Deadline</u>
February 1,2 & 3	Embassy Suites, Tampa, (813-977-7066)	January 1, 2010
April 5, 6 & 7	Hilton Hotel, Gainesville, (352-371-3600)	March 4, 2010
June 7, 8 & 9	Rosen Centre, Orlando, (800-204-7234)	May 6, 2010
August 9, 10 & 11	Crowne Plaza, Melbourne, (321-777-4100)	July 16, 2010
October 11, 12 & 13	Hilton Hotel, Gainesville, (352-371-3600)	September 9, 2010
December 6, 7 & 8	Crowne Plaza, Melbourne, (321-777-4100)	November 12, 2010

<u>Teleconference Meetings</u>	
March 8	10:00 AM
March 15	10:00 AM
March 29	10:00 AM
April 12	10:00 AM
April 19	10:00 AM
April 26	10:00 AM

<u>2011</u>	<u>Meeting Location</u>
Jan 31 & Feb1 & 2	Embassy Suites, Tampa (813-977-7066)
April 4, 5 & 6	Embassy Suites, Tampa (813-977-7066)
June 6, 7 & 8	Hilton Hotel, Gainesville, (352-371-3600)
August 8, 9 & 10	Rosen Centre, Orlando, (800-204-7234)
October 10, 11 & 12	[pending- Daytona or Melbourne Beach Hilton]
December 5, 6 & 7	Hilton Hotel, Gainesville, (352-371-3600)

2012**Meeting Location**

Jan 31 & Feb 1 & 2

April 2, 3 & 4

June 11, 12 & 13

Note: 10 wks between Apr-Jun due to Easter Apr 8 and BOAF conf Jun 2-7

August 6, 7 & 8

October 8, 9 & 10

December 3, 4 & 5

2013**Meeting Location**

Feb 4, 5 & 6

April 8, 9 & 10

Note: Easter is Mar 31 so moved Apr mtng back one wk

June 11, 12 & 13

August 12, 13 & 14

October 7, 8, & 9

December 9, 10 & 11

Note: Thanksgiving Nov 28 so moved Dec mtng back one wk

2014**Meeting Location**

Feb 3, 4 & 5

March 31 & April 1 & 2

June 2, 3 & 4

Note: 8 wks between Feb-Apr mtng and reg 9 wks Apr-Jun to avoid conflict BOAF conf Jun 7-14

August 4, 5 & 6

October 6, 7 & 8

December 8, 9 & 10

2015**Meeting Location**

Feb 2, 3 & 4

Mar 30, 31 & April 1

June 1, 2 & 3

Note: 8 wks between Feb-Apr mtng due to Easter Apr 5 and BOAF conf Jun 6-11

August 3, 4 & 5

October 5, 6 & 7

December 7, 8 & 9

FLORIDA BUILDING COMMISSION 2010 WORKPLAN

ANNUAL ADMINISTRATIVE TASKS

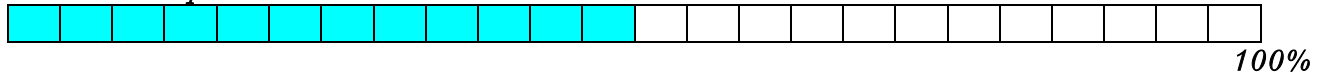
1. Report to 2011 Legislature

Schedule:

Commission identifies and receives draft recommendations	12/10
DCA editorial review	1/28/11
Chairman's final approval	2/14/11
Commission report to 2009 Legislature	2/28/11

Status: Pending

% Complete



Origination: Commission. Annual task authorized by statute

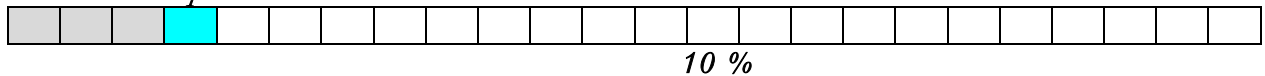
21. Conduct Triennial Assessment of the Florida Building Code System for Report to the Legislature

Schedule:

Conduct Assessment Survey	7/10-9/10
Appoint Commission AdHoc Committee	8/10/10
AdHoc Committee meetings	10/12/10
Committee report to Commission	10/13/10
Expanded assessment plan presented/approved at Commission	12/8/10
See Expanded Plan at End of the this Workplan	
Report to 2011 Legislature (See Task 1)	2/28/11
Expanded assessment conducted	1/11-10/11
Recommendations reviewed in public workshop	12/11
Commission finalizes recommendations to 2012 Legislature	12/11
Report to 2012 Legislature	2/28/12

Status: Pending

% Complete



2. Workplan Prioritization

Schedule:

Survey sent to Commissioners 11/10
 Review results at meeting 2/11

Status: Pending

% Complete



Origination: Commission. Annual task.

3. 2010 Commission Effectiveness Assessment Survey

Schedule:

Discussion of survey instrument at Commission meeting 12/10
 Review results at meeting 2/11

Status: Pending

% Complete



Origination: Commission. Annual task.

2010 FBC CODE UPDATE DEVELOPMENT TASKS

**5. 2010 Update to the Florida Building Code
 Workplan Priority 2**

Schedule:

Printed 2009 International Codes published and available to the public 4/2/09
2009 I Codes must be available to public for 6 months prior to selection
 Commission selects 2009 I Codes as foundation for 2010 FBC *(Oct Cmsn meeting)* 10/13/09

Staff evaluates changes of 2006 to 2009 I Codes for overlap with Florida amendments 4/09-11/09
 TACs review existing Florida amendments that overlap with 2006 to 2009 I code 12/6/09-1/20/10
 changes and develop recommendations for retaining the Florida amendment
 or the new I code requirement. *(see subtask below)*

All existing Florida amendments compiled in 2009 I Codes format posted to website 2/1/10
 including TAC recommendations for “overlapping” amendments

Note: Proposed amendments to existing “Florida specific” code requirements must be made to the section numbers provided in this document. Staff will not correlate proposals for proponents.

Local amendments posted to the website 2/1/10
 FFPC to FBC correlations/overlaps identified and recommendations developed 1/20/10
(see subtask below)
 Submittal of new proposed amendments for the 2010 FBC opens 3/1/10
 New proposed amendments for the 2010 FBC **due and process closes** 4/2/10
 Proposed amendments reviewed by staff and posted to the Commission website 4/15/10
 45 day comment period ends *(By law- 45 day min before TAC review)* 6/1/10

TACs Review Proposals at Rule Development Workshops

TACs review proposed Florida amendments and adopt recommendations at Rule Development Workshop 7/27/10
 8/9-12/10
(Spcl Occup 7/15; Structural & Energy 8/23-25; all others at August 2010 Commission meeting) 8/23-24/10
 TAC recommendations posted to the website 9/3/10 45 day
 comment period ends *(By law- 45 day min before Commission review)* 10/18/10

Commission Reviews TAC Recommendations at Rule Development Workshop

TACs review comments on their recommendations and prepare public comment for the Rule Hearing 11/15-17/10
 11/19/10
 Commission considers TAC recommendations on proposed amendments at the **Rule Development Workshop** *(December 2010 Commission meeting)* 12/7-8/10

Commission Reviews TAC Recommendations at Rule Adoption Hearing

Draft Code in supplement format available for review 12/31/10
 Rule Adoption hearing if requested 1/25/11

2010 Florida Building Code Rule Finalized

Submit the Rule adopting the code to the 2011 Legislature for approval 2/1/11**

(New requirement based on Legislature’s veto override of HB 1565)

File the Rule adopting the 2010 FBC and post the Supplement on the website 2/11/11 ???
 2010 Florida Building Code Rule is final but with implementation date of 12/31/11 3/21/11 ???
(By law- Code must be available for 6 months before implementation)

Glitch Fix Cycle Prior to Code Taking Effect

Code amended to resolve glitches *(see Glitch schedule below)* 4/11-6/11

Code Books Available

Code printed with integrated Florida modifications and glitch fixes 10/1/11

Code implemented

Note: By law this is the latest date the Florida Fire Code can be implemented. The goal is to implement the FFPC and FBC concurrently. 12/31/11

**** See Contingency Plan 5** for Effect of Legislature Ratification of Rules**

Subtasks:

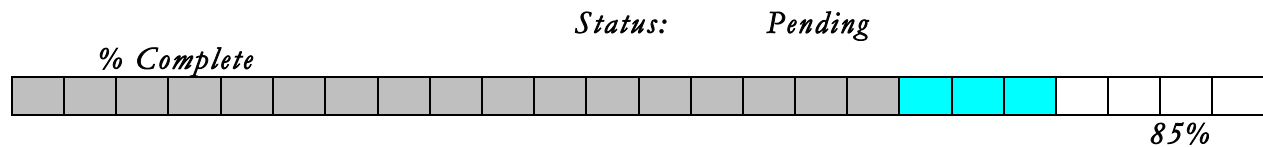
Review Florida specific amendments that overlap with 2006 to 2009 I Codes changes 12/09

(Note: Law requires review of Florida specific amendments when I codes changes address the Florida amendment issue. The Commission must decide whether to retain the Florida amendment or to adopt

the I code requirement. All other Florida specific amendments roll forward into the FBC update unless modified or removed by an approved amendment proposal. Staff will identify overlaps for the TACs' and Commission's consideration and decision.)

Joint Fire TAC/Fire Code Advisory Council review of I Codes/NFPA 1/NFPA 101 1/20/10 changes for overlaps/conflicts	
Contractor reviews Building and Fire codes and reports	1/10
Joint Fire TAC/FCAC meeting to develop recommended fixes	1/20/10
Recommended correlation fixes posted to the web	2/1/10
Fire TAC reviews proposed building code amendments for fixes	8/9-10/10
<i>(Note: Law requires the Commission and State Fire Marshal to maintain the FBC and FFPC for consistency to avoid conflicting requirements. A contractor will identify new overlaps resulting from changes in the new editions of the I codes and NFPA codes for consideration by the joint Fire TAC and Fire Code Advisory Council and decision on FBC amendments by the Commission)</i>	

(Note: Subtasks identify proposed code modifications that are integrated into the code development process.)



Origination: Requirement of law that the Commission updates the Code triennially..

5 2010 Update to the Florida Building Code – Combine Primary Update and Glitch Revisions in a Single Rule Proceeding**

Schedule:

Printed 2009 International Codes published and available to the public	4/2/09
2009 I Codes must be available to public for 6 months prior to selection	
Commission selects 2009 I Codes as foundation for 2010 FBC <i>(Oct Cmsn meeting)</i>	10/13/09
Staff evaluates changes of 2006 to 2009 I Codes for overlap with Florida amendments	4/09-11/09
TACs review existing Florida amendments that overlap with 2006 to 2009 I code changes and develop recommendations for retaining the Florida amendment or the new I code requirement. <i>(see subtask below)</i>	12/6/09-1/20/10
All existing Florida amendments compiled in 2009 I Codes format posted to website including TAC recommendations for “overlapping” amendments	2/1/10
Note: Proposed amendments to existing “Florida specific” code requirements must be made to the section numbers provided in this document. Staff will not correlate proposals for proponents.	
Local amendments posted to the website	2/1/10
FFPC to FBC correlations/overlaps identified and recommendations developed <i>(see subtask below)</i>	1/20/10
Submittal of new proposed amendments for the 2010 FBC opens	3/1/10
New proposed amendments for the 2010 FBC due and process closes	4/2/10

Proposed amendments reviewed by staff and posted to the Commission website	4/15/10
45 day comment period ends <i>(By law- 45 day min before TAC review)</i>	6/1/10
TACs Review Proposals at Rule Development Workshops	
TACs review proposed Florida amendments and adopt recommendations at Rule Development Workshop	7/27/10 8/9-12/10
<i>(Spcl Occup 7/15; Structural & Energy 8/23-25; all others at August 2010 Commission meeting)</i>	8/23-24/10
TAC recommendations posted to the website	9/3/10 45 day
comment period ends <i>(By law- 45 day min before Commission review)</i>	10/18/10
Commission Reviews TAC Recommendations at Rule Development Workshop	
TACs review comments on their recommendations and prepare public comment for the Rule Hearing	11/15-17/10 11/19/10
Commission considers TAC recommendations on proposed amendments at the Rule Development Workshop <i>(December 2010 Commission meeting)</i>	12/7-8/10

Commission Reviews TAC Recommendations at Rule Adoption Hearing

Draft Code in supplement format available for review	12/31/10
Rule Adoption hearing #1 <i>(Commission February 2011 meeting)</i>	2/1/11

2010 Florida Building Code Rule Submitted for Legislature's Ratification

Submit the Rule adopting the code to the 2011 Legislature for approval	2/1/11**
<i>(New requirement based on Legislature's veto override of HB 1565)</i>	

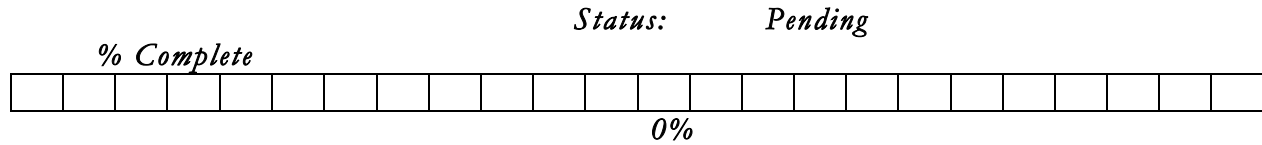
Glitch Fix Amendments Prior to Code Taking Effect

2010 FBC Supplement published online	2/18/11
Glitch amendment submittal DEADLINE	3/18/11
<i>(Note: The Code publisher will identify correlation glitches and unintended consequences of Florida specific amendments in the final 2010 FBC Supplement for correction by glitch amendment. See subtask for adoption of the 2011 NEC via the glitch proceeding)</i>	
Rule adoption hearing #2 <i>(April Commission meeting)</i>	4/5/11
Rule adoption hearing #3 <i>(June Commission meeting)</i>	6/7/11
Glitch Rule adopted (filed)	7/1/11
Code printed with first cycle glitch fixes and available to the public	10/1/11
2010 FBC effective	12/31/11

Note: By law this is the latest date the Florida Fire Prevention Code can be implemented. The goal is to implement the FFPC and FBC concurrently.

Subtasks:

a. Review 2011 NEC <i>(Note: not subject to glitch proposal submittal deadline)</i>	1/11-2/11
Proposal to adopt 2011 NEC submittal deadline	3/18/11
Recommend whether to adopt as glitch <i>(April Commission meeting)</i>	4/5/11
Adoption per schedule above	
Joint Fire TAC/Fire Code Advisory Council review of new approved Florida mods for conflicts created between Fire Code and Building Code	2/11



Code Books Available

Code printed with integrated Florida modifications and glitch fixes

10/1/11

Code implemented

12/31/11

*Note: By law this is the latest date the Florida Fire Code can be implemented.
The goal is to implement the FFPC and FBC concurrently.*

7. Study Energy Conservation Measures Code Compliance Methods and Develop a Plan for Increased Efficiency Requirements for Future FBC's (HB 697 and HB 7135)

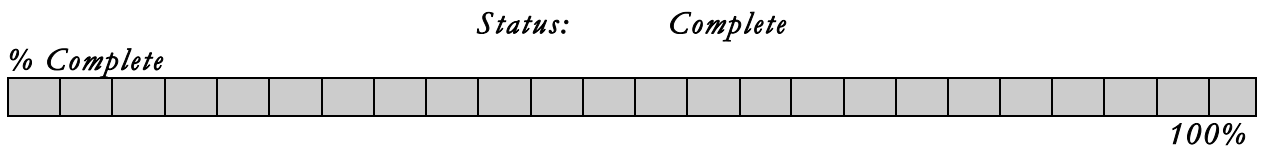
Origination: The 2008 Legislature directed the Commission to enact specific increase in building energy efficiency requirements in HB 697 (Building Code) and HB 7135 (Energy). This task initiates the study and development of a schedule of increasing requirements, the first of which are to be enacted in the 2010 FBC whose development begins in 2009.

Sub-Tasks –

7a. Develop Rule for Energy Code Cost Effectiveness Test (HB 687 and HB 7135)

Schedule for Sub-Task 27:

Appoint Work Group	12/9/08
Work Group/TAC meetings to develop recommendation	2/3/09
	3/5/09
	3/27/09
Rule Development Workshop	4/09
Rule Adoption Hearing	6/09
Notice of Change published	7/3/09
Rule Effective	9/1/09



Origination: The Commission was directed by the 2008 Florida Legislature in HB 697 and HB 7135 to develop a cost effectiveness test criteria by rule to be applied to justification for increased residential building energy efficiency requirements.

7b. Study Energy Conservation Measures for Replacement of Air Conditioning Equipment

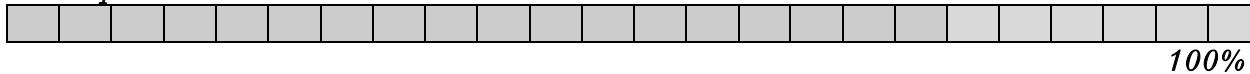
Origination: Recommendation of the Energy TAC resulting from consideration of Energy Code amendment proposals regarding replacement air-conditioning systems at the October 2008 meeting. Approved by the Commission October 15, 2008.

Schedule:

Work Group/TAC considers options and develops consensus plan	3/27/09
	4/30/09
Recommendation adopted	5/28/09
Proposals for 2010 FBC submitted for adoption (See 2010 FBC development schedule)	3/10

Status: In progress

% Complete



7d. Develop Recommendations for 20% Increased Energy Efficiency Requirement for 2010 FBC (HB 697 and HB 7135)

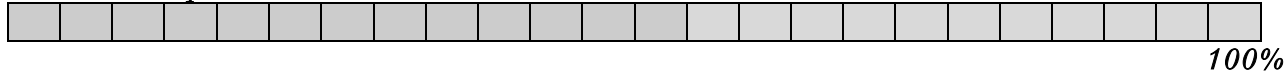
This task integrates the outputs of Task 35 and the Sub-tasks to develop a draft of Energy Code chapters for the 2010 FBC.

Schedule:

Workgroup appointed	12/9/08
Commission approves output of Task 27 and adopts requisite Rule	6/9/09
Workgroup adopts strategic plan for Commission approval	10/12/09
Contractor and Workgroup develop draft 2010 Energy chapters	9/09 -1/10
Proposals for 2010 FBC submitted for adoption	3/09

Status: Pending

% Complete

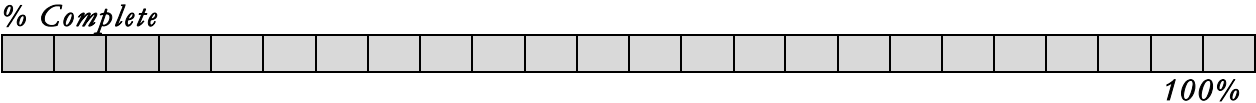


7e. Identify Specific Building Options to Achieve the Energy Efficiency Improvements (list identified in HB 697 and HB 7135)

Schedule: In Progress

Origination: Energy act of 2008 (HB 7135) directs the Commission to include, as a minimum, certain technologies for achieving enhanced building efficiency targets established by the Act in the Florida Energy Code. The Building Code act of 2008 (HB 697) directs the Commission to facilitate and promote the use of certain renewable energy technologies.

Status: Pending



7g. Develop Criteria for Energy Efficient Pool and Spa Systems

Subtask 29

Schedule:

Pool Sub-workgroup appointed	4/8/09
Workgroup meetings	6/8/09
	8/12/09
	2/1/10
Proposals for 2010 FBC submitted for adoption (See 2010 FBC development schedule)	3/10

Status: Pending
% Complete



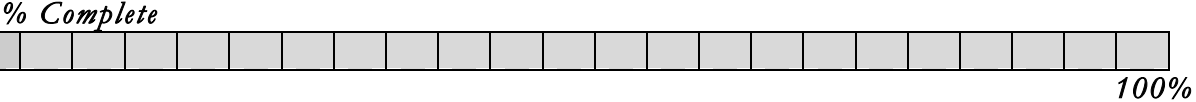
7h. Evaluate Requirements for Green Roofs Recognition in Florida Building Code

Subtask 45

Schedule:

Cool Roofs Workgroup appointed	4/8/09
Workgroup meeting	2/2/10
Proposals for 2010 FBC submitted for adoption (See 2010 FBC development schedule)	3/10

Status: Pending



15. Evaluate Hurricane Wind Pressure and Wind Driven Rain Criteria for Soffit Systems and Establish Labeling Requirements

Workplan Priority 13

Schedule:

Appoint workgroup	3/19/08
Include task in UF components and cladding contract	3/08
Workgroup meetings	11/6/08
	2/4/09
	4/8/09
	7/09-9/09
Recommendations ready to propose for 2010 FBC	2/10
Report to Structural TAC and Commission	2/10/10
Proposals for 2010 FBC submitted for adoption	3/10

Status: Pending

% Complete



100%

16. Evaluate Adoption of Flood Standards in the Florida Building Code

Workplan Priority 9

Schedule:

Workgroup appointed	12/08
DEM contract with FSU/CRC	1/09
Workgroup meetings	3/25/09
	4/29/09
	5/29/09
Review companion local ordinance and local variance authority issue	1/13/10
Recommendations to Structural TAC & Commission	8/11/09
Additional recommendations to Structural TAC & Commission	2/2/10
Proposals for 2010 FBC submitted for adoption	3/10
(See 2010 FBC development schedule)	

Status: Pending

% Complete



100%

17. Evaluate Adoption of Flood Standards in the Florida Building Code

Workplan Priority 9

Schedule:

Workgroup appointed	12/08
DEM contract with FSU/CRC	1/09
Workgroup meetings	3/25/09
	4/29/09
	5/29/09
Review companion local ordinance and local variance authority issue	1/13/10
Recommendations to Structural TAC & Commission	8/11/09
Additional recommendations to Structural TAC & Commission	2/2/10
Proposals for 2010 FBC submitted for adoption	3/10
(See 2010 FBC development schedule)	

Status: Pending

% Complete



100%

8. Develop Integration of Florida Accessibility Law into the 2010 Standards for Accessible Design (SAD) Being Adopted by the US Department of Justice

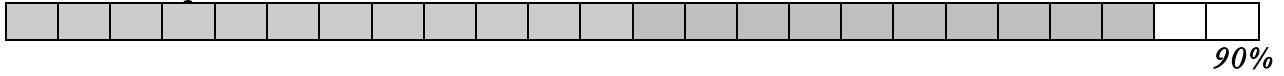
Workplan Priority 4

Schedule:

Appoint work group	12/12/08
Staff Developed Starting Draft	1/09
Workgroup Meetings	2/2/09
	4/6/09
	6/9/09
	8/10/09
	10/12/09
	12/7/09
	2/1/10
	4/5/10
	6/7/10
	10/11/10
	12/6/10
	1/20/11
	1/31/11
DOJ published final regulations	9/15/10
Draft revised for consistency with final regulations	11/10
Draft Code Completed	12/7/10
Staff Identify Changes to Law to Maintain Consistency with 2010 ADA Stds	11/10

Consensus meetings to identify changes to law	10/13/10
	1/20/10
Recommendation to Commission	2/2/10
Public Hearings	2/2/10
Report to Legislature (See Task 1)	2/28/11

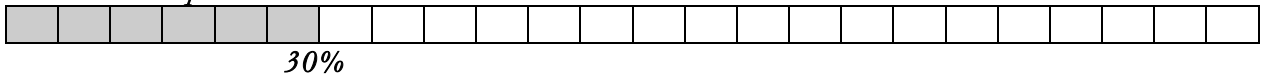
Status: Pending
% Complete



10. Evaluation of Standards to Address Corrosive Gypsum Board Outgassing
 Workplan Priority 12

Schedule:
 DOH led Committee appointed 2/09
 Meetings 4/09-9/09
Note: DOH project discontinued no directive to the Commission for action. Defer to the 2010 FBC development.
 Recommendation to Commission
 DOH rule amendment and 2010 FBC submitted by (DOH preliminary determination is no health hazard so no rule will be pursued for now.)
 Bill in the Legislature would require to develop sulfur and strontium content limits for gypsum board in consultation with DOH **BILL DIED**

Status: NO LEGISLATIVE DIRECTION FROM 2010 LEGISLATURE
% Complete



RECOMMEND ELIMINATING FROM WORKPLAN FOR 2011 GIVEN NO LEGISLATIVE DIRECTION

Workplan Tasks Resulting from 2010, HB 663

18. 2010 Florida Building Code Amendments directed by the Legislature:

- Require upgrade of elevators in condos and multi-family buildings having a C.O. before July 1, 2008 for Phase II Firefighter Service pursuant to ASME 17.1 and 17.3 when it is replaced or undergoing a major modification
- Coordinate the Code with statutory changes to SFM requirements for uniform lock boxes for elevator keys
- Require illumination in classrooms for ALL schools to be an average 40 foot-candles of light at each desk-top
- Exempt from the Code certain pre-manufactured/site assembled family mausoleums
- Exempt temporary housing provided by Department of Corrections for prisoners
- Remove from the IRC foundation code requirements for sprinklers
- Clarify AC equipment must meet wind resistance standards
- Require existing AC equipment on roof surfaces to comply when they are required to be removed or replaced
- Implement changes to statutory requirements for CO detectors
- Include energy saving options and elements for buildings added to the law that are not already included in the Code, e.g. energy efficient centralized computer data centers in office buildings
- Clarify energy performance requirements for pool pumps apply only to filtration pumps and change the maximum run time cycle override at high speed from 2 hours to 24 hours (or on changeover cycle whichever is less)
- Clarify sprinklers cannot be required for certain residential property used as rental property or changed in use category to primary rental use

Schedule:

Staff submit comments to 2010 FBC amendment proposals

5/10

Adoption per 2010 FBC Update schedule Task (see Code Update Task)

Status: Pending

% Complete



85%

19. State Product Approval Rule **9N-3** Amendments directed by the Legislature:

- Require payment of Administrator portion of application fee directly to the Administrator
- Implement new expedited process for approval of products based on certificate from a Certification Agency
- Eliminate ICBO ES, BOCA ES and SBCCI ES from list of approved Evaluation Entities

Schedule:

Hold rule workshop	8/10/10
Hold rule hearing	10/12/10
Approve changes pursuant to JAPC comment	12/6/10
Effective date (good faith rulemaking)	11/1/10
Rule filed with effective date after changes per JAPC comment	

Status: Pending
% Complete



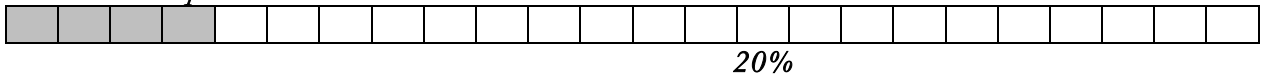
20. Amend rules to establish fees for:

- Accessibility Code waivers
- Declaratory statements
- Non-binding opinions

Schedule:

Hold workshop to discuss which fees	10/13/10
	2/1/11
Conduct rule development workshop	4/11
Conduct rule hearing	6/11
File with the Department of State (if no notice of change)	7/11
Effective date	10/11

Status: Pending
% Complete



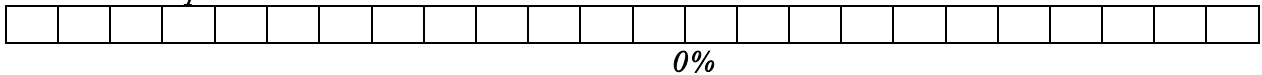
Workplan Tasks Resulting from 2010, HB 7243

22. Develop recommendations that increase recycling and composting and the use of recyclable construction materials and construction and demolition debris

Schedule:

Appoint Commission workgroup	
Workgroup meetings	2/11-9/11
Recommendations to Commission	10/11
Final report to the 2012 Legislature (See Annual Report schedule)	2/28/12

Status: Pending
% Complete



BUILDING CODE SYSTEM ASSESSMENT AD HOC WORKPLAN BY TASK

A. COMMISSION, AD HOC COMMITTEE AND TAC TASKS

- ◆ Committee meets at Commission meetings starting October 2010 and ending Dec. 2011.
 - ◆ A large forum public workshop is held to start the project. TACs are appointed for areas corresponding to the Building Code Study Commission’s “Foundation*” principles to review issues and develop recommendations. The Ad Hoc Committee considers TAC recommendations and develops final recommendations for the Commission to transmit to the Legislature.
- * The Study Commission determined that an effective system must address five key components: the Code and Code development process, the Commission, local administration of the Code, strengthening compliance and enforcement, and product evaluation and approval.*
- ◆ The Ad Hoc Committee manages the project for the Commission.
 - ◆ Project Workplan is reviewed and updated at each meeting, as needed.

B. AD HOC COMMITTEE TASKS

	START DATE	COMP. DATE
1. Ad Hoc conducts on-line Survey Phase I.	June 2010	Aug. 2010
2. Ad Hoc Meeting I—Organizational Meeting.	Oct. 12, 2010	
3. On-Line Survey Phase II conducted.	Oct. 2010	Jan. 2011
4. Large Forum Public Workshop.	Mar. 2011	--
5. Ad Hoc Meeting II—To appoint Technical advisory committees. Held in conjunction with April Commission meeting.	April 2011	--
6. TACs meet to evaluate issues.	May 2011	--
7. TACs meet to evaluate issues and develop recommendations.	June 2011	--
8. TACs meet to finalize recommendations.	Aug. 2011	--
9. Ad Hoc meeting III—To consider TAC recommendations. Held in conjunction with October Commission meeting.	Oct. 2011	--
10. Ad Hoc meeting IV—To finalize recommendations. Held in conjunction with December 2011 Commission meeting.	Dec. 2011	--
11. Commission adopts final recommendations for submittal to the 2012 Legislature at December 2011 Commission meeting.	Dec. 2011	--

C. AD HOC COMMITTEE AGREEMENTS/RECOMMENDATIONS

	START DATE	COMP. DATE
1. Committee recommends the Commission conduct a comprehensive evaluation of the System for submittal to the 2012 Legislature.	October 12, 2010	
2. Commission adopts Ad Hoc’s recommendations.	October 13, 2010	
3. On-Line Survey Phase II will be compiled and a report issued.	Oct. 2010	Feb. 2011
4. Commission adopts final recommendations for submittal to 2012 Legislature.	--	Dec. 2011

D. PUBLIC INVOLVEMENT		
	START DATE	COMP. DATE
1. Survey Phase I conducted on-line	June 2010	Aug. 2010
2. Survey Phase II conducted on-line.	Oct. 2010	Jan. 2011
3. Public comments solicited at Ad Hoc Committee meetings. (2010: October; 2011: April, October, and December)	Oct. 12, 2010	Dec. 2011
4. Public comments received at each Commission meeting. (2010: October; 2011: February, April, June, August, October, and December)	Oct. 2010	Dec. 2011

DEVELOPMENT OF THE FLORIDA BUILDING CODE OVERVIEW

In 1997, the Governor’s Building Codes Study Commission recommended that a single state-wide building code be developed to produce a more effective system for a better Built Environment in Florida. It was determined that in order to be effective, The Building Code System must protect the health, safety and welfare of the citizens of Florida, and in doing so:

1. Be simple to use and clearly understood;
2. Be uniform and consistent in its administration and application;
3. Be affordable; and
5. Promote innovation and new technology.

The Study Commission determined that an effective system must address five key components: the Code, the Commission, code administration, compliance and enforcement, and product evaluation and approval.

The Florida Building Code is a state-wide code implemented in 2001 and updated every three years. The Florida Building Commission developed the Florida Building Code from 1999 through 2001, and is responsible for maintaining the Code through annual glitch amendments and a triennial foundation code update.

The Commission is required by Florida law to update the Florida Building Code every three years, and the 2010 Edition will represent the third update and fourth edition of the Code. The update process is based on the code development cycle of the national model building codes, which serve as the “foundation” codes for the Florida Building Code.

Triennial Report to the Legislature. Florida Statute, Chapter 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed. The Commission conducted the first assessment in 2005, and during 2010 and 2011 Commission has appointed an Ad Hoc Committee to work with stakeholders to develop a package of recommendations for enhancements to the Florida Building Code System. The Commission’s recommendations will be a major component of their Report to the 2012 Legislature.

ATTACHMENT 3

ACCESSIBILITY WAIVER SUMMARY

Waivers from Accessibility Code Requirements—December 7, 2010

1. Passage Christian Academy.

Issue: Vertical accessibility to the second floor of a private, Christian school.

Recommendation: Grant, based on disproportionate cost.

2. Gatorland Zipline.

Issue: Vertical accessibility to seven towers of an amusement zipline ride.

Recommendation: Grant for all seven towers, with the understanding that a portion of the ride will be made accessible within one year.

3. Bahay Kubo Philippine Heritage House.

Issue: Vertical accessibility to the elevated entry level of a house displaying indigenous Philippine housing.

Recommendation: Dismiss, based on lack of jurisdiction to deviate from federal guidelines.

4. Napoli Restaurant

Issue: Vertical accessibility to the second floor of a restaurant.

Recommendation: Grant, based on disproportionate cost.

5. Miami Art Museum

Issue: Vertical accessibility to all levels of seating in an auditorium.

Recommendation: Defer to obtain more detailed information on accessible seating locations.

6. Pestana Hotel

Issue: Vertical accessibility to the upper levels of a historic property.

Recommendation: Extend the time limit of a previously issued Final Order for 6 additional months.

7. Golden Lion Café

Issue: Vertical accessibility to an exterior deck for additional seating.

Recommendation: Grant, based on disproportionate cost.

8. Academy of Culinary Arts

Issue: Vertical accessibility to all rows of seats in a demonstration classroom.

Recommendation: Grant, provided one additional wheelchair seating location is provided and the seats are moved to the center of the hall.

9. Feather Sound Corporate Center

Issue: Use of Figure 30(a) toilet stall configuration in an alteration.

Recommendation: Grant to the extent a waiver is needed since Figure 30(a) is permissible in a renovation.

10. Brian and Linda Leneave

Issue: Vertical accessibility to the second floor of a beauty salon/office building.

Recommendation: Grant, provided all services available on the second floor are duplicated on the first floor.

11. Miami River Building

Issue: Vertical accessibility to the second floor of an office building undergoing a renovation.

Recommendation: Extend the time limit of an existing Final Order for an additional 12 months.

12. Babcock Realty Partners.

Issue: Vertical accessibility to the second floor of an office building.

Recommendation: Grant, based on disproportionate cost.

13. Cobb Theatres 12 at Countryside Mall.

Issue: Vertical accessibility to all rows of seats in a new, 12 screen stadium style movie theater.

Recommendation: Grant, based on technical infeasibility.

14. The Mansion

Issue: Vertical accessibility to a new deck and to the second floor of an existing building.

Recommendation: Grant, based on disproportionate cost, provided detailed cost breakdowns are confirmed by staff and the Council chair.

15. Fivay High School

Issue: Vertical accessibility to all rows of bleachers in a gymnasium and three outdoor sports facilities.

Recommendation: Grant, based on technical infeasibility.

16. Crews Lake Middle School

Issue: Vertical accessibility to all rows of bleachers in a gymnasium.

Recommendation: Grant, based on technical infeasibility.

17. Charles Rushe Middle School

Issue: Vertical accessibility to all rows of bleachers in a gymnasium.

Recommendation: Grant, based on technical infeasibility.

ATTACHMENT 4

LEGAL REPORT

Declaratory Statement Interpretations

Second Hearings—December 7, 2010

SECOND HEARING

DCA10-DEC-175 – James Paula, *St. Johns County Building Department*

Answer: Dismissed due to the fact that the project of concern was already permitted.

DCA10-DEC-182 – Jeffrey C. Friant P.E. and Jeff Bedard, *Sunestra Products, LLC*

Question #1: Since the Sunesta retractable awning is installed in the retracted position and while in this position, without any removal or repositioning, this product will withstand wind speeds far in excess of 75 mph, how does 3105.4 apply?

Answer: Design of the product in question “retractable awning” is subject to the design criteria of Section 3105.4.2 of the FBC, Building. These design criteria would apply to the product in question in both extended and retractable position.

Question#2: If the owner follows the instructions of the Owner’s manual, the awning would be stowed prior to the wind reaching 39 mph, let alone 75mph; wouldn’t this exclude retractable awnings from “...removal or repositioning of parts, or the whole, **during** periods of 75 mph wind velocity?”

Answer: Answer is not appropriate. Owner’s manual is not part of the FBC.

Question #3: Is the word “during” the operative word?

Answer #3: Answer is not appropriate since the question is unclear.

Question #4: Since the owner will have been notified, by contract, that damage to the awning due to their negligence is not covered by warranty, would it not be legally binding that any collateral property damage caused by the awning not retracted especially in a tropical storm “watch” or “warning”, be considered owner negligence?

Answer #4: Answer is not appropriate. The subject matter is outside the scope of the Florida Building Code.

FIRST HEARING

DCA10-DEC-209 by *Michael Murray of StormWatch, Inc*

Question #. 1. Is 1613.1.9 intended to mitigate fatigue failure, “entering the plastic range”, of metal storm shutters and/or metal shutter supporting structures and components By limiting the deflection to 2” based on a length to deflection formula of L/30?

Answer: Section 1613.1.9, Item (9), applies to all storm shutters regardless of the products’ materials or physical properties.

Question #. 2. Has it been determined that “Fabric Storm Panels” or fabric shutters have a “plastic range” or that they suffer from fatigue failure induced by deflections greater than 2” based on a length to deflection formula of L/30 or any other?

Answer: Not possible. Determination of specific product strength and material is subject to testing and evaluation as determined through the product approval process.

Question #. 3. 1613.1.9 Specifically and only refers to a minimum separation from the glass. Has it been determined that openings or areas that have no glass are subject to 1613.1.9?

Answer: Section 1613.1.9, Item (9), is applicable to an opening regardless of whether it is a glazed opening or not.

Question #. 4. The language of 1613.1.9 specifically requires a storm shutter to be installed in such a manner that after maximum permissible deflection the shutter would have a separation from the glass within the precise range of 1-2” from the glass. Will storm shutters be required to be installed to deflect into this narrow range of Separation? Will storm shutters be permitted to be more than 2” from the glass after maximum deflection?

Answer: Will storm shutters be required to be installed to deflect into this narrow range of separation?

Answer: Storm shutters must provide a minimum clear separation from the glass a minimum of 1 inch and the deflection limit of the shutter fabric must not exceed 2 inches. Will storm shutters be permitted to be more than 2” from the glass after maximum deflection?

Answer: is “Yes” as long as the deflection limit of the product does not exceed 2 inches.

Question #. 5. The relationship between L/30 and the 2” deflection limit is not directly indicated as a requirement by the language of 1613.1.9, but inferred from the language. Statements have been made in POC meetings that what is in the code is the rule and no interpretation as to intent of the rule can be allowed. Is it not the case that the relationship between the 2” deflection and L/30 is in itself an interpretation to clarify the intent of the rule, and if the rule can be interpreted to clarify intent to one end, it can be interpreted to clarify the intent to another end, such that 1613.1.9 is only intended to apply to metal shutters preventing excessive deflection which would lead to fatigue failure

and being that fabric storm panels and some other shutter types that are designed to bend and do not suffer from deflection induced fatigue failure would not be subject to 1613.1.9 and be exempt from L/30?

Answer: See answer to Question #1.

Question #. 6. Florida Statute 553.842 provides that manufactures have the option of receiving a state or local approval. If 1613.1.9 is intended to prevent deflection induced fatigue failure of metal components and the code section continues to be applied to products that are not subject to this type of failure how are manufacturers guaranteed a means other than a local approval to demonstrate compliance within the HVHZ?

Answer: See answer to Question #1.

DCA10-DEC-216 by Geoff Mcleod of MESA Modular Systems, Inc.

Question 1: “Can the Commission approve our pad according to Mechanical Code Section 304.9 “other approved material?”

Answer 1: NO, the term “approved” means “Acceptable to the code official or authority having jurisdiction”; the code official charged with the administration and enforcement of this code is the local building official or his/her authorized representative.

Question 2: “Does our anchoring system fall within Rule 9N-3 “State Product Approval System?”

Answer 2: NO, the product in question is not part of the building envelope and thus does not fall within the scope of Rule 9N-3.

DCA10-DEC-217 by Dwight Wilkes - Consultant for AAMA

Question: Does the Florida Building Code allow the Manufacturer through engineering practice to submit additional information that will allow the substitution of anchors and installation into different substrates for a product submitted using the Certification Method and using AAMA 506-06.

Answer: Yes, Section 1714.5.4.1 of the Florida Building Code, Building, allows substitute anchoring systems for different substrates using rational engineering analysis "accepted engineering practice". As long as the spacing has not been changed or altered from the original test.

DCA10-DEC-219 by David Karins, P.E. of Karins Engineering Group, Inc.

Question #. 1: Does the deflection and L/30 apply to positive pressures only or does L/30 apply to negative pressure as well?

Answer#. 1: The deflection and L/30 apply to both positive and negative pressure.

Question #2: Does the deflection criteria and L/30 apply to flexible materials such as shutters fabricated from screen materials unlike a rigid material such as plastic or aluminum?

Answer: Yes, Section 1613.1.9, Item (9), applies to all storm shutters regardless of the products' materials or physical properties.

Question #. 3: How is the L/30 deflection limit applied? Does it apply to overall system or to individual components?

Answer: As per Section 1613.1, the L/30 deflection limit applies to both "system" and component.

Question #4: Does the L/30 apply to two-way systems or one-way systems?

Answer: The L/30 applies to both systems "one-way and two-way systems".

Question #5: If the clear separation of the glass is limited to maximum of 2 inch (negative pressure) and a minimum of 1 inch (positive pressure), does this mean the system can only deflect a maximum of 1/2 inch in each direction with the system being placed at 1-1/2 inch away from the glass?

Answer: No, the clear separation must be a minimum of 1 inch and the deflection limit of the shutter "fabric" must not exceed 2 inches...

DCA10-DEC-220, DCA10-DEC-221, DCA10-DEC-222, DCA10-DEC-224, DCA10-DEC-225
by John H. Kampmann Jr., PE of MEA Engineers Inc.

Question #. 1: Does L/30 apply to fabric shutters? Fabrics do not have a loss of performance with deflections. It is my understanding that L/30 only applies to rigid materials.

Answer: Yes, Section 1613.1.9, Item (9), applies to all storm shutters regardless of the products' materials or physical properties.

Question #. 2: Under what circumstances would this product be able to get a FL Approval for HVHZ? Would this project be able to get an HVHZ approval for installations that limited its use for NON-GLAZING installations, such as on the exterior of non-glazed lanais, vents, doors - including garage doors, and any other non-glazing installations?

Answer: Section 1613.1.9, Item (9), is applicable to an opening regardless of whether it is a glazed opening or not.

Question #. 3. Would this product be able to be considered as part of a panel wall system, providing impact protection while maintaining a separation between this product and the panel wall system?

Answer: Not possible. The question is outside the scope of the product in question.

Question #. 4: Could this product be considered as a structural component for use in the HVHZ?

Answer: Not possible. The question is outside the scope of the product in question.

Question #. 5: Can this product be installed in the HVHZ and protect glazing as long as the deflection of the fabric exceeds a separation to glazing of 1 inch?

Answer: See answer to Question #1.

Question #. 6: Please clarify the language in 1613.1.9: "...shall provide a minimum clear separation from the glass of 1 inch (25mm) but not to exceed 2 inches (51mm) when the shutter or awning is at its maximum point of permissible deflection..." Specifically, what is the required separation to glass, including any limitations such as maximum deflection. The language in 1613.1.9 says that the separation to glass must be between 1 and 2 inches when at its maximum permissible deflection. The 2 inches is mentioned relative to clear separation, not relative to deflection as written. Some have said that there is a maximum 2 inch deflection limit, but I have not found that language in the code. If that is an interpretation of 1613.1.9, please explain it, the words do not support that definition to me.

Answer: Not possible. No specific question provided.

Question #. 7: In 1613.1.9, is the maximum deflection $L/30$?

Answer: Yes, if the opening is not a glazed opening.

Question #. 8: Is it also another fixed amount regardless of the span, such as 2 inches? If so, where in the code is this written?

Answer: According to 1613.1.9, Maximum deflection is $L/30$ but not to exceed 2 inches if the opening is a glazed opening.

REQUEST FOR RELIEF FROM ENERGY CODE COMPLIANCE METHOD

DCA 10-BC-167 Request for Relief from Energy Code Compliance Method - by Fiona Cousins, P.E. of ARUP

To the petitioner's request *that the Miami Art Museum be granted Special Use status as allowed by Section 13-101.1.5 of the Florida Building Code, Building, and that Petitioner be allowed to demonstrate compliance with Chapter 13 of the Florida Building Code, Building, using a hybrid method for calculating the Museum's energy usage*, the answer is

Yes, the Miami Art Museum should be granted Special Use status based on its need to protect artwork through increased air recirculation in accordance with relevant criteria in the ASHRAE *HVAC Applications Handbook*, and may comply with Chapter 13 of the *Florida Building Code* by Proponent's proposed hybrid methodology subject to the clarification that the Baseline budget to which the building is compared is Chapter 11 of ASHRAE 90.1-2004 with a 0.85 multiplier.

ATTACHMENT 5

PRODUCT AND ENTITY APPROVAL REPORT

ID	Manufacturer	Category	Subcategory	TBA	POC	FBC	Comments	Stat.
Evaluation by Engineer/ Architect Method - FBC Voted Approval								
389-R3	American Shutter Systems Association, Inc.	Shutters	Accordion	a	a	a	Recommend Approval	Revision
742-R5	Overhead Door Corporation	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
1365-R3	Polyfoam Products, Inc	Roofing	Cements-Adhesives-Coatings	a	a	a	Recommend Approval	Revision
1850-R4	American Shutter Systems Association, Inc.	Shutters	Accordion	a	a	a	Recommend Approval	Revision
4065-R7	Silverline Building Products Corp.	Windows	Single Hung	a	a	a	Recommend Approval	Revision
4640-R2	Hibco Plastics, Inc.	Roofing	Roofing Accessories that are an Integral Part of the Roofing System	a	a	a	Recommend Approval	Revision
4985-R1	Cellox, LLC	Structural Components	Insulation Form Systems	a	a	a	Recommend Approval	Revision
5013-R4	Roll-a-way by	Shutters	Roll-up	a	a	a	Recommend Approval	Editorial

	QMI							Change
5374-R2	East Coast Metals, Inc.	Roofing	Roofing Accessories that are an Integral Part of the Roofing System	a	a	a	Recommend Approval	Revision
5580-R1	Diversified Window Solutions, Inc.	Shutters	Storm Panels	a	a	a	Recommend Approval	Revision
5614-R2	Glasteel	Structural Components	Structural Wall	a	a	a	Recommend Approval	Revision
7288-R5	American Shutter Systems Association, Inc.	Shutters	Accordion	a	a	a	Recommend Approval	Revision
8200-R4	American Shutter Systems Association, Inc.	Shutters	Colonial	a	a	a	Recommend Approval	Revision
8523-R3	American Shutter Systems Association, Inc.	Shutters	Bahama	a	a	a	Recommend Approval	Revision
8831-R3	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
9104-R2	Roller Star USA	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval - Deferred and complied with condition of: Include on application letter of compliance to the 2007 FBC from evaluator.	Editorial Change Deferral
9356-R2	CAT-5 Protection, Inc.	Shutters	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	Revision
9834-R6	Alside Window Company	Windows	Fixed	a	a	a	Recommend Approval	Revision

9875-R2	Special-Lite, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
9886-R6	Gentek Building Products	Windows	Fixed	a	a	a	Recommend Approval	Revision
9890-R6	Revere Building Products	Windows	Fixed	a	a	a	Recommend Approval	Revision
9909-R6	Associated Materials Inc.	Windows	Fixed	a	a	a	Recommend Approval	Revision
9968-R2	YKK AP America	Windows	Casement	a	a	a	Recommend Approval	Revision
9970-R2	YKK AP America	Windows	Awning	a	a	a	Recommend Approval	Revision
10499-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
10991-R5	Alside Window Company	Windows	Horizontal Slider	a	a	a	Recommend Approval	Revision
11137-R5	Gentek Building Products	Windows	Horizontal Slider	a	a	a	Recommend Approval	Revision
11139-R5	Revere Building Products	Windows	Horizontal Slider	a	a	a	Recommend Approval	Revision
11141-R5	Associated Materials Inc.	Windows	Horizontal Slider	a	a	a	Recommend Approval	Revision
11255-R2	Decra Roofing Systems, Inc.	Roofing	Metal Roofing	a	a	a	Recommend Approval	Revision
11305-R1	Overhead Door Corporation	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11349-R2	American Shutter Systems Association, Inc.	Shutters	Accordion	a	a	a	Recommend Approval	Revision
11352-R2	American Shutter Systems Association, Inc.	Shutters	Accordion	a	a	a	Recommend Approval	Revision
11354-R2	American Shutter	Shutters	Accordion	a	a	a	Recommend Approval	Revision

	Systems Association, Inc.							
11446-R2	Stanek Vinyl Windows	Windows	Double Hung	a	a	a	Recommend Approval	Revision
11450-R2	Stanek Vinyl Windows	Windows	Casement	a	a	a	Recommend Approval	Revision
11452-R1	Stanek Vinyl Windows	Windows	Awning	a	a	a	Recommend Approval	Revision
11494-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11521-R3	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11522-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11542-R1	Mesker Door, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
11720-R4	Associated Materials Inc.	Windows	Double Hung	a	a	a	Recommend Approval	Revision
11734R2	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11739-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11740-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11823-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
11976-R1	Stanek Vinyl Windows	Windows	Mullions	a	a	a	Recommend Approval	Revision

12088-R2	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
12111-R2	Overhead Door Corporation	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
12154-R1	Stanek Vinyl Windows	Windows	Single Hung	a	a	a	Recommend Approval	Revision
12217-R1	YKK AP America	Windows	Single Hung	a	a	a	Recommend Approval	Revision
12412-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
12486-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
12573-R1	Hurricane Fabric .com	Shutters	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	Revision
12686-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
12994-R1	Stanek Vinyl Windows	Windows	Horizontal Slider	a	a	a	Recommend Approval	Revision
13159	St. Cloud Window, Inc.	Windows	Fixed	a	a	a	Recommend Approval	New
13239-R1	YKK AP America	Windows	Fixed	a	a	a	Recommend Approval	Revision
13346-R1	ODL/Western Reflections	Exterior Doors	Exterior Door Components	a	a	a	Recommend Approval	Editorial Change
13494-R2	ProVia Door, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
13599	EFCO	Panel Walls	Storefronts	a	a	a	Recommend Approval	New

	Corporation							
13670-R1	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
13784	EFCO Corporation	Windows	Fixed	a	a	a	Recommend Approval	New
13831-R1	ODL/Western Reflections	Exterior Doors	Exterior Door Components	a	a	a	Recommend Approval	Editorial Change
13848-R1	General Aluminum Company	Windows	Fixed	a	a	a	Recommend Approval	Revision
13850-R1	General Aluminum Company	Windows	Single Hung	a	a	a	Recommend Approval	Revision
13867-R1	PGT Industries	Windows	Mullions	a	a	a	Recommend Approval	Revision
13897-R1	Solar Innovations, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
13955	Superior Window Corp.	Windows	Projected	a	a	a	Recommend Approval	New
14012	Vitro America, LLC	Panel Walls	Storefronts	a	a	a	Recommend Approval	New
14015	ProVia Door, Inc.	Windows	Fixed	a	a	a	Recommend Approval	New
14022	Ingersoll-Rand	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14027	Superior Window Corp.	Windows	Casement	a	a	a	Recommend Approval -Deferred and complied with condition of: Provide test reports for the assemblies on application. Evaluation should refer only to the assemblies on application for the proper category and subcategory	Deferred
14029	Silverwood Technologies	Panel Walls	Products Introduced as	a	a	a	Recommend Approval	New

	LLC dba Green Product Tech		a Result of New Technology					
14037-R1	MI Windows and Doors	Windows	Mullions	a	a	a	Recommend Approval	Revision
14083-R1	Carlisle SynTec Incorporated	Roofing	Single Ply Roof Systems	a	a	a	Recommend Approval	Revision
14092	Raynor Garage Doors	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	New
14096-R1	Englert Inc.	Roofing	Metal Roofing	a	a	a	Recommend Approval	Revision
14115	Sunflex	Exterior Doors	Sliding Exterior Door Assemblies	a	a	a	Recommend Approval	New
14141	Miami Rolling Doors, Corp.	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	New
14148	Hope's Windows, Inc.	Windows	Fixed	a	a	a	Recommend Approval	New
14150	Hope's Windows, Inc.	Windows	Fixed	a	a	a	Recommend Approval	New
14151	Hope's Windows, Inc.	Windows	Fixed	a	a	a	Recommend Approval	New
14152	Hope's Windows, Inc.	Windows	Projected	a	a	a	Recommend Approval	New
14153	Hope's Windows, Inc.	Windows	Casement	a	a	a	Recommend Approval	New
14163	J. SUSSMAN, INC.	Windows	Fixed	a	a	a	Recommend Approval	New
14164	Pactiv Building Products	Roofing	Roofing Insulation	a	a	a	Recommend Approval	New
14165	Carlisle SynTec Incorporated	Roofing	Single Ply Roof Systems	a	a	a	Recommend Approval	New
14170	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	New


14171	Norse Inc.	Structural Components	Anchors	a	a	a	Recommend Approval	New
14172	Eagle Window and Door, Inc	Windows	Casement	a	a	a	Recommend Approval	New
14179	API (American Products Inc.)	Panel Walls	Storefronts	a	a	a	Recommend Approval	New
14181	Overhead Door Corporation	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	New
14182	Eurocraft Industries Inc	Windows	Mullions	a	a	a	Recommend Approval	New
14184	Ply Gem Windows	Windows	Single Hung	a	a	a	Recommend Approval	New
14187	3M	Roofing	Cements-Adhesives-Coatings	a	a	a	Recommend Approval	New
14199	Firestone Building Products Company, LLC.	Sky Lights	Skylight	a	a	a	Recommend Approval	New
14204	St. Cloud Window, Inc.	Windows	Double Hung	a	a	a	Recommend Approval	New
14205	St. Cloud Window, Inc.	Windows	Horizontal Slider	a	a	a	Recommend Approval	New
14206	St. Cloud Window, Inc.	Windows	Mullions	a	a	a	Recommend Approval	New
14207	Versico Incorporated	Roofing	Single Ply Roof Systems	a	a	a	Recommend Approval	New
14208	Berridge Manufacturing Co.	Roofing	Metal Roofing	a	a	a	Recommend Approval	New
14210	Berridge Manufacturing Co.	Structural Components	Roof Deck	a	a	a	Recommend Approval	New
14211	Ply Gem Windows	Windows	Fixed	a	a	a	Recommend Approval	New

14212	Ply Gem Windows	Windows	Fixed	a	a	a	Recommend Approval	New
14213	Ply Gem Windows	Windows	Casement	a	a	a	Recommend Approval	New
14214	Ply Gem Windows	Windows	Fixed	a	a	a	Recommend Approval	New
14215	Soprema, Inc.	Roofing	Waterproofing	a	a	a	Recommend Approval	New
14216	YKK AP America	Windows	Fixed	a	a	a	Recommend Approval	New
14217	YKK AP America	Panel Walls	Curtain Walls	a	a	a	Recommend Approval	New
14218	YKK AP America	Panel Walls	Storefronts	a	a	a	Recommend Approval	New
14221	Windoor Incorporated	Windows	Casement	a	a	a	Recommend Approval	New
14222	Windoor Incorporated	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14223	Ballista Storm Systems, LLC	Shutters	Storm Panels	a	a	a	Recommend Approval	New
14224	Gulf Coast Supply and Mfg., Inc.	Roofing	Metal Roofing	a	a	a	Recommend Approval	New
14228	Superior Window Corp.	Windows	Fixed	a	a	a	Recommend Approval	New
14229	Superior Window Corp.	Windows	Projected	a	a	a	Recommend Approval	New
14234	ODL/Western Reflections	Exterior Doors	Exterior Door Components	a	a	a	Recommend Approval	New
14235	Town and Country Industries,	Shutters	Roll-up	a	a	a	Recommend Approval	New
14236	Five Star Quality Manufacturing Corp.	Shutters	Roll-up	a	a	a	Recommend Approval	New
14239	BMP	Structural	Anchors	a	a	a	Recommend Approval	New

	International Inc.	Components						
14241	Suncoast Window & Architectural Systems, Inc.	Windows	Fixed	a	a	a	Recommend Approval	New
14246	Shwinco Industries Inc.	Windows	Horizontal Slider	a	a	a	Recommend Approval	New
14248	Suncoast Window & Architectural Systems, Inc.	Windows	Double Hung	a	a	a	Recommend Approval	New
Evaluation by Test Report - FBC Voted Approval								
14044	RobotexInc	Roofing	Underlayments	a	a	a	Recommend Approval	New
14180	MFM Building Products Corp.	Roofing	Underlayments	a	a	a	Recommend Approval	New
Evaluation by Evaluation Entity - FBC Voted Approval								
2847-R3	Lomanco, Inc	Roofing	Roofing Accessories that are an Integral Part of the Roofing System	a	a	a	Recommend Approval	Editorial Change
12339-R1	PennBarry	Roofing	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	Revision

14101	Simpson Strong-Tie Co.	Structural Components	Wood Connectors	a	a	a	Recommend Approval	New
Entities - POC Recommends Approval								
TST 1910	Architectural Testing, Inc. - Texas	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST 3160	Timberco Inc dba TECO	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST 3782	American Test Lab of South Florida Inc.	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST 7393	Florida Testing, Engineering & Consulting, Inc.	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
QUA 1743	Underwriters Laboratories Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA 1824	Keystone Certifications, Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA 1963	Timber Products Inspection, Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA 2401	Timberco Inc dba TECO	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA 3726	Pyramid 1, Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA 5922	R I Ogawa & Associates, Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision

QUA 8593	National Inspection Association dba Quality Systems Management, Inc.	Product Quality Assurance		a	a	a	Recommend Approval	New
QUA 8970	Applied Testing and Geosciences	Product Quality Assurance		a	a	a	Recommend Approval	New
VAL 7396	Architectural Testing, Inc - Certification Services	Product Validation Entity		a	a	a	Recommend Approval	Revision
VAL 7690	ICC Evaluation Service, Inc.	Product Validation Entity		a	a	a	Recommend Approval	Revision
Discussion Items								
8809	Plylox Inc	Structural Components	Anchors				Withdrawn	New
11340-R1	Hurricane Fabric .com	Shutters	Products Introduced as a Result of New Technology	a	a	a	<u>Recommend Approval</u> - Application corrects the issue of the shutter deflection within HVHZ by indicating "No" for use within HVHZ. The application was placed as a discussion item because there was an issue with the QA Contract that is now resolved.	Revision
11506-R2	Simpson Strong-Tie Co.	Structural Components	Anchors				2. For 11506.1, 11506.4, 11506.5 : These evaluations are an alternate to either FBC Sect. 1911 or 1912 or 1913 and therefore not allowed for statewide Florida Product Approval.	Revision

							3. For 11506.1, 11506.2 and 11506.6 the verifier of installation instructions is not independent. Technical validation is required.			
11506-R2	Public Comment by Jaime Gascon.						 Evaluations for products .1, .2, .4, and .5 are expired.			
11506-R2	Response by Randy Shackelford						Embedded Adobe Object			
11506-R2	Comment by and Recommendation by Administrator					c	d	d	The code specifically in the case of Sect. 1911 indicates that it cannot be used on hardened concrete. The application is for a product to be used on hardened concrete and the evaluation report indicates that it is an alternate to the use not covered by the section of the code. The review did not indicate poor performance of the products, only that some product evaluations are outside the scope of the Product Approval Rule. <u>Recommend Deferral with conditions of: Remove from application products or show that product is not an alternate to the building code for products.1, .4 and .5. For products 1., .2 and .6 have either the evaluation entity verify the installation instructions or have the validator perform a technical validation.</u>	
13975	Simpson Strong-	Structural	Wood						2. The verifier of installation	New

	Tie Co.	Components	Connectors				instructions is not independent. Technical validation is required.	
13975	Response by Randy Shackelford						<p>. The verifier of the installation instructions is not required to be independent. Technical validation of the installation instructions is required if the installation instructions are not DEVELOPED by an independent third party. Our instructions are developed by ICC-ES, which is an independent third party.</p> <p>Rule 9N-3, Section 9N-3.006(2)c states the following: “(c) Technical Validation of Installation Instructions including attachments: Installation instructions including attachments developed by an entity that is not an independent third-party from the manufacturer shall be performed by an approved validation entity using the validation steps 1 through 3 of item 2(a) above. Exception: Technical validation is not required if the installation instruction including attachments are verified by the product certification agency or the product evaluation entity.”</p>	
13975	Comment by and Recommendation by Administrator			c	c	c	<p>The verifier of the installation instructions is not the Evaluation Entity but an employee of the applicant. <u>Recommend Conditional approval with condition of: Have the Evaluation Entity verify the installation instructions or have the</u></p>	

							<u>validator perform a technical validation.</u>	
14185	Lafarge North America	Structural Components	Structural Wall				<u>Withdrawn</u>	New
Public Comments								
Evaluation by Engineer/Architect Method								
14159	Kawneer Company, Inc.	Exterior Doors	Sliding Exterior Door Assemblies	a	-	-	<u>Recommend Approval</u>	New
14159	Public Comment by Jaime Gascon.						Sliding glass door products .1, .2, and .3 need safety glass lites specified per FBC 2406.3(2) for non-HVHZ and FBC 2411.3.1.3 for HVHZ.	
14159	Commentary and Recommendation by Administrator			c	c	c	The public commentary is correct. The exterior glass lites are not a required safety glazing. <u>Recommend Conditional Approval with condition of: Remove L.M.I. glazing options for .3. For .1 and .2 modify glazing detail to provide safety glazing and structural sealant.</u>	
14224	Gulf Coast Supply and Mfg., Inc.	Roofing	Metal Roofing	a			<u>Recommend Approval</u>	New
14224	Public Comment by Jaime Gascon.						On 'other limits of use', specify "-63.5 psf @ 5 3/16" o.c. -161.0 psf @ 5 3/16" o.c. with clip."	
14224	Commentary by Administrator						The limit is properly described on the evaluation report. The spacing	

							on face of application is in agreement with evaluation report. Adding the words "with clip" could be additional assurance, but the application provides the correct spacing.	
14240	Clark Hall Doors	Exterior Doors	Swinging Exterior Door Assemblies	a	-	-	Recommend Approval	New
14240	Public Comment by Jaime Gascon.						Confirm that three specimens were tested to TAS202, and that each were inclusive of the air infiltration testing, and forced entry requirement testing. Else, indicate not for use in the HVHZ.	
14240	Response by Kristina S. Daugherty, P.E.						We will remove HVHZ rating from this application.	
14240	Commentary and Recommendation by Administrator			c	c	c	The response by evaluating engineer changing the limits of use of the product could indicate that there could be performance issues with the testing performed. The test report should be provided for verification purposes. <u>Recommend Conditional Approval with conditions of: Indicate "No" for use within HVHZ. Provide test reports to verify performance.</u>	
14247	FRP Lite	Exterior Doors	Swinging Exterior Door Assemblies	a	-	-	Recommend Approval	New
14247	Public Comment by Jaime Gascon.						Part of the notes on sheet 1 of the drawings are not legible; blocked by	

							a post-it when scanned.	
14247	Response by Josh Royce						We would like to submit the corrective action of replacing the drawing set on the webiste with a fresh set of drawings that has the "post-it" removed. We would appreciate the conditional approval and then fix the drawings after the FBC vote.	
14247	Commentary and Recommendation by Administrator			c	c	c	The public comment is correct. <u>Recommend Conditional Approval with condition of: Provide corrected sheet 1 of Installation Instructions with "post it" removed.</u>	
Evaluation by Test Report								
12371	Solar-Cool Corporation	Roofing	Roofing Accessories that are an Integral Part of the Roofing System	a	-	-	Recommend Approval	New
12371	Public Comment by Jaime Gascon.						1. The PV Panel Component does not comply with the clearance requirements specified in FBC Table 1522.3 for roof mounted equipment. 2. The electric line does not comply with clearance requirements specified in FBC 1522.3.4. 3. There are also problems with the uploaded installation specs as it is specifying that the shingles between the vent and panel be popped up and the electrical line be placed under the	

							shingles with the excess coiled under the PV panel. Per NEC 2008 Article 690 IV. Wiring Methods	
12371	Public Comment by Jaime Gascon (Cont.).						<p>690.31 Methods Permitted.</p> <p>(A) Wiring Systems. All raceway and cable wiring methods included in this Code and other wiring systems and fittings specifically intended and identified for use on photovoltaic arrays shall be permitted. Where wiring devices with integral enclosures are used, sufficient length of cable shall be provided to facilitate replacement.</p> <p>Where photovoltaic source and output circuits operating at maximum system voltages greater than 30 volts are installed in readily accessible locations, circuit conductors shall be installed in a raceway.</p> <p>4. The installation specs also state the vent may be installed in a slope as low as 2.5" on 12" but it was only tested at a slope of 4" on 12" in PRI TAS 100.</p> <p>5. The PRI tested vents and PV panel were not tested as specified in the installation spec; specifically the electric line was never connected between the vent and the PV panel as indicated in the spec.</p> <p>Indicate not for use in the HVHZ.</p>	
12371	Response by Steven M. Urich, PE						<p>First, we would like to remove the approval for use in the HVHZ.</p> <p>Jeffrey understands this limitation and is amenable to it. This should</p>	

							<p>address comments 1 and 2 from Mr. Gascon.</p> <p>Second, comment #3 is addressed by stating, with back up information from a label on the PV panel that the maximum voltage the unit operates with is 22.1 VDC.</p> <p>According to the comment, the raceways are only required for use on units operating at greater than 30 Volts.</p> <p>Third, we would like to change the minimum slope on the application and installation instructions to 4:12.</p> <p>Finally, Solar-Cool units have been installed for many years throughout Florida with no failure of the wiring or wiring connectors. Therefore, we would ask that the tested unit be allowed to demonstrate compliance with the wind driven rain standard that was used.</p> <p>Please consider these responses as asking for a conditional approval at the commission meeting until such time as the changes noted above can be made to the application.</p>	
12371	Commentary and Recommendation by Administrator			d	d	d	<p>Indicating "No" for HVHZ in order not to comply with Sect. 1522.3 does not correct the non-compliance of the installation(s). Sect 1509.7 and Table 1509.7 contain the same requirements for outside HVHZ. For a voltage less than 30 v the electrical comments are not required.</p> <p>The test report indicates a slope of</p>	

							2" for the tested assembly. With the Test Report Method, the product needs to be installed as tested. <u>Recommend Deferral with conditions of: Provide new testing in accordance with Sections 1509.7/1522.3. Provide installation instructions in accordance with new tested assembly.</u>	
Evaluation by Evaluation Entity								
14256	Windoor Incorporated	Windows	Mullions	a	-	-	Recommend Approval	New
14256	Public Comment by Rick Wright						Roberto Lomas is the authorized signature for the application; the engineer who signed and sealed the calculations and drawings for the Dade NOA presented in the upload and the engineer performing the validation for the application.	
14256	Response by Roberto Lomas P.E.						This is an evaluation by an Evaluation Entity and therefore the validation is an administrative validation and not a technical validation. Also, this evaluation has gone through the review and approval process of Miami-Dade. Based on these premises and knowing that the evaluation was not prepared by Mr. Lomas, then, the validation may be done by Mr. Lomas. This is not a conflict and should not prevent this application from being approved.	

14256	Commentary and Recommendation by Administrator			c	c	c	<p>Rule 9N-3 indicates that the validator needs to be independent from all entities on the approval process. The evaluation report indicates that the validator provided services to obtain the NOA, therefore he is not an independent party. <u>Recommend Conditional Approval with condition of: Provide validation by an independent validator.</u></p>	
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