



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

Florida Department of
Business
Professional
Regulation

FACILITATOR'S SUMMARY REPORT OF THE APRIL 14, 2015 FLORIDA BUILDING COMMISSION MEETING GAINESVILLE, FLORIDA

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION
APRIL 14, 2015 FACILITATOR’S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
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FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

TUESDAY, APRIL 14, 2015

WELCOME AND INTRODUCTIONS

Chairman Browdy welcomed the Commission, DBPR staff and the public to Gainesville and the April 14, 2015 plenary session of the Florida Building Commission. The Chair noted the primary focus of the April meeting, in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees, was for the purpose of selecting the Foundation Codes for the Florida Building Code, 6th Edition (2017), and to approve the Summary of Issues for inclusion in the FY 2014-2015 Annual Report..

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

Chairman Browdy explained that some of the licensing boards located within the Department of Business and Professional Regulation, have adopted rules regarding continuing education credits for attending Florida Building Commission meetings and/or Technical Advisory Committee meetings. Participants whose board participates may sign-in on the laptop kiosk station located in the meeting room.

I. PLENARY SESSION SUMMARY AND OVERVIEW

At the April 14, 2015 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission received a briefing regarding proposed legislation of interest to the Commission for the 2015 Legislative Session; and an update regarding the progress of the Code Coordination and Implementation Workgroup. Specific actions included: voting to adopt the 2015 International Codes and 2014 NEC as foundation codes for the Florida Building Code, 6th Edition (2017), and approving the related Approach and Workplan for the 2017 Code Update Process; and voting unanimously to adopt the Summary of Issues and Recommendations for inclusion in the Commission's Fiscal Year 2014 - 2015 Annual Report. In addition, the Commission voted to require Keystone Certifications Inc. to provide full documentation to the Commission (DBPR) regarding the reason(s) they suspended the Quality Assurance Program licensure for Zion Tile Corporation of Miami.

(Attachment 1—Meeting Evaluation Results)

II. COMMISSION ATTENDANCE

The following Commissioners attended the Tuesday, April 14, 2015 meeting:

Dick Browdy (Chair), Hamid Bahadori, Steve Bassett, James Batts, Donald Brown, Oscar Calleja, Jay Carlson, David Compton, Nan Dean, Kevin Flanagan, David Gilson, Jeff Gross, Robert Hamberger, Brian Langille, Beth Meyer, Darrell Phillips, Brad Schiffer, Frederick Schilling, Jim Schock, Jeff Stone, and Brian Swope.

(22 of 26 seated Commissioners attended).

Absent Commissioners:

Bob Boyer, Charles Frank, Drew Smith, and Tim Tolbert.

DBPR STAFF PRESENT

Chris Burgwald, Jim Hammers, April Hammonds, Mo Madani, Jim Richmond, and Chip Sellers.

MEETING FACILITATION

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



CONSENSUS CENTER

PROJECT WEBPAGE

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found at the Commission Webpage. Located at the following URL: <http://floridabuilding.org/c/default.aspx>

III. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 22 - 0 in favor, to approve the agenda for the April 14, 2015 meeting as presented/posted. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the February 20, 2015 Facilitator's Summary Report and Meeting Minutes, and the March 9, 2015, and March 23, 2015 Telephonic Meeting Minutes.
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Consider/Decide on Legal Issues: Petitions for Declaratory Statements.
- To Receive a Report on Legislation.
- To Select Foundation Codes for the Florida Building Code, 6th Edition (2017), and Consider Work Plan for Adoption.
- To Review and Approve Summary of Issues for Inclusion in FY 2014-2015 Annual Report.
- To Consider/Decide on Technical Advisory Committees (TACs) and Workgroups: Accessibility, Code Administration, Energy, Mechanical, Roofing, and Structural TACs, and Code Coordination and Implementation Workgroup Report/Recommendations.
- To Consider/Decide on Program Oversight Committees (POCs): Education and Product Approval POC Reports/Recommendations.
- To Receive Public Comment.
- To Discuss Commissioner Comments and Issues.
- To Review Committee Assignments and Issues for the Next Meeting—June 19, 2015 in Gainesville, Florida.

Amendments to the Posted Agenda:

There were no amendments to the posted/presented Agenda.

(Attachment 4—April 14, 2015 Commission Agenda)

IV. FEBRUARY 20, 2015 FACILITATOR'S SUMMARY REPORT AND MEETING MINUTES, AND MARCH 9, 2015 AND MARCH 23, 2015 TELEPHONIC MEETING MINUTES

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the February 20, 2015 Facilitator's Summary Report and Meeting Minutes, and March 9, 2015, and March 23, 2015 Telephonic Meeting Minutes as presented/posted.

Amendments: There were no amendments offered.

V. CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Appointments and Reappointments

The Chair announced that Richard Goff was appointed to the Commission to serve as the Residential Contractor, and Commissioners Calleja, Schilling and Schock were reappointed. The Chair welcomed Commissioner Goff and expressed pleasure at the retention of the three Commissioners who were reappointed. Following are the specifics:

New Appointments. Richard Goff of Niceville, is the president of KG II Development and was appointed to the Residential Contractor position. Richard is filling a vacant seat and is appointed for a term beginning February 23, 2015, and ending January 21, 2019.

Reappointments. Oscar Calleja of Palmetto Bay is vice-president of Engineered Air, LLC and was reappointed to the Mechanical Contractor position. Oscar is appointed to a term beginning February 23, 2015, and ending February 3, 2019.

Frederick Schilling of Boca Raton is CEO of Pipeline Plumbing and was reappointed to the Plumbing Contractor position. Frederick is appointed to a term beginning February 23, 2015, and ending January 31, 2019.

Jim Schock of St. Augustine works for St. John's County and was reappointed to one of the Code Official positions. Jim is appointed to a term beginning February 23, 2015, and ending January 12, 2019.

Vice-Chair Appointment. The Chair announced that he was appointing Jim Schock to serve as vice-chair of the Florida Building Commission. Jim will serve as chair in Chairman Browdy's absence. The Chair thanked Jim for agreeing to serve as vice-chair.

TAC Appointments. The Chair appointed D. Chris Fardelmann to the structural TAC to replace Rusty Carroll who retired. The Chair welcomed Chris and offered a special thanks to Rusty for his service on multiple TACs and workgroups since the formation of the Commission in 1998. The Chair expressed that Rusty served and contributed reliably and professional in his role representing building officials, and is owed a debt of gratitude for his service to the citizens of Florida. The Chair indicated that a thank you note would be sent to Rusty on behalf of the Commission.

Remaining Legislative Update Conference Call Meeting Dates Reminder

The Chair reminded Commissioners that they have three Legislative conference call dates remaining on the schedule and urged their participation. The Chair noted that staff would let the Commission know whether the conference call meetings will occur based on the status of relevant Legislative developments. The remaining dates are: April 27 and May 4, with a wrap-up call scheduled for May 11, 2015.

Accessibility Advisory Council Update

The Chair reported that Accessibility Advisory Council member Bob Gerwe passed away, and a letter of condolence would be sent to Bob's family on behalf of the Commission. The Chair noted that DBPR Secretary Lawson would be making an appointment to the Council to replace Bob.

Recognition of Departmental Dignitaries

The Chair welcomed DBPR Deputy General Council Patrick Cunningham to the Commission meeting.

VI. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

April Hammonds, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council's recommendations for all applications, and the Commission reviewed and decided on the Waiver applications submitted for their consideration.

Commission Actions Regarding Accessibility Waiver Applications:

a. Make Your Mark In Life Learning Center, 1801 27th St., Vero Beach

MOTION—The Commission voted unanimously, 22 - 0 in favor, to deny the waiver.

b. Alpha Omicron Pi, 819 W. Panhellenic Dr., Gainesville

MOTION—The Commission voted unanimously, 22 - 0 in favor, to grant the waiver based on unnecessary hardship.

c. Around The Clock Fitness, 16970 Alico Mission Way, Fort Myers

MOTION—The Commission voted unanimously, 22 - 0 in favor, to deny the waiver.

d. Beech Street Bar and Grill, 801 Beech St., Fernandina Beach

MOTION—The Commission voted unanimously, 22 - 0 in favor, to grant the waiver based on historic nature and technical infeasibility.

e. Boys Town of North Florida, 3555 Commonwealth Blvd., Tallahassee

MOTION—The Commission voted unanimously, 22 - 0 in favor, to grant the waiver based on disproportionate cost.

f. CrossFit PSI, 708 Commerce Way, Jupiter

MOTION—The Commission voted unanimously, 22 - 0 in favor, to defer action on the petition to receive additional information (complete scope of work and budget).

g. Double Tree Hotel, 107 N. Adams St., Tallahassee

MOTION—The Commission voted unanimously, 22 - 0 in favor, to grant the waiver based on disproportionate cost and technical infeasibility.

h. The Freckled Fin, 101 Bridge St, Bradenton Beach

MOTION—The Commission voted unanimously, 22 - 0 in favor, to defer action on the petition to receive additional information (cost estimates and scope of work) with an amendment to the Council's recommendations to clarify why the building official and applicant have the same e-mail address listed.

i. H20 Hotel, 1212 Simonton St, Key West

MOTION—The Commission voted, 19 - 3 in favor, to conditionally grant the waiver, on the condition that the applicant provide documentation and provide access to one room on the second floor.

j. MUEngineers, 3440 NE 12th Av., Oakland Park

MOTION—The Commission voted unanimously, 21* - 0 in favor, to grant the waiver based on disproportionate cost and technical infeasibility.

**Commissioner Schilling abstained from voting expressing a possible conflict as a result of working with the contractor on other projects.*

k. Paul Bradshaw- Sigma Delta House, 222 E. College Av, Tallahassee

MOTION—The Commission voted unanimously, 22 - 0 in favor, to grant the waiver based on technical infeasibility.

l. Sigma Delta Tau, 833 West Jefferson Street, Tallahassee

MOTION—The Commission voted unanimously, 22 - 0 in favor, to grant the waiver based on disproportionate cost.

VII. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Commissioner Stone presented the Product Approval Oversight Committee’s recommendations for entities and product approvals on consent agendas for approval, and Jeff Blair presented the recommendations for product approvals with comments and/or discussion.

Commission Actions on the Consent Agendas for Approval:

MOTION—The Commission voted unanimously, 22 - 0 in favor, to approve the consent agenda of product approval entities as posted/presented.

MOTION—The Commission voted unanimously, 22 - 0 in favor, to approve the consent agenda of products recommended for approval to the 2010 Code as posted/presented.

MOTION—The Commission voted unanimously, 22 - 0 in favor, to approve the consent agenda of products recommended for approval to the 2014 Code as posted/presented.

Commission Actions Regarding Product Approval Applications With Comments:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product #12549 R5 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product #17538 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product #17539 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product #17561 based on the condition(s) recommended by the POC.

Commission Actions Regarding DBPR Applications:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to ratify the DBPR list of product approvals as amended, removing FL #12875 from the posted list of DBPR product approvals.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to not ratify the approval of FL #12875 submitted for DBPR approval, on the basis that the application needs to be revised to remove all references to OSB from the evaluation report (not substantiated by testing), and product .2 be removed from the application and submitted for approval using compliance Method 1 (d), an evaluation report from a Florida Registered Architect or a licensed Florida Professional Engineer.

The complete results of Commission decisions regarding applications for product and entity approval are available on the BCIS.

(See BCIS Website for Linked Committee Report)

VIII. CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL

Commissioner Dean presented the applications, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows:

Commission Actions:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve the consent agenda for approval of advanced accredited courses #s: 683.0, 693.0, 691.0, 689.0, 686.0, 692.0, 699.0, 696.0, 701.0, 695.0, 702.0, 697.0, 694.0, and 700.0.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve administratively approved updated course #569.1.

(See Committee’s Next Agenda for Linked Committee Report)

IX. LEGAL REPORT

At the February 2015 meeting April Hammonds reported that the Accessibility TAC had developed recommendations regarding the approval of proposed enhancements to the on-line accessibility waiver application form and relevant Rule language for consideration at the April meeting. April noted that as a result of DBPR’s internal rules review schedule the Commission will now consider the TAC’s recommendations at the June 19, 2015 Commission meeting in Gainesville, and at that time move to proceed with rule adoption, conducting a rule adoption hearing only if requested.

CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS

Petitions For Declaratory Statements

April Hammonds, Commission Legal Counsel, presented each declaratory statement in turn. Following are the actions taken by the Commission regarding the petitions for declaratory statements.

a. DS 2015-007 by Gary Kauffman of Digger Specialties, Inc.

Motion—The Commission voted unanimously, 22 - 0 in favor, to approve the Product Approval POC’s recommendations on the Petition (to approve staff’s analysis/recommendation as amended: Question #1 was the only question requiring an answer).

b. DS 2015-022 by Scott Knoblock of Novum Structures, LLC

Motion—The Commission voted unanimously, 22 - 0 in favor, to approve the Product Approval POC’s recommendation on the Petition (to approve staff’s analysis/recommendation as amended by the POC, and as amended by the Commission to remove the parenthesis from the word “open structure” and to place a hyphen between the words “standalone” and “open structure”).

X. LEGISLATIVE REPORT

Jim Richmond reported that the primary bill impacting the Commission at this point in the 2015 Legislative Session is HB 915, which has undergone major changes implemented through a strike everything and replace with new language revision. Jim noted that the Commission would have the opportunity to receive further updates and discuss legislation during the remaining scheduled Legislative issues teleconference meetings. Jim reported on HB 915 as follows:

Section 18: amends Section 553.512(2), F.S., to change one of the Accessibility Waiver Council positions from the Florida Council of Handicapped Organizations to a representative from the Pensacola Pen Wheels, Inc. Employ the Handicapped Council.

Section 19: amends Section 553.721, F.S., to specify the specific dollar amount that the Florida Building Code Compliance and Mitigation Program shall use to fund recommendations from the Commission’s Building Code System Uniform Implementation Evaluation Workgroup, and provides that funds collected from the surcharge shall be used to fund Florida Fire Prevention Code informal interpretations.

Section 20: amends Section 553.73 (11)(a), F.S. to provide that local boards created to address issues regarding the FBC and FFPC may be combined, and to clarify their authorities.

Section 21: amends Section 553.775 (3)(c), F.S., regarding membership of the Binding Interpretations Panel.

Section 23: amends Section 553.841(4)(7), F.S., repealing the Commission’s authorities regarding establishing qualifications of accreditors and criteria for the accreditation of courses by rule.

Section 24: amends Section 553.842 (8)(a), F.S., to add Underwriters Laboratories, LLC as an approved evaluation entity.

Section 25: amends Section 553.883, F.S., to provide that the battery requirements of the Section do not apply to a fire alarm, smoke detector, or smoke alarm that uses a low-power, radio frequency wireless communication signal, or that contain multiple sensors.

Section 26: amends Section 553.908, F.S., requiring that section R402.4.1 of the new 5th Edition (2014) FBC shall not become effective with the effective date of the new Code, and instead that section 402-4.2 of the 2010 FBC, Energy Conservation, relating to air sealing and insulation shall remain applicable and in effect after June 30, 2015. In addition, no enforcement agency shall require any type of mandatory blower door test or air infiltration test in residential buildings.

Section 31: establishes within the Florida Building Commission the Calder Sloan Swimming Pool Electrical-Safety Task Force. The purpose of the task force is to study standards on grounding, bonding, lighting, wiring, and all electrical aspects for safety in and around public and private swimming pools, especially with regard to minimizing risks of electrocutions linked to swimming pools. The task force shall submit a report on its findings, including recommended revisions to the

Florida Statutes, if any, to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2015.

XI. FLORIDA BUILDING CODE 6TH EDITION (2017): SELECTION OF FOUNDATION CODES AND WORKPLAN UPDATE

Selection of Foundation Codes

Chairman Browdy reported that as required by Section 553.73 (7)(a), F.S. every three years the Commission is required to update the Florida Building Code selecting the most current version of the International Codes. In order to comply with this statutory requirement the Chair indicated that it was time for the Commission to initiate the 2017 Code Update Process by selecting the 2015 International Codes and 2014 NEC as foundation codes for the Florida Building Code, 6th Edition (2017).

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

Commission Actions:

MOTION—The Commission voted, 19 – 2 in favor, to adopt the 2015 International Codes and 2014 NEC as foundation codes for the Florida Building Code, 6th Edition (2017).

Code Update Workplan and Approach

Mo Madani reviewed the Workplan and approach proposed for the schedule and development of the Florida Building Code, 6th Edition (2017) respectively. The documents are included as “Attachment 6” of this Report.

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

Commission Actions:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve the Workplan and approach proposed for the development of the Florida Building Code, 6th Edition (2017), (the 2017 Code Update Process).

(Attachment 6—Code Update Workplan and Approach)

XII. REVIEW AND APPROVAL OF THE SUMMARY OF ISSUES AND RECOMMENDATIONS FOR INCLUSION IN THE COMMISSION’S FISCAL YEAR 2014 -2015 ANNUAL REPORT

Chairman Browdy reported that each year the Commission reviews a Draft Summary of Issues and Recommendations for inclusion in the Commission’s Fiscal Year Annual Report at the April meeting, and a draft Report to the Legislature for approval at the June meeting. The Chair noted that the Commission would adopt the Annual Report at the June 2015 meeting and charge the Chair with reviewing and approving the final Report prior to submittal to the Legislature and Governor. Jeff Blair reviewed the summary of issues and recommendations with the Commission.

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

Commission Actions:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to adopt the Summary of Issues and Recommendations for inclusion in the Commission’s Fiscal Year 2014 - 2015 Annual Report.

(Attachment 7—FY 2014-2015 Annual Report Summary)

XIII. COMMITTEE REPORTS AND RECOMMENDATIONS

Chairman Browdy requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion. This will ensure that the Commission understands exactly what the TAC/POC’s are recommending, and the subsequent action requested of the Commission. Committee reports are linked to the following URL (linked to Commission’s April 14, 2015 Agenda): http://www.floridabuilding.org/fbc/commission/FBC_0415/index.htm

Accessibility TAC

Commissioner Gross presented the TAC’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC’s report as presented/posted (April 2, 2015).

(See Agenda for Linked Committee Report)

Code Coordination and Implementation Workgroup

Jeff Blair, Workgroup Facilitator, presented the Workgroup’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the Workgroup’s report as presented/posted (April 13, 2015).

(See Workgroup Page for Linked Committee Report)

Education POC

Commissioner Dean presented the POC’s reports and any recommendations.

Commission Actions:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the POC’s report as presented/posted (April 9, 2015).

(See Agenda for Linked Committee Report)

Energy TAC

Commissioner Calleja presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's report as presented/posted (February 25, 2015).

(See Agenda for Linked Committee Report)

Mechanical TAC

Commissioner Bassett presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's report as presented/posted (February 25, 2015).

(See Agenda for Linked Committee Report)

Product Approval POC

Commissioner Stone presented the Committee's report and any recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the POC's report as presented/posted (April 2, 2015).

MOTION—The Commission voted unanimously, 22 – 0 in favor, to require Keystone Certifications Inc. to provide full documentation to the Commission (DBPR) regarding the reason(s) they suspended the Quality Assurance Program licensure for Zion Tile Corporation of Miami.

(See Committee's Next Agenda for Linked Committee Report)

Roofing TAC

Commissioner Swope presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's report as presented/posted (February 26, 2015).

(See Agenda for Linked Committee Report)

Structural TAC

Commissioner Schock presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's report as presented/posted (February 26, 2015).

(See Agenda for Linked Committee Report)

OTHER COMMISSION ACTIONS

There were no additional Commission actions.

XIV. GENERAL PUBLIC COMMENT

Members of the public were offered an opportunity to provide comment during each of the Commission's substantive discussion agenda items. In addition, Chairman Browdy invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- Jamie Gascon, Miami-Dade County: indicated that he was concerned about the recent outcome of April's POC meeting regarding the lack of action taken on the complaint against Zion Tile, when the Product Approval Rule 61G20-3.013(1) clearly authorizes suspension of an approval. This was the second time that their FL was brought into question, and in both instances the POC appeared to be stranded and was advised against taking action. Jamie noted that Rule 61G20-3.013(1)(a) states:

Any product approval shall be revoked or suspended for any of the following reasons:

Failure to maintain certification, evaluation reports or testing in good standing with a Commission approved entity which conducted the testing or comparative or rational analysis, or combination thereof on which the product approval is based.

Suspension or revocation of the certification, evaluation report or testing report issued by a Commission approved entity on which the approval is based, for just cause.

Failure to maintain quality assurance programs for the manufacture of the approved products as required by this document.

Failure to correct manufacturing deficiencies required to bring the product within specifications of the originally approved product or alternatively to demonstrate in a manner consistent with this document, that the product's performance complies with the standards established by the Code.

Advertising and sales of the product for uses not consistent with conditions or limitations of its approval.

Determination that the product was approved based on misrepresentations in the application for approval.

Failure of the manufacturer to cooperate with a Commission ordered investigation.

The Commission may suspend the approval of a product based on any provision of subsection 61G20-3.013(1), F.A.C., until such time as the manufacturer demonstrates the product is currently in compliance with this document.

The Commission shall initiate an investigation based on a written complaint containing substantial material evidence by any substantially affected party.

The Commission shall clearly post the status of product approvals, denials, or suspensions on its website, the Florida Building Codes Information System, www.floridabuilding.org.

Jamie reported that there are 479 products with expired Q.A. contracts on the BCIS and the products still show an "approved" status. The Rule and Statutes mandate a timely product approval process, and has provisions in place for immediate suspension of products as well. Jamie indicated that he felt that a more firm position and swift action needs to be taken by the POC and Commission on product suspension, while still adhering to the Product Approval Rule and underlying ISO standards of certification. Product certification programs do not and should not require a trial in order to suspend a product; an appeal process is typically followed. Jamie also stated that if a manufacturer is allowed to maintain an approval status while the product is not covered under an active Q.A. program, Rule 61G20-3.005(3) would be

violated. If the FL's approval status is not changed when the Q.A. ceases, it will result in the production of products produced without Q.A. and will make it into the market until a new Q.A. agreement/contract is established. Presently, staff has indicated there is no limit to how long a product can have an expired Q.A. contract. Jamie stated he felt that Rule 61G20-3.013(a)(3) allows for immediate suspension and the Commission should affirm this. Finally, Jamie reported that Miami-Dade County is currently investigating a case against Zion Tile that consists of the same model roofing tile brought forth in the mentioned complaint. If Miami-Dade's investigation results in the removal of their Miami-Dade NOA and the FL approval is allowed to remain approved, they will be forced to declare the FL approval unusable in the HVHZ pursuant to F.S. 553.842(9) for the protection of the residents in their area.

- April Hammonds, DBPR: responded that Miami-Dade County is still investigating the complaint against Zion Tile, just as the Product Approval POC is still in the process of investigating the complaint they received. April noted that Respondents are entitled to due process by the law prior to any revocation action, and reiterated that the POC is still in the process of investigating the complaint.
- Mark Zehnal, FRSA: stated FRSA's agreement with the comments made by Jamie Gascon. Expressed concern that when a stakeholder submits proposed Code amendments to the ICC and they are accepted, it makes it harder to justify them as Florida Specific amendments in the FBC.
- Arlene Stewart, AZS Consulting. Submitted a written question requesting a response from staff. Question: For application/modification process there is a requirement to say whether the modification was submitted to the I-Codes. Can you indicate if it was submitted to any I-Code and what version, or the latest (ICC-2018) or the Base Code (ICC-2015)?

XV. COMMISSION MEMBER COMMENT AND ISSUES

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

Commission Member Comments:

- Commissioner Brown: reported that the Senate and House appear to be on the same track regarding the bills relevant to the Commission. He noted that once all of the committee reviews were complete it would be clearer regarding the status of passing the proposed legislation.
- Commissioner Bassett: noted that there are many new Commissioners, and currently members don't really know each other outside of the Commission meetings. Recommended that a social event be held before the next Commission meeting so members can get acquainted. Noted that in the early days of the Commission each member would pay a small fee to cover costs for social events (snacks and alcohol). Recommended the Deerfield Beach Doubletree as a good location for a future Commission meeting.
- Jim Richmond, FBC: indicated that staff would research the possibility of a Commission social.

XVI. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The June 19, 2015 meeting in Gainesville will focus on the Commission's regular procedural and substantive issues, and any needed rule development initiatives. In addition, the Commission will adopt the Annual Report to the Legislature for FY 2014-2015.

(Attachment 5—Commission Meeting Schedule)

STAFF ASSIGNMENTS FROM THE APRIL 2015 MEETING

- Send a letter of appreciation to Rusty Carroll.
- Send a letter of condolences to the family of Bob Gerwe.
- Research the possibility of a Commission social prior to a Commission meeting.

ADJOURNMENT

The Chair thanked Commission members and the public for their attendance and participation, and adjourned the meeting at 11:48 A.M. on Tuesday, April 14, 2015, following a vote of 22 – 0 in favor of adjournment.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

APRIL 14, 2015—GAINESVILLE, FLORIDA

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

Number of Respondents: 20 of 22 Commissioners present completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

2. MEMBERS LEVEL OF AGREEMENT THAT THE MEETING OBJECTIVES WERE ACHIEVED.

- 9.8 Chairs Issues and Recommendations.
- 9.7 Accessibility Waiver Applications.
- 9.8 Approvals of Products and Product Approval Entities.
- 9.7 Applications for Accreditor and Course Approvals.
- 9.8 Petitions for Requests for Declaratory Statements.
- 9.7 Legislative Issues Report.
- 9.8 Selection of Foundation Codes and Workplan for FBC 6th Edition (2017).
- 9.8 Summary of Issues for Inclusion in FY 2014-2015 Annual Report.
- 9.8 TAC, POC and/or Committee Reports and Recommendations.

3. HOW WELL THE FACILITATOR HELPED THE MEMBERS ENGAGE IN THE MEETING.

- 9.8 The members followed the direction of the Facilitator.
- 9.9 The Facilitator made sure the concerns of all members were heard.
- 9.9 The Facilitator helped us arrange our time well.
- 9.9 Participant input was documented accurately in Facilitator's Report (previous meeting).

4. MEMBERS LEVEL OF SATISFACTION WITH THE MEETING.

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

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

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

6. WHAT MEMBERS LIKED BEST ABOUT THE MEETING.

- It is professionally run without delays. Good use of everyone's time.
- Explanation of Code process.
- Great facility and location.
- Good location.

7. COMMENTS REGARDING HOW THE MEETING COULD HAVE BEEN IMPROVED.

- Jim Richmond and Jeff Blair need to project their voices, so that we can hear what they say.
- Coffee yeah!
- Coffee served inside the meeting room.

8. OTHER GENERAL COMMENTS.

- Legislative Issues Report – It drug out but was interesting.
- Legislative Issues Report – On-screen would be helpful, or laptop link.

COMMENTS ON SPECIFIC AGENDA ITEMS

None were offered.

PUBLIC-MEETING EVALUATION AND COMMENT RESULTS

None were offered.

ATTACHMENT 2
KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
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 (Abolished 2011)
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
FAR	Florida Administrative Register (previously FAW)
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 and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

ATTACHMENT 3

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, The Florida Conflict Resolution Consortium designed and facilitated a two-year study and deliberation process with the 28 members representing a range of interests in the public and private sectors, through which the Commission evaluated the building code system.

The study revealed that building code adoption and enforcement was inconsistent throughout the state and even local codes thought to be the strongest proved inadequate when tested by major hurricane events. The consequences were devastation to lives and economies and a statewide property insurance crisis. The Commission recommended reform of the state building construction system which placed emphasis on uniformity and accountability.

The legislature enacted the consensus recommendations into law in 1998. In late 1998, the Consortium was asked by the Commission's chair to assist the newly created Florida Building Commission in its effort to build consensus for a uniform building code proposal. A complex consensus building process was put in place that included designing and facilitating meetings of 12 balanced technical advisory groups of 11 members each appointed by the Commission, as well as the Commission's meetings. The FCRC Consensus Center at FSU continues to work with the Commission by providing facilitation and consensus-building services.

OVERVIEW

COMMISSION REPRESENTATION. The Florida Building Commission is a 27* member representative stakeholder group who successfully created, implemented, and maintains the new statewide Florida Building Code. The Commission is comprised of the Chair, and 26 members appointed to represent specific stakeholder groups. They are as follows: four code officials, two state government representatives, a local government representative, a representative of persons with disability, a structural engineer, a mechanical engineer, representatives of fire protection technology, the building management industry, and the insurance industry, a general contractor, residential contractor, mechanical contractor, plumbing contractor, electrical contractor, roofing/sheet metal/air conditioning contractor, a manufactured building representative, a building product manufacturer, a swimming pool contractor, a representative of the green building industry, a natural gas system distribution representative, and a member representing the Department of Agriculture and Consumer Services' Office of Energy.

** The 2014 Legislature amended Section 553.74 (1) F.S., to add a 27th member representing the Department of Agriculture and Consumer Services' Office of Energy, effective July 1, 2014.*

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 complex substantive issues before the Commission go through a consensus process where recommendations are developed by appointed representative stakeholder groups.

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 adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. 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. Since 1999 the Commission has convened 58 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. 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.

ATTACHMENT 4
APRIL 14, 2015 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION

APRIL 14, 2015
HILTON UNIVERSITY OF FLORIDA CONFERENCE CENTER
1714 SW 34TH STREET
GAINESVILLE, FLORIDA

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Minutes)
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider/Decide on Petitions for Declaratory Statement.
- To Consider Applications for Accreditor and Course Approval.
- To Receive a Report on Legislation.
- To Select Foundation Codes for the Florida Building Code, 6th Edition (2017), and Consider Work Plan for Adoption.
- To Review and Approve Summary of Issues for Inclusion in FY 2014-2015 Annual Report
- Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items For Next Meeting.

Committee and Workgroup Meetings held in conjunction with the Plenary Session

Meetings are held by teleconference and webinar unless otherwise indicated by site identification

February 25	9:00 a.m.	Energy Technical Advisory Committee
February 25	1:00 p.m.	Mechanical Technical Advisory Committee
February 26	10:00 a.m.	Structural Technical Advisory Committee
February 26	1:00 p.m.	Roofing Technical Advisory Committee
April 1	1:30 p.m.	Roofing Technical Advisory Committee
April 2	10:00 a.m.	Product Approval Program Oversight Committee
April 2	2:00 p.m.	Accessibility Technical Advisory Committee
April 9	10:00 a.m.	Education Program Oversight Committee
April 9	2:00 p.m.	Accessibility Advisory Council
April 13	1:00 p.m.	Code Coordination and Implementation Workgroup [Citra]

MEETING AGENDA—APRIL 14, 2015

All Agenda Times—including Adjournment—are Approximate and Subject to Change

8:30 a.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Review and Approval of Previous Meeting Minutes Minutes: February 20, 2015; March 9, 2015 [Tel]; and March 23, 2015 [Tel]. Facilitator’s Summary Report: February 20, 2015
	4.)	Chair’s Discussion Issues: Appointment of Commissioner Schock as Vice Chair of the Commission Appointment of D. Chris Fardelmann to the Structural Technical Advisory Committee to fill vacancy left by the retirement of Rusty Carroll.
	5.)	Accessibility Waiver Applications
		a. Make Your Mark In Life Learning Center, 1801 27th St., Vero Beach; b. Alpha Omicron Pi, 819 W. Panhellenic Dr., Gainesville c. Around The Clock Fitness, 16970 Alico Mission Way, Fort Myers d. Beech Street Bar and Grill, 801 Beech St., Fernandina Beach e. Boys Town of North Florida, 3555 Commonwealth Blvd., Tallahassee f. CrossFit PSI, 708 Commerce Way, Jupiter g. Double Tree Hotel, 107 N. Adams St., Tallahassee h. The Freckled Fin, 101 Bridge St, Bradenton Beach i. H2O Hotel, 1212 Simonton St, Key West j. MUEngineers, 3440 NE 12th Av., Oakland Park k. Paul Bradshaw- Sigma Delta House, 222 E. College Av, Tallahassee l. Sigma Delta Tau, 833 West Jefferson Street, Tallahassee
	6.)	Applications for Product and Entity Approval
	7.)	Applications for Accreditor and Course Approval
	8.)	Petitions for Declaratory Statement
		a.) DS 2015-007 by Gary Kauffman of Digger Specialties, Inc.;; b.) DS 2015-022 by Scott Knoblock of Novum Structures, LLC.;
	9.)	Legislative Report

	10.)	Florida Building Code, 6th Edition (2017) Selection of Foundation Code (2015 International Codes) Work Plan Update
	11.)	Review and Approval of Summary of Issues for Inclusion in FY 2014-2015 Annual Report
	12.)	Committee Reports:
		a.) Accessibility Technical Advisory Committee; b.) Code Coordination and Implementation Workgroup; c.) Education Program Oversight Committee; d.) Energy Technical Advisory Committee; e.) Mechanical Technical Advisory Committee; f.) Product Approval Program Oversight Committee; g.) Roofing Technical Advisory Committee; h.) Structural Technical Advisory Committee.
	13.)	Public Comment
	14.)	Commissioner Comment
	15.)	<i>Adjourn</i>

ATTACHMENT 5
COMMISSION'S UPDATED MEETING SCHEDULE AND WORKPLAN

(UPDATED APRIL 14, 2015)

COMMISSION MEETING SCHEDULE

2015 REMAINING	LOCATION
June 19, 2015	Gainesville (Hilton)
FY 2015 - 2016	LOCATION
August 18, 2015	TBD
October 14, 2015	TBD
December 15, 2015	TBD
February 9, 2016	TBD
April 12, 2016	TBD
June 8, 2016	TBD

ACCESSIBILITY COUNCIL	EDUCATION POC	PRODUCT APPROVAL POC
June 8, 2015	June 11, 2015	June 4, 2015

ATTACHMENT 6
FBC 6TH EDITION (2017) WORKPLAN AND APPROACH

6TH EDITION (2017) FBC CODE UPDATE DEVELOPMENT TASKS

12. 6TH EDITION (2017) UPDATE TO THE FLORIDA BUILDING CODE—COMBINE PRIMARY UPDATE AND GLITCH REVISIONS IN A SINGLE RULE PROCEEDING	
TASK	SCHEDULE
<i>Primary Code Development Phase:</i>	
2014 NEC published and available to the public;	08/2013
2015 International Codes published and available to the public;	05/2014
Commission selects 2015 I Codes and 2014 NEC as foundation for 6 th Edition (2017) FBC	04/14/2015
Staff evaluates Florida amendments resulting from direction of the Legislature and Commission initiatives to propose for inclusion in the 6 th Edition (2017) FBC and publish “ Preliminary Supplement ”.	3/2015 – 6/2015
2015 I Codes plus the Preliminary Supplement – posted online	6/30/2015
Period for public to propose modifications to the 2015 I Codes and the Preliminary Supplement	7/1/2015 – 8/3/2015
TACs consider proposed modifications (1 st 45 day comment period) <i>TACs meetings - 4-day on-site meetings in conjunction with the October Commission meeting</i>	10/12-16/2015
TACs consider public comments on their actions on the proposed mods <i>TACs meetings – 4-day meetings [2-day on-site (Gainesville) and 2 – day via conference/webinar]</i>	1/4-8/2016
Commission considers TAC recommendations (2 nd 45 day comment period) <i>Commission – 2-day meeting</i>	2/9-10/2016
Draft 6 th Edition (2017) FBC (Florida Supplement plus I Codes) posted online	3/15/2016
<i>Glitch Correction Phase:</i>	
Period to propose glitch modifications to draft 6 th Edition (2017) FBC	4/1/2016 – 5/3/2016
Post Tracking/Detail reports online	6/28/2016
TACs consider proposed glitch modifications and develop public comment <i>via conference call/Webinars</i>	7/18-22/2016
Commission considers proposed glitch mods and TAC comments (Rule Development Workshop) <i>Commission – 2-day meeting</i>	8/22-23/2016
Draft 6 th Edition (2017) FBC posted online Provide Supplements to ICC for integration into the 2015 I-Code	10/20/2016
<i>Final Rule Hearing</i> on 6 th Edition (2017) FBC/Commission approves final version of Code <i>6th Edition (2017) Florida Fire Prevention Code available in final format</i>	6/8/2017 Generate integrated Code.

Rule Submitted to Secretary of State and Supplement/Integrated posted online – Subject to addressing all JAPC’s concerns	TBD
Printed Code available -Subject to negotiation with ICC	TBD
2017 FBC (6th edition) effective date (6 – months after publication)	12/31/2017
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no sooner than 6 months</u> after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.	

Development and Adoption of the 6th Edition (2017) Florida Building Code

Expired amendments

Florida specific amendments currently in the 5th Edition (2014) FBC will expire as of the effective date of the 6th Edition (2017) FBC.

Florida specific amendments required to be carried forward to the 2014 FBC

- Amendments related to state agency regulations
- Amendments related to the wind resistance design of buildings and structures within the High-Velocity Hurricane Zone.

Resubmittal of an expired amendment

Criteria for accepting an expired code change proposals:

The provisions contained in the proposed amendment are addressed in the applicable international code.

The amendment demonstrates by evidence of data that the geographical jurisdiction of the Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, why the proposed amendment applies to the state.

The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process.

Proposed Scope of Work - Approach

Florida specific amendments required to be carried forward to the 6th Edition (2017) FBC

- Amendments related to state agency regulations
- Amendments related to the wind resistance design of buildings and structures within the High-Velocity Hurricane Zone.

Approach: Staff will correlate and publish the current state agency regulations as a **preliminary supplement** to the 2015 I-Codes.

Florida specific code changes mandated by law:

- Chapter 1: Administration – correlation with the law including Commission’s initiatives.
- Florida Accessibility Code
- Airport noise standard
- Wind mitigation / opening protection
- Mechanical equipment on roof
- IRC/R313 – fire sprinkler not to be included in the FBC
- Group S2 occupancies of Type II construction - calculation mezzanines area
- Fire protection – Mini-warehouses
- Carbon monoxide
- Building less than 400 SF – door exemption
- Roofing – permitting aggregate on roofs
- Private swimming pools and correlation with Ch. 515, FS.
- Plumbing – potty parity

- Threshold building act.
- Commission’s interpretations, declaratory statements, local technical amendments
- **Fire correlation between the FFPC and FBC (Florida Law)**
Please note that a “conflict” is defined as a construction specification such as a dimension in one code that would prevent compliance with the other code; and
- **Efficiencies of the Florida Energy Code**
IECC must be modified by the Commission to maintain the efficiencies of the Florida Energy Code (Florida Law) – This will include all the current Florida specific changes to the 2012 IECC.

Approach: Staff will correlate the above stated Florida specific changes with the 2015 I-Codes and include them as part of the “**Preliminary Supplement**”.

Florida Specific changes – Commission/Workgroup initiatives;

Residential/IRC – adapting the IRC to Florida (high wind area)
 Building/Residential – Florida specific wind resistance / water infiltration / flood standards
 (Roofing, wind loads, windows and doors testing and labeling, ...etc.)

Approach: Defer to interest groups for submittal and consideration during the upcoming code change process.

Formatting:

Seismic and snow provisions from the foundation code will continue to be retained.

Approach: Staff will continue to include a statement in the preface to clarify that seismic and snow provisions are not part of the Code.

ATTACHMENT 7
SUMMARY OF ISSUES FOR FY 2014 – 2015 ANNUAL REPORT

FLORIDA BUILDING COMMISSION
SUMMARY OF ISSUES FOR INCLUSION IN THE REPORT AND RECOMMENDATIONS
TO THE 2016 LEGISLATURE

I. EXECUTIVE SUMMARY AND RECOMMENDATIONS

OVERVIEW. The primary focus of the Florida Building Commission during the reporting period of July 1, 2014 – June 30, 2015 (fiscal year 2014 – 2015) was completing the development and adoption of the *5th Edition of the Florida Building Code (2014)* and the *2014 Edition of the Florida Accessibility Code for Building Construction*, with an adopted effective date of Midnight, June 30, 2015. In addition to maintaining the efficiency increases of the Florida Energy Code and its merger with the format of the national model energy code, major components of the *5th Edition of the Florida Building Code (2014)* include enhancements to the wind, water intrusion and hurricane protection provisions of the Florida Building Code. Entering its seventeenth year, the Commission is focused primarily on the maintenance of existing processes and programs, while continuing to work with stakeholders to enhance the effectiveness of the Florida Building Code System by continuously monitoring, evaluating and refining of the System.

PROCESS. During the reporting period the Commission once again focused on consensus-building efforts regarding the implementation of Commission policy, with extensive input from building construction industry stakeholders and interests affected by Commission policy. Chairman Richard Browdy, encouraged and led the Commission’s consensus-building efforts supported by DBPR.

RESEARCH—SCIENCE BASED HURRICANE AND CODE PROTECTIONS. The Florida Building Commission has continuously assessed building systems and component failures identified after major storms since its inception in 1998, and in response has funded research to strengthen the Code’s effectiveness against wind and water intrusion based on these assessments. Assessments subsequent to the implementation of the Florida Building Code indicate that the research based design wind speeds required by the Code’s enhancements were adequate, and buildings built to the new Florida Building Code did not experience nearly as severe damage as older buildings.

The Code establishes minimum requirements to protect buildings 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. 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 be up-to-date with current national engineering and product standards within the Code. As with each subsequent version, the *5th Edition Florida Building Code (2014)* maintains this commitment.

The Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission's Hurricane Research Advisory Committee in January of 2005. The Commission currently funds research projects pertaining to hurricane resistance and other Code related topical areas to ensure the development of code amendments that make Florida's structures, and the products that comprise them, more resistant.

During the reporting period—based on recommendations from the Commission's technical advisory committees (TACs)—the Commission established three key criteria for evaluating the proposed funding of research projects. In order to be considered for funding proposed research projects shall: 1.) Meet the adopted definition of research and/or technical enrichment; 2.) Address an urgent and/or immediate need relevant to the 2014 FBC; and, 3.) Full or partial funding must be available for the project.

As a result of evaluating proposed research projects in the context of the key evaluation criteria, the Commission sponsored important research projects on the following topics: effectiveness of whole-house mechanical ventilation systems, development of exhaust air energy recovery credits for the Florida Energy Code, assessment of energy efficient methods of indoor humidity control in Florida housing, impact of spray foam insulation on the durability of plywood and OSB roof decks, investigation of corrosion of fasteners for both roofing and screen enclosures, wind study of screen enclosure connectors, and development of an engineering method regarding structural wood panel performance and attachment to masonry wall systems.

CODE UPDATE. Florida law requires the Commission to update the Florida Building Code every three years, and the *Florida Building Code Fifth Edition (2014)* represents the fourth update 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 development of the *Florida Building Code Fifth Edition (2014)* was initiated in 2012 with the Commission selecting the 2012 International Codes as the foundation codes for the *Florida Building Code Fifth Edition (2014)*. The Commission completed the primary aspects of the Code amendment review and adoption process including incorporation of Glitch amendments during 2013, and the final rule adoption hearing on the Code was conducted in January of 2015. Rule 61G20-1.001, which adopts by reference the *5th Edition (2014) Florida Building Code*, was filed for certification with the Department of State, and the effective date for the new Code is June 30, 2015. During the 2014 Code Update process the Commission focused on reviewing Florida specific requirements to the Code, achieving the goal of minimum variation from the foundation codes.

The Code update process included integration of the Florida Energy and Conservation Code (FECC) and the International Energy Conservation Code (IECC) maintaining the efficiencies of the FECC. On a related note, the Commission voted to maintain the requirement for local governments to submit forms submitted to certify compliance with the Energy Code through the adoption of a separate rule from the Building Code Rule. This action ensured that important energy data continues to be available for research purposes.

In addition, the Commission revised Rule 61G20-4.001, Procedures (Accessibility Code waiver application form) to provide for an electronic accessibility waiver application submittal process and form.

Finally, during the reporting period, using its authority granted in 2014 to interpret the Florida Accessibility Code for Building Construction (FACBC), the Commission received and issued their first interpretations regarding petitions for declaratory statements on the Accessibility Code.

PRODUCT APPROVAL. The product approval system is an internet-based system operated and administered by the Department of Business and Professional Regulation. During the reporting period the Commission voted to move the Product Approval application submittal completion deadline back by one week to the current preliminary review deadline date for the product approval application cycle, providing additional time for applicants to resolve any issues with their product approval applications. Since January 1, 2014 DBPR staff has been administering the Product Approval System, and stakeholders report a high level of satisfaction with DBPR staff's administration of the System.

The Product Approval system efficiently processes hundreds of applications monthly. 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 17,894 product applications and 80,883 products for statewide use within limitations established by the approvals.

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 and stakeholders, 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. In addition, the Commission completed adoption of Rule 61G20-6.002, F.A.C. (Commission Approval and Accreditation of Advanced Building Code Training Courses) including providing for approval of courses that are based on Commission approved changes to the Code that are not yet formally adopted by rule.

CODE COORDINATION AND IMPLEMENTATION WORKGROUP PROJECT. During the reporting period, the Commission in consultation with Building Code System stakeholders, voted unanimously to convene a *Code Coordination and Implementation Workgroup* charged with reviewing and evaluating all of the regulatory requirements currently impacting the code development process (code update process), and to propose a legislative path to a more efficacious timetable for the implementation of the Florida Building Code update process going forward. The Workgroup is meeting regularly, and evaluating the following key issues: code printing and publication, Commission authority to issue errata, the Code amendment process (triennial, annual and glitch), Florida Specific amendments, statutory timeline requirements, adoption of standards and codes by reference, and Commission participation with the ICC code development process. It is expected that any recommendations for statutory changes, once approved by the full Commission, will be delivered to the 2016 Florida Legislature.

BINDING INTERPRETATION PROCESS. In order to maintain the Binding Interpretation process as it must be lawfully implemented, the Commission appointed a panel of eight experienced building code administrators from geographically diverse regions of Florida to serve as an Interim Binding Interpretations Panel. The Panel heard one binding interpretation during the reporting period.

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 2016 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:

The Commission currently has no recommendations for statutory changes. However, it is anticipated that the Commission will have statutory recommendations for the 2016 Legislature resulting from the Code coordination and implementation evaluation project.