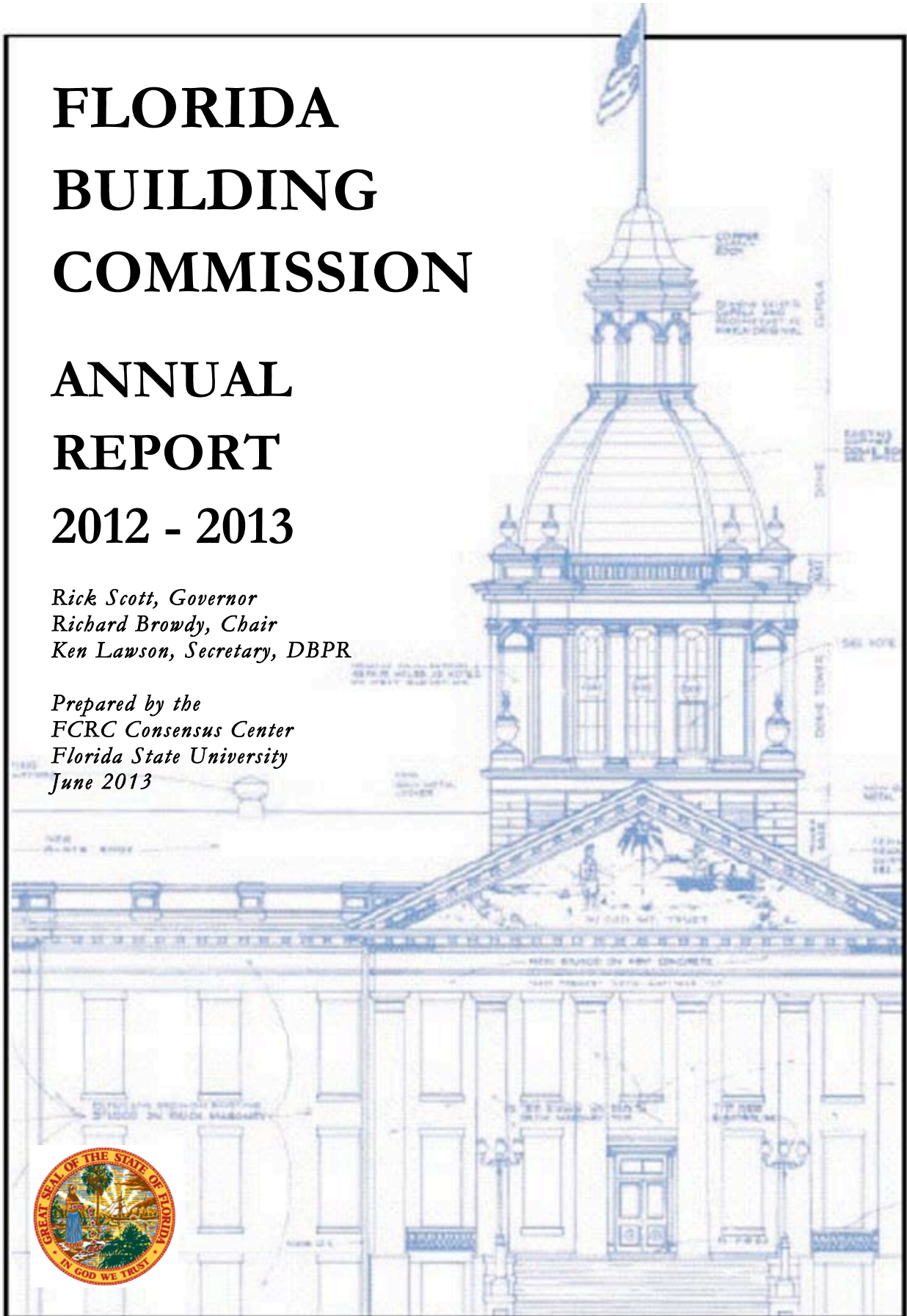


FLORIDA BUILDING COMMISSION

ANNUAL REPORT 2012 - 2013

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**FLORIDA BUILDING COMMISSION
FLORIDA BUILDING COMMISSION 2012 – 2013 ANNUAL REPORT
FOR THE REPORTING PERIOD JANUARY 2012 – JUNE 2013**

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FLORIDA BUILDING COMMISSION 2012 – 2013 ANNUAL REPORT

I. EXECUTIVE SUMMARY AND RECOMMENDATIONS

OVERVIEW. The primary focus of the Florida Building Commission during the reporting period of January 1, 2012 – June 30, 2013 was the development and adoption of the 2013 Edition of the Florida Building Code and the 2013 Edition of the Florida Accessibility Code for Building Construction with a scheduled effective date of March 1, 2014. In addition to efficiency increases to the Florida Energy Code and its merger with the format of the national model energy code, major components of the Code Update process include enhancements to the wind, water intrusion and hurricane protection provisions of the Florida Building Code.

PROCESS. During the reporting period the Commission once again focused on consensus-building efforts regarding the implementation of Commission policy, with extensive input from stakeholders and interests affected by Commission policy. Chairman Richard Browdy, encouraged and led the Commission's consensus-building initiatives. Finally, the Commission continued with its focus of developing storm damage investigations and research and adopting code amendments related to making Florida's structures, and the products that comprise them, more storm resistant.

ADMINISTRATION. During the reporting period the Commission continued to explore strategies designed to reduce costs. The Commission continues with the reduced meetings schedule of two-day meetings every two months with workgroup meetings held in conjunction with Commission meetings, and Technical Advisory Committee (TAC) and Program Oversight Committees (POC) meetings conducted by teleconference when the complexity of issues being addressed lends itself to the format. The transition from DCA to DBPR is complete with the Code and Standards staff now located with the rest of DBPR at the Northwood Centre facility.

RESEARCH AND SCIENCE BASED HURRICANE PROTECTIONS. The Florida Building Code System was developed after Hurricane Andrew to streamline statewide adoption and enforcement of improved hurricane protection standards. Hurricanes Charley, Frances, Ivan and Jeanne in 2004 and Dennis, Katrina and Wilma in 2005 demonstrated the overall effectiveness of the Code and identified areas that need additional refinements. Analyses of building systems and component failures identified in these storms have been ongoing since 2005 and will continue through the coming fiscal year. Assessments indicate the design wind speeds required by the Code were adequate and buildings built to the new code did not experience nearly as severe damage as older buildings. While some new building technologies did have weaknesses, the major structural systems failures seen in older buildings were avoided in buildings complying with the Florida Building Code. The Commission addressed many of the weaknesses through adoption of code amendments implemented with the 2007 Code. With the continuing work of the Hurricane Research Advisory Committee and special issues workgroups, the Commission remains committed to addressing building and product weaknesses. Working with industry the Commission identified and funded

research and implemented additional code amendments designed to strengthen the Code's building envelope protection through development of the 2010 Edition of the Florida Building Code, which became effective on March 15, 2012. During the reporting period the Committee focused on monitoring existing research projects conducted by the University of Florida and partially funded by the Commission. The Commission continued to fund important hurricane resistant research by contributing funding to UF's existing roofing and soffit system research projects based on spending authority approved by the Florida Legislature, and seeking to leverage additional funding sources to the extent possible (e.g., FEMA/DHS, NOAA/Sea Grant and RCMP/DEM). Research projects for the reporting period include wind and wind-driven rain resistance of residential soffit panel systems, wind resistance of green and vegetative roofs and development of a wind test protocol for hurricane rain and wind conditions for vegetative roofs, and wind resistance of clay and concrete roofing tiles research.

The Code establishes minimum requirements to protect buildings and their occupants from wind, rain, flood and storm surge based on well-researched and continually-evolving engineering standards for buildings and the products that go into their construction. It is important that the Commission be able to quickly integrate these standards into the Code to keep pace with changes in building technology and advances in the sciences of storm dynamics and building performance. In addition to conducting research, developing state of the art hurricane resistance standards and integrating those standards in the Code at each revision cycle, the Commission seeks to maintain the Code to be up-to-date with the national engineering and product standards. As with each subsequent version, the 2013 Florida Building Code will include several significant advances, including incorporation of the updated ASCE 7-10 reference standard (minimum design loads for buildings and other structures) containing updated national wind load provisions.

FLORIDA BUILDING CODE SYSTEM ASSESSMENT AND UNIFORM IMPLEMENTATION EVALUATION. 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 to 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. The year 2012 marked the 10-year anniversary since the Florida Building Code became effective, and the Commission initiated the second comprehensive assessment of the Building Code System with recommendations developed by stakeholders during a series of workshops and reviewed by the Commission's Building Code System Assessment Ad Hoc Committee. Public input was a major component of the assessment process, and an on-line Survey in addition to multiple public comment opportunities were an integral part of the Commission's analysis of the Florida Building Code System. While the Commission's report to the 2012 Legislature and Governor relayed recommendations coming from the 2011 Code System Assessment Project, the Project identified some areas that needed more study to determine efficient and effective approaches to making improvements. The remaining recommendations were referred to the *Building Code System Uniform Implementation Evaluation Workgroup*, convened to evaluate how well the Commission's efforts to create a unified building code have been implemented throughout the State, and to evaluate recommendations referred from the triennial assessment of the Florida Building Code System. The Workgroup's recommendations are included in the Report and summarized as follows: enhance consistency in submittal requirements, fees and timeframes; enhance consistency in code interpretations and local technical amendments; develop/enhance a central repository for code requirements and interpretations; and, enhance education and training on the code.

CODE UPDATE. The Commission is required by Florida law to update the Florida Building Code every three years, and the 2013 Edition represents the fourth update and fifth 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. The 2013 Code Update process started in 2012 with the Commission initiating development of the 2013 Code by selecting the 2012 International Codes as the foundation codes for the 2013 Edition of the Florida Building Code. The Commission began the 2013 Code Update process in 2012 and is scheduled to complete the adoption process during 2013 with an effective date of March 1, 2014. During the 2013 Code Update process the Commission is focusing on removing (unnecessary) and maintaining (needed) Florida Specific requirements to the Code, with the goal of minimum variation from the foundations codes.

CODE ENHANCEMENTS. The Code is a complex interrelated document consisting of thousands of pages and containing myriad related standards and references that must be evaluated and updated on an ongoing basis. In the case of editorial and unintended glitches, it is important for the Commission to correct these non-controversial glitch and correlation issues as quickly as possible in order to prevent unintended consequences and unnecessary delays and complications for all of the building code system participants. For the 2013 Code Update the Commission intends to integrate the 2013 Code Update and the Glitch process into a single rule development initiative eliminating the need for a supplement to the Code and resulting in a fully integrated set of the nine volumes comprising the 2013 Code.

SPECIAL RECOGNITION OF FBC FOR INTEGRATION OF FLOOD PROVISIONS INTO CODE. During the 2012 National Hurricane Conference, Bryan Koon, Florida Division of Emergency Management (FDEM) director, met with FEMA Administrator Craig Fugate to review FDEM’s initiative to incorporate flood damage-resistant provisions from the International Codes Series into the new Florida Building Code, which took effect March 15, 2012. During the conference FEMA recognized the State of Florida for strengthening the Statewide Florida Building Code. Working with FDEM (funded by FDEM) the Commission convened the Flood Resistant Standards Workgroup to build consensus regarding integrating flood resistant standards into the Florida Building Code. The Workgroup’s recommendations were approved by the Commission and subsequently adopted as code modifications during the 2010 Code Update process. “The flood provisions contained in the Florida Building Code are consistent with the National Flood Insurance Program building standards, and they incorporate the American Society of Civil Engineers Flood Resistant Design and Construction Consensus Standard.” Similar to hurricane resistant provisions the inclusion of flood resistant standards into the Florida Building Code serves to further strengthen the efficacy of the Code.

ENERGY EFFICIENCY. Energy efficiency issues were again a primary focus of the Commission during the reporting period. In the development of the 2010 Edition of the Florida Energy Code the Commission achieved a 20% increase in thermal efficiency standards from the 2007 Edition of the Code pursuant to requirements in effect prior to changes made during the 2011 Legislative Session (the 2011 Legislature repealed mandatory scheduled increases in thermal efficiency standards for future editions of the Code pursuant to Section 553.9061, F.S.). During the 2013 Code Update the Commission is focusing on incorporating the International Energy Conservation Code (IECC) as the foundation code for the FECC while maintaining existing Florida efficiencies.

ACCESSIBILITY. Florida has been a leader in addressing accessibility of buildings and sites for persons with disabilities with codes based on early national standards and state concerns beginning in the middle 1970s. After the national Americans with Disabilities Act (ADA) became law in 1992, Florida revised its code to be based on the U.S. Department of Justice (DOJ) regulations that established the ADA Accessibility Guidelines with DOJ enhancements as the national standard. Florida also revised its law to require that its Code is maintained to ensure certification by DOJ as substantially equivalent to the national standards so owners complying with the Code are also in compliance with the ADA. The fundamental guidelines the ADA Standards are based on, the Americans with Disabilities Act Accessibility Guidelines were updated in 2004 and in June 2008 the U.S. Department of Justice published its Notice of Proposed Rule, "*Proposed ADA Standards for Accessible Design, June 2008.*" In December 2008 the Commission convened an Accessibility Code/ADAAG 2.0 Workgroup to develop recommendations for amending the Florida Accessibility Code for Building Construction by integrating the relevant Florida standards of ss. 553.-553.513, F.S., into the Proposed ADA Standards for Accessible Design. Although DOJ's regulation adoption process was not complete at the time, the Workgroup began work with the Proposed Standards to develop the new draft Florida Accessibility Code for Building Construction (FACBC). The DOJ completed its adoption of revised regulations 28 CFR 35 and 28 CFR 36 establishing the 2010 ADA Standards for Accessible Design September 15, 2010, and the Workgroup revised the Draft 2012 Florida Accessibility Code for the few minor changes. The Commission made recommendations for changes to law essential to conforming with the 2010 ADA Standards to ensure Florida requirements are substantially equivalent in order to maintain the Code certification by recommending revisions to Part II, Chapter 553, Florida Statutes: to conform requirements with the format and terminology of the 2010 ADA Standards for Accessible Design; to resolve possible not-equivalent standards; to eliminate redundant and non-essential requirements; and to enhance certain requirements for accessibility. As a result of the Commission's proactive Accessibility Code development initiative, Florida's 2012 Accessibility Code for Building Construction fully integrates Florida Specific Requirements with the final 2010 ADA Standards for Accessible Design issued September 15, 2010. Florida's Accessibility Code was ready for certification concurrent with the effective date of the new ADA Standards for Accessible Design (SAD), and is currently under review for certification by the DOJ. It should be noted that Florida's Accessibility Code is the first code in the Nation submitted for certification to the new SAD. In addition, the Commission is in the process of adopting a fee by administrative rule for Accessibility Code waivers per the statutory requirements of Section 553.512 (1), F.S.

PRODUCT APPROVAL. The product approval system is an internet-based system operated by the Department of Business and Professional Regulation and administered by a contracted Product Approval Administrator. With major consensus-based revisions to the system implemented through rule development in 2007, the system is processing hundreds of applications monthly with efficiency and satisfaction of the product manufacturers who use the system. The Commission's Product Approval Program Oversight Committee (POC) convenes prior to every Commission meeting to review product and entity applications, address petitions for declaratory statements and consider enhancements to the product approval system. Since the system went into effect in October 2003, the Commission has approved 17,449 product applications and 75,857 products for statewide use within limitations established by the approvals, and has approved 450 product approval entities. During the reporting period the Commission amended the Equivalence of Standards section of the Product Approval Rule at the request of industry to provide for the determination of the equivalency of standards not specifically adopted within the Building Code for purposes of state product approval.

EDUCATION. Education is one of the cornerstones of the Building Code System, and the effectiveness of the Building Code depends on the knowledge of professionals who design and construct buildings. The Commission continues to work with the Department of Business and Professional Regulation and representatives of the licensing boards to establish a cooperative system for approving building code courses and integrating building code continuing education into licensing requirements. In collaboration with the System Administrator, the Commission is working to ensure the accountability and efficacy of the Education System. During the reporting period the Commission continued to efficiently review and approve course and accreditor applications, and revised the Education Rule to clarify and update the criteria for approval of course providers, course accreditors, and advance course accreditation by the Commission.

CONSENSUS-BUILDING INITIATIVES. The Commission’s commitment to consensus-building on substantive issues was spotlighted during the reporting period, with Chairman Browdy appointing facilitated workgroups of Commission members and representative stakeholders to develop consensus on packages of recommendations in their respective subject areas. The workgroups convened and/or meeting during the reporting period include: the Threshold Building Renovation Workgroup, Screen Enclosures Workgroup, Florida Building Code System Uniform Implementation evaluation Workgroup and the Hurricane Research Advisory Committee. Each of these groups worked with stakeholders to identify issues, evaluate a full range of options and submit consensus recommendations to the Florida Building Commission on their respective topics.

RECOMMENDATIONS. Monitoring the building code system and determining refinements that will make it function better is a primary responsibility of the Commission, and consequently the Commission is continually effecting refinements to the building code system by administrative rule amendment(s) where the statutes provide authority. However, the building code system is established in law, requiring that some refinements must be implemented through changes to law. The Commission’s recommendations for 2014 legislative actions designed to improve the system’s effectiveness are summarized below:

THE FLORIDA BUILDING COMMISSION’S RECOMMENDATIONS FOR LEGISLATIVE ACTIONS DESIGNED TO IMPROVE THE SYSTEM’S EFFECTIVENESS ARE SUMMARIZED AS FOLLOWS:

Florida Building Commission's Recommendations to the 2013 Florida Legislature:

1.) The Commission recommended a definition of the term “local technical amendment” be added to Chapter 553.73.71, F.S. The recommended definition is as follows:

“An action by a local governing authority that results in a technical change to the Florida Building Code and its local enforcement.”*

* *The 2013 Florida Legislature adopted the definition, amending Section 553.71, F.S. by adding the definition in a new subsection (6).*

Florida Building Commission's Recommendations to the 2014 Florida Legislature:

1.) The Commission requests statutory authority to interpret the Florida Accessibility Code for Building Construction (FACBC) consistent with the Commission’s ability to interpret all of the other sections of the Florida Building Code.

II. INTRODUCTION

In 1974, Florida adopted a state minimum building code law requiring all local governments to adopt and enforce a building code. The system provided four separate model codes that local governments could consider and adopt to establish minimum standards of health and life safety for the public. In that system, the state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes as they saw fit.

Hurricane Andrew demonstrated in 1992 that this system of local codes did not provide the level of public protection that was necessary. The South Florida Building Code, which was the local code universally acknowledged to set the strongest standard for hurricane protection, essentially failed. The resulting problems had impacts well beyond southern Miami-Dade County. The state filled the property insurer void left by failed and fleeing private insurance companies, and the federal government poured billions of dollars of aid into the disaster area. It became starkly apparent the state had a significant interest in the effectiveness of building codes.

After Hurricane Andrew, Miami-Dade County conducted an exhaustive review of its building code and made significant changes to both the code and support systems for code enforcement. In other areas of the state the Florida Board of Building Codes and Standards (the predecessor to the Florida Building Commission) adopted significant upgrades to the wind resistance standards of the model state minimum code that was used by the majority of other local governments. The state also began licensing local governments' building code enforcement personnel. These steps proved critical in leading to the building codes that produced improved building performance in the 2004 hurricane season.

Like Miami-Dade County, the State went beyond modernizing the minimum building codes. In 1996 a study commission was appointed to review the system of local codes created by the 1974 law and to make recommendations for modernizing the entire system. The 1998 Legislature adopted the study commission's recommendations for a single state building code and an enhanced oversight role for the state in local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code, and the first edition replaced all local codes on March 1, 2002.

To implement the new Florida Building Code, the Florida Building Commission was established in law. The Florida Building Commission, originally a 23-member Commission, is now a 25-member Governor-appointed stakeholder group that successfully created and implemented the statewide Florida Building Code, which became effective in 2002. The Commission, which also maintains the Code, is comprised of the Governor's Chair and 24 members representing various industries and governmental interests as follows: four code officials; two state government representatives, a local government representative, a representative of persons with disability, and a representative of the green building industry; an architect, a structural engineer, a mechanical or electrical engineer, representatives of fire protection technology, the building management industry, and the insurance industry; and a general contractor, residential contractor, mechanical or air conditioning contractor, plumbing contractor, electrical contractor, roofing/sheet metal contractor, a manufactured building

representative, a building product manufacturer and a swimming pool contractor. The 2013 Florida Legislature added a 26th member representing natural gas distribution systems, effective July 1, 2013.

The first major tests of the building code enhancements put in place after Hurricane Andrew came with 2004's Hurricanes Charley, Frances, Ivan and Jeanne. All but Hurricane Charley produced winds below the design speeds required by the Code but the storms were long in duration and produced extensive rainfall. Hurricane Charley was a design wind speed storm that moved quickly across the state and produced less rainfall. Hurricane Ivan, similar to Hurricane Opal in 1995, was a category 4-5 storm in the Gulf but its winds diminished dramatically when it approached land, lowering winds below building code design wind speeds, while maintaining storm surges that wreaked havoc along barrier islands and mainland waterways. Each storm provided different kinds of tests and exposed different types of building failures. The difference in the building failures experienced by buildings built to older codes and those built to the new Florida Building Code was that older buildings had major damage to property and proved to be unsafe shelters. In contrast, buildings built to the Code had less property damage and provided safe shelter. The testimony of homeowners, who in 2002 were skeptical of the new code requirements and their added costs, was that they felt safe in their homes and found value in the additional costs associated with complying with the Florida Building Code.

During 2005 the Code was again tested when Florida was battered by another series of hurricanes. Although Hurricanes Dennis, Katrina and Wilma were devastating to the citizens of the state, they added further evidence that the Florida Building Code is working. Additionally, the observations, investigations and research regarding storm-related damage provided insight on how to improve the products and construction methods used in Florida. The Commission continues to study how to enhance the Code through the work of its Hurricane Research Advisory Committee.

Engineering standards are enhanced based on real-world experiences like hurricanes that serve to provide the laboratory for expanding knowledge. It is essential that Florida maintain pace with the evolving standards because its coastal exposure and rapidly expanding population create a major risk and limit options for ensuring the safety of its citizens. The Commission keeps pace by amending the Code to adopt updated national codes and reference standards, and by implementing enhancements coming from its research and consensus-building standards development projects.

The Florida Building Commission's Hurricane Research Advisory Committee continues to meet to review research and make recommendations to the Commission regarding proposed code enhancements. Most of the Committee's recommendations were implemented with adoption of the 2007 and 2010 Editions of the Florida Building Code. The 2013 Edition of the Code incorporates additional research based wind and water intrusion protection enhancements designed to protect Florida's citizens and structures. The Committee continues to recommend and monitor research projects designed to enhance the performance of Florida's buildings during storms.

A primary focus for the Commission during the reporting period (January 2012 – June 2013) was harmonizing the Florida Energy Conservation Code (FECC) with the International Energy Conservation Code (IECC) while maintaining Florida efficiencies. To this end, the Commission completed adoption of Energy Code modifications for the 2013 Code Update that will become effective with the implementation of the 2013 Florida Building Code. Between 2009 and 2011 working with stakeholders the Commission increased the Energy Code's efficiencies consistent with their charge to increase the energy performance of new buildings by at least 20% as compared to the

energy efficiency provisions of the 2007 Florida Building Code. On balance the FECC remains the most energy efficient code in the Nation.

The Florida Building Commission seeks to develop consensus decisions on its recommendations and policy decisions. Consensus is a participatory process whereby, on matters of substance, the members strive for agreements they all can accept, support, live with or agree not to oppose. In instances where unanimity is not possible, final decision on substantive decisions, and the Commission finds that 100% acceptance or support is not achievable, final decisions require at least 75% favorable vote of all members present and voting. This super-majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues. The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues.

At each Commission meeting, the public is provided opportunity to speak during the public comment period provided for each substantive issue under consideration, as well as during general public comment periods provided at the end of each day's meeting. In addition, many substantive issues before the Commission go through a workgroup process where consensus recommendations are developed by appointed representative stakeholder groups, providing additional opportunities for public input. Workgroup recommendations approved by the Commission usually require rule development to implement, affording at least two additional opportunities for public comment.

Since its formation in July 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January 2001, involved 27 Commission meetings, dozens of facilitated public workshops, and hundreds of Technical Advisory Council meetings. The Commission is currently in the process of adopting the fourth update and fifth edition of the Code (2013 Edition). The Commission consistently works with all affected interests in building the best possible consensus-based decisions for the citizens of Florida.

Through its committees and workgroups of experts, the Commission develops its decisions on the results of the best engineering-based science available. Since 1999 the Commission has convened 58 special issue stakeholder workgroups to develop broad based consensus recommendations. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science-based building code in the country.

In summary, the Florida Building Commission provides a forum for stakeholders representing different interests to participate in a consensus-building process where issues affecting the construction industry are discussed and evaluated on both their technical merits and cost-benefits to the citizens of the State of Florida.

III. COMMISSION REPRESENTATION AND PROCESS

COMMISSION REPRESENTATION. The Florida Building Commission is a 25-member Governor appointed stakeholder group that successfully created and implemented the statewide Florida Building Code, which became effective in 2002. The Commission, which also maintains the Code, is comprised of the Governor's Chair and 24 members appointed to represent key building construction stakeholder perspectives. They are as follows: four code officials, two state government representatives, a local government representative, a representative of persons with disability, a representative of the green building industry, an architect, a structural engineer, a mechanical or electrical engineer, representatives of fire protection technology, a representative of the building management industry, a representative of the insurance industry, a general contractor, a residential contractor, a mechanical contractor, a plumbing contractor, an electrical contractor, a roofing/sheet metal/air conditioning contractor, a manufactured building representative, a building product manufacturer and a swimming pool contractor. The 2013 Legislature amended Section 553.74 (1) F.S., to add a 26th member representing natural gas distribution systems, effective July 1, 2013.

CONSENSUS PROCESS. The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support.

The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues. At each Commission meeting, the public is welcome to speak during the public comment period provided for each substantive issue under consideration, as well as general public comment periods provided at the end of each day's meeting. In addition to these opportunities for public input, most substantive issues before the Commission go through a workgroup process where consensus recommendations are developed by appointed representative stakeholder groups. Workgroup recommendations approved by the Commission usually require rule development to implement, affording at least two additional entry points for public comment.

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The first edition of the Florida Building Code (2001 Edition) was developed from September 1998 through January of 2001, and involved extensive stakeholder participation. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country.

IV. LEGISLATIVE ASSIGNMENTS

The Florida Legislature through the passage of a number of bills during the 2012 and 2013 sessions charged the Commission with a range of assignments effecting the Building Code. In response, the Commission worked with stakeholders and affected interests to address each of the legislative assignments through facilitated processes yielding consensus-based recommendations and Commission decisions. The Commission's actions are detailed in the following section of this report.

2012 AND 2013 LEGISLATIVE CODE ASSIGNMENTS STATUS

Alternative Design Method for Screen Enclosures. CS for CS for SB 704 Section 19 required that the Florida Building Commission shall establish a workgroup to assist the commission in developing a rule for implementing an alternative design method for screen enclosures which allows for the removal of a section of the screen to accommodate high-wind events consistent with the provisions of the Florida Building Code.

Action Required: The Commission was tasked by the 2012 Florida Legislature with development of a rule for implementing an alternative design method for screen enclosures which allows for the removal of a section of the screen to accommodate high-wind events consistent with the provisions of the Florida Building Code.

Status: The Commission convened the *Screen Enclosures Workgroup* to work with stakeholders in a facilitated consensus-building process consistent with Commission procedures and policies that concluded with recommendations for screen enclosure Code requirements submitted to the Florida Building Commission for implementation by rule. The Commission implemented the provisions through Rule 61G20-1.002, Alternative Design Method for Screen Enclosures, and is incorporating the alternative screen enclosure design method requirements into the 2013 version of the Florida Building Code.

(Appendix G—Screen Enclosure Project Update)

Accessibility Code Waiver Fees. Section 553.512 (1), F.S. requires that the Commission shall establish by rule a fee to be paid upon submitting a request for an Accessibility Code waiver.

Action Required: Section: The Commission is required to adopt an Accessibility Code waiver fee by administrative rule.

Status: The Commission voted to notice a supplemental rule development workshop for Rule 61G20-4.001, Procedures – Accessibility Waiver Fees, tasking the Accessibility TAC with developing recommendations on a fee, and holding a supplemental rule development workshop on May 14, 2013. At the May Supplemental Rule Development Workshop the Commission voted to adopt an Accessibility Code Waiver application fee of \$250.00/application, with a delayed implementation date of July 1, 2014, to allow time for implementation of needed BCIS revisions, and to proceed

with rule adoption, as recommended by the Commission's Accessibility TAC. The Commission is in the process of implementing this legislative assignment by proceeding with rule adoption.

Statewide Product Approval System Revisions. The 2013 Florida Legislature through passage of HB 269 amended Section 553.842, F.S., Product Evaluation and Approval, to require the Commission to initiate rulemaking to include a new category of product for Statewide Product Approval. In addition, products submitted for approval by Method 3 (product evaluation entity) are required to be approved by DBPR using the 10 business day expedited approval process.

Action Required: The Commission is required to initiate rulemaking to implement this statutory requirement.

Status: The Commission voted to initiate rulemaking and revise the Building Code Information System to implement 2013 statutory changes to Section 553.842, F.S. creating a new category of products for Statewide Product Approval titled: "impact protective systems." This creates an eighth category of products covered under the scope of the Statewide Product Approval System. In addition, products submitted for approval by a product evaluation entity (Method 3) will be approved by DBPR using the 10-business day expedited approval process. The Commission is in the process of implementing this 2013 legislative assignment.

Recycling, Composting, and Recyclable Construction Materials. The 2010 Florida Legislature through passage of HB 7243 delivered the following assignment to the Florida Building Commission, which the Commission continues to evaluate:

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

Status: The Commission is leveraging limited resources by monitoring the status of the issue in the context of the model codes development process. Once the model codes incorporate standards/requirements the Commission will integrate the standards/requirements through a subsequent update to the Florida Building Code incorporating the model foundation codes.

V. The FLORIDA BUILDING CODE

The Commission is required by law to update the Florida Building Code (FBC) every three years, and the 2013 Edition represents the fourth update and fifth edition of the Code. Commencing the triennial code update process for the 2013 Edition of the Florida Building Code was a major focus of the Commission during the reporting period. The Commission is conducting the 2013 Code Update process during 2012 and 2013 and the new Code is scheduled to become effective on March 1, 2014. The code 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, and 2012 represented the second time the Commission adopted the International Energy Conservation Code (IECC) as the foundation for the 2013 Florida Energy Code. National model building codes and most engineering standards are updated every three years and the intent is to keep the Code up-to-date with evolving national standards of health, safety and welfare of the public.

The 2013 Update process was initiated with selection of the 2012 I Codes as foundation for the 2013 Florida Building Code. The 2013 Code Update marked the first time that modifications to the foundation code remain effective only until the effective date of a new edition of the Florida Building Code every third year per Section 553.73(7)(g). With the exception that modifications related to state agency regulations, and wind-resistance design of buildings and structures within the high-velocity hurricane zone of Miami-Dade and Broward Counties which are adopted to an edition of the Florida Building Code do not expire and shall be carried forward into the next edition of the code. In addition, provisions of the foundation codes, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be modified to diminish those construction requirements. Based on technical staff’s recommendations the Commission’s technical advisory committees conducted the preliminary review and developed recommendations for which to retain based on statutory requirements. In addition, the Fire TAC reviewed and developed recommendations regarding overlaps and correlation issues between the Florida Fire Prevention Code and the Florida Building Code.

For the 2013 Code Update process 970 proposed Code modifications to the Florida Building Code were reviewed by the Commission’s TACs in meetings conducted in October 2012. The TAC’s recommendations regarding proposed Code modifications were posted to the Commission’s website for a minimum of 45 days and the public was provided an opportunity to comment on the TAC’s recommendations during this time-frame (second 45-day review period). The TACs met in January 2013 to review the public comments, and provided TAC comments to the Commission regarding whether the submitted public comments addressed TAC concerns relative to their original recommendations on proposed Code modifications (TAC feedback on public comments to the Commission). During the February 2013 meeting the Commission considered the TAC’s recommendations and comments on public comments regarding proposed modifications for the 2013 Florida Building Code. Once the Commission made decisions on all of the proposed Code modifications and local technical amendments submitted for statewide approval, the Commission voted unanimously to adopt the Commission’s package of recommendations of approved Code modifications for the 2013 Code Update, and to proceed with rule making. The Commission will engage in rulemaking during the Summer and Fall of 2013 with a scheduled effective date for the 2013 Code of March 1, 2014.

For the 2013 Code Update the Commission is integrating the 2013 Code Update and the Glitch amendment process into a single rule development initiative eliminating the need for a supplement to the Code and resulting in a fully integrated set of the nine volumes comprising the 2013 Code. The Commission's TACs reviewed and developed recommendations on proposed Glitch amendments in June 2013, and the Commission will consider the TACs' recommendations during an August 2013 rule development workshop.

Highlights of 2013 adopted Code enhancements include: incorporating IRC high wind area requirements, Florida specific wind resistance water infiltration requirements for Building and Residential codes, Flood requirements integration, swimming pool energy standards inclusion, roofing provisions, wind load provisions, and integration of windows and doors testing and labeling requirements into the Code.

The Commission made decisions on 970 proposed code modifications, approving approximately 56% of the modifications, with all but 16% of modifications approved related to state agency regulations, statutory requirements, High Velocity Hurricane Zone wind provisions, declaratory statements, correlation between sub-codes, correlation with ASCE 7-10, provisions specific to high wind areas. In summary, 86 % of the modifications approved were consistent with the exceptions contained in legislation and the accommodation of Florida specific needs with respect to retaining the current Florida Building Code standards for wind resistance and prevention of water intrusion.

In considering whether to adopt proposed code amendments the Commission is required to evaluate the following criteria addressing whether the amendment:

- Has a reasonable and substantial connection to the health, safety, and welfare of the general public.
- Does not degrade the effectiveness of the Code and either strengthens or improves the Code or provides for innovation or new technology by allowing equivalent or better products, methods, or systems of construction.
- Does not discriminate against products, methods, or systems of construction of demonstrated capabilities.
- Fiscal impact of enforcement imposed upon local government.
- Fiscal impact of compliance imposed upon property and building owners.
- Fiscal impact of compliance imposed upon industry.
- Fiscal impact of compliance imposed upon small business.
- Benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- Addresses a Florida-specific need.
- Does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

INTEGRATION OF FLORIDA ACCESSIBILITY LAW INTO THE NEW ADAAG ADOPTED BY THE U.S. DEPARTMENT OF JUSTICE

The Commission's Accessibility TAC recommended and the Commission approved convening a workgroup to evaluate and develop recommendations regarding the integration of the Florida Accessibility Law into the 2004 ADAAG that was the core of the ADA Standards proposed by the U.S. Department of Justice. The Commission convened the Florida Energy Code Workgroup in December 2008 and the Workgroup developed consensus recommendations to the Commission during 2009 and 2010 regarding integrating Florida Specific Requirements from law into the new DOJ Standards for Accessible Design.

The Commission Workgroup of stakeholders developed recommendations for updating the Florida Accessibility Code for Building Construction with US Department of Justice's adoption of the next generation of the ADA Standards for Accessibility Design (ADA Standards), including convening workshops soliciting comments from interested stakeholders regarding the integration of Florida Specific Requirements into the new ADA Standards, and proposed changes to Florida Law, which were adopted by the 2011 Florida Legislature. The task was to integrate the relevant revised Florida standards in ss. 553.501-553.513, F.S., into the 2004 ADAAG as adopted by 28 CFR 36. The Workgroup began with the 2004 ADAAG and DOJ's additions currently adopted in 28 CFR 36 and further additions proposed in its June 8, 2008 Notice of Proposed Rule. The DOJ completed their adoption process and soon thereafter Florida finalized the new Florida Accessibility Code for Building Construction (FACBC) with adoption of the 2012 FACBC, effective March 15, 2012. With the adoption of the 2012 FACBC the Commission integrated Florida statutory accessibility requirements with the new Department of Justice (DOJ) Standards for Accessible Design (SAD) based on the Final DOJ Rules 28 CFR 35 and 28 CFR 36 as published in the September 15, 2010 Federal Register.

At the December 2011 meeting the Commission voted to initiate the process of seeking certification of the 2010 Florida Accessibility Code for Building Construction (FACBC) by the Department of Justice (DOJ). The Commission filed a request for certification with the DOJ, and conducted a hearing seeking public input at the January 2013 meeting as required for the certification process. The DOJ is currently reviewing the certification package, and since Florida is the first submittal the process will take some time to conclude. The purpose for seeking certification of the FACBC is to provide verification that Florida's Code complies with the Federal requirements.

VI. ENERGY EFFICIENCY INITIATIVES AND CODE CHANGES

Energy efficiency issues were again a primary focus of the Commission during the reporting period. In the development of the 2010 Edition of the Florida Energy Code the Commission achieved a 20% increase in thermal efficiency standards from the 2007 Edition of the Code pursuant to requirements in effect prior to changes made during the 2011 Legislative Session (the 2011 Legislature repealed mandatory scheduled increases in thermal efficiency standards for future editions of the Code pursuant to Section 553.9061, F.S.). During the 2013 Code Update the Commission focused on incorporating the International Energy Conservation Code (IECC) as the foundation code for the FECC while maintaining existing Florida efficiencies.

During the reporting period the Commission adopted the Energy Simulation Tool Approval Technical Assistance Manual. The Manual serves as a “Technical Assistance Manual” for computer tool vendors to use in a self-certification process for demonstrating compliance with the Energy Code performance compliance options for residential and commercial buildings. In addition, the Commission approved energy simulated calculation tools applications submitted by vendor(s). Vendors seek approval of their software by providing self-certification that the software submitted meets the requirements to demonstrate compliance of the 2010 Florida Energy Code for residential and/or commercial buildings and the procedures of the “Energy Simulation Tool Approval Technical Assistance Manual, TAM-2010-1.0”.

In June of 2013 the Commission voted to certify that the 2010 *Florida Building Code, Energy Conservation*, meets or exceeds ASHRAE 90.1-2007 and authorized the Chair to send a letter with supporting documentation to the Department of Energy regarding the Commission’s certification. A technical analysis conducted by the University of Central Florida’s Florida Solar Energy Center verified that Florida’s Energy Code exceeds the Federal energy requirements.

Finally, the 2013 Florida Legislature amended Section 553.901, F.S. – Thermal Efficiency Code, to change how the Florida Energy Code is adopted. The Commission will now adopt the Florida Building Code–Energy Conservation as a volume of the Code consistent with other Code sections and based on the International Building Code. Previously the Commission adopted the Florida Energy Efficiency Code for Building Construction within the Florida Building Code.

VII. HURRICANE RESPONSE AND CODE CHANGES

The Commission has determined that research is a key to effectively and efficiently preventing or minimizing hurricane damage to buildings. The Commission convened the Hurricane Research Advisory Committee in response to Florida's 2004 and 2005 hurricane seasons. To support code development and other legislative assignments the Commission contracted with the University of Florida for studies to address wind-borne debris risks, water intrusion, wind resistance of roof systems, and other construction systems and practices that effect the hurricane resistance of buildings.

The Florida Building Commission's Hurricane Research Advisory Committee (HRAC) continues to meet at selected Commission meetings to review research and make recommendations to the Commission regarding proposed code enhancements and research needs. Many of the Committee's recommendations were adopted through the 2007 and 2010 Code Updates, and additional proposals are being evaluated and adopted during the 2013 Code Update process. The Committee continues to consider enhancements to the Florida Building Code based on sound science. In addition, the Committee recommended research to advance the science and allow the Commission to continually study and update the storm protection provisions of the Florida Building Code. The Committee is continuously monitoring current research and recommending the development of standards and installation practices related to protecting against wind damage and water infiltration.

RESEARCH FOR HURRICANE RESISTANCE CODE ENHANCEMENTS

During 2007, the Committee prioritized the funding of research including: sealing of masonry walls, soffit systems, window water infiltration standards, aggregate roof blow-off, testing procedures for hurricane zones, lightening protection systems, and tile roof systems. During 2008 the Committee recommended and the Commission approved funding a variety of research projects including evaluating water leakage at the window/wall interface, and soffit system performance. During 2009 the Committee recommended continuing these studies and expanded research to include studies of the resistance of residential window glass to lightweight windborne debris including shingles and tree branches, study of the residual resistance of steel and aluminum storm panels to roof tiles, study of the structural resistance of commercial soffit systems, study of the resistance of field fabricated and factory manufactured residential window mullions to water intrusion and studies of primary and secondary roof coverings.

Research was begun on roof coverings and components during 2008-2009 in response in part to the Legislature's Hurricane Mitigation (Roofing) Initiative and in part as extension of the Wind-Borne Debris Studies begun in prior years. The studies included construction and testing of large scale model roof samples at the UF hurricane simulator test facility and testing of soffit components of the roof system. Experimental work also was conducted in wind tunnel test facilities via contract with UF that evaluated wind pressures on roof systems and roof component failure. Results of these tests verified the under-prediction of wind forces at roof edges by the ASCE 7 design standard and demonstrated the acceleration nature of roof cladding failures.

In 2009-2010 the Commission sponsored roof systems research that leveraged larger sources of funding at UF. Commission resources provided wind tunnel tests to determine large scale wind

simulator design characteristics and begin test equipment construction. This project leverages larger resources from Florida State University and Oak Ridge National Laboratory to begin roof system evaluations with shingle systems. A small source of funds also went to supplement research and testing of closed cell foam adhesive systems for increasing roof diaphragm resistance to wind forces that is funded primarily by a NOAA Sea Grant.

Each project investigates questions identified during the Commission's and its committees' and workgroups' deliberations of systems for improving hurricane performance of roofing systems. This funding track of leveraging outside funded roof research projects that answer fundamental building construction questions was continued in 2010-2011. Roof research continued to look at shingle system evaluation and improvement, innovative roof deck strength enhancement systems, roof tile wind-borne debris potential and innovative roof covering system wind performance. The goal is to ensure that technologies being introduced into the Florida market are appropriately evaluated for their application to this high wind region and ultimately establishing standards for uniform evaluation of different manufacturers' systems.

The study of roof component and cladding and roof attached structures and equipment must be conducted by various hurricane wind effects simulation methods. The beginning point of any such simulation studies is accurate characterization of the wind field and its effects. Then simulation models can be constructed to test various components and attachments. Research conducted in response to the 2004 and 2005 hurricanes was initially directed primarily to window and wall components and cladding. Work was began in 2009 on roof systems. Current year funding was directed to supporting studies to characterize the wind field on roofs and to leveraging funding for roof systems related research provided by federal organizations including FEMA/DHS, NOAA/Sea Grant and RCMP/DEM.

Due to the ongoing recession's impact on the construction industry and resulting decline in fees the Committee recommended prioritizing research projects that leverage the funding of other agencies for projects that support resolution of Florida hurricane related building failures. The Commission voted unanimously in favor of the recommendation. Research projects will evaluate shingle roof covering systems and roof deck attachment alternatives.

The HRAC met during 2011 to receive updates on ongoing research projects, and to continue developing consensus on recommendations to the Commission for additional code enhancements for consideration during the 2013 Code Update process.

During 2011 the HRAC voted and the Commission approved continuing to fund UF's existing roofing and soffit system research projects based on spending authority approved by the 2011 Florida Legislature for Fiscal Year 2011/2012, and to leverage additional funding sources to the extent possible (e.g., FEMA/DHS, NOAA/Sea Grant and RCMP/DEM).

The Committee will continue to meet as needed to review research project updates, provide recommendations on needed research projects and funding for same, and provide recommendations regarding proposed code amendments relevant to hurricane and storm protection enhancements. Of particular note regarding the Hurricane Research Advisory Committee Project is the extensive opportunity for public input provided during Committee and Commission meetings. In addition, each Hurricane Research Advisory Committee meeting provides opportunities for individuals and

entities to present the results of their observations, studies, and research regarding the effects of the 2004, 2005 and 2008 hurricanes on the citizens of Florida and the built environment.

Of interest, with the adoption of the 2010 Florida Building Code the Commission updated ASCE 7 to the 2010 Edition and introduced new ultimate design speed maps in the Code. The new standard incorporates the latest knowledge and research on the determination of design wind loads on buildings and structures and provides for the latest building design technologies, which is used by building designers (engineers and architects) nation-wide. In addition, the Commission updated the minimum requirements for soffit systems, established installation criteria, provided guidance for interchanging components, provided a reference to design loads of Chapter 16, and specified manufactured soffits will be tested at 1.5 times the design pressure similar to that required for windows and impact resistant coverings. This code change will increase the effectiveness of the code in addressing a key weakness by establishing installation criteria and specifying a safety factor for manufactured soffit testing which will result in a better water intrusion resistance system in buildings.

During the reporting period the Committee focused on monitoring existing research projects conducted by the University of Florida and partially funded by the Commission. The Commission continued to fund important hurricane resistant research by funding UF's existing roofing and soffit system research projects based on spending authority approved by the Florida Legislature, and to leverage additional funding sources to the extent possible (e.g., FEMA/DHS, NOAA/Sea Grant and RCMP/DEM). Research projects for the reporting period include wind and wind-driven rain resistance of residential soffit panel systems, wind resistance of green and vegetative roofs and development of a wind test protocol for hurricane rain and wind conditions, and wind resistance of clay and concrete roofing tiles research.

Additional information on the Hurricane Research Advisory Committee's activities are found in "*Appendix D*" of this Report.

(Appendix D—Hurricane Research Advisory Committee Project Update)

VIII. PRODUCT APPROVAL

The Florida Building Code establishes standards for products integrated into buildings in addition to standards for the design of buildings themselves. Unlike prescriptive standards in the Code that can be easily verified by building officials, how well products such as windows perform cannot be determined by review of drawings or inspection of the product alone. Yet compliance of the individual products is fundamental to compliance of the overall building. To determine whether products and building systems comply, the building official must rely on engineers and testing laboratories to evaluate performance then rely on the manufacturers to maintain quality control of production to ensure that production products perform like the ones tested. The product approval system framed in law and implemented through rule requires accreditation of the product evaluators and quality assurance monitors and standardizes the information that must be provided to demonstrate code compliance.

The Commission directed a major part of its efforts since its inception in 1998 to developing a standardized system for public regulation from the many combinations of product evaluation and quality control monitoring services provided by private companies. The diversity of approaches used in different industries for product evaluation and quality control monitoring make standardization particularly difficult, and a considerable amount of time and effort have been dedicated to this task. Patience and hard work characterize the contributions of all parties.

Working in collaboration with stakeholders the Commission continues to monitor and fine tune the Product Approval System ensuring that the System is functioning more efficiently and user friendly, and user satisfaction, as determined by System user surveys, is very high.

During the reporting period the Commission reviewed and approved products and product approval entities, and considered complaints filed against products. Through product revocation, the Commission is authorized to revoke product approvals for products that no longer comply with the requirements of their product approvals, providing a key tool for maintaining the efficacy of the Product Approval System and providing protection for Florida consumers.

During the reporting period the Commission conducted rulemaking for the purpose of approving revisions to rule language to the Product Approval Rule sections 61G20-3.007 and 61G20-3.013 regarding establishment of revocation criteria.

The Commission also amended Rule 61G20-3.015, Equivalence of Standards, to provide for the determination of the equivalency of standards not specifically adopted within the Building Code for purposes of state product approval. The Rule authorizes the use of evaluations performed in accordance with the alternative standards for Florida Product Approval. This practice avoids unnecessary expense and delay associated with testing under a new standard when the existing data indicates the product meets or exceeds the requirements thereof. The Rule was amended to recognize the equivalency of the standards identified.

The Commission voted to initiate rulemaking and revise the Building Code Information System to implement 2013 statutory changes to Section 553.842, F.S. creating a new category of products for

Statewide Product Approval titled: “impact protective systems.” This creates an eighth category of products covered under the scope of the Statewide Product Approval System. In addition, products submitted for approval by a product evaluation entity (Method 3) will be approved by DBPR using the 10-business day expedited approval process.

The Commission approved 16,993 products, 3,734 product applications, 10 accreditation bodies, 14 certification agencies, 6 evaluation entities, 26 quality assurance entities, 48 testing laboratories, and 13 validation entities under the 2010 Florida Building Code. Following are relevant product approval system statistics:

PRODUCT APPROVAL AND ENTITIES STATISTICS UPDATE

Entities	Accreditation Body	Certification Agency	Evaluation Entity	Quality Assurance Entity	Testing Laboratory	Validation Entity	Totals
Approved	10	14	6	26	48	13	117
Pending	0	0	0	0	0	0	0
Pending Accreditation	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0
Suspended	0	0	0	0	0	0	0
Expired	3	9	0	17	41	18	88
Renewed / Revised	0	18	0	34	73	25	150
TOTALS	13	41	6	77	162	56	355

CODE VERSION	2004		2007		2010	
	Applications	Products	Applications	Products	Applications	Products
Approved	5,593	22,575	5,767	27,529	3,734	16,993
Applied For	31	39	103	433	91	388
Denied	154	482	11	26	5	17
Validated	15	28	50	184	48	216
Suspended	0	0	0	0	0	0
Re-Apply	3	3	19	282	5	7
Pending FBC Approval	1	1	76	244	113	404
Revoked	6	17	1	1	0	0
Archived	528	1828	675	2582	347	1,645
Over 180 Days Old and Not Approved, Denied, Validated, or Pending Status	3	7	32	207	38	169
TOTALS	6,334	24,980	6,734	31,488	4,381	19,839

IX. BUILDING CODE TRAINING PROGRAM

Education is one of the cornerstones of the Building Code System, and the effectiveness of the Building Code depends on the knowledge of professionals who design and construct buildings. The Commission continues to work with the Department of Business and Professional Regulation and representatives of the licensing boards to establish a cooperative system for approving building code courses and integrating building code continuing education into licensing requirements.

The state building code system, first established in 1974, was overhauled in 1998 to improve its effectiveness. The Legislature recognized that the effectiveness of the Florida Building Code depended on the various participants' knowledge of the codes. The Building Code Training Program was intended to improve compliance and enforcement by providing a focus for code-related education through coordination of existing training resources, including those of universities, community colleges, vocational technical schools, private construction schools and industry and professional associations. As specified in law, the Commission's role is limited to the approval of code related courses, which are developed and submitted by private sector education and training providers to the Commission for approval. The Commission has no authority to determine the number of hours or courses for code related education and training. The licensing board for the respective category of affected licensee makes this determination.

During the reporting period, the Commission, based on recommendations developed by the Commission's Education Program Oversight Committee (POC) in collaboration with the program administrator and other entities, implemented education and outreach initiatives designed to ensure that Florida construction and design industries licensees are informed about Florida Building Code requirements and related specific duties.

The Commission implemented enhancements to the Education Program by amending Rule 61G20-6.002, Commission Approval of Advanced Building Code Training, to allow for administrative approval of a course that does not require change but must be updated (for licensure board or other renewal) and for an existing course in need of one correction. The Rule clarified and updated the criteria for approval of course providers, course accreditors, and advance course accreditation by the Commission. The revised Rule became February 5, 2013.

During 2012 the Commission's Education Program Oversight Committee conducted six meetings in which it managed the review and approval of course and accreditor applications; handled inquiries from licensees, providers and the public; and developed and refined guidelines and information on course development and processing. In June 2012, the Commission enhanced access to committee meetings by introducing attendance by webinar, in addition to the option to attend by telephone conference call or in-person.

Working with the education administrator and using the clearinghouse developed to bring together information on needs and availability of continuing education courses, process as well as underlying information, the Commission addressed specific education and outreach needs as follows:

- Developed and executed modifications to the Building Code Information System adding enhancement and usefulness to the system;

- Conducted 40 extensive training sessions (7 and 8-hour programs), training 2,649 building department personnel, design and construction licensees and home inspectors on hurricane mitigation design and construction, property insurance code requirements and issues, and manufactured housing;
- Conducted two education and training workgroup meetings to solicit input and recommendations from interested parties;
- Developed and delivered five informational flyers for use by industry personnel and consumers relating to fire/life safety, flood, wind, energy, and accessibility;
- Developed and delivered Florida Building Code-related education, training, and outreach specific to the Florida Building Code and mitigation and energy, including email and other messaging notifications, print and electronic media campaigns, website links between sites, development and preparation for seminars, as well as outreach promoting energy (Green Building Show) and mitigation (Hurricane Alley) zones at a Florida-based trade conference, Southeastern Builders Conference;
- Operated and enhanced a clearinghouse for the exchange of information for mitigation and repairs in the aftermath of a natural disaster;
- Provided 178 non-binding opinions relating to interpretations of building code provisions; and
- Administered six meetings and tasks of the Commission's Education and Outreach Program Oversight Committee, including conducting meetings; managing, review and approval of 38 course applications; handling 64 inquiries from licensees, providers and the public; and
- Developing, refining, and modifying guidelines and information on course development and processing.

X. FLORIDA BUILDING CODE SYSTEM UPDATES AND COMMISSION ACTIONS

FLORIDA BUILDING CODE SYSTEM

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 effected changes to the System as a result of the assessment process. The year 2012 marked the 10-year anniversary since the Florida Building Code became effective, and the Commission conducted the second comprehensive assessment of the Building Code System with recommendations developed by the Commission's Building Code System Assessment Ad Hoc Committee and adopted by the Commission. The goals of the 2011 Florida Building Code System Assessment were to evaluate the System for its successes and deficiencies, and to identify and select options for improvement.

As a result of the triennial assessment process twenty-seven recommendations were approved by the Commission and reported in the Commission's 2012 Annual Report. "Appendix E" of this Report provides a complete status update for each of the recommendations. As a result of the assessment process the Commission is implementing enhancements to the Building Code Information System (BCIS), evaluating specific code enhancement recommendations, and has respectfully forwarded recommendations relevant to DBPR licensing boards to the Agency for their review. Any recommendations requiring legislative change will be evaluated and recommended as a product of the *Building Code System Uniform Implementation Evaluation Workgroup* process.

During the reporting period the Commission convened the *Building Code System Uniform Implementation Evaluation Workgroup* to evaluate how well the Commission's efforts to create a unified building code have been implemented throughout the State, and to evaluate recommendations referred from the triennial assessment of the Florida Building Code System (summarized above). The *Building Code System Uniform Implementation Evaluation Workgroup* evaluated a range of issues and options to address the issues and developed a package of recommendations submitted to the Florida Building Commission. The Workgroup recommended the Commission seek legislative authority sufficient to implement the goals described in the recommendations, and address issues evaluated during the *Workgroup* process summarized as:

- I. Enhance Consistency in Submittal Requirements, Fees and Timeframes;
- II. Enhance Consistency in Code Interpretations and Local Technical Amendments;
- III. Develop/Enhance a Central Repository for Code Requirements & Interpretations; and,
- IV. Enhance Education and Training on the Code.

The Workgroup recommended and the Commission unanimously approved the following:

(1) The Florida Building Commission developed the Florida Building Code to be implemented uniformly throughout the State with the exception of the HVHZ; (2) The Commission through its established processes continually addresses current relevant issues and model code updates; (3) The Florida Building Commission's *Building Code System Uniform Implementation Evaluation Workgroup* has determined that there are significant disparities within the State in Code enforcement, permitting requirements and associated fees; (4) All regulatory agencies and licensees engaged in the process of

implementing the Florida Building Code are required to implement the Florida Building Code and its associated processes; (5) Local technical amendments should be clearly defined in Chapter 553, F.S., and local technical amendments should only be enacted when they fully comply with the provisions in Section 553.73 (4)(b)(1.-10.), F.S. governing adoption of local technical amendments; (6) the Building Code System should be continuously monitored and evaluated for enhancements to the System relative to achieving the goal of uniform implementation and interpretation of the Code while preserving the Code's foundations of local administration and enforcement.

In specific, the *Building Code System Uniform Implementation Evaluation Workgroup* recommended, and the Commission adopted, the following actions including the above stated goals:

- 1.) A definition of the term “*local technical amendment*” should be added to Chapter 553.73, F.S., as follows:
“An action by a local governing authority that results in a technical change to the Florida Building Code and its local enforcement.”
- 2.) The Commission be granted statutory authority to interpret the Florida Accessibility Code for Building Construction consistent with the Commission’s ability to interpret all other sections of the Code.
- 3.) The Commission Chair should work with DBPR staff to draft a letter to all of Florida’s city and county attorneys, and city and county managers and mayors regarding the statutory requirements contained in Section 553.73 (4)(b)(5.), F.S., requiring any amendment to the Florida Building Code: *“shall be transmitted within 30 days by the adopting local government to the commission. The commission shall maintain copies of all such amendments in a format that is usable and obtainable by the public. Local technical amendments shall not become effective until 30 days after the amendment has been received and published by the commission.”*

A summary of the *Building Code System Uniform Implementation Evaluation Workgroup* project is included as “*Appendix F*” of this Report.

(Appendix E—Building Code System Assessment Recommendations Status Update)

(Appendix F—Building Code System Uniform Implementation Evaluation Project Update)

Following are reporting period Commission initiatives and actions related to the Florida Building Code System:

THE FLORIDA BUILDING CODE AND THE CODE DEVELOPMENT PROCESS. The Florida Building Code is a statewide 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. In 2009, the Commission selected the 2009 I Codes as foundation for the 2010 Florida Building Code, and during 2010 and 2011, it developed and adopted the 2010 Edition of the Code, representing the third update and Fourth Edition of the Florida Building Code. During the 2013 Code Update process the Commission focused on removing (unnecessary) and maintaining (needed) Florida Specific requirements to the Code, with the goal of minimum variation from the foundations codes. In addition, during the 2013 Code Update the Commission intends to integrate the 2013

Code Update and the Glitch Amendment process into a single rule development initiative eliminating the need for a supplement to the Code and resulting in a fully integrated set of the nine (9) volumes comprising the 2013 Florida Building Code. The development of the 2013 Code will involve special issue stakeholder workgroups, rule development workshops and adoption hearings all providing extensive opportunity for public participation.

THE COMMISSION. The Commission is an appointed representative stakeholder body that develops, amends and updates the Code. The Commission is composed of members representing each of the key interests in the Building Code System. The Commission meets every eight weeks and, in addition to its code development responsibilities, regularly considers 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 its recommendations for changes to statute and law.

LOCAL ADMINISTRATION OF THE CODE. Florida Law requires that the Code 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. In 2007, the Commission conducted an assessment survey to review and address the code administration needs of local governments with consideration of measures to improve uniform and effective enforcement of the Code. The Commission identified a need to address the code administration needs of local governments with an emphasis on identifying measures to improve uniform and effective enforcement of the Code. This important component of the Building Code System was evaluated as a part of the 2011/2012 Building Code System Assessment project, and the 2012/2013 Building Code System Uniform Implementation Evaluation process.

STRENGTHENING COMPLIANCE AND ENFORCEMENT. Compliance and enforcement of the Code is a critical component of the system, and the Commission's emphasis in this regard is on education and training. The Commission's Education Program Oversight Committee (POC), working with the program administrator and other entities, implemented initiatives collaboratively to ensure Florida construction and design industries licensees are informed about Florida Building Code requirements and aware of related specific duties. This important component of the Building Code System was evaluated during 2011/2012 as a part of the Building Code System Assessment project, and the 2012/2013 Building Code System Uniform Implementation Evaluation process.

PRODUCT EVALUATION AND APPROVAL. 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 that 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 local building officials a part of the building permit approval process. This important component of the Building Code System was evaluated during 2011/2012 as a part of the Building Code System Assessment project, and the 2012/2013 Building Code System Uniform Implementation Evaluation process.

COMMISSION ACTIONS

(Appendix A—Commission Milestones)

COMMISSION POLICY IMPLEMENTATIONS

The following are policy decisions by the Commission implemented during the reporting period with existing Commission authority through administrative rule development:

In order to provide a transparent and efficacious rule development process for the 2013 Code Update the Commission voted to incorporate the 2013 Glitch Amendment process into the 2013 Code Update via a combined rule adoption process providing for a single integrated 2013 Florida Building Code. The 2013 Code Update process is providing extensive public input opportunities.

During the reporting period the Commission revised the declaratory statement review process to ensure statements are reviewed within the required 90-day period, and to provide petitioners with a more timely response by revising the review process from a two reading process back to a single reading process. The revised declaratory petition review process now includes a TAC/POC review followed by a single consideration and decision by the Commission (one reading).

The Commission convened a facilitated stakeholder workgroup process to evaluate the uniform implementation of the Florida Building Code System. The scope of the *Building Code System Uniform Implementation Evaluation Workgroup* was to evaluate how well the Commission's efforts to create a unified building code have been implemented throughout the State and to develop recommendations as appropriate to enhance the process.

COMMISSION INTERAGENCY COLLABORATION INITIATIVES

Threshold Building Inspectors Scope Review Request from Florida Board of Professional Engineers

In response to a request from the Florida Board of Professional Engineers (FBPE) regarding special inspections of the alterations and renovations of threshold buildings, the Commission convened the *Threshold Building Renovations Workgroup*. The scope of inquiry for the *Threshold Building Renovations Workgroup* was originally established to review the need for special inspections of the alterations and renovations of threshold buildings, and to determine the statutory authority for requiring special inspections of alterations and renovations of threshold buildings.

The Workgroup met in December 2011 and decided the statutes and requirements on balance appear clear, and that they required a more narrowly defined scope, and on this basis the Florida Building Commission sent a letter to the Florida Board of Professional Engineers (FBPE) requesting written clarification by providing a more narrowly defined scope of the specific issues they would like the Commission to address regarding special inspections of the alterations and renovations of threshold buildings. In addition, the Commission provided the FBPE with a copy of the Commission's predecessor body, the Florida Board of Building Codes and Standards', previous rule regarding requirements for special inspections of threshold buildings, and requirements for inspectors authorized representatives. In order to reach closure on the project the Commission agreed at the December 2012 meeting to draft another letter to the FBPE requesting additional

information and authorized DBPR staff to initiate contact with the FBPE regarding clarifying the project's scope.

Development of Recommendations that Increase Recycling and Composting and the Use of Recyclable Construction Materials and Construction and Demolition Debris

The Commission is implementing this 2010 Legislative assignment through the leveraging of limited resources by monitoring the status of the issue in the context of the model codes development process. Once the model codes incorporate standards/requirements the Commission will integrate the standards/requirements through a subsequent update to the Florida Building Code incorporating the model foundation codes.

COMMISSION ANNUAL ASSESSMENT AND PLANNING EXERCISES

Effectiveness Assessment Survey

Each year the Commission conducts an Effectiveness Assessment Survey to gauge the Commission's perspective on a variety of key topical issue areas. Over the years the survey input has been the basis for many enhancements to the Commission's procedures. The exercise is conducted annually as an on-line activity, and the Commission reviews the results once the results are compiled. Following are the compiled annual Effectiveness Assessment Survey results from 2000 – 2013:

FBC EFFECTIVENESS ASSESSMENT SURVEY RESULTS—ANNUAL COMPILATION 2000-2013												
<i>Annually, Commission members are asked to pick the number that best describes how the Commission functions in key topical issue area metrics: Scale Range 10 – 1 (10 highest rating to 1 lowest rating)</i>												
KEY TOPICAL ISSUE	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2001	2000
Decision Making Process	9.4	9.3	9.6	9.8	9.7	9.4	9.2	9.3	9.3	8.8	9.1	8.8
Participation & Communication	9.6	9.2	9.4	9.3	9.4	9.0	8.9	9.2	9.1	8.4	7.5	8.2
Commission Relationship to Agency (DBPR)	7.7	7.6	8.9	8.8	9.0	8.6	7.9	8.7	8.7	7.8	---	---
Commission Relationship to Staff	9.7	9.7	9.8	9.5	9.6	9.1	8.7	8.9	9.1	8.8	---	---
Time for Consideration	8.9	8.8	8.9	8.6	8.9	8.0	7.7	8.2	7.5	6.5	7.7	8.3
Information and Analysis	8.5	9.1	9.1	8.7	9.1	8.1	8.1	8.7	8.1	7.5	7.8	7.6
Process/Meeting Facilitation	9.7	9.2	9.4	9.5	9.8	9.7	9.7	9.5	9.5	---	---	---
Controversy or Planning Orientation	---	---	---	---	---	---	---	---	---	---	7.8	7.8
Overall Average	9.1	9.0	9.3	9.2	9.4	8.8	8.6	8.9	8.8	7.8	7.8	8.1

Workplan Prioritization Exercise

Each year the Commission conducts a Workplan Prioritization Exercise to help determine priorities for the coming year. Commissioners are asked to rank each of the Commission's Workplan Tasks on a five point continuum/scale where a 5 equals the highest level of priority and a 1 equals the lowest level of priority. Members are asked to rank the priority of each task independently and not in relation to the other tasks. Each of the Workplan Task's rankings are tallied and arranged in order of highest priority to lowest priority. The exercise is conducted annually as an on-line activity, and the Commission reviews the results once they are compiled. Following are the results of the Commission's Workplan Prioritization Exercise conducted in 2013:

WORKPLAN PRIORITIZATION EXERCISE RESULTS 2013		
WORKPLAN TOPICS (TASK/TOPIC #)	OVERALL RANKING	AVERAGE (1 TO 5)
Certification of Florida Accessibility Code (DOJ)	1	4.57
2013 Code Update Process	2	4.43
Glitch amendments to 2013 Code	3	4.36
Report to 2014 Legislature	4	4.21
Building Code System Uniform Interpretation Evaluation process (Workgroup)	5	4.14
Threshold inspections existing buildings	6	3.50
Amend rules to establish fees: waivers/declaratory statements/binding/non-binding opinions	7	3.36
Recommendations: increase recycling and composting, and recyclable construction materials (directed by Legislature)	8	3.14

**FLORIDA BUILDING COMMISSION
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XI. APPENDICES

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APPENDIX A

COMMISSION MILESTONES FOR JANUARY 2012 – JUNE 2013

http://consensus.fsu.edu/FBC/fbc_documents.html

JANUARY 2012

Commission conducts legislative teleconference meeting on January 17, 2012. Rick Dixon is honored with a *Resolution* by the Commission for his leadership as the Commission's Executive Director. Commission conducts Certification Hearing as part of the process for seeking certification of the 2010 Florida Accessibility Code for Building Construction (FACBC) by the Department of Justice (DOJ). Commission votes to convene *Building Code System Uniform Implementation Evaluation Workgroup*. Commission votes to initiate rulemaking for Rule 9B.70.002 (3)(a)(e)(f)(g), Education Rule, to implement revisions. Commission votes to initiate rule development for Rule 9N-3.015, Product Approval Rule, to allow implementation of equivalency of standards actions with regard to ASTM E 1996. Commission approves 2013 Code Update Process Ad Hoc Committee's recommendations regarding the 2013 Code Update process. Commission votes to provide flexibility regarding the title of the 2013 Florida Building Code (relative to the year and/or edition).

FEBRUARY/MARCH 2012

Commission conducts legislative teleconference meetings on February 27, 2012 and March 12, 2012. Commission submits certification package to DOJ in support of certification of the Florida Accessibility Code for Building Construction (FACBC) on March 12, 2012. The 2010 Edition of the Florida Building Code becomes effective March 15, 2012 representing the third update and fourth edition of the Code. The 2010 Florida Accessibility Code for Building Construction becomes effective March 15, 2012. Rick Dixon retires as Executive Director, and Jim Richmond becomes the second Executive Director of the Florida Building Commission effective March 19, 2012.

APRIL 2012

Commission appoints members and convenes the *Screen Enclosures Workgroup* in response to 2012 legislation. Commission adopts teleconference/virtual meeting participation guidelines revisions. Commission votes to conduct teleconference rule development workshops for Rule 9N-3.015, the Product Approval Rule, Rule 9B-70.002 (3)(a)(e)(f)(g), the Education Rule, and Rule 9N-2.002, the Florida Building Code. Commission votes to convey relevant Building Code System Assessment project recommendations to DBPR by forwarding them to the Agency with a letter of explanation from the Commission Chair.

MAY 2012

Commission conducts teleconference meeting on May 4, 2012 and votes to schedule a rule development workshop for Rule 61G20 – 1.001(1) necessary to address issues

meeting the threshold established by 553.73(8)* commonly referred to as “glitch code amendments”. Commission conducts teleconference meeting on May 18, 2012 and votes to proceed with rule adoption for approved changes regarding Rule 61G-2.002(4) Statewide Amendment to the Florida Building Code, Rule 61G-3.015 Equivalence of Standards, and Rule 61G-6.002 Commission Approval and Accreditation of Advanced Building Code Training Courses.

JUNE 2012

Commission conducts rule development workshop on Rule 61G20-4.001 & 4.002, Accessibility Code (Waiver Form and Procedures) to consider changes to the 2010 Florida Accessibility Code by providing clarification that enforcement of the barrier removal requirement is solely within the jurisdiction of the Department of Justice, and proposed revisions to the forms and procedures for applying for a waiver or modification of Florida-specific accessibility standards in the Code. Commission conducts rule development workshop on Rule 61G20-1.001(1), Florida Building Code, and adopts “*Glitch*” amendments to the 2010 Florida Energy Code. Commission votes to proceed with rule adoption for Rules 61G20-4.001 & 4.002 and 61G20-1.001(1). Commission creates new Swimming Pool TAC to address new authorities regarding swimming pool construction. Based on *Hinged Entry Doors Workgroup* feedback Commission votes to disband the Workgroup based on stakeholder’s preference to work informally on developing modifications for submittal during the 2013 Code Update Process to address any changes deemed critical to hurricane related performance of hinged entry doors. Commission votes to submit *Commission Annual Report* annually on June 30. Commission recognized by FEMA for strengthening the Florida Building Code by collaborating with DEM on incorporating flood resistant standards into the Florida Building Code.

JULY 2012

Commission conducts Teleconference meeting and votes to amend their action regarding proceeding with rule development for Rule 61G20-1.001(1), Florida Building Code, from conducting a rule adoption hearing to conducting a supplemental rule development workshop at the August 7, 2012 Commission meeting.

AUGUST 2012

Commission revises Declaratory Statement review process from two readings to one reading to enhance efficacy of the process. Commission revises Teleconference Participation process to ensure participants identify themselves when speaking. Commission conducts rule development workshops on Rule 61G20-1.001(1), Florida Building Code and Rule 61G20-1.002, Alternative Design Method for Screen Enclosures and moves to proceed with rule adoption. Commission hears preliminary report regarding issues for 2013 Legislative Session.

OCTOBER 2012

Ten of the Commission’s 11 TACs develop recommendations on proposed Code modifications submitted for the 2013 Code Update Process for their 10 respective topical Code areas. Commission approves required Statements of Estimated Regulatory Cost (SERC) analysis checklist forms prepared for the

six Commission rules currently under development (Rule 61G20-1.001, State Building Code Adopted; Rule 61G20-1.002, Alternative Design Method for Screen Enclosures; Rule 61G20-2.002, Statewide Amendments to the Florida Building Code; Rule 61G20-3.015, Equivalence of Standards; Rule 61G-20-4.001, Accessibility Standard—Procedures; Rule 61G-20-4.002, 2012 Florida Accessibility Code for Building Construction; and Rule 61G20-6.002, Commission Approval of Advanced Building Code Training). The *Building Code System Uniform Implementation Evaluation Workgroup* (BCSUIE) meets for first time on October 9, 2012.

DECEMBER 2012

Commission unanimously adopts Code Review Process for the Commission's review of proposed code modifications for the 2013 Code Update process, and TAC review process of public comments on TAC recommendations regarding proposed Code modifications for the 2013 Florida Building Code. Commission votes unanimously to initiate rule development for Rule 61G20-1.001, Florida Building Code Adopted, for the purpose of adopting approved Code modifications for the 2013 Florida Building Code. Commission receives four new Commissioner appointments and three reappointments. Commission discusses scope of *Threshold Building Renovations Workgroup* and agrees to send letter to Florida Board of Professional Engineers (FBPE) requesting written clarification by providing a more narrowly defined scope of the specific issues they would like the Commission to address regarding special inspections of the alterations and renovations of threshold buildings. Commission agrees to conduct *Workplan Prioritization Exercise and Effectiveness Assessment Survey* between December 2012 and February 2013, and to review results at the April 2013 meeting. The *Building Code System Uniform Implementation Evaluation Workgroup* (BCSUIE) meets for the second time on December 4, 2012 and clarifies scope of project by identifying key priority issues for evaluation.

JANUARY 2013

Commission TACs meet in January 2013 to review and provide comments to the Commission regarding public comment on TAC recommendations regarding proposed 2013 Code modifications. Commission conducts teleconference meeting to orient new Commissioners to Commission policies and procedures and to discuss the 2013 Code Update process.

FEBRUARY 2013

Commission receives presentation regarding issues related to publication of the next Edition of the Florida Building Code (Fifth Edition and Fourth Update). Commission considers issues related to adoption of current rules (Rule 61G20-1.002, Alternative Design Method for Screen Enclosures; Rule 61G20-2.002, Statewide Amendments to the Florida Building Code; Rule 61G20-3.015, Equivalence of Standards; Rule 61G-20-4.001, Accessibility Standard—Procedures; Rule 61G-20-4.002, 2012 Florida Accessibility Code for Building Construction; and, Rule 61G20-6.002, Commission Approval of Advanced Building Code Training) and takes action as required. Commission decides on TAC recommendations regarding 2013 Code modifications for the Next Edition of the Florida Building Code and unanimously adopts

Commission's package of recommendations of approved Code modifications for the 2013 Code Update, and proceeds with rule making.

APRIL 2013

Commission discusses results of the annual *Workplan Prioritization Exercise* and *Effectiveness Assessment Survey*. Commission refers a request from the Building Code Advisory Board of Palm Beach County regarding corrosion of roof fasteners to the Roofing TAC for evaluation. Commission votes to maintain March 1, 2014 as the effective date for the 2013 Florida Building Code. Commission votes to notice a supplemental rule development workshop for Rule 61G20-4.001, Procedures – Accessibility Waiver Fees, tasks the Accessibility TAC with developing recommendations on a fee, and to hold the supplemental rule development workshop in August 2013 and a rule adoption hearing in October 2013. Commission votes to adopt the settlement as set forth in the Settlement Stipulation, by entry of a final order of the Florida Building Commission adopting the Settlement Stipulation regarding DOAH Case Nos. 13-580 and 13-769. Commission approves recommendations from the *Building Code System Uniform Implementation Evaluation Workgroup* (BCSUIE). Commission approves the Summary of Issues and Recommendations for inclusion in the Commission's 2012-2013 Annual Report. Rule 61G20-1.002, Alternative Design Method for Screen Enclosures, becomes effective April 25, 2013. The 2012 Supplement to the 2010 Florida Building Code "Glitch" becomes effective April 25, 2013.

May 2013

The Commission votes to initiate rulemaking and revise the Building Code Information System to implement 2013 statutory changes to Section 553.842, F.S. creating a new category of products for Statewide Product Approval titled: "impact protective systems." Commission conducts supplemental rule development workshop for Rule 61G20-4.001, Procedures – Accessibility Waiver Fees, and adopts fees of \$250/application for accessibility code waiver applications with an implementation date of July 1, 2014.

JUNE 2013

The Commission reviewed and approved the Florida Building Commission 2012 - 2013 Annual Report and charged the Chair with approval of the Final Report for submittal to the Governor and Legislature.

APPENDIX B

COMMISSION SPECIAL ISSUE PROJECTS 1999–2013

COMMISSION SPECIAL ISSUE PROJECTS 1999-2013		
PROJECT	NUMBER OF MEETINGS	DATE CONVENED
1. Product Approval Ad Hoc	12	1999
2. South Florida Code Integration Ad Hoc	3	1999
3. Code Formatting Ad Hoc	1	1999
4. State Agencies Review Ad Hoc	2	1999
5. Alternative Procedures Review (Chapter 120) Ad Hoc	1	2000
6. Economic Criteria Ad Hoc	1	2000
7. Education Training System Ad Hoc	4	2000
8. Building Departments Partnerships Ad Hoc (Originally known as Building Departments Oversight Ad Hoc)	1	2000
9. Plans Review Ad Hoc	1	2000
10. Rules of Procedure Ad Hoc	5	2000
11. Statutory Review Ad Hoc	2	2000
12. Swimming Pool Safety Ad Hoc	2	2001
13. Local Product Approval Workgroup	1	2004
14. Alternative Plans Review and Inspection Workgroup	4	2004
15. ICC Participation Workgroup	2	2004
16. Wind Forum Workgroup	1	2004
17. Product Approval II Workgroup	6	2005
18. <i>Hurricane Research Advisory Committee</i>	23	2005
19. Panhandle Windborne Debris Region Workgroup/Workshop	2	2005
20. Attic Ventilation Workgroup	2	2005
21. Building Code System Assessment Ad Hoc	3	2005
22. Product Approval Validation Workgroup	6	2005
23. Construction Practices Assessment Project	---	2005
24. FBC and FFPC Coordination Assessment Project	1	2005
25. Energy Code Transition Study Workgroup	2	2006
26. Code Amendment Process Review Workgroup	6	2006
27. Committee Organization and Process Ad Hoc	1	2006
28. Joint Building Fire Coordination Workgroup	2	2006
29. Garage Door and Shutter Labeling Workgroup	2	2006
30. Termite Workgroup	2	2006
31. Code Assembly Ad Hoc	1	2007
32. Green Buildings Workgroup/Workshop	4	2007
33. Energy Forum	1	2007
34. Hurricane Mitigation Workgroup	1	2007
35. Commission Processes Ad Hoc	1	2008

36. Regional AC Efficiency Workgroup	1	2008
37. Humidity and Moisture Control Workgroup	1	2008
38. CO Detector Workgroup	1	2008
39. Septic System Sizing (Bedroom Definition) Workgroup	3	2008
40. Soffit Systems Workgroup	4	2008
41. Wind Mitigation Workgroup	5	2008
42. Window Workgroup	4	2008
43. Code Administration Assessment Workgroup	1	2008
44. Commission Process Review Ad Hoc	1	2009
45. Florida Energy Code Workgroup	11	2009
46. Flood Resistant Standards Workgroup	4	2009
47. Pool Efficiency Subcommittee	3	2009
48. Swimming Pool Subcommittee	1	2009
49. Window and Wall Workgroup	2	2009
50. Green and Energy Efficient Roofs Workgroup	2	2010
51. Florida Accessibility Code Workgroup and Workshops	14	2010
52. Building Code System Assessment Ad Hoc and Workshops	5	2010
53. Asphalt Shingles Workgroup	1	2011
54. Threshold Building Renovations Workgroup	1	2011
55. 2013 Florida Building Code Update Process Ad Hoc	1	2011
56. Hinged Entry Door Workgroup	1	2011
57. Screen Enclosures Workgroup	3	2012
58. Building Code System Uniform Implementation Evaluation Workgroup	3	2012
MEETING TOTALS	181	---
<i>Note: Projects in italics are currently active.</i>		

APPENDIX C
KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
ASCE	American Society of Civil Engineers
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDoH	Florida Department of Health
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAW	Florida Administrative Weekly
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education, Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

APPENDIX D

HURRICANE RESEARCH ADVISORY COMMITTEE



At the January 26, 2005 Commission meeting, Chairman Rodriguez appointed a small coordinating group consisting of Commissioners and other stakeholder representatives, charged with identifying what research is being conducted related to building failure issues resulting from the 2004 hurricanes, identifying any research gaps on key issues identified but not being researched, and finally, to ensure that the Commission is provided with all relevant research findings on each of the major issues, prior to the Commission considering code enhancements resulting from lessons learned. The Committee has been instrumental in evaluating and making recommendations to the Commission on a broad suite of proposals regarding Building Code enhancements and research projects.

As a result of hurricanes affecting Florida during the 2004 and 2005 seasons, the Florida Building Commission's Hurricane Research Advisory Committee (HRAC) continues to meet at most Commission meetings to review research and make recommendations to the Commission regarding proposed code enhancements and research needs. Some of the Committee's recommendations were adopted with the 2006 Glitch Code amendments to the 2004 Code and others were adopted during the 2007 Code Update cycle, others were implemented during the 2008 "Glitch" code annual interim amendment process, and still others will be implemented during the 2010 Code Update process. The Committee continues to consider enhancements to the Florida Building Code based on sound science. In addition, the Committee has recommended research to advance the science and allow the Commission to continually study and update the storm protection provisions of the Florida Building Code. The Committee is continuously monitoring current research and recommending the development of standards and installation practices related to protecting against wind damage and water infiltration, and the development of hurricane resistant construction standards.

During the reporting period the Committee focused on monitoring existing research projects conducted by the University of Florida and partially funded by the Commission. The Commission continued to fund important hurricane resistant research by funding UF's existing roofing and soffit system research projects based on spending authority approved by the Florida Legislature, and to leverage additional funding sources to the extent possible (e.g., FEMA/DHS, NOAA/Sea Grant and RCMP/DEM). Research projects for the reporting period include wind and wind-driven rain resistance of residential soffit panel systems, wind resistance of green and vegetative roofs and development of a wind test protocol for hurricane rain and wind conditions, and wind resistance of clay and concrete roofing tiles research.

APPENDIX E

BUILDING CODE SYSTEM ASSESSMENT PRIORITIZED CONSENSUS RECOMMENDATIONS IMPLEMENTATION STATUS TRACKING CHART

As a result of the triennial assessment process twenty-seven recommendations were approved by the Commission and reported in the Commission's 2012 Annual Report. A summary of the status of the various recommendations is provided in the matrix below:

RANK ORDER (1-27)	RECOMMENDATION (BUILDING CODE SYSTEM FOUNDATION #: I-V)	IMPLEMENTATION STATUS
1	a.) FBC (NEC) available on-line and fully searchable (I.)	Below
Staff is implementing this recommendation through the BCIS, search functionality will be limited by third-party website's requirements/functionality.		
1	b.) Use workgroup process to address special topical issues (II.)	Commission already uses this process
1	c.) Notify stakeholders on updates, issues and notifications (II.)	Below
Staff is implementing this recommendation through the BCIS, and will work with the DBPR IT to access emails to increase number of licensees that receive information from the FBC. In addition, staff will work with stakeholder associations (i.e., BOAF, BASF, etc.) to provide links and encourage stakeholders to register with the BCIS to receive updates and communications.		
1	d.) Seek legislative authority for the Commission to challenge local technical amendments (III.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup</i> .		
1	e.) Comprehensive searchable FBC System data-base (IV.)	Below
Staff will configure the BCIS database to implement search functionality that will be limited to searching within each specific module (i.e., Education, Product Approval, etc.).		
1	f.) Recommendations to DBPR: <ul style="list-style-type: none"> • 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 & require joint training; and • DBPR/licensing boards evaluate mandatory Code CEU requirements for code officials. 	Below
BCSA Ad Hoc's recommendation to send letters to DBPR and DSFM was approval by the Commission at the April 3, 2012 meeting. Letters were submitted to respective agencies.		
1	g.) Enhance Product Approval data-base (part of BCIS) (V.)	Below
Staff has already initiated a multi-year project to enhance the BCIS generally and the Product Approval module specifically. The plan is available for review and comment, and updates are reported to the Product Approval POC on a regular basis.		

8	h.) Link all local technical amendments to FBC (II.)	Below
Staff will evaluate this issue as part of a long-term database development project.		
9	i.) Ensure local jurisdictions receive regular updates (establish process); acknowledge receipt function. (I.) <i>See implementation task for recommendation c.) above.</i>	Below
Staff will evaluate this recommendation as part of the BCIS enhancements project.		
9	j.) Statewide requirement for how product approval documentation should be submitted to building departments (V.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
11	k.) With BOAF ensure code interpretations are consistent (III.)	Below
Recommendation will be referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
11	l.) Require FBC approval of local technical amendments (III.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
13	m.) Interagency coordination workgroup between state regulatory agencies and local jurisdictions (I.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
13	n.) Workgroup to ensure that the ISO recognizes the FBC (I.)	Below
Staff contacted ISO and the recommendation were referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
15	o.) <i>Develop secure dedicated funding source for Commission (II.)</i>	Below
The Commission already has a dedicated funding source from the Building Code Permit Surcharge.		
16	p.) Salt-air corrosion requirements for connectors (I.)	Below
Staff will refer this issue to relevant committee to evaluate (i.e., Hurricane Research Advisory Committee) and seek a sponsor to submit any proposed code change(s) once evaluated by the committee.		
16	q.) FBC I-Code participation evaluation (I.)	Below
BOAF is participating in the I-Code process. Recommendations were referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
16	r.) Workgroup to evaluate current education system (IV.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
19	s.) <i>Insurance credits/incentives for building better/stronger than code (I.)</i>	Below
This issue is outside the scope of the Commission's purview and authorities.		
20	t.) Workgroup on non-binding opinions for FACBC (I.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup.</i>		
21	u.) Coastal HHZ building construction provisions workgroup (I.)	Below
Recommendation will be referred to Hurricane Research Advisory Committee for evaluation at a future meeting.		
22	v.) <i>Convene topical workgroups for Code Updates (I.)</i>	Below
Commission uses this process and staff will convene workgroups to review proposed code amendments as needed.		
23	w.) <i>Clarify agricultural exemptions (process) (I.)</i>	Below
Issue is under authority of Department of Agriculture and Consumer Services (FDACS).		

24	x.) Cross-reference table regarding state agency regulations (I.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup</i> .		
24	y.) AA program for building officials (IV.)	Below
Recommendation will be referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup</i> .		
26	z.) <i>Joint workgroup to develop SOPs and MOUs for use by local Emergency Operation Centers (EOC) (I.)</i>	Below
This has already been developed. Staff will request a status update from BOAF and report to Commission.		
27	aa.) Evaluate all exemptions/exceptions in the Code (I.)	Below
Recommendation was referred to the <i>Building Code System Uniform Implementation Evaluation Workgroup</i> .		
<i>Note: Italicized recommendations have been implemented.</i>		

APPENDIX F

BUILDING CODE SYSTEM UNIFORM IMPLEMENTATION EVALUATION PROJECT

OVERVIEW

BUILDING CODE SYSTEM UNIFORM IMPLEMENTATION EVALUATION WORKGROUP

Chairman Browdy recommended the convening of a *Workgroup* to evaluate the uniform implementation of the Florida Building Code System. The Chair reported to the Commission that the Commission's statutory authority is currently limited to Code issues, updates, code administration, interpretations, energy efficiency, accessibility, product approval and building code education. Through an expertly managed consensus building process, the Commission has created an exemplary work product that is to be applied uniformly throughout the State. However, the uniform application of the Commission's work product has yet to be achieved. There are significant disparities within the State in code enforcement, permitting requirements and associated fees that are detrimental to the aims and objectives articulated in the 1996 Building Study Commission Report and Governor Scott's objectives to encourage the creation of construction in these most difficult economic times. With the Commission's move to DBPR the Commission has an opportunity to initiate a discussion regarding the uniformity of the implementation of our statewide code. The Chair expressed that a good first step would be to convene a stakeholder workgroup to identify and evaluate key issues and possible agency solutions, as well as a possible strategies for implementing a more uniform interpretation and administration of the Code. The initial scope of the *Building Code System Uniform Implementation Evaluation Workgroup* was to evaluate how well the Commission's efforts to create a unified building code have been implemented throughout the State. In order to evaluate the uniformity of the implementation of the Florida Building Code System, the Commission voted unanimously to convene the *Building Code System Uniform Implementation Evaluation Workgroup* at the January 31, 2012 Meeting. The Workgroup met three times concluding on April 8, 2013.

SUMMARY OF KEY ISSUES

Following is a summary of key issues identified as priority issues by the *Workgroup*:

I. Consistency in Submittal Requirements, Fees and Timeframes:

- Consistency in the baseline requirements for building permit application submittals, including the related forms and checklists used throughout the building permit application process, from submittal documents to requirements on the plans to plans review to issuance of building permits.
- Consistency in timeframes from submittal to receiving a building permit (across jurisdictions).
- Consistent fees for building permits, and requiring the use of building permit fees for building department functions and not for supporting other general revenue functions.

II. Consistency in Code Interpretations and Local Technical Amendments:

- Consistency in interpretation and enforcement of the Code based on the adopted Code, and not based on personal preference.
- Authority to interpret all components of the Florida Building Code.
- Elimination of local technical code amendments not adopted as a local technical amendment and submitted to the Commission as required.

III. Central Repository for Code Requirements and Interpretations:

- Create (or enhance the existing BSCIS database) a comprehensive central repository at the Commission level for answers and input on correctly interpreting and enforcing the Florida Building Code to assist BOs in making an educated decision (e.g., binding and non-binding opinions, code interpretations, declaratory statements, code amendments, etc.).
- Development of a FAQ regarding code interpretations for inclusion on the repository (website).
- Development of Best Practices Guidelines for code requirements and interpretations to assist with consistency. Include on the central repository.

IV. Education and Training on the Code:

- Education and training on the code, across licensure categories to ensure consistency.

In general, the *Building Code System Uniform Implementation Evaluation Workgroup* recommends the Florida Building Commission seek legislative authority sufficient to implement the goals described in the recommendations, and address issues evaluated during the *Workgroup* process summarized as:

- IV. Enhance Consistency in Submittal Requirements, Fees and Timeframes;
- V. Enhance Consistency in Code Interpretations and Local Technical Amendments;
- VI. Develop/Enhance a Central Repository for Code Requirements & Interpretations; and,
- IV. Enhance Education and Training on the Code.

In specific, the *Building Code System Uniform Implementation Evaluation Workgroup* recommended, and the Commission adopted, the following actions including the above stated goals:

- 1.) A definition of the term “*local technical amendment*” should be added to Chapter 553.73, F.S., as follows:
“An action by a local governing authority that results in a technical change to the Florida Building Code and its local enforcement.”
- 2.) The Commission be granted statutory authority to interpret the Florida Accessibility Code for Building Construction consistent with the Commission’s ability to interpret all other sections of the Code.
- 3.) The Commission Chair should work with DBPR staff to draft a letter to all of Florida’s city and county attorneys, and city and county managers and mayors regarding the statutory requirements contained in Section 553.73 (4)(b)(5.), F.S., requiring any amendment to the Florida Building Code: “*shall be transmitted within 30 days by the adopting local government to the commission. The commission shall maintain copies of all such amendments in a format that is usable and obtainable by the public. Local technical amendments shall not become effective until 30 days after the amendment has been received and published by the commission.*”

PROJECT FACILITATION

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



PROJECT WEB PAGE

Information on the project: <http://consensus.fsu.edu/FBC/BCSUIEWG.html>

APPENDIX G

SCREEN ENCLOSURES WORKGROUP PROJECT

OVERVIEW

The Florida Building Commission convened the Screen Enclosures Workgroup to develop recommendations to the Commission for a rule consistent with legislative intent. Members were charged with representing their stakeholder group's interests, and working with other interest groups to develop a consensus package of recommendations for submittal to the Florida Building Commission. The Screen Enclosures Workgroup was tasked by the 2012 Florida Legislature with developing recommendations regarding the Commission's development of a rule for implementing an alternative design method for screen enclosures which allows for the removal of a section of the screen to accommodate high-wind events consistent with the provisions of the Florida Building Code. The project was a facilitated consensus-building process consistent with Commission procedures and policies and concluded with recommendations for screen enclosure Code requirements submitted to the Florida Building Commission for implementation by rule. The Commission implemented the provisions through Rule 61G20-1.002, Alternative Design Method for Screen Enclosures (effective April 25, 2013), and is incorporating the alternative screen enclosure design method requirements into the 2013 version of the Florida Building Code.

Considerations:

Consistent with Legislative mandates the Commission addressed the following factors and included them in the rule:

- (a) An alternative design method for a screen enclosure that is site-specific engineered;
- (b) A screen enclosure design using the alternative method that serves as a barrier that is required for a swimming pool and remains in place at the minimum height required for the barrier;
- (c) A screen enclosure design using clear, highly visible labels for panels that can be cut, retracted, or removed when winds are forecasted to exceed 75 mph;
- (d) A design for a screen that can be removed, cut, or retracted without the use of a ladder or scaffolding;
- (e) A requirement that the contractor provide replacement screen at the initial point of sale to repair the screen enclosure for designs that require cutting; and
- (f) An alternative design for a screen enclosure that requires the contractor to provide notice to the homeowner and the local building department that the homeowner must cut, retract, or remove a panel or panels of the screen enclosure in accordance with engineering or manufacturer's instructions when wind speeds are expected to exceed 75 mph.

MEETING FACILITATION

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



PROJECT WEBPAGE

Information on the project: <http://consensus.fsu.edu/FBC/Screen-Enclosures-Workgroup.html>