

**BUILDING CODE SYSTEM ASSESSMENT
AD HOC COMMITTEE
REPORT TO THE FLORIDA BUILDING COMMISSION**



JANUARY 31, 2012—MEETING III

ST. PETE BEACH, FLORIDA

FACILITATION, MEETING AND PROCESS DESIGN BY



CONSENSUS CENTER

**REPORT BY JEFF A. BLAIR
FCRC CONSENSUS CENTER
FLORIDA STATE UNIVERSITY**



jblair@fsu.edu
[http:// consensus.fsu.edu](http://consensus.fsu.edu)

*This document is available in alternate formats upon request to DBPR, Codes & Standards,
1940 North Monroe Street, Tallahassee, FL 32399-0772, (850) 487-1824.*

FLORIDA BUILDING COMMISSION

BUILDING CODE SYSTEM ASSESSMENT AD HOC COMMITTEE REPORT

OVERVIEW

Triennial Report to the Legislature. 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 effected changes to the System as a result of the assessment process. 2011 marked the ten-year anniversary since the Florida Building Code became effective, and the Commission initiated a comprehensive assessment of the Building Code System with recommendations developed by the Commission's Building Code System Assessment Ad Hoc Committee. Public input was a major component of the assessment process and the Survey in addition to multiple public comment opportunities were an important part of the Commission's analysis of the Building Code System. The Commission adopted conceptual recommendations at the October 2011 meeting and will report the strategy for evaluating them to the 2012 Legislature. The Commission's final recommendations will be a major component of their Report to the 2013 Legislature.

Raul L. Rodriguez, AIA, Immediate Past Commission Chair, appointed an ad hoc committee of Commission members (Building Code System Assessment Ad Hoc Committee) to review the results of the Building Code System assessment survey and Stakeholder Workshops and develop recommendations for the Commission regarding any proposed changes to the Florida Building Code System. This is a facilitated consensus-building process and will conclude with recommendations for enhancements to the System submitted to the 2013 Legislature.

AD HOC COMMITTEE MEMBERSHIP	
MEMBER	REPRESENTATION
Dick Browdy (FBC Chair)	Home Builders
Hamid Bahadori	Fire Officials and Fire Protection Technologist
Ed Carson	Contractors, Manufactured Buildings, Product Approval
Herminio Gonzalez	Code Officials (SE Florida) and Product Evaluation Entities
Dale Greiner	Code Officials (Central Florida) and Local Government
Jeff Gross	Building Management Industry
Jon Hamrick	Public Education and State Agencies
John Scherer	General Contractors
Jim Schock	Code Officials (NE Florida)
Chris Schulte	Roofing/Sheet Metal and AC Contractors
Tim Tolbert	Code Officials (NW Florida)
Mark Turner	Electrical Contractors and Construction Subcontractors

REPORT OF THE JANUARY 31, 2012 MEETING

OPENING AND MEETING ATTENDANCE

The meeting started at 1:00 PM, and the following Committee members were present: Dick Browdy (Chair), Herminio Gonzalez, Dale Greiner, Jeff Gross, Jon Hamrick, Jim Schock, and Chris Schulte.

Additional Commission Members Present

Bob Boyer, Kiko Franco, Nick Nicholson and Jeff Stone.

DCA Staff Present

Leslie Anderson-Adams, Rick Dixon, Ila Jones, Jim Hammers, and Mo Madani.

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

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

AGENDA REVIEW AND APPROVAL

The Ad Hoc voted unanimously, 7 - 0 in favor, to approve the agenda as presented including the following objectives:

- To Approve Regular Procedural Topics (Agenda and October Summary Report)
- To Review Building Code System Assessment Adopted Recommendations
- To Review and Adopt Criteria for Prioritizing Implementation of Recommendations
- To Discuss Scope and Logistics Regarding Implementation of Consensus Recommendations
- To Conduct Prioritization Ranking Exercise of Consensus Recommendations
- To Consider Public Comment
- To Adopt Prioritization Implementation Recommendations for Submittal to the Commission regarding Consensus Recommendations for Enhancements to the Florida Building Code System
- To Identify Needed Next Steps

REVIEW AND APPROVAL OF THE OCTOBER 10, 2011 FACILITATOR’S SUMMARY REPORT

Motion—The Ad Hoc voted unanimously, 7 - 0 in favor, to approve the October 10, 2011 Facilitator’s Summary Report as presented.

Amendments:

None.

BUILDING CODE SYSTEM ASSESSMENT PROJECT SCOPE OVERVIEW

Jeff Blair, Commission Facilitator, reviewed the scope of the project and answered participant’s questions. Jeff explained that 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 the Commission again solicited stakeholder input in the form of an on-line survey (conducted from June 25 – August 30, 2010), and at the October 2010 meeting the Commission voted to conduct a comprehensive evaluation of the Building Code System. The Commission decided to conduct an expanded survey running from June 2010 through January 2011 and to use the results as one of the inputs for developing a package of recommendations for enhancements to the key components of the Florida Building Code System. The Goals of the 2011 Florida Building Code System Assessment are to evaluate the System for its successes and deficiencies, and to identify and select options for improvement. The Foundations of the Building Code System were evaluated are:

Foundation I	The Code and the Code Development Process
Foundation II	The Commission
Foundation II	Local Administration of the Code (Enforcement)
Foundation IV	Strengthening Compliance and Enforcement (Education)
Foundation V	Product Approval

To coordinate the project an ad hoc committee of Commission members was appointed to review the results of the Building Code System Assessment Surveys (I and II) as well as comments received during a series of workshops conducted during 2011, and to develop recommendations for the Commission regarding any proposed changes to the Building Code System. Consistent with Commission policy the project is a facilitated consensus-building process conducted in collaboration with stakeholders. The BCSA Ad Hoc met for the first time at the October 2010 Commission meeting and adopted conceptual recommendations at the October 2011 meeting. At the October 2011 meeting the Commission adopted the Ad Hoc’s package of consensus recommendations in concept, including staff’s comments, to be evaluated/analyzed in the context of fiscal, economic/financial, technical, and life-safety criteria, with recommendations meeting the criteria evaluated and developed in consultation with stakeholders, for consideration by the Commission for submittal to the 2013 Legislature. The Ad Hoc Committee met January 31, 2011 to adopt prioritization criteria, and conducted a prioritization ranking exercise of the consensus recommendations. The Commission will implement recommendations based on the prioritization results considering urgency, feasibility of implementation, available resources, stakeholder support and relevance to the Commission’s mission and statutory authorities. The Commission’s final recommendations for enhancements to the Florida Building Code System will be a major component of their Report to the 2013 Legislature. The ultimate goal of the project is to conduct a comprehensive assessment of the Florida Building Code System at the ten-year anniversary of the Florida Building Code.

(Attachment III—Building Code System Project Overview)

PROJECT SCHEDULE AND CHRONOLOGY

BUILDING CODE SYSTEM ASSESSMENT PROJECT CHRONOLOGY	
DATE	ACTIVITY
PHASE I	
June 25 – August 30, 2010	On-Line Survey
PHASE II	
October 12, 2010	Building Code System Assessment Ad Hoc Committee Meeting
June 25, 2010 – January 28, 2011	On-Line Survey Extension
PHASE III	
October 13, 2010	Public Comment Opportunity I
December 7, 2010	Public Comment Opportunity II
April 5, 2011	Building Code System Assessment Workshop I
June 6, 2011	Building Code System Assessment Workshop II
August 8, 2011	Building Code System Assessment Workshop III
October 10, 2011	Building Code System Assessment Ad Hoc Committee Meeting
October 11, 2011	Commission Adopts Conceptual Recommendations for inclusion in Report to the 2012 Legislature
December 2011	Report to 2012 Legislature conveyed
PHASE IV	
January 1, 2012	Report to 2012 Legislature
January 2012	Criteria for evaluating recommendations developed
January 31, 2012	Ad Hoc adopts criteria and prioritizes consensus recommendations.
February – November 2012	Specific recommendations implemented based on prioritization exercise results.
December 2012	Commission adopts specific Building Code System recommendations for Submittal to 2013 Legislature.
January 2013	Recommendations included in the Commission’s Report to 2013 Legislature.
<i>(Attachment IV—Building Code System Assessment Workplan)</i>	

DISCUSSION REGARDING SCOPE AND LOGISTICS FOR IMPLEMENTATION OF CONSENSUS RECOMMENDATIONS

During the meeting members were asked to evaluate consensus recommendations in terms of priority. In determining priorities members were asked to prioritize recommendations using a four-point prioritization scale as follows:

PRIORITIZATION RANKING SCALE FOR IMPLEMENTING CONSENSUS RECOMMENDATIONS	
4	HIGHEST LEVEL OF PRIORITY—URGENT
3	HIGH LEVEL OF PRIORITY
2	MODERATE LEVEL OF PRIORITY
1	LOW LEVEL OF PRIORITY

Members were asked to consider the following criteria for prioritizing the implementation of the Commission’s adopted *Consensus Recommendations*:

CRITERIA FOR PRIORITIZING IMPLEMENTATION OF CONSENSUS RECOMMENDATIONS	
CRITERIA	EXPLANATION
URGENT	Is it essential to implement the recommendation? Will things get worse if the recommendation is not implemented?
FEASIBLE	Is it likely that the recommendation will be implemented, and successful in achieving the goal of the recommendation?
RESOURCES	Are there resources available, or likely to become available for implementing the recommendation? Is the recommendation cost effective?
SUPPORT	Does the recommendation enjoy broad support across stakeholder sectors?
RELEVANCE	Is the recommendation within the Commission’s statutory charge and mission?

Following public comment, questions and answers and discussion the Ad Hoc took the following action:

Ad Hoc Actions:

Motion—The Ad Hoc Committee voted unanimously, 7 - 0 in favor, to adopt the proposed criteria (above) for prioritizing consensus recommendations regarding the Florida Building Code System.

(Attachment V—Consensus Recommendations)

PRIORITIZATION RANKING EXERCISE FOR CONSENSUS RECOMMENDATIONS

BCSA Ad Hoc Committee members were asked to prioritize each of the Commission’s 27 adopted *Consensus Recommendations* based on the five prioritization criteria (urgency, feasibility of implementation, available resources, stakeholder support and relevance to the Commission’s statutory authorities) using a four-point scale where a 4 equals the highest level of priority and a 1 equals the lowest level of priority. Members were asked to rank the priority of each recommendation independently and not in relation to the other recommendations. Each of the ranked *Consensus Recommendations* were tallied and arranged in order of highest priority (1) to lowest priority (27). The ranking results ranged from a high of 40 to a low of 12 out of a possible 40. Following are the results of the ranking exercise:

OVERALL RANKING (1-27)	CONSENSUS RECOMMENDATION (FOUNDATION #)	RAW SCORE (40 TO 10)
1	FBC (NEC) available on-line and fully searchable (I.)	40
1	Use workgroup process to address special topical issues (II.)	40
1	Notify stakeholders on updates, issues and notifications (II.)	40
1	Seek legislative authority for the Commission to challenge local technical amendments (III.)	40
1	Comprehensive searchable FBC System data-base (IV.)	40

1	DBPR/licensing boards evaluate laws and rules CE req's. (IV.) DBPR/licensing boards evaluate core course requirement DBPR/licensing boards evaluate trainer qualifications DBPR/licensing boards evaluate using FBC education approval process DBPR/licensing boards evaluate using FBC evaluation model for course accreditation DBPR/licensing boards/DSFM evaluate whether to approve/accredit and require joint training DBPR/licensing boards evaluate mandatory Code CEU requirements for code officials	40
1	Enhance Product Approval data-base (part of BCIS) (V.)	40
8	Link all local technical amendments to FBC (II.)	39
9	Ensure local jurisdictions receive regular updates (establish process); acknowledge receipt function (I.)	38
9	Statewide requirement for how product approval documentation should be submitted to building departments (V.)	38
11	With BOAF ensure code interpretations are consistent (III.)	37
11	Require FBC approval of local technical amendments (III.)	37
13	Interagency coordination workgroup between state regulatory agencies and local jurisdictions (I.)	36
13	Workgroup to ensure that the ISO recognizes the FBC (I.)	36
15	Develop secure dedicated funding source for Commission (II.)	35
16	Salt-air corrosion requirements for connectors (I.)	33
16	FBC I-Code participation evaluation (I.)	33
16	Workgroup to evaluate current education system (IV.)	33
19	Insurance credits/incentives for building better/stronger than code (I.)	31
20	Workgroup on non-binding opinions for FACBC (I.)	26
21	Coastal HHZ building construction provisions workgroup (I.)	25
22	Convene topical workgroups for Code Updates (I.)	24
23	Clarify agricultural exemptions (process) (I.)	22
24	Cross-reference table regarding state agency regulations (I.)	21
24	AA program for building officials (IV.)	21
26	Joint workgroup to develop SOPs and MOUs for use by local Emergency Operation Centers (EOC) (I.)	17
27	Evaluate all exemptions/exceptions in the Code (I.)	12

Ad Hoc Committee members agreed that some of the recommendations are already in place and others are already Commission policy, and a low ranking in these cases does not represent a lack of support for the recommendation(s) only that it/they is/are not a high priority to address since it/they is/are already in effect.

Ad Hoc Actions:

Motion—The Ad Hoc Committee voted unanimously, 7 - 0 in favor, that the series of recommendations relevant to the Department of Business and Professional Regulation (DBPR) should be forwarded to the Agency with a letter of explanation from the Commission Chair.

(Attachment VI—Ranking Results)

(Attachment VII—Ad Hoc Member Comments on Recommendations)

GENERAL PUBLIC COMMENT

Members of the public were invited to provide the Ad Hoc Committee with comments. Members of the public were provided opportunities to speak on each of the substantive discussion issues before the Ad Hoc Committee. There were no additional public comments offered.

ADOPTION OF RECOMMENDATIONS FOR SUBMITTAL TO THE COMMISSION

Following public comment, questions and answers and discussion the Ad Hoc took the following action:

Ad Hoc Actions:

Motion—The Ad Hoc Committee voted unanimously, 7 - 0 in favor, to adopt the package of recommendations regarding prioritization ranking results of recommendations and the related implementation strategy and to submit them to the Commission for approval.

ADJOURNMENT

The Ad Hoc Committee voted unanimously, 7 – 0 in favor, to adjourn at 2:15 PM.

ATTACHMENT I
MEETING EVALUATION RESULTS

January 31, 2013—St. Pete 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.

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

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

- 9.90 Adoption of Criteria for Prioritizing Implementation of Recommendations.
- 9.90 Scope and Logistics Regarding Implementation of Consensus Recommendations Discussion.
- 9.90 Prioritization Ranking Exercise of Consensus Recommendations Results.
- 9.90 Adoption of Recommendations for Submittal to the Commission.

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

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

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

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

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

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

6. What did you like best about the meeting?

- Location. Good participation by all.
- Organization.

7. How could the meeting have been improved?

- Doughnuts and coffee.
- Time of meetings.

8. Additional Comments.

- Thank you for allowing me to vote.
- Excellent meeting with good feed back from all.
- Jeff runs the facilitation process well and saves time by keeping everyone in order.

**ATTACHMENT II
MEETING ATTENDANCE**

NAME	AFFILIATION
Charlie Frank	DFS/SFM
Lynn Miller	PGT Industries
Sharon Browdy	Public
Joe Hetzel	DASMA
Dwight Wilkes	AAMA
Joe Eysllo	FNGA
Jaime Gascon	Miami Dade County
Carroll J. Dupre	Manatee County
ADDITIONAL COMMISSION MEMBERS PRESENT	
Nick Nicholson	FBC
Bob Boyer	FBC
Jeff Stone	FBC

ATTACHMENT III

FLORIDA BUILDING CODE SYSTEM 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 SYSTEM IS COMPRISED OF FIVE ESSENTIAL COMPONENTS. A SUMMARY OF EACH FOLLOWS:

I. The Florida Building Code and the Code Development Process. Historically the promulgation of codes and standards was the responsibility of local jurisdictions. It was determined that Florida's system is " a patchwork of codes and regulations developed, amended, administered and enforced differently by more than 400 local jurisdictions and state agencies with building code responsibilities". A critical component for an effective building code system was to develop and implement a single state-wide code.

The purpose of developing s single state-wide building code was to:

1. Serve as a comprehensive regulatory document to guide decisions aimed at protecting the health, safety and welfare of all of Florida's citizens.
2. Provide uniform standards and requirements through the adoption by reference of applicable national codes and providing exceptions when necessary.
3. Establish the standards and requirements through performance-based and prescriptive based criteria where applicable.
4. Permit and promote innovation and new technology.
5. Require adequate maintenance of buildings and structures, specifically related to code compliance, throughout the State.
6. Eliminate restrictive, obsolete, conflicting and unnecessary construction regulations that tend to increase construction costs unnecessarily or that restrict the use of innovation and new technology.

The new 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 interim amendments and a triennial foundation code update.

II. The Commission. The Commission is an appointed representative stakeholder body that develops, amends and updates the Code. The Commission is comprised of members representing each of the key interests in the building code system. The Commission meets every six weeks and in addition to their code development responsibilities, regularly consider petitions for declaratory statements, accessibility waiver requests, the approval of products and entities, and the approval of education courses and course accreditors. The Commission also monitors the building code system and reports to the Legislature annually with their recommendations for changes to statute and law.

III. Local Administration of the Code. The Study Commission recommended, and subsequent legislation maintained, that the Code shall be administered and enforced by local government building and fire officials. The Commission has certain authorities in this respect such as the number and type of required inspections. However, the Commission's main responsibility remains amending the Code, hearing appeals of local building officials decisions, and issuing binding interpretations of any provisions of the Florida Building Code.

IV. Strengthening Compliance and Enforcement. Compliance and enforcement of the Code is a critical component of the system with the Commission's emphasis in this regard is on education and training. The Study Commission determined that in order to have an effective system a clear delineation of each participant's role and accountability for performance must be effected. There should be a formal process to obtain credentials for design, construction, and enforcement professionals with accountability for performance. Opportunities for education and training were seen as necessary for each participant to fulfill their role competently. Although many of the Commission's functions related to education were recently assigned to a legislatively created Education Council, education remains a cornerstone of the building code system. The Commission remains focused on the approval of course accreditors and the courses developed/recommended by approved accreditors.

V. Product Evaluation and Approval. In order to promote innovation and new technologies a product and evaluation system was determined to be the fifth cornerstone of an effective Building Code System. The product approval process should have specific criteria and strong steps to determine that a product or system is appropriately tested and complies with the Code. Quality control should be performed by independent agencies and testing laboratories which meet stated criteria and are periodically inspected. A quality assurance program was also deemed essential. The Commission adopted a Product Approval System by rule and currently approves products for state approval and product approval entities. Local product approval remains under the purview of the local building official as a part of the building permit approval process.

ADDITIONAL KEY BUILDING CODE SYSTEM PROGRAMS

A. Building Code Information System. The Building Code Information System (BCIS) was developed in early 2000 to implement the new responsibilities, business practices, and automated systems required by the Florida Building Code. The BCIS is a multi-functional database that provides building professionals, the general public, local governments, and manufacturers with single-point access to the Florida Building Code, Manufactured Building Program, Product Approval System, Prototype Program, local code amendments, declaratory statements, nonbinding opinions, and the interested party list.

Since its initial deployment, significant new functionality has been added to the BCIS in response to new legislation and to accommodate the changing needs of the Commission and DCA. The amount of information now available via the BCIS has more than doubled in the last four years; the number and type of users has correspondingly increased as new needs are addressed. The web site has become more complex and more difficult to locate needed information. As a result, the Department is in the process of updating the BCIS to address the overall accessibility of information contained within the BCIS.

B. Manufactured Buildings Program. Chapter 553, Part I, FS, known as the Manufactured Buildings Act of 1979, governs the design, plans review, construction and inspection of all buildings (excluding mobile homes) manufactured in a facility to ensure compliance with the Florida Building Code. Rule Chapter 9B-1 FAC was subsequently adopted by the Commission to adequately govern the program and to ensure that manufacturers and independent Third Party Inspection Agencies maintain performance standards. Inspections agencies qualified under this program and serving as agents for the State, provide construction plan reviews and in-plant inspections. All manufacturers and Third Party Agencies are monitored at least once per year to ensure quality assurance and adequate code enforcement. Manufactured Buildings approved under this program are exempted from local code enforcement agency plan review except for provisions of the code relating to erection, assembly or construction at the site.

C. Prototype Buildings Program. Chapter 553.77(5) F.S., Rule 9B-74 Prototype Plan Review and Approval program. The plans review program was developed by the Florida Building Commission to address public and private entities such as buildings and structures that could be replicated throughout the state. This program is conducted by an Administrator delegated by the Commission, this Administrator has qualifications to review plan compliance with the Florida Building Code and certified per the requirements of Chapter 468, F.S. The program Administrator contracts with qualified plans examiners to review Prototype plans for Code compliance with the Florida Building Code and Florida Fire Prevention Code, these plans examiners are certified in Chapter 468 or 633 F.S., or both Chapters 468 and 633, F.S. The prototype plans are reviewed for completeness in a timely manner compliant with Chapter 120 F.S.. Each approved Prototype plan is issued an identification tracking number, this number is used to track replicated plans to local governments. The Administrator regularly attends the Florida Building Commission and reports on the progress of the Prototype Buildings Program.

D. Alternative Plans Review and Inspections—Private Provider System for Plans Review and Inspection Functions. §553.791, Florida Statutes, was created in 2002 to allow property owners to utilize the services of a private interest to perform plan review and/or inspection services in lieu of, but subject to review by the local permitting authority. The legislation creating the process also directed the Commission to review the system and report the results to the legislature which was accomplished in the Commission's 03-04 report. In addition, the Commission as a result of a consensus stakeholder process convened in 2004, proposed, additional refinements to the system in the Commission's 04-05 report. In 2005 the Florida Legislature adopted a package of refinement to the system which were signed into law in the summer of 2005.

E. Interaction and Coordination Between the Florida Building Code and Other State Based Building Construction Regulations. The Florida Building Commission is committed to coordinating with other State agencies charged with implementing and enforcing their respective State based building construction regulations. The Commission only has authority to amend the Florida Building Code and respective rules, and other state agencies have similar authority for their respective rules and regulations. The Commission has worked closely with other state agencies to ensure consistency and coordination between the various codes and rules.

F. Enforcement of Other State Based Building Construction Regulations at the Local Level. Enforcement of state agency regulations occurs primarily at the local level under the jurisdiction of the respective agency's local officials. Regulations should be clear and consistent across the State, and coordination is required between the Florida Building Code's and other agency's requirements.

ATTACHMENT IV

BUILDING CODE SYSTEM ASSESSMENT WORKPLAN

BUILDING CODE SYSTEM ASSESSMENT PROJECT 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
• Ad Hoc conducts on-line Survey Phase I.	June 2010	Aug. 2010
• Ad Hoc Meeting I—Organizational Meeting.	Oct. 12, 2010	
• On-Line Survey Phase II conducted.	Oct. 2010	Jan. 2011
• Large Forum Public Workshop.	April 2011	--
• Second Workshop	June 2011	--
• Third Workshop	Aug 2011	--
• Ad Hoc Committee meets to develop recommendations	Oct 2011	--
• Ad Hoc meets if needed to finalize recommendations	Dec. 2011	--
• Ad Hoc adopts prioritization criteria and prioritizes Commission’s consensus recommendations	Jan. 2012	--

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 results compiled and a report issued.	Oct. 2010	Feb. 2011
4. Ad Hoc delivers recommendations to Commission	Oct. 2011	--
5. Commission provides Ad Hoc with feedback if needed	Oct. 2011	--
6. Commission adopts Ad Hoc recommendations	Dec. 2011	Dec 2011

7. Ad Hoc adopts prioritization criteria and prioritizes Commission's consensus recommendation	Jan. 2012	Jan. 2012
--	-----------	-----------

D. PUBLIC INVOLVEMENT		
	START DATE	COMP. DATE
• Survey Phase I conducted on-line	June 2010	Aug. 2010
• Survey Phase II conducted on-line.	Oct. 2010	Jan. 2011
• Public recommendations sought at workshops. (2011: April, June and August)	April 2011	August 2011
• Public comments solicited at Ad Hoc Committee meetings. (2010: October; 2011: April, October, and December; 2012: January)	Oct. 12, 2010	Dec. 2011
• Public comments received at each Commission meeting. (2010: October; 2011: February, April, June, August, October, and December; 2012: January)	Oct. 2010	Jan. 2012

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.

ATTACHMENT V

BUILDING CODE SYSTEM ASSESSMENT PROJECT CONSENSUS RECOMMENDATIONS

The Building Code System Assessment Ad Hoc Committee evaluated the package of consensus recommendations developed by stakeholder and determined they should be evaluated further in the context of fiscal, economic/financial, technical, and life-safety criteria before they were recommended to the Legislature for implementation. Based on the Ad Hoc's analysis of the consensus recommendations developed by stakeholders from an on-line survey and a series of three stakeholder workshops, the Commission voted unanimously to adopt the recommendations in concept (October 10, 2011). The Commission determined that the recommendations should be evaluated in the context of fiscal, economic/financial, technical, and life-safety criteria, with recommendations meeting the criteria evaluated and developed in consultation with stakeholders during 2012, for consideration by the Commission for implementation and/or submittal to the 2013 Legislature. Following are the Commission's adopted conceptual recommendations for enhancements to the Florida Building Code System:

COMMISSION'S ADOPTED CONCEPTUAL RECOMMENDATIONS

FOUNDATION I RECOMMENDATIONS—THE CODE

- a.) *Establish an interagency coordination workgroup to ensure there is effective coordination and communication between state regulatory agencies and local jurisdictions.*
- b.) *Develop insurance credits/incentives for building better/stronger than code (e.g. hurricane resistant, fire and etc provisions).*
- c.) *Develop an effective communication vehicle/process connected with a comprehensive database that ensures local jurisdictions receive regular updates regarding the Florida Building Code System.*
- d.) *Evaluate current requirements in coastal areas and mandate connectors that will withstand salt-air corrosion.*
- e.) *Have the Florida Building Code available on-line and fully searchable. This would be a part of the updated, revised, fully searchable, user-friendly, and comprehensive BCIS.*
- f.) *Establish a joint FBC workgroup with the Department of Emergency Management (DEM) and relevant stakeholders (e.g., BOAF) to develop SOPs and MOUs for use by local Emergency Operation Centers (EOC).*
- g.) *Workgroup/process to ensure that the ISO recognizes the Florida Building Code for equivalent points for BSEGS (provide equal credits to the I-codes).*
- h.) *Workgroup to evaluate expanding interpretation authorities for Accessibility Code to non-binding opinions.*
- i.) *Workgroup to evaluate coastal high hazard zone building construction provisions. (Evaluation of all coastal areas construction provisions was intended, broad generic definition if CHZ, not just the state law CHZ).*

j.) Develop a cross-reference table regarding state agency regulations that impact construction.

k.) Agricultural exemptions should be clarified (i.e., show horse arenas).

l.) Convene the Florida Accessibility Code Workgroup, Florida Energy Code Workgroup, Flood Standards Workgroup, Code Amendment Process (and other relevant topical workgroups) prior to each triennial code update to develop recommendations to the Commission regarding their respective topical areas.

m.) Develop recommendations for how Florida can more effectively participate in the I-Code process and successfully get needed Florida specific requirements into the I-Codes (reducing variations between the FBC and the I-Codes).

n.) Conduct a comprehensive review and evaluation of all exemptions in the Code (i.e., statutory, I-Codes, etc.).

FOUNDATION II RECOMMENDATIONS—THE COMMISSION

a.) Provide a link from the Florida Building Code to all relevant local technical amendments.

b.) Continue to use the Commission's workgroup process to deal with special topical issues, and to eliminate conflicts between the codes (e.g. FFPC and FBC).

c.) Provide notice to all building codes/ construction related professional associations regarding updates, issues and notifications.

d.) Ensure the Commission has a dedicated, secure and adequate funding source to properly meet their mission and mandates. The dedicated funding source can only be used for Commission functions and Florida Building Code System related activities.

FOUNDATION III RECOMMENDATIONS—LOCAL ADMINISTRATION

a.) Utilize local BOAF chapters to find out from clients in their region where code interpretations are uniform, and then work out consensus on interpretations.

b.) Require local technical amendments to be approved by the Florida Building Commission prior to adoption.

FOUNDATION IV RECOMMENDATIONS—STRENGTHENING COMPLIANCE AND ENFORCEMENT

a.) Investigate development of an associate degree program with Universities/ Colleges for building officials.

b.) Create and maintain a comprehensive searchable data-base containing all Commission/ Code related items and automatically communicate/ transmit all relevant updates and changes to all jurisdictions (i.e., FBC policy decisions, statutory changes, declaratory statements, binding interpretations, product approval issues, code updates, etc.). This would

be an updated, revised, fully searchable, user-friendly, linked, and comprehensive BCIS. The Florida Building Code and all relevant standards and documents should be available on the BCIS (fully searchable).

{Note: There were many suggestions regarding enhancing the BCIS/FBC website and the need to communicate more effectively and frequently with local jurisdictions, associations and stakeholders.

c.) Convene workgroup to evaluate and make recommendations on the current education system.

d.) Recommend that DBPR and the licensing board evaluate whether to require all building code related professions to have mandatory “laws and rules” continuing education requirements for inclusion in the licensing boards rules and/or statutes.

e.) Recommend that DBPR and the licensing board evaluate whether to develop approved core classes required and accepted by the various boards for inclusion in the licensing boards rules and/or statutes (i.e., Fire Safety Inspector, BCAIB, CILB, ECILB, Architect's Board, and Engineer's Board).

f.) Recommend that DBPR and the licensing board evaluate whether all Building Code System trainers should have minimum qualifications, and whether to develop criteria to ensure training materials are accurate and trainers are properly qualified for inclusion in the licensing boards rules and/or statutes.

g.) Recommend that DBPR and the licensing board evaluate whether to use the Commission's education approval process as an interface between licensing boards so approved courses are approved across the relevant professions, for inclusion in the licensing boards rules and/or statutes.

h.) Recommend that DBPR and the licensing board evaluate whether to use the Commission's evaluation model for course accreditation (enhance consistency and cross discipline course approvals), for inclusion in the licensing boards rules and/or statutes.

i.) Recommend that the State Fire Marshal's Office, DBPR and individual licensing boards evaluate whether to approve/ accredit and require joint training for fire and building officials (consistency of interpretation and enforcement of fire provisions, for inclusion in the licensing boards rules and/or statutes.

j.) Recommend that DBPR and the individual licensing boards evaluate whether to mandate a continuing education process for code officials requiring them to keep current in the codes and administrative practices, requiring CEUs on the Florida Building Code, and increase the number of CEUs required for all licensees (building officials, plans examiners, inspectors, etc.), for inclusion in the licensing boards rules and/or statutes.

FOUNDATION V RECOMMENDATIONS—PRODUCT APPROVAL

a.) Develop a faster, user-friendly, comprehensive, integrated and fully searchable product approval data-base and submittal system. The Product Approval data-base should be part of the comprehensive BCIS.

b.) Establish a statewide requirement for how product approval documentation should be submitted to Building Departments, with a standard form and the minimum documents required for submittal.

ATTACHMENT VI

CONSENSUS RECOMMENDATIONS PRIORITIZATION RANKING RESULTS

CONSENSUS RECOMMENDATIONS IMPLEMENTATION PRIORITIZATION EXERCISE RANKING RESULTS BY BUILDING CODE SYSTEM FOUNDATION						
CONSENSUS RECOMMENDATION	RANK	4	3	2	1	RAW SCORE
FOUNDATION I—THE CODE						
a.) Interagency coordination workgroup between state regulatory agencies and local jurisdictions	13	7	2	1	0	36
b.) Insurance credits/incentives for building better/stronger than code	19	3	5	2	0	31
c.) Ensure local jurisdictions receive regular updates (establish process); acknowledge receipt function	9	8	2	0	0	38
d.) Salt-air corrosion requirements for connectors	16	4	5	1	0	33
e.) FBC (NEC) available on-line and fully searchable	1	10	0	0	0	40
f.) Joint workgroup to develop SOPs and MOUs for use by local Emergency Operation Centers (EOC)	26	0	1	5	4	17
g.) Workgroup to ensure that the ISO recognizes the FBC	13	6	4	0	0	36
h.) Workgroup on non-binding opinions for FACBC	20	2	2	6	0	26
i.) Coastal HHZ building construction provisions workgroup	21	1	5	2	2	25
j.) Cross-reference table regarding state agency regulations	24	0	1	9	0	21
k.) Clarify agricultural exemptions (process)	23	2	2	6	0	22
l.) Convene topical workgroups for Code Updates	22	1	2	7	0	24
m.) FBC I-Code participation evaluation	16	5	4	0	1	33
n.) Evaluate all exemptions/exceptions in the Code	27	0	0	2	8	12
FOUNDATION II—THE COMMISSION						
a.) Link all local technical amendments to FBC	8	9	1	0	0	39
b.) Use workgroup process to address special topical issues	1	10	0	0	0	40
c.) Notify stakeholders on updates, issues and notifications	1	10	0	0	0	40
d.) Develop secure dedicated funding source for Commission	15	8	0	1	1	35
FOUNDATION III—LOCAL ADMINISTRATION						
a.) With BOAF ensure code interpretations are consistent	11	7	3	0	0	37
b.) Require FBC approval of local technical amendments	11	7	3	0	0	37
c.) Seek legislative authority for the Commission to challenge local technical amendments	1	10	0	0	0	40

CONSENSUS RECOMMENDATIONS IMPLEMENTATION PRIORITIZATION EXERCISE						
CONSENSUS RECOMMENDATION	RANK	4	3	2	1	RAW SCORE
FOUNDATION IV—COMPLIANCE AND ENFORCEMENT						
a.) AA program for building officials	24	0	2	7	1	21
b.) Comprehensive searchable FBC System data-base	1	10	0	0	0	40
c.) Workgroup to evaluate current education system	16	5	3	2	0	33
d.) DBPR/licensing boards evaluate laws and rules CE req's.	1	10	0	0	0	40
e.) DBPR/licensing boards evaluate core course requirement						
f.) DBPR/licensing boards evaluate trainer qualifications						
g.) DBPR/licensing boards evaluate using FBC education approval process						
h.) DBPR/licensing boards evaluate using FBC evaluation model for course accreditation						
i.) DBPR/licensing boards/DSFM evaluate whether to approve/accredit and require joint training						
j.) DBPR/licensing boards evaluate mandatory Code CEU requirements for code officials						
FOUNDATION V—PRODUCT APPROVAL						
a.) Enhance Product Approval data-base (part of BCIS)	1	10	0	0	0	40
b.) Statewide requirement for how product approval documentation should be submitted to building departments	9	8	2	0	0	38

ATTACHMENT VII

AD HOC MEMBER COMMENTS ON CONSENSUS RECOMMENDATIONS

⊖ *Develop insurance credits/incentives for building better/ stronger than code (e.g. hurricane resistant, fire and etc provisions).*

- Schock: expressed concern regarding achieving insurance industry buy-in.

⊖ *Develop an effective communication vehicle/process connected with a comprehensive database that ensures local jurisdictions receive regular updates regarding the Florida Building Code System.*

- Browdy: need to include a method to ensure the Commission's communications are received (i.e., confirmation of receipt,) by building departments.

⊖ *Evaluate current requirements in coastal areas and mandate connectors that will withstand salt-air corrosion.*

- Gonzalez: does this mean improvements to the existing requirements?
- Answer: yes, HVHZ has requirements but the rest of the state is not as stringent.
- Schock: change would need to be submitted as a code modification.

⊖ *Workgroup to evaluate expanding interpretation authorities for Accessibility Code to non-binding opinions.*

- Schock: expressed concern regarding the possibility that non-binding interpretations could conflict with DOJ requirements.
- Dixon: concern with outside bodies interpreting Florida law.
- Browdy: I agree.

⊖ *Workgroup to evaluate coastal high hazard zone building construction provisions. (Evaluation of all coastal areas construction provisions was intended, broad generic definition if CHZ, not just the state law CHZ).*

- Stone: I ranked this lower because I believe the new ASCE 7 will provide enhanced wind requirements sufficient to cover this.

⊖ *Agricultural exemptions should be clarified (i.e., show horse arenas).*

- Dixon: notes that authority for this is preempted to the Florida Department of Agriculture and Consumer Services (FDACS).
- Greiner: I agree with Rick on this.

⊖ *Convene the Florida Accessibility Code Workgroup, Florida Energy Code Workgroup, Flood Standards Workgroup, Code Amendment Process (and other relevant topical workgroups) prior to each triennial code update to develop recommendations to the Commission regarding their respective topical areas.*

- General Ad Hoc Comment: we agree with the practice but did not rank as a high priority because it is already the Commission's policy to do this.

⊖ *Develop recommendations for how Florida can more effectively participate in the I-Code process and successfully get needed Florida specific requirements into the I-Codes (reducing variations between the FBC and the I-Codes).*

- Browdy: I did not give this a high priority because I believe the 2013 code process will bring the FBC closer to I-Codes, and we are moving closer with each Update process.
- Gonzalez: there is no budget for this so it should not be high priority.

⊖ *Provide a link from the Florida Building Code to all relevant local technical amendments.*

- General Ad Hoc Comment: there is consensus for this. The problem is non-reporting by local governments. The tool is already in place on the Commission website. What is needed for the local jurisdictions to do the reporting.
- Greiner and Boyer: the problem is that code requirements are going into zoning ordinances to skirt the law.

⊖ *Provide notice to all building codes/ construction related professional associations regarding updates, issues and notifications.*

- Gross: electronic newsletters are effective tools for communicating with groups.
- Browdy: working with boards to get space in their newsletters would be effective as well since the Commission is now part of DBPR.

⊖ *Require local technical amendments to be approved by the Florida Building Commission prior to adoption.*

- Schock: the intent is to get local governments to participate in the Commission process.
- Gonzalez: can we add a proposal for a penalty if they don't comply?
- Madani: such requirements cannot be policed.
- Greiner: there are 2 kinds of local amendments, technical changes to the Building Code (local technical amendment) and criteria added to zoning ordinances.

⊖ *Investigate development of an associate degree program with Universities/ Colleges for building officials.*

- Schock: I'm not completely opposed to this concept, there are good aspects to it; perhaps AA could replace 1 year of experience requirement for building officials.
- Gonzalez: this would be in addition to what is already required, to ensure they are qualified.

⊖ *Recommend that DBPR and the licensing board evaluate whether to require all building code related professions to have mandatory "laws and rules" continuing education requirements for inclusion in the licensing boards rules and/ or statutes.*

⊖ *Recommend that DBPR and the licensing board evaluate whether to develop approved core classes required and accepted by the various boards for inclusion in the licensing boards rules and/ or statutes (i.e., Fire Safety Inspector, BCAIB, CILB, ECILB, Architect's Board, and Engineer's Board).*

⊖ *Recommend that DBPR and the licensing board evaluate whether all Building Code System trainers should have minimum qualifications, and whether to develop criteria to ensure training materials are accurate and trainers are properly qualified for inclusion in the licensing boards rules and/ or statutes.*

⊖ *Recommend that DBPR and the licensing board evaluate whether to use the Commission's education approval process as an interface between licensing boards so approved courses are approved across the relevant professions, for inclusion in the licensing boards rules and/ or statutes.*

⊖ Recommend that DBPR and the licensing board evaluate whether to use the Commission's evaluation model for course accreditation (enhance consistency and cross discipline course approvals), for inclusion in the licensing boards rules and/or statutes.

⊖ Recommend that the State Fire Marshal's Office, DBPR and individual licensing boards evaluate whether to approve/ accredit and require joint training for fire and building officials (consistency of interpretation and enforcement of fire provisions, for inclusion in the licensing boards rules and/or statutes.

⊖ Recommend that DBPR and the individual licensing boards evaluate whether to mandate a continuing education process for code officials requiring them to keep current in the codes and administrative practices, requiring CEUs on the Florida Building Code, and increase the number of CEUs required for all licensees (building officials, plans examiners, inspectors, etc.), for inclusion in the licensing boards rules and/or statutes.

- Browdy: could convene workgroup to advance uniform enforcement of the code and this should lead to identification of other agency authorities and possible solutions.
- Browdy: The Commission should communicate these DBPR and other agency recommendations to the licensing boards in a letter from the Chairman.

⊖ Establish a statewide requirement for how product approval documentation should be submitted to Building Departments, with a standard form and the minimum documents required for submittal.

- Madani: the Commission tried this before and had it in the Rule but locals got it taken out of the Law and Rule.
- Stone: I assume that BOAF would be a part of this initiative.
- Answer: yes as well as all relevant stakeholders.