

BUILDING CODE SYSTEM ASSESSMENT
REPORT TO THE FLORIDA BUILDING COMMISSION



APRIL 5, 2011—WORKSHOP I

TAMPA, FLORIDA

FACILITATION, MEETING AND PROCESS DESIGN BY



CONSENSUS CENTER

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FLORIDA BUILDING COMMISSION
FLORIDA BUILDING CODE SYSTEM APRIL 5, 2011 REPORT

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FLORIDA BUILDING COMMISSION

BUILDING CODE SYSTEM ASSESSMENT WORKSHOP 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 will mark the ten-year anniversary since the Florida Building Code became effective, and the Commission will initiate a comprehensive assessment of the Building Code System with recommendations being developed by the Commission's Building Code System Assessment Ad Hoc Committee. Public input will be a major component of the assessment process and this Survey in addition to multiple public comment opportunities will be an important part of the Commission's analysis of the Building Code System. The Commission's recommendations will be a major component of their Report to the 2012 Legislature.

Chairman Rodriguez 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 comments received during a series of public workshops and to develop consensus recommendations for the Commission regarding any proposed changes to the Building Code System. The project will be a facilitated consensus-building process and will conclude with recommendations for enhancements to the System submitted to the 2012 Legislature.

Members and Representation

Raul Rodriguez (Chair)	Architects
Dick Browdy	Home Builders
Ed Carson	Contractors, Manufactured Buildings, Product Approval
Herminio Gonzalez	Code Officials (SE Florida) and Product Evaluation Entities
Jim Goodloe	State Insurance and Fire Officials
Dale Greiner	Code Officials (Central Florida) and Local Government
Jeff Gross	Building Management Industry
Jon Hamrick	Public Education and State Agencies
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
Randy Vann	Plumbing Contractors and Construction Subcontractors

REPORT OF THE APRIL 5, 2011 WORKSHOP

WELCOME

Chairman Rodriguez opened the Workshop at 1:00 PM, and welcomed participants. The Chair noted that there were a number of Commissioners present at the Workshop. The following Commissioners participated in the Workshop:

Raul Rodriguez (Chair), Bob Boyer, Dick Browdy (vice-chair), Ed Carson, Herminio Gonzalez, Jim Goodloe, Ken Gregory, Dale Greiner, Jeff Gross, Jon Hamrick, Nicholas Nicholson, Rafael Palacios, Jim Schock, Chris Schulte, Jeffery Stone, Tim Tolbert, Mark Turner, and Randy Vann.

(Attachment I—Workshop Participants)

DCA STAFF PRESENT

Joe Bigelow, Rick Dixon, Mo Madani, 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 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/bcsa.html>

AGENDA REVIEW

Jeff Blair, Commission Facilitator, reviewed the agenda with Workshop participants including the following objectives:

- ✓ To Review Regular Procedural Topics (Agenda and Procedural Guidelines)
- ✓ To Hear an Overview of Building Code System Assessment Project Scope
- ✓ To Review Building Code System Assessment Survey Results
- ✓ To Identify Key Issues and Options for System Enhancements
- ✓ To Identify Needed Next Steps

WORKSHOP OVERVIEW

Chairman Rodriguez indicated that one of the Commission's responsibilities established by law is the continual study of the Florida Building Code and other laws relating to building construction. Traditionally the Commission identifies issues of concern each year and makes recommendations to the Legislature and Governor where relevant. However, it has not conducted an in-depth comprehensive review of the Florida Building Code System since its inception. Laws creating the Commission and giving it direction to building the system were passed in 1998. The 2000 Legislature ratified the first edition of the Florida Building Code and that first code took effect in March of 2002. The Product Approval system also took effect in 2002 and both it and the Code have undergone significant changes since that time. We are now roughly ten years down the road and it is time for reflection and evaluation to determine if the state code system is achieving the intended goals and whether the system needs updating to remain responsive and relevant to these times.

The Chair explained that fall when the Commission was in the middle of the 2010 Code development proceedings they decided to conduct an in-depth assessment of the Building Code System beginning this spring and concluding this December with a status report and recommendations for the 2012 Legislature to consider. It is important that every major stakeholder group be involved in this effort as they were in the Building Code Study Commission Project in 1997 that resulted in the current system. The Commission will hold meetings over the next eight months to identify the strengths and weaknesses of the Florida Building Code System and to identify the opportunities for innovation and adaptation that will make the System better. This is a very important initiative for the Commission. The Chair explained that too often we see special interests go unilaterally to the Legislature with their ideas and initiatives. The traditions and role of the Commission is to provide the forum where all groups can come together to develop consensus on recommended changes to the Code and the System that supports it. The Chair invited all groups to participate in this Commission project and encourage all Commissioners to set aside time in the coming months to get actively involved as well.

BUILDING CODE SYSTEM ASSESSMENT PROJECT SCOPE OVERVIEW

Jeff Blair, Commission Facilitator, reviewed the scope of the project and answered participant's questions.

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 Florida Building Code System (the Code, the Commission, local administration, compliance and enforcement, and product evaluation and approval).

To coordinate the project the Chair appointed an ad hoc committee of Commission members to review the results of the Building Code System Assessment Surveys (I and II) as well as comments received during a series of workshops and to develop recommendations for the Commission regarding any proposed changes to the Building Code System. This will be a facilitated consensus-building process and the Ad Hoc met for the first time at the October 2010 Commission meeting, and the Commission will consider the

Ad Hoc's recommendations at the December 2011 meeting for inclusion in the Report to the 2012 Legislature. The 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 II—Building Code System Overview)

OVERVIEW OF ASSESSMENT SURVEY RESULTS

Jeff Blair reported that a Survey was conducted to solicit public input on the Building Code System. The survey was designed to solicit input on the five key components of the Building Code System: the Code, the Commission, administration of the Code, compliance and enforcement (education), and product approval. In addition, comments were solicited for four key Building Code System programs: the Building Code Information System, the Manufactured Buildings Program, the Prototype Buildings Program, and the Private Provider System. Finally, comments were solicited for two additional aspects of the System: interaction and coordination between the Florida Building Code, and other state based building construction regulations and enforcement of other state based building construction regulations at the local level. The first survey (2010) ran from June 25, 2010 through August 30, 2010, and there were 85 respondents. The second survey ran from June 2010 through January 28, 2011 (this Report includes the combined results compiled from both surveys) and there were 324 respondents.

Jeff explained that the survey results do not reflect a statistically valid sample set and the results reflect only the views of the self-selected respondents, and not the full spectrum of stakeholder perspectives. The survey results will serve as a component of the input for the Building Code System Assessment Ad Hoc Committee's recommendations. Survey results can be reviewed at the project webpage, as follows: <http://consensus.fsu.edu/FBC/bcsa.html> .

Jeff summarized the Survey Results as follows:

There are divergent stakeholders'/respondents' comments representing the full range of perspectives on each specific component of the Florida Building Code System ranging from complete support to indifference to neutrality to complete dissatisfaction to no knowledge of or experience with a specific component of the System. The following summary provides a brief overview of commonly offered stakeholder perspectives.

Many respondents appreciate the consensus-building and stakeholder involvement aspects of the process. There is broad support for a Florida Building Code with a preference for aligning the FBC with the IBC as closely as possible, with variations for only truly needed Florida specific requirements. There is concern with the quantity and frequency of amending the Code, and a strong desire for the FBC code development cycle to more closely align with the IBC cycle. The FBC and FFPC should be coordinated and correlated as much as possible and conflicts resolved. There is a desire for readily accessible web-based codes and relevant information. There is concern for political and special interest interference with the consensus process. There is a desire to make the System as user friendly and responsive as possible, and to eliminate any duplication or effort and unnecessary requirements. There is agreement that state agency regulations and enforcement should be coordinated and consistent across jurisdictions. Product Approval Program users appreciate the timely review and approval of products and the searchable on-line functionality of the Program. Many respondent's feel that there are inadequate resources at the state and local levels to support needed training, education, enforcement and development of the Code.

(Attachment III—Summary of Survey Results)

IDENTIFICATION OF KEY ISSUES, OPTIONS AND RELATED ISSUES FOR POSSIBLE ENHANCEMENTS TO THE FLORIDA BUILDING CODE SYSTEM

Jeff Blair explained that staff had compiled a worksheet with a series of key issues/questions derived from the Building Code Study Commission’s goals for the development and implementation of the Florida Building Code System. For each of the five (5) key System “Foundations” (Code, Commission, Local Administration, Compliance and Enforcement (Education,) and Product Approval) participants were asked to evaluate the efficacy of various aspects/components of the Five Foundations of the Building Code System on a three-point scale where 3 represents “Acceptable, 2 represents “Should Be Improved”, and 1 represents “Unacceptable”, as follows:

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
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Ranking Score Criteria:

The Facilitator explained that although every aspect/component of the Florida Building Code System could potentially be improved in some way, it would not be meaningful to rank all of the System aspects with a “2” based on the fact that nothing is perfect and could in theory be improved. Participants were requested to use the following criteria for determining the numeric score (3, 2, 1) to rank specific Florida Building Code System aspects/components:

3. Score the System aspect/component with a “3”, if on average, given the technical, political and economic factors, the component is functioning as well as could be reasonably expected.
2. Score the System aspect/component with a “2” if there a specific improvements that you can identify to enhance the System aspect/component.
1. Score the System aspect/component with a “1” if the system component is not functional and requires specific major comprehensive changes.

It was explained that the rankings would be compiled and used as a tool to evaluate which specific aspects/components of the Building Code System’s key components should be focused on.

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 that will be 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

The Output of the Assessment will be the development of a comprehensive set of recommendations to the 2012 Florida Legislature for improving the system.

The complete results of the Acceptability Ranking Exercise are available as “Attachment V” of this Report.

(Attachment V—Ranking Exercise Results)

GENERAL PUBLIC COMMENT

Workshop participants were invited to provide general comments regarding the Building Code System. Following are the comments offered:

- David Brown: The Code should stand on its own and be self-contained, and not reference other documents such as reference standards.
- Dwight Wilkes: Florida is far ahead of other states in their Building Code System.
- Doug Harvey: Commended the Commission for their thankless tireless work, and agreed that Florida is ahead of other states. Offered that BOAF will work with the Commission to enhance the Florida Building Code System.
- Jim Bell: A swinging door product approval category is needed.
- Jack Glenn: There will be 10 education classes on mitigation. Information is available on the BOAF website.
- Randy Vann: On future surveys suggest separating multiple questions embedded in single questions into individual questions.

REVIEW OF PROJECT DELIVERY AND MEETING SCHEDULE, AND NEXT STEPS

Jeff Blair explained that the results of the Workshop will be compiled and posted to the project webpage (<http://consensus.fsu.edu/FBC/bcsa.html>). Jeff indicated that the Workshop Summary Report and agendas for subsequent workshops will be e-mailed to all participants who signed-in and provided an e-mail address. Jeff explained that the goal is to conduct additional workshops at subsequent Commission meetings between April and October of 2011. Workshops are anticipated to be conducted concurrently with the April, June, August and October 2011 Commission meetings. The complete project “Workplan” is included as “Attachment IV” of this Report.

(Attachment IV—Project Workplan)

ADJOURNMENT

The Workshop concluded at 3:30 PM on Tuesday, April 5, 2011.

ATTACHMENT I
WORKSHOP ATTENDANCE

WORKSHOP ATTENDANCE	
NAME	REPRESENTATION
Larry Banks	Ocean Air
Moe Ghaed	Hirek, Tampa
Kevin Haynes	Vitro America
Michael Reed	FRSA
Don Damron	Sarasota FD
Wesley Hayes	Polk Co.
Doug Carter	Brevard County Fire Rescue
Jim Heise	PGT
Leon E. Essex	Bass MSG Co
Scott Donovan	Winter Park FD
CW Macomber	APA
Dwight Wilkes	AAMA
James Bell	ASSA ABLOY
Marion Pritchett	QAI
Stan Kennedy	FPL
Donny Pittman	City of Orlando
Jaime Gascon	Miami Dade
Johnny Manning	Estero Fire Rescue
Phillip Green	Estero Fire Rescue
Scott Danielson	Estero Fire Rescue
Kerry Barnett	Zephyrhills Fire Rescue
Ron	Pasco Co. Schools
Ed Riley	Collier Co. Fire Code Officer
Todd Spear	Public
Tim Richardson	Tampa Electric
Joe Hetzel	DASMA
Jack Glenn	FHBA
Mark Roberts	ICC
Roy Clark	USF
David Brown	Public
Rob Viera	UCF/FSEC
Frank O'Neill	Full Service Green
Steve Strawn	Jeld-Wen Inc
Raul L. Rodriguez	FBC Chair/Architects
Richard Browdy	FBC/FHBA/Builders
Jeffery Gross	FBC/BOMA/Architects

Jeffery Stone	FBC/Product Manufactures
Jim Goodloe	FBC/Fire/Insurance
James Schock	FBC/BOAF
Herminio Gonzalez	FBC/Code Enforcement
Mark C. Turner	FBC/Electrical Contractor
Chris Schulte	FBC/Roofing Contractors
Bob Boyer	FBC/Local Governments
Randy Vann	FBC/Plumbing Contractor
Jon Hamrick	FBC/DOE/Education
Ken Gregory	FBC/Holland Pools/Pool Contractors
Ed Carson	FBC/Manufactured Buildings/Cont.
Nicholas Nicholson	FBC/Engineers
Tim Tolbert	FBC/Code Officials
Dale Greiner	FBC/Code Officials

ATTACHMENT II

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 a 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 III
SUMMARY OF SURVEY RESULTS

RESPONDENT DEMOGRAPHICS

Respondents represent the following segments of the Building Code System/Industry:

Representation	Number of Survey Respondents
	Total Number of Survey Respondents*: 324
Architects	52
Building Officials/BOAF (plans examiners, inspectors, administrators)	71
Building Suppliers	2
Consultants (code, private providers and unspecified)	17
Contractors: Electrical	3
Contractors: General	7
Contractors: Home Builders/Associations	12
Contractors: Mechanical	1
Contractors: Plumbing	2
Contractors: Roofing	1
Engineers	16
Fire Officials	97
Florida Building Commission	15
General Public	9
Lawyers	2
Local Government (Planners)	21
Product Manufacturers/Associations	9
Public Education/School Boards	20
State Government/Agencies	3
Testing Services/Labs	1
Unattributed	7

**The number of survey respondents by representation exceeds the total number of survey respondents since some respondents represent multiple representations/ stakeholder groups.*

SUMMARY OF SURVEY RESULTS

For each of the five components, four programs, and two coordination functions respondents were asked to evaluate how well they were functioning on a 5-point scale, where 5 corresponds to very well and 4 through 1 for progressively less well. In addition, for each of the components and programs evaluated, respondents were requested to identify what is working well and what is not working well, and to offer their specific recommendations for enhancements.

Ranking Scale: ⑤=Very well to ①=Less well

FLORIDA BUILDING CODE SYSTEM *(3.5 Average)*

How has the Florida Building Code System functioned generally since implementation of the 2001 Florida Building Code—from your perspective, on balance how well have the goals of the System been achieved? *(Scored 3.6 out of a possible 5.0)*

Ranking Scale	5	4	3	2	1	Average
Total	44	144	88	28	11	3.6

I. THE FLORIDA BUILDING CODE AND THE CODE DEVELOPMENT PROCESS

How well is the Florida Building Code and Code development process working?

Ranking Scale	5	4	3	2	1	Average
Total	37	94	113	38	29	3.2

II. THE FLORIDA BUILDING COMMISSION

How well is the Florida Building Commission functioning?

Ranking Scale	5	4	3	2	1	Average
Total	48	96	111	32	17	3.4

III. LOCAL ADMINISTRATION OF THE CODE

How well is the local administration of the Florida Building Code functioning?

Ranking Scale	5	4	3	2	1	Average
Total	69	106	84	35	15	3.6

IV. COMPLIANCE AND ENFORCEMENT OF THE CODE THROUGH EDUCATION AND TRAINING

How well is code compliance and enforcement through education and training working?

Ranking Scale	5	4	3	2	1	Average
Total	33	113	95	42	19	3.3

V. PRODUCT EVALUATION AND APPROVAL

How well is the product evaluation and approval process working for State approval?

Ranking Scale	5	4	3	2	1	Average
Total	35	86	101	37	23	3.3

A. BUILDING CODE INFORMATION SYSTEM (BCIS)

How well is the BCIS functioning?

Ranking Scale	5	4	3	2	1	Average
Total	33	78	107	22	18	3.3

B. MANUFACTURED BUILDINGS PROGRAM

How well is the Manufactured Building Program functioning?

Ranking Scale	5	4	3	2	1	Average
Total	21	63	122	20	15	3.2

C. PROTOTYPE BUILDINGS PROGRAM

How well is the Prototype Building Program functioning?

Ranking Scale	5	4	3	2	1	Average
Total	8	33	89	20	52	2.6

D. PRIVATE PROVIDER SYSTEM

How well is the Private Provider System functioning?

Ranking Scale	5	4	3	2	1	Average
Total	15	42	84	47	53	2.7

E. INTERACTION AND COORDINATION BETWEEN THE FLORIDA BUILDING CODE AND OTHER STATE BASED BUILDING CONSTRUCTION REGULATIONS

(Examples: DFS: Florida Fire Prevention Code; DOH: septic tank regulations; DOH: swimming pools; AHCA: healthcare facilities; DOE: public schools; DBPR: elevators)

How well is the interaction and coordination between the Florida Building Code and other state agency building construction regulations functioning?

Ranking Scale	5	4	3	2	1	Average
Total	25	75	99	49	35	3.0

F. ENFORCEMENT OF OTHER STATE BASED BUILDING CONSTRUCTION REGULATIONS AT THE LOCAL LEVEL

(Examples: DFS: Florida Fire Prevention Code; DOH: septic tank regulations; DOH: swimming pools; AHCA: healthcare facilities; DOE: public schools; DBPR: elevators)

How well is the local enforcement of other state agency building construction regulations functioning?

Ranking Scale	5	4	3	2	1	Average
Total	48	68	104	32	25	3.3

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
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.	April 2011	--
5. Second Workshop	June 2011	
6. Third Workshop	Aug 2011	
7. Fourth Workshop and Ad Hoc finalizes recommendations	Oct 2011	--
8. Commission considers recommendations.	Dec. 2011	--
9. Commission transmits recommendations to 2012 Legislature	Feb. 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 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 V
ACCEPTABILITY RANKING EXERCISE RESULTS

FOUNDATION I THE CODE

1. Does the Code meet its intended purpose:

Is it a comprehensive regulatory document?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
29	20	0

Does it utilize national standards where available?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
36	9	1

Is its performance based supplemented by prescriptive criteria where appropriate?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
27	19	0

Does it permit and promote innovation and new technology?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
20	26	0

Did it eliminate restrictive, obsolete, conflicting and unnecessary construction regulation?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
6	31	2

2. Does the Code adequately address regional and local concerns and variations including:
Climate/Weather

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
7	31	0

Soil types

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
14	9	0

Termites

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
24	3	0

Coastal Risk

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
8	23	1

Code Compliance

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
1	47	1

3. Has the Code had the intended effect of improved building performance in hurricanes?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
41	0	0

4. Do homeowners get credit for Florida Building Code compliant homes?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
3	38	3

5*. Are the exemptions to the Code appropriate? Should more exemptions be added? Should some exemptions be removed?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
1	47	0

6*. Is the Code organized around a framework that clearly states the objective or intent of each requirement and does it provide both performance and prescriptive standards and paths to compliance?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
16	28	2

7*. Is the Code based on national model codes?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
45	5	0

8*. Do the Code updates ensure compliance with federal regulations including but not limited to ADA, Flood Plain Management and energy conservation standards?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
22	17	1

5. Does the Commission keep adequate lists of interested parties, keep them updated and notify parties appropriately?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
23	6	0

6. Does the Commission provide adequate technical support to local building and fire departments in order to promote maximum ISO Building Code Effectiveness Grading System scores?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
0	27	3

Other Commission Performance Issues:

7. Does the consensus process provide for effective public participation?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
42	0	0

8. Organization of committees.

Are the TACs appropriate to the subject matter areas of the Code? Are they effective in their role?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
32	5	0

Are workgroups effective forums to address special issues?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
33	0	0

FOUNDATION III LOCAL ADMINISTRATION

1. Is there more uniformity and consistency between jurisdictions?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
7	40	0

2. Are local jurisdictions reporting local administrative and technical amendments for hosting on the state Building Code Information System?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
0	22	12

3. Are local jurisdictions following the required adoption criteria for local amendments?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
1	9	17

4. How is the private provider system working?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
4	20	4

5. Is a disaster response “Mutual Aid” system in-place and operational?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
6	12	0

6. Are building and fire officials working together better?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
13	24	1

7. How is the local and state appeal process working?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
15	5	0

8. How effective is the binding interpretations system?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
19	2	0

FOUNDATION IV STRENGTHENING COMPLIANCE AND ENFORCEMENT

1. Have the licensing boards established meaningful discipline for code violations?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
4	31	3

2. Do Boards require code continuing education?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
28	5	0

3. Are the course offerings effective?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
19	13	0

4. Does the Code promote and reward designer and contractor internal quality control programs?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
0	9	11

5. Is the Florida Building Code Training program effective?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
20	7	0

6. Is an effective system for worker training in place and expanding?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
0	21	6

FOUNDATION V PRODUCT APPROVAL

1. Does the state system provide adequate oversight of private sector product testing and evaluation?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
26	2	0

2. Does the system effectively cover all relevant building systems?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
24	2	0

3. Does the system rely on appropriate product evaluation standards?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
29	0	0

4. Are local jurisdictions accepting state approvals as intended?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
14	20	0

5. Is there a process for local jurisdictions to appeal state approvals?

3. Acceptable as Is	2. Should be Improved {Adjustments Needed}	1. Unacceptable {Major Changes Needed}
14	11	0