

PETITION FOR DECLARATORY STATEMENT BEFORE  
THE FLORIDA BUILDING COMMISSION

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>4/17/2013</b>
File #	

**Company:** Encoders, Inc.  
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**DS 2013-028**

**Statute(s), Agency Rule(s), Agency Order(s) and/ or Code Section(s) on which Declaratory Statement is sought:**

2010 Florida Building Code, Energy Code  
Section 505.2.1.3

**Background:**

Encoders, Inc. is a low voltage technology consulting, design and implementation company which, among other activities, designs and installs the technology in 1000's of hotel guest rooms in Florida. Typically much of this technology relates to energy saving systems for conserving lighting, HVAC and other power, which is otherwise wasted when guests are absent from their hotel rooms.

I am one of numerous designers at Encoders undertaking system design.

Encoders, Inc. typically advises hotel developers and operators on how to best achieve these savings, as well as how to comply fully with applicable building code relating thereto.

Petitioner seeks these clarifications as a "substantially affected person" under the procedures set forth in Section 553.775, F.S. (2011)

Specifically, there are certain interpretations set forth in Section 505.2.1.3 that require clarification as more specifically detailed below:

In order to conserve Energy, FL BC (2010) Section 505.2.1.3 reads:

" Sleeping unit controls. Sleeping units in hotels, motels, boarding houses or similar buildings shall have at least one master switch at the main entry door that controls all permanently wired luminaries and switched receptacles, except those in the bathroom (s). Suites shall have a control meeting these requirements at the entry to each room or at the primary entry to the suite."

Our belief is that the code writers understood that, in the majority of hotel rooms, the general & task lighting is typically via plug in lamps; ...Bedside, Desk or Standing Lamps.

Normally the only permanently wired luminaries in a guest room are the entryway light(s).  
(or the bathroom, which the code specifically excludes).

Page 2.

If the code writers had not intended that "lamps" were to be switched off with the master switch, we believe they would not have included the words "switched receptacles" in the code language at all.

Far too many hotel guests leave the room all day with lamps burning because, by nature, it is troublesome to go around to switch off each lamp manually, individually.  
Hotel guests save no expense if they do or don't.

Hotel Developers / Operators who are not concerned with the long term benefits of energy conservation take refuge in the fact that lamps are not plugged into "switched receptacles", but are plugged into permanently hot outlets, and have a toggle switch on the lamp itself or lamp cord.  
This does not enable the room lights to be switched off at the main entry door.  
Therefore, if code is interpreted literally, only the "Entry Light" requires to be switched off at the main entry door..... which saves little energy.

Example:

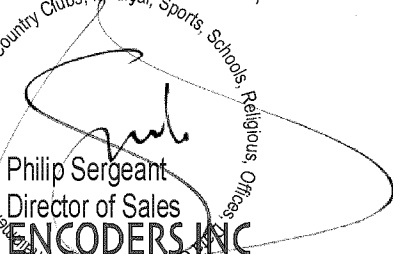
We are currently undertaking a Hotel Project involving 70 guest sleeping rooms for Hotel Fairfax in Miami Beach, Florida. This hotel is a major renovation requiring new interior walls, completely new electrical, HVAC, and low voltage infrastructures.  
If owner/ operators have an interest in long term energy conservation, they could elect to install a Master Entry switch that switches ON/OFF all of the plugged in lamps in the guest room. But, if they choose to interpret the code differently, they could merely switch OFF/ON only the entry light at the entry door switch.

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**QUESTION:**

Does the code require that all lighting in Sleeping Units be switchable by Master Switch at the entry door or not?  
(bathrooms being excluded).

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Respectfully submitted,



Philip Sergeant  
Director of Sales  
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Residential, Hotels, Country Clubs, Medical, Sports, Schools, Religious, Offices