



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



FACILITATOR'S SUMMARY REPORT OF THE APRIL 10, 2018 FLORIDA BUILDING COMMISSION MEETING LAKE MARY, FLORIDA

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION

APRIL 10, 2018 FACILITATOR’S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
APRIL 10, 2018 FACILITATOR'S SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

TUESDAY, APRIL 10, 2018

I. PLENARY SESSION SUMMARY AND OVERVIEW

At the April 10, 2018 meeting conducted in Lake Mary the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition, the Commission received a briefing on Binding Interpretation #153.

Specific actions included voting: 1.) to approve the Scope of Work for the 7th Edition (2020) Florida Building Code Update Process, 2.) to adopt the TAC Review Process for 2018 I-Codes Changes; 3.) to approve the Summary of Issues for Inclusion in the FBC FY 2017-2018 Annual Report; and, 4.) to conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically EnergyGauge USA Version 6.0.02 software for demonstrating compliance with residential building energy requirements, conditioned on the vendor (FSEC) correcting the program consistent with DBPR staff's written comments, public comments provided during the meeting as appropriate, and staff working with the vendor on reviewing and addressing as needed, the written public comments linked to the Commission's Agenda. In addition, the approval is limited to the Prescriptive compliance method, and the Energy Rating Index alternative compliance method.

(Attachment 1—Meeting Evaluation Results)

II. CHAIRMAN'S WELCOME

Chairman Carlson welcomed the Commission, DBPR staff and the public to Lake Mary and the April 10, 2018 plenary session of the Florida Building Commission. The Chair noted that in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees, the primary focus of the February meeting was to approve the Scope of Work for the 7th Edition (2020) Florida Building Code, to approve the TAC I-Codes changes review process, and to adopt the Summary of Issues for Inclusion in the FBC FY 2017-2018 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.

III. COMMISSION ATTENDANCE

The following Commissioners attended the Tuesday, April 10, 2018 meeting in Lake Mary:

Jay Carlson (Chair), Hamid Bahadori, Steve Bassett, James Batts, Bob Boyer, Don Brown, Oscar Calleja, Nan Dean, Charles Frank, Shane Gerwig, David Gilson, Richard Goff, Jeff Gross, Robert Hamberger, Brian Langille, Brad Schiffer, Fred Schilling, Jim Schock, Drew Smith, Jeff Stone, Brian Swope, Don Whitehead, and Diana Worrall.

(22 of the 25 currently seated Commissioners attended—88%).

Absent Commissioners:

Kelly Smith Burk, Dave Compton, and Kevin Flanagan.

DBPR STAFF PRESENT

Thomas Campbell, Jim Hammers, Chris Howell, Mo Madani, and Justin Vogel.

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>

IV. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 21 - 0 in favor, to approve the agenda for the April 10, 2018 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the February 13, 2018 Facilitator's Summary Report and Meeting Minutes, and the March 2, 2018 Teleconference Plenary Meeting minutes.
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.

- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Applications for Products & Product Approval Entities Approval.
- To Consider/Decide on Applications for Accreditor and Course Approval.
- To Receive a Briefing Regarding Legal Report.
- To Consider/Decide on Petitions for Declaratory Statements.
- To Be Briefed on Binding Interpretation #153.
- To Discuss and Approve the Scope of Work for the Development of the 7th Edition (2020) Update to the Florida Building Code, and TAC Review Process for 2018 I-Codes Changes.
- To Review and Approve Summary of Issues for Inclusion in the FBC FY 2017-2018 Annual Report.
- To Consider Approval of Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation.
- To Consider/Decide on Technical Advisory Committees (TACs) Reports: Code Administration, Electrical, Energy, and Fire.
- To Consider/Decide on Program Oversight Committees (POCs) Reports: Education and Product Approval POC Reports/Recommendations.
- To Consider/Decide on Workgroup Reports: Residential Construction Cost Impact.
- To Receive Public Comment.
- To Discuss Commissioner Comments and Issues.
- To Review Needed Next Steps, Assignments, and Agenda Items for the Next Meeting—June 12, 2018 in Altamonte Springs, Florida.

Amendments to the Posted Agenda:

There were no amendments to the posted agenda.

(Attachment 4—April 10, 2018 Commission Agenda)

V. FEBRUARY 13, 2018 FACILITATOR’S SUMMARY REPORT AND MEETING MINUTES, AND MARCH 2, 2018 TELECONFERENCE MEETING MINUTES

MOTION—The Commission voted unanimously, 21 - 0 in favor, to approve the February 13, 2018 Facilitator’s Summary Report and Meeting Minutes, and March 2, 2018 Teleconference Meeting Minutes as presented/posted.

Amendments: There was no amendment offered to the meeting minutes:

VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS

Commission Appointments

Chairman Carlson reported that he was appointed by the Governor to serve as the Commission’s Chair for a term beginning February 20, 2018, and ending February 20, 2022. The Chair noted that consistent with the previous chairs, he is committed to maintaining the Commission’s consensus-building process, and working in close collaboration with building construction industry stakeholders.

Commission Reappointments

Chairman Carlson reported the following Commission reappointments:

Jim Batts was reappointed for a term beginning February 20, 2018, and ending November 5, 2020. Jim is from Jacksonville Beach, and is the president of The Batts Company.

Robert Hamberger was reappointed for a term beginning February 20, 2018, and ending January 9, 2021. Robert is from Pompano Beach, and is the chief building official for the School Board of Broward County.

Brian Langille was reappointed for a term beginning February 20, 2018, and ending June 30, 2021. Brian is from Palm Harbor, and is an assistant director for the City of Clearwater.

Drew Smith was reappointed for a term beginning February 20, 2018, and ending November 5, 2020. Drew is from Parrish, and is the chief operating officer of Two Trails, Inc.

TAC Appointments

Chairman Carlson noted he was appointed as Commission Chair, and as a result resigned as a member of the Code Administration TAC, and the Product Approval POC.

Code Administration TAC

Chairman Carlson appointed Shane Gerwig to replace him as chair of the Code Administration TAC. The Chair thanked Shane for agreeing to serve.

Special Occupancy TAC Appointment

Chairman Carlson appointed Don Whitehead, who currently serves on the TAC, as chair to replace Charles Frank who resigned from the Commission. The Chair thanked Charles for his service, and thanked to Dan for agreeing to serve as the TAC chair.

Appreciation of Jim Schock for Role as Acting Chair

On behalf of the Commission the Chair thanked Jim Schock for his outstanding fair and impartial leadership of the Commission in his role as Acting Chair since Chairman Browdy's resignation in October of 2017. Chairman Carlson reported that he had appointed Jim to remain in his role as the vice-chair of the Commission.

IBHS 2018 Ranking of FBC for Hurricane Prone States

The Chair reported that IBHS conducted the third triennial assessment of residential building code enforcement systems for life safety and property protection in hurricane-prone regions. Of the 18 states comprising the Atlantic and Gulf Coast states, Florida ranked #1 with a score of 95 out of a possible 100. In 2015 Florida scored a 94 and ranked second behind Virginia. This reflects positively on Florida's consensus-built Building Code and Building Code System. The Commission remains committed to maintaining and updating the strongest Building Code System in the Nation. The Report is linked to the Commission Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

Tom Campbell, FBC Executive Director, briefed the Commission on the following issues:

CE Certificate

Tom Campbell noted that DBPR does not issue certificates for continuing education credits. However, if a Commissioner needs written verification he could provide verification of completion on DBPR letterhead that would satisfy any requirements for the same.

Legislative Update

Tom reported that since legislation impacting the Commission passed the 2018 Legislative Session, there was nothing to report, and the Commission currently has no legislative assignments to implement.

Commission Meeting Dates and Locations

Tom reported that there would possibly be a Commission Teleconference Meeting for the first week of May, and staff will advise on the need and provide an agenda as appropriate.

Tom indicated that the June Commission meeting is scheduled for June 12, 2018 at the Altamonte Springs Embassy Suites, and the August Commission meeting is scheduled for August 15, 2018 at the Coral Gables Biltmore. In addition, the TAC Chairs will hold their annual meeting on the day before on August 14, 2018, also at the Coral Gables Biltmore.

TAC Review of I-Codes Meeting Dates and Locations

Tom reminded the Commission that the TACs are scheduled to meet according to the TAC's individual meeting schedule during the following range of dates:

June 11 – 15, 2018 at the Altamonte Springs Embassy Suites, and
June 18 – 22, 2018 at the Daytona Shores at the Shores Resort and Spa.

VIII. DISCUSSION OF ACCESSIBILITY WAIVER APPLICATIONS

Chairman Carlson indicated that at the February meeting Commissioner Worrell requested that there be a discussion regarding how the disproportionate cost exemption is used. Diana asked whether the Commission has authority to require specific documentation for substantiating the costs used to qualify for receiving a waiver from vertical accessibility requirements based on disproportionate cost. Specifically, the renovation/construction costs, and the cost of lifts. Staff indicated they would research the issue and report back at today's meeting. There are several relevant background documents linked to the Agenda item on the BCIS as follows:

- Section 553.512, F.S. Modifications and Waivers; Advisory Council
- Total Figures Waivers
- 2017 Approved Waivers Table
- Waiver Instruction Page
- 28 CFR 36.403 – Alterations: Path of Travel

Following discussion it was agreed that staff would ensure that two elevator/lift bids are provided with the application, and that the associated costs for installing the elevator will be listed separately.

IX. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

Justin Vogel, 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:

1. Peter Rogers Waiver #294 - 5195 East Silver Springs Blvd, Silver Springs 34488

MOTION—The Commission voted unanimously, 22 – 0 in favor, to deny the waiver application for the toilet room on the basis that the Commission has no authority to waive the code requirement of the FBC, Plumbing.

2. 920 US 1 Plaza Waiver #297 - 920 US 1, Sebastian 32958

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

3. Old Willis Dairy Barn Waiver #286 - 1609 Centerville Road, Tallahassee 32308

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

4. Isola Home (W. A. Mahoney House) Waiver #295 - 303 S. 8th St, Fernandina Beach 32034

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve the waiver for vertical accessibility to the second floor on the grounds of economic hardship and historical significance.

5. Bone Island Tiki House Waiver #306 - 430 Greene Street, Key West 33040

MOTION—The Commission voted unanimously, 22 – 0 in favor, to deny the waiver application for vertical accessibility to the main floor on the basis that the applicant has not demonstrated any ground upon which a waiver should be granted.

6. 28th Street Obelisk & Pump Station Restoration Waiver #307 - 300 West 28th Street, Miami Beach 33139

MOTION—The Commission voted unanimously*, 21 – 0 in favor, to approve the waiver for vertical accessibility to the second floor on the grounds of historical significance.

**Commissioner Schilling abstained from the vote.*

X. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Commissioner Stone presented the Product Approval Oversight Committee's recommendations for entities and product approvals on the consent agenda 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, 21 - 0 in favor, to approve the consent agenda of product approval entities (24) as posted/presented.

MOTION—The Commission voted unanimously, 21 - 0 in favor, to approve the consent agenda of products (272 revised to 271) recommended for approval to the 2017 Code as amended*.

* Product FL 16423 R-2 was pulled for individual consideration at the request of Commissioner Dean.

Commission Actions on Products Pulled from Consent Agenda for Individual Consideration:

MOTION—The Commission voted unanimously*, 20 – 0 in favor, to approve product FL 16423 R-2.

**Commissioner Dean abstained from the vote.*

Commission Actions Regarding Product Approval Applications With Comments—2017 Code:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 12809 R-8 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 12979 R-6 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 14554 R-4 based on the conditions requested by the applicant and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 14911 R-9 based on the conditions requested by the applicant and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 14935 R-5 with the condition that DBPR staff review the application to ensure it fully complies with the Product Approval Rule.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 14994 R-3 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 15054 R-6.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 15099 R-9.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 15184 R-5.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 16556 R-2 based on the conditions requested by the applicant

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 18413 R-1.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 20652 R-1 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 21036 R-1.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 21058 R-1 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 21059 R-1.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 21892 R-1.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 22264 R-1.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 22309 R-1 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 22333 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 22886 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 23502 R-1 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve product FL 25570 R-1.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product FL 25681 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve product FL 25974.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product FL 25987 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product FL 26033 based on the conditions requested by the applicant.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve product FL 26035 based on the conditions requested by the applicant.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve product FL 26341.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve product FL 26344.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve product FL 26356.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the April 2018 DBPR Applications. The complete results of Commission decisions regarding applications for product and entity approvals are available on the BCIS.

(See BCIS Website for Linked Committee Report)

XI. 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 advanced accredited course numbers: 906.0, 905.0, 902.0, 903.0, 904.0, 892.0, 901.0, 891.0, 879.0, 889.0, 890.0, 888.0, and 881.0.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve advanced accredited course number: 895.0.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve advanced accredited course number: 896.0.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve advanced accredited course number: 893.0.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve administratively approved updated course numbers: 163.1 and 292.1.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve administratively self-affirmed courses with one change numbers: 594.2 and 531.1.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve administratively self-affirmed courses with one change number: 686.1.

MOTION—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve administratively self-affirmed courses with one change number: 701.1.

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

XII. LEGAL REPORT

The Chair noted that the Florida Accessibility Code for Building Construction (FACBC) was ready for certification concurrent with the effective date of the new ADA Standards for Accessible Design (SAD, 2010), and as reported numerous times since submittal in September of 2010 the Commission waits for a decision by the Department of Justice (DOJ). The Commission requested that Justin periodically communicate with the DOJ regarding the status of the Commission’s application for certification of the FACBC, and to provide updates to the Commission.

Justin Vogel reported that the DOJ has continued in their posture of not responding to his queries on the Commission’s behalf regarding the status of DOJ’s certification of the FACBC.

The Chair indicated that since there has been nothing new to report month after month, he requested that the Commission take the issue off of the legal report as a standing item, and ask that Justin continue attempting to communicate with the DOJ, but to only report to the Commission if there are any new developments.

Justin Vogel noted that as previously reported, in December of 2017 the Florida Association of American Institute of Architects, Inc. (FAAIA) filed a rule challenge to the Commission’s adoption of Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code) regarding the Code Update Process for development of the 7th Edition (2020) Florida Building Code. In February of 2018 the Division of Administrative Hearings’ (DOAH) assigned Administrative Law Judge (ALJ) ruled that the challenged provisions of Rule 61G20-2.002 (2) were a valid exercise of delegated authority as to the objections raised, and the Petition (Rule challenge) was dismissed. The FAAIA has filed an appeal to the District Courts of Appeals (1st DCA), and Justin indicated that he would keep the Commission updated on the status of the appeal. Justin noted that at this juncture the Commission will proceed with the 2020 Code Update process as scheduled consistent with the adopted Scope of Work/Workplan, and the Building Code Rule became effective on March 27, 2018.

XIII. CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS

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

1. DS 2018-012 by Robert Czyszczon of the Plaza Beach Motel, Inc.

Motion—The Commission voted unanimously, 22 - 0 in favor, to approve the Code Administration TAC’s recommendation on the Petition (to approve staff’s analysis (Option 2) as presented/posted for Q1 & Q2).

2. DS 2018-016 by Angela Petrakis of Diversified Window Solutions

Motion—The Commission voted unanimously, 22 - 0 in favor, to defer action on the Petition until the next meeting to allow the Petitioner to amend the questions in the Petition.

3. DS 2018-018 by Arthur Chartrand of National Home Service Contract Association

Motion—The Commission voted unanimously, 21 - 0 in favor, to approve the Energy TAC's recommendation on the Petition (to approve staff's analysis (Option 2) as amended by the TAC for Q1 and Q2).

XIV. BINDING INTERPRETATION #153 BRIEFING

Chairman Carlson reported that Binding Interpretation #153 was petitioned by Hendrick Roofing, Inc. regarding the City of Seminole in Pinellas County BO's interpretation pursuant to Chapter 1 – Scope and Administration, Section 104.9. The issue involved a petition for a binding interpretation on the BO's interpretation and denial of the use of a material submitted for local product approval.

Mo Madani reported on the Binding Interpretation's Panel as follows:

Binding Interpretation #153: Answer: The Binding Interpretation Panel ruled that The Building Official has the authority to deny local product approval due to the lack an installation instruction specification submittal from the design professional.

The Building Official has the authority to revoke a permit, as provided by FBC 105.6, that has been determined to be issued or has passed final inspection that is not in compliance with the Florida Building Code. [The permit in question was obtained and approved within one year of filing of this interpretation request.]

The Building Official can accept an inspection affidavit, as provided by FBC 105.14, from the design professional, if the Building Official deems the affidavit addresses the scope of the installation and code compliance issues in question with sufficient specificity.

In this particular situation, the design professional is allowed under the Florida Building Code to conduct a field inspection of the roof system.

XV. SCOPE OF WORK FOR THE 7TH EDITION (2020) FBC CODE UPDATE PROCESS DISCUSSION

Chairman Carlson indicated that as noted at the February meeting a key change for the 2020 Code Update Process is that it will mark the first time the Commission will be using the Florida Building Code as the Base Code and not the I-Codes. Specifically, the 6th Edition (2017) FBC will serve as the Base Code for the 2020 Code Update Process. At the February meeting staff provided the Commission with an overview of how the proposed I-Codes review phase of the process would look, including reviewing the NEC for potential changes to the Electrical provisions of the Florida Building Code.

The Chair noted that for the April meeting staff would present the proposed Scope of Work for the development of the 7th Edition (2020) Update to the Florida Building Code for the Commission's review and approval, and Jeff Blair would present the proposed TAC review process for reviewing changes to the 2018 I-Codes during the June 2018 meetings.

Mo Madani reviewed the Scope of Work and Workplan for the 2020 Code Update Process.

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

Commission Actions:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to approve the Scope of Work for the development of the 7th Edition (2020) Update to the Florida Building Code.

Jeff Blair reviewed the TAC I-Code Review Process with the Commission.

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

Commission Actions:

MOTION—The Commission voted 19 – 1 in favor, to adopt the TAC I-Code Changes review process.

(Attachment 6—2020 Code Update Workplan)

(Attachment 7—TAC I-Code Review Process)

XVI. SUMMARY OF ISSUES FOR FBC FY 2016-2017 ANNUAL REPORT

Chairman Carlson noted that each year the Commission reviews a Draft Summary of Issues 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 2018 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 for inclusion in the Commission’s Fiscal Year 2017 - 2018 Annual Report with the Commission and answered questions.

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

Commission Actions:

MOTION—The Commission voted unanimously, 20 – 0 in favor, to adopt the Summary of Issues for inclusion in the Commission’s Fiscal Year 2017 - 2018 Annual Report.

(Attachment 8—Summary of Issues for FY 2017-2018 Annual Report)

XVII. APPROVAL OF ENERGY CODE COMPLIANCE SOFTWARE FOR THE 6TH EDITION (2017) FLORIDA BUILDING CODE, ENERGY CONSERVATION

Chairman Carlson remarked that periodically the Commission is requested to consider approval of Energy Code Compliance Software for specific editions of the Florida Building Code, Energy Conservation. The Chair indicated that the Commission was now being asked to consider approving Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically EnergyGauge USA Version 6.0.02 for demonstrating compliance with residential building energy requirements. The Chair requested Drew Smith, Energy TAC Chair, provide the TAC’s recommendation.

Commissioner Smith reported that the Energy TAC met on March 16, 2018 and reviewed the EnergyGauge USA Version 6.0.02 software for demonstrating compliance with residential building energy requirements and is recommending conditional approval pursuant to addressing DBPR staff's written comments, public comments provided during the meeting as appropriate, and staff working with the vendor (FSEC) on reviewing and addressing as needed, the written public comments linked to the Commission's Agenda. In addition, the approval is limited to the Prescriptive compliance method, and the Energy Rating Index alternative compliance method.

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

Commission Actions:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically EnergyGauge USA Version 6.0.02 software for demonstrating compliance with residential building energy requirements, conditioned on the vendor (FSEC) correcting the program consistent with DBPR staff's written comments, public comments provided during the meeting as appropriate, and staff working with the vendor on reviewing and addressing as needed, the written public comments linked to the Commission's Agenda. In addition, the approval is limited to the Prescriptive compliance method, and the Energy Rating Index alternative compliance method.

XVIII. COMMITTEE REPORTS AND RECOMMENDATIONS

Chairman Carlson 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. Acceptance of a committee report does not approve any recommendations contained within the report, and specific recommendations must be considered by separate motions. Committee reports are linked to the following URL (linked to Commission's April 10, 2018 Agenda):

http://www.floridabuilding.org/fbc/commission/FBC_0418/index.htm.

Code Administration TAC

Commissioner Gerwig presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the TAC's report as presented/posted (March 28, 2018). (*See Agenda for Linked Committee Report*)

Education POC

Commissioner Dean presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the POC's report as presented/posted (March 28, 2018). *(See Agenda for Linked Committee Report)*

Electrical TAC

Commissioner Gerwig 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 (March 28, 2018). *(See Agenda for Linked Committee Report)*

Energy TAC

Commissioner Smith presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's reports as presented/posted (March 16, 2018 and March 30, 2018). *(See Agenda for Linked Committee Report)*

Fire TAC

Commissioner Bahadori 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 (March 28, 2018). *(See Agenda for Linked Committee Report)*

Product Approval POC

Commissioner Stone presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 22 – 0 in favor, to accept the POC's report as presented/posted (March 29, 2018). *(See Agenda for Linked Committee Report)*

Residential Construction Cost Impact Workgroup

Jeff Blair 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 (March 6, 2018). *(See Agenda for Linked Workgroup Report)*

OTHER COMMISSION ACTIONS

There were no additional Commission actions taken during the April 10, 2018 meeting.

STAFF ASSIGNMENTS FROM APRIL 10, 2018 MEETING

There were no specific assignments identified.

XIX. 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 Carlson invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- Doug Buck, FHBA: noted that it was difficult for the public to read documents displayed on the screens in the front of the room, and requested that there be an additional screen placed so the public can read the information displayed. Doug also requested that there be tables provided during the Code review process so the public can use their laptops during the meetings.
- Tom Campbell, DBPR: replied that staff should be able to provide a public viewing screen and tables during the Code review meetings.
- Rick Logan, FAIA: noted he attended the meeting on behalf of the FAIA and he should be considered a conduit for access to the AIA. He asserted that the FAIA's policy is that there should only be one national building code, specifically the IBC, and there should be no local amendments allowed to the IBC.

XX. COMMISSION MEMBER COMMENTS AND ISSUES

Chairman Carlson 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:

- Brian Swope: noted that the TAC I-Codes review meeting dates has the Roofing TAC listed as meeting from 10:00 AM – 12:00 PM and this should be corrected.
- Mo Madani, DBPR: responded that he would get with Brian and correct the starting and ending times for the meeting.
- Steve Bassett: stated that he is glad that the Commission has finally adopted the South Florida Building Code as the base code for the Florida Building Code. Steve noted that with the I-Codes process only building officials get to vote, and with the FBC process all 27 stakeholder interests represented on the Commission get to vote.

XXI. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The June 12, 2018 meeting in Altamonte Springs will focus on the Commission's regular procedural and substantive issues, and any needed rule development initiatives. In addition, the TACs will meet to review I-Codes changes from June 11-22, 2018 per the meeting schedule matrix.

(Attachment 5—Commission Meeting Schedule)

ADJOURNMENT

The Chair thanked Commission members, staff and the public for their attendance and participation, and adjourned the meeting at 10:55 A.M. on Tuesday, April 10, 2018.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

MARCH 10, 2018—LAKE MARY, FLORIDA

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

Number of Respondents: 21 of 22 (95%) Commissioners present completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

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

- 9.9 Chair's Issues and Recommendations.
- 9.9 Executive Director Announcements and Discussions.
- 9.8 Applications for Accessibility Waiver Applications Approvals.
- 9.9 Applications for Products and Product Approval Entities Approvals.
- 9.9 Applications for Accreditor and Course Approvals.
- 9.8 Legal Report Briefing.
- 9.8 Petitions for Declaratory Statements.
- 9.8 Binding Interpretation #153 Briefing.
- 9.9 2020 Code Update SOW, and TAC Review Process for 2018 I-Codes Changes Approval.
- 9.9 Summary of Issues for Inclusion in the FBC FY 2017-2018 Annual Report Approval.
- 9.9 Energy Code Compliance Software for the 6th Edition FBC, Energy Conservation Approval.
- 9.9 TAC, POC, Committee, and Workgroup Reports and Recommendations.

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

- 9.9 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.
- 9.7 I am satisfied with the outcome of the meeting.

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

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

6. WHAT MEMBERS LIKED BEST ABOUT THE MEETING.

- Great location and facility.
- This location was very nice.
- Everything.
- Proximity to airport.

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

- There should be potty breaks
- Need better sound system.

8. OTHER GENERAL COMMENTS.

None were offered.

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
DOJ	U.S. Department of Justice
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.

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 64 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 10, 2018 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION
APRIL 10, 2018
ORLANDO MARRIOTT LAKE MARY
1501 INTERNATIONAL PARKWAY
LAKE MARY, FLORIDA 32746

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Discuss Accessibility Waivers
- 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 Receive a Briefing Regarding Legal Report.
- To Consider/Decide on Petitions for Declaratory Statements.
- To Be Briefed on Binding Interpretation #153.
- To Discuss and Approve the Scope of Work for the Development of the 7th Edition (2020) Update to the Florida Building Code and TAC Review Process for 2018 I-Code Changes.
- To Review and Approve Summary of Issues for Inclusion in the FBC FY 2016-2017 Annual Report.
- To Consider and Approve the Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation.
- To 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

March 6, 2018	2:00 p.m.	Residential Construction Cost Impact Workgroup
March 16, 2018	10:00 a.m.	Energy Technical Advisory Committee
March 28, 2018	9:00 a.m.	Education Program Oversight Committee
March 28, 2018	10:00 a.m.	Fire Technical Advisory Committee concurrently with Electrical Technical Advisory Committee
March 28, 2018	2:00 p.m.	Code Administration Technical Advisory Committee
March 29, 2018	10:00 a.m.	Product Approval Program Oversight Committee
March 29, 2018	2:00 p.m.	Accessibility Advisory Council
March 30, 2018	10:00 a.m.	Energy Technical Advisory Committee

MEETING AGENDA—APRIL 10, 2018

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 and Facilitator Report for (February 13, 2018) Legislative Call Minutes for (March 2, 2018)
	4.)	Chair’s Discussion Issues: ibhs-rating-the-states-2018 TAC Appointments: Updated Milestones:
	5.)	Executive Director Announcements and Discussions:
	6.)	Discussion of Accessibility Waivers Total Figures Waivers 2017 Approved Waivers table (revised) Waiver Instruction Page 553.512, F.S.
	7.)	Accessibility Waiver Applications (Accessibility Advisory Council Report) 1. Peter Rogers Waiver #294 - 5195 East Silver Springs Blvd, Silver Springs 34488 2. 920 US 1 Plaza Waiver #297 - 920 US 1, Sebastian 32958 3. Old Willis Dairy – Barn Waiver #286 - 1609 Centerville Road, Tallahassee 32308 4. Isola Home (W. A. Mahoney House) Waiver #295 - 303 S. 8th St, Fernandina Beach 32034 5. Bone Island Tiki House Waiver #306 - 430 Greene Street, Key West 33040 6. 28th Street Obelisk & Pump Station Restoration Waiver #307 - 300 West 28th Street, Miami Beach 33139
	8.)	Applications for Product (2014) (2017) and Entity Approval Public Comment
	9.)	Applications for Accreditor and Course Approval
	10.)	Legal Report
	11.)	Declaratory Statements: 1. DS 2018-012 by Robert Czynszczon of the Plaza Beach Motel, Inc. Staff Analysis 2. DS 2018-016 by Angela Petrakis of Diversified Window Solutions, Staff Analysis 3. DS 2018-018 by Arthur Chartrand of National Home Service Contract Association Staff Analysis
	12.)	Binding Interpretation #153 - Petitioned by Hendrick Roofing, Inc.
	13.)	Discussion and approval of the Scope of Work for the Development of the 7th Edition (2020) Update to the Florida Building Code and TAC Review Process for 2018 I-Code Changes. 553.73(7) 61G20-2.002
	14.)	Review and Approve Summary of Issues for Inclusion in the FBC FY 2016-2017 Annual Report.

15.)	Consideration and Approval of Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation Wrightsoft Comments Additional Wrightsoft comments 1 Additional Wrightsoft comments 2
16.)	Committee Reports: a) Code Administration Technical Advisory Committee (March 28, 2018) b) Education Program Oversight Committee (March 28, 2018) c) Electrical Technical Advisory Committee (March 28, 2018) d) Energy Technical Advisory Committee (March 16, 2018)(March 30, 2018) e) Fire Technical Advisory Committee (March 28, 2018) f) Product Approval Program Oversight Committee (March 29, 2018) g) Residential Construction Cost Impact Workgroup (March 6, 2018)
17.)	Public Comment
18.)	Commissioner Comment
19.)	Adjourn

ATTACHMENT 5
COMMISSION’S UPDATED MEETING SCHEDULE AND CODE UPDATE WORKPLAN

(UPDATED APRIL 10, 2018)

COMMISSION APPROVED MEETING SCHEDULE

FY 2017-2018	LOCATION
August 7-8, 2017	Deerfield Beach (Embassy Suites)
October 10, 2017	Tallahassee (Doubletree)
December 12, 2017	Stuart (Marriott Resort Hutchison Island)
February 13, 2018	Jacksonville (Embassy Suites Jacksonville Baymeadows)
April 10, 2018	Lake Mary (Orlando Marriott Lake Mary)
June 10 - 15, 2018	Altamonte Springs [June 12 Plenary] (Embassy Suites Orlando N.)
August 14-15, 2018	Miami [August 15 Plenary] (Coral Gables Biltmore)
October 9, 2018	TBD
December 2018—TBD	TBD

COMMISSION’S UPDATED 2017 CODE UPDATE WORKPLAN

6TH EDITION (2017) FBC CODE UPDATE DEVELOPMENT TASKS
ADOPTED UNANIMOUSLY AUGUST 18, 2016
REVISED JUNE 8, 2016, OCTOBER 13, 2016, AND APRIL 4, 2017

Hold Glitch Correction Phase after the Effective Date of the 6th Edition (2017) FBC, if needed - Rulemaking via Integrated Code

12. 6 TH EDITION (2017) UPDATE TO THE FLORIDA BUILDING CODE	
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 (<i>April 2015 Commission meeting</i>)	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 ”. Amendments are compiled in 2015 I – Codes format.	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 – 1/3/2016

Proposed amendments reviewed by staff and posted to the Commission website	1/13/2016
1 st 45 day comment period ends (<i>By law -45 day min before TAC review</i>)	2/25/2016
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	3/21/2016
TACs consider proposed modifications including comments from the 1 st 45 day comment period and adopt recommendations TACs meetings - 4-day on-site meetings in conjunction with the April 2016 Commission meeting	4/1-15/2016
TACs recommendations posted to the website	5/6/2016
2 nd 45 day comment period ends (<i>by law – 45 day min before Commission review</i>)	6/21/2016
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	6/30/2016
TACs consider public comments on their actions and prepare public comment for consideration by the Commission. <i>TACs meetings – 4-day meetings [2-day on-site (Gainesville) and 2 – day via conference/webinar]</i>	7/18-21/2016
Staff post on Commission website TACs consideration of public comments	8/1/2016
Commission considers TAC recommendations at Rule development Workshops - Commission – 2-day meeting	8/16-17/2016
Draft 6 th Edition (2017) FBC (Florida Supplement plus I Codes) posted online Provide Supplements to ICC for integration into the 2015 I-Code	9/19/2016
Rule development Workshops	12/13/2016 2/7/2017 4/4/2017
Integrated Draft 6 th Edition (2017) FBC – Posted online	4/21/2017
Final Rule Hearing on 6 th Edition (2017) FBC/Commission approves final version of Code 6 th Edition (2017) Florida Fire Prevention Code available in final format	6/8/13/2017
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
2017FBC (6th edition) effective date (6 – months after publication)	12/31/2017
Glitch Correction Phase: after effective date, if needed	
Period to propose glitch modifications to draft 6 th Edition (2017) FBC	TBD
Post Tracking/Detail reports online	TBD
TACs consider proposed glitch modifications and develop public comment via conference call/Webinars	TBD
Commission considers proposed glitch mods and TAC comments (Rule Development Workshop) Commission – 2-day meeting	TBD

Draft Supplement to the 6 th Edition (2017) FBC posted online	TBD
<i>Final Rule Hearing</i> on adoption of the Supplement to the 6 th Edition (2017) FBC/Commission	TBD
Rule Submitted to Secretary of State and Supplement posted online – subject to addressing all JAPC’s concerns	TBD
Final supplement available for download	TBD
Supplement to 2017 FBC (6th edition) effective date	TBD
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.	

ATTACHMENT 6
COMMISSION'S 2020 CODE UPDATE DEVELOPMENT WORKPLAN

7TH EDITION (2020) FBC CODE UPDATE DEVELOPMENT TASKS

7TH EDITION (2020) UPDATE TO THE FLORIDA BUILDING CODE—	
TASK	SCHEDULE
<i>Primary Code Development Phase:</i>	
2017 NEC published and available to the public;	10/2016
2018 International Codes published and available to the public;	09/2017
Commission selects 2018 I Codes “model codes” and 2017 NEC to conduct its review	10/10/2017
Staff post complete listing of the code changes to the I Codes online	1/2/2018
Staff post on Commission website analysis of the 2018 I-Code change (Tracking Charts and code change monographs)	5/1/2018
TACs review the 2018 changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state. TACs meetings - 11-day on-site meetings – for more detail see TAC meeting schedule	06/7-22/2018
Staff post TACs’ recommendations online for further public review	07/10/2018
Residential Construction Cost Impact Workgroup (RCCIWG) review the TACs’ recommendations with regard to the 2018 changes to the International Residential Code (IRC) and provide comments to the Commission on impactful code changes. RCCIWG meeting – on-site meeting (Orlando Marriott Lake Mary)	07/29-30/2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state	10/8/2018
Staff post Commission’s recommendations online	11/1/2018
Period for public to propose modifications to the 6 th Edition (2017) FBC and the Commission’s approved changes to the model codes needed to accommodate the specific needs of this state	11/2/2018 – 12/15/2018
Proposed amendments reviewed by staff and posted to the Commission website	1/2/2019
1 st 45 day comment period ends (<i>By law -45 day min before TAC review</i>)	2/18/2019
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	3/1/2019
TACs consider proposed modifications (1 st 45 day comment period) TACs meetings - 4-day on-site meetings	3/18-21/2019
TACs recommendations posted to the website	4/12/2019
2 nd 45 day comment period ends (<i>by law – 45 day min before Commission review</i>)	6/14/2019
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	6/21/2019

TACs consider public comments on their actions on the proposed mods TACs meetings – 4-day meetings [2-day on-site and 2 – day via conference/webinar]	7/8-12/2019
Staff post on Commission website TACs consideration of public comments	7/22/2019
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the TACs’ recommendations with regard to the proposed modifications to the Florida Residential Code (FRC) and provides comments to the Commission on impactful code changes.	8/1/2019
RCCIWG meeting – on-site meeting	
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 2-day meeting	8/12-13/2019
7 th Edition (2020) FBC (6 th Edition (2017) FBC, Florida Supplement and Commission’s approved I Codes) posted online	9/19/2019
Provide Supplements to ICC for integration into the 6th Edition (2017) FBC	
Rule development Workshops	February 4, 2020 April 7, 2020
Integrated Draft 7 th Edition (2020) FBC – Posted online	April 20, 2020
Final Rule Hearing on 7 th Edition (2020) FBC/Commission approves final version of Code 7 th Edition (2020) Florida Fire Prevention Code available in final format	June 8, 2020
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
2020FBC (7th edition) effective date (6 – months after publication)	12/31/2020
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.	

ATTACHMENT 7
TAC REVIEW OF I-CODE CHANGES PROCESS
ADOPTED APRIL 10, 2018

2018 I-CODES CHANGES REVIEW AND CONSIDERATION PROCESS

Facilitator will serve as moderator and assist with the Commission's adopted process and groundrules.

GENERAL PROVISIONS

- One person speaks at a time.
- Limit your comment and be concise.
- Public comments will be limited to a maximum of three-minutes (3) per person. However, a TAC member may request clarification of public comments through the TAC chair.
- Do not read lengthy prepared statements. Summarize, and if you have a lengthy prepared statement submit the complete text of your comment in writing for the record.
- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- Facilitator in consultation with the TAC chair may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all viewpoints to ensure all perspectives are considered, and not repeats of the same views.

PUBLIC COMMENT PROCESS

- Facilitator will introduce 2018 I-Code changes by matrix page in turn.
- The public will be invited to speak on any of the I-Code changes as introduced by the Facilitator page-by-page in sequence, with a 3-minute time limit. The commenter should address why they think the TAC should recommend including the change into the 7th Edition (2020) FBC.
- If there is public comment on an I-Code change: proponents in favor of including the I-Code change into the 7th Edition (2020) FBC will speak first.
- Opponents of including the I-Code change into the 7th Edition (2020) FBC will follow proponents.
- Proponents/opponents will be allowed one (1) collective brief counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points. It will be up the proponents and the opponents to select one individual to make the counterpoint for their respective perspectives.

TAC REVIEW PROCESS

Following the opportunity for public comment on the I-Code change the TAC will decide whether to recommend the Commission include the 2018 I-Code change into the 7th Edition (2020) FBC as follows:

- In order to consider the 2018 I-Code change a TAC member will be required to make a motion to recommend the Commission incorporate the 2018 I-Code change into the 7th Edition (2020) FBC, a second will be required, and then following TAC discussion a vote will be taken.
- If there is no motion to recommend approval, the Facilitator will proceed to the next 2018 I-Code change in order.
- Motions to deny are not allowed by Commission Rules.
- No additional public comment will be considered once a motion is on the floor.
- The TAC must decide on the 2018 I-Code change as drafted and no amendments will be considered.
- The TAC member making the motion to recommend inclusion of a specific 2018 I-Code change shall identify why the 2018 I-Code change is needed to accommodate the specific needs of this state (Florida) by identifying the relevant criteria used for the determination pursuant to Rule 61G20-2.002 including the following:
 - a. Establish minimum life safety construction requirements to protect buildings and their occupants from fire, wind, flood, and storm surge using the latest technical research and engineering standards for buildings and materials products.
 - b. Provide for flood protection provisions that are consistent with the latest flood protection requirements of the National Flood Insurance Program.
 - c. Maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development.
 - d. Provide for energy efficiency standards for buildings that meet or exceed the national energy standards as mandated by Title III of the Energy Conservation and Protection Act.
 - e. Maintain coordination with the Florida Fire Prevention Code.
 - f. Provide for the latest industry standards and design.
- Pursuant to Section 553.73 (7)(f), F.S., the TAC shall not recommend approval of any 2018 I-Code changes, including those contained in referenced standards and criteria, that would diminish the provisions of the Florida Building Code relating to wind resistance or the prevention of water intrusion.
- Pursuant to Section 553.73 (3)(b), F.S., in order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the I-Code change must receive a two-thirds favorable vote of the members present at the Technical Advisory Committee meeting, and at least half of the regular members must be present in order to conduct a meeting.
- The TAC's recommendations will be forwarded to the Commission and considered pursuant to the procedures provided in Rule 61G20-2.002, and in conformance with the Commission's adopted 7th Edition (2020) Code Update Development Workplan/Schedule.

ATTACHMENT 8

SUMMARY OF ISSUES FOR ANNUAL REPORT

MEETINGS. During the reporting period of July 1, 2017 – June 30, 2018 (fiscal year 2017 – 2018) the Commission conducted six on-site meetings and 5 teleconference participation meetings. During the period the Commission conducted on-site meetings in Deerfield Beach, Tallahassee, Stuart, Jacksonville, Lake Mary, and Altamonte Springs.

OVERVIEW. The primary focus of the Florida Building Commission during the reporting period was completing adoption of the Florida Building Code, Sixth Edition (2017), which became effective December 31, 2017, and initiation of the development of the 7th Edition (2020) Florida Building Code.

The 2017 Legislature implemented amendments to Section 553.73, F.S. with regard to the triennial Code update and amendment process. Specifically, the Commission is no longer required to adopt the most recent version of the Model Codes (I Codes) as the foundation for the updated Florida Building Code, and instead the triennial update process now requires the Commission to review the Model Codes and then decide which provisions are needed to accommodate the specific needs of this State (Florida), with the exception that the Commission is required to adopt provisions required to maintain eligibility for federal funding and discounts for NFIP, FEMA, and HUD programs. In summary, the change in the Code update process reflects that the Florida Building Code, 6th Edition (2017) will serve as the “base code” for the 2020 Code Update Process.

At the October 10, 2017 meeting the Commission initiated the 2020 Code Update Process by voting to select the 2018 International Codes and 2017 NEC for review in the development of the 7th Edition (2020) Florida Building Code. The Commission’s TACs will meet in June of 2018 to review the changes to the I Codes, and subsequently make recommendations to the Commission regarding any changes that are needed to accommodate the specific needs of this State.

The Commission implemented the required changes to Section 553.73, F.S. by amending Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code), F.A.C. to reflect the changes to the Code update process. The Commission conducted a rule development workshop on August 8, 2017 to amend Rule 61G20-2.002, F.A.C., for the purpose of implementing the provisions of HB 1021 regarding some of the Commission’s processes for developing the Florida Building Code. The revisions include providing a definition of “amendment”, providing the purposes for which the Commission may amend the Florida Building Code, providing the process and requirements for submitting proposed amendments to the Florida Building Code, reflecting the two-thirds favorable voting threshold requirement for TACs’ to recommend approval of proposed Code amendments, reflecting the favorable voting threshold requirement for the Commission to approve proposed Code amendments, providing the publication timelines for consideration of proposed amendments by TACs and the Commission, and the minimum timeline for when the Code can become effective after the Commission files the amended Code. At the conclusion of the Workshop the Commission voted unanimously to implement changes to Rule 61G20-2.002 as drafted by staff with authorization for staff to make scoping revisions based on public and Commissioner comments, and to leave the rule open and subject to comment for ten additional days prior to publishing the Notice of Proposed Rule. At the October 9, 2018 meeting the Commission conducted a second rule development workshop and after considering public comment, the Commission voted unanimously to implement the changes to Rule 61G20-2.002 and the associated forms as

presented by staff, incorporating all approved amendments, authorizing staff to make editorial changes as needed, authorizing the Department of Business and Professional Regulation to publish a Notice of Proposed Rule, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission.

On December 6, 2017 the Florida Association of American Institute of Architects, Inc. (FAAIA) filed a rule challenge to the Commission's adoption of Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code) regarding the Code Update Process for development of the 7th Edition (2020) Florida Building Code. The FAAIA challenged the Rule as invalid based on their belief that the Rule is an invalid exercise of the Commission's delegated authority regarding implementation of the triennial update process for the Florida Building Code. On February 15, 2018 the Administrative Law Judge (ALJ) assigned by the Division of Administrative Hearings (DOAH) ruled that the challenged provisions of Rule 61G20-2.002 (2) are a valid exercise of delegated authority as to the objections raised, and the Petition was dismissed. As a result of the ruling the Commission will file the Rule for adoption, and proceed with the Code update process per the Commission's adopted 2020 Code Update workplan schedule.

Entering its twentieth 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 the System.

PROCESS. During the reporting period the Commission continued their focus on consensus-building efforts regarding the implementation of Commission policy, with extensive input from building construction industry stakeholders and interests affected by Commission policy. Commission Chair Richard Browdy, Acting Chair Jim Schock, and current Chair Jay Carlson encouraged and led the Commission's consensus-building efforts supported by DBPR. To this end, the Commission convened two special issue projects in collaboration with impacted building construction industry stakeholders.

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 experienced less severe damage than did older buildings not built to the Florida Building Code.

The Code establishes minimum requirements to protect newly constructed 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 Florida Building Code, Sixth Edition (2017) 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 approved the funding of research projects for fiscal year 2017 - 2018 as recommended by the TACs' chairs on the basis that the approved projects met the three criteria for funding: 1.) definition of research and/or technical enrichment, 2.) urgency/immediacy, and needed for the 2020 FBC and/or legislative directive, and 3.) funding available (full or partial); and were approved for funding based on the TAC chairs' recommendations, and staff administering and overseeing the research, and negotiating scoping and contracting as appropriate.

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: a study on the impact of code issues on property insurance rates; an evaluation of cost impact and benefit of 2018 prescriptive Code changes; a workshop on the evaluation of the cost impact of prescriptive Code changes; a comparison of the 6th Edition Florida Building Energy Code with IECC 2018 and ASHRAE 90.1-2016; a study to evaluate the impact of code updates and the ISO, BCEGS and insurance premiums and a qualifier that would identify electrical requirements specifically; residential air leakage testing and mechanical ventilation verification study; energy impact of dehumidifier location study; a cost impact study on decking systems in reference to the roofing diaphragms and costs to the consumer; and, a research project on Chapter 233 residential facilities requirements.

Finally, during the reporting period the Commission continued its commitment to evaluating and amending the Code as needed based on storm damage investigations, and at the October 9, 2017 meeting received a briefing from the University of Florida regarding preliminary assessments of the impact of Hurricane Irma on the State pursuant to the scope of an ongoing contract with DBPR/FBC. In addition, based on the briefing the Commission voted to authorize DBPR staff to develop a project scope based on Commissioner and public comments provided during the meeting for a Phase II formal damage assessment regarding the impacts of Hurricane Irma and the effectiveness of the Florida Building Code.

CODE UPDATE. Florida law requires the Commission to update the Florida Building Code every three years, and the Florida Building Code, 6th Edition (2017) represented the fifth update of the Code. The update process was based on the code development cycle of the national model building codes, which served as the "foundation" codes for the Florida Building Code. The Code update process included integration of the Florida Energy Efficiency Code for Building Construction (FEECBC) and the International Energy Conservation Code (IECC) maintaining the efficiencies of the FEECBC. The implementation of the Florida Building Code, 6th Edition (2017) ensured that Florida's Energy Code efficiencies were maintained as required.

The 2020 Code Update process will reflect changes pursuant to 2017 legislation and now requires that the Commission shall adopt an updated Florida Building Code every 3 years through review of the most current updates of the International Building Code, the International Fuel Gas Code, International Existing Building Code, the International Mechanical Code, the International Plumbing Code, and the International Residential Code, and the National Electrical Code. At a minimum, the commission shall adopt any updates to such codes or any other code necessary to maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development. The Commission shall also review and adopt updates based on the International Energy Conservation Code (IECC); however, the commission shall maintain the efficiencies of the Florida Energy Efficiency Code for Building

Construction. In summary, the Florida Building Code, 6th Edition (2017) will serve as the “base code” for the 2020 Code Update Process.

At the October 9, 2017 meeting the Commission conducted a Rule Development Workshop for Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code), and voted unanimously to implement the changes to Rule 61G20-2.002 and the associated forms in conformance with the relevant changes to Section 553.73, F.S.

At the October 10, 2017 meeting the Commission initiated the 2020 Code Update process by voting to select the 2018 International Codes and 2017 NEC for review in the development of the 7th Edition (2020) Florida Building Code. The process will conclude when the 7th Edition (2020) Florida Building Code becomes effective on December 31, 2020. Following is a table reflecting the key tasks and associated schedule for the 2020 Code Update Process:

FLORIDA BUILDING CODE, 7TH EDITION (2020) DEVELOPMENT SCHEDULE	
KEY TASKS	SCHEDULE
Commission selects 2018 I Codes “model codes” and 2017 NEC to conduct its review.	October 10, 2017
TACs review the changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state.	June 8-22, 2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state.	October 8, 2018
TACs consider proposed modifications (1 st 45 day comment period)	March 18-21, 2019
Commission considers TAC’s recommendations (2 nd 45 day comment period).	August 12-13, 2019
Commission conducts rule development workshop on the Commission’s package of approved Code modifications for the 7 th Edition (2020) FBC.	February 4, 2020 April 7, 2020
Final rule adoption hearing on 7 th Edition (2020) Florida Building Code—Commission approves final version of the Code.	June 8, 2020
Florida Building Code, 7 th Edition (2020) Effective Date.	December 31, 2020

Finally, using its authority granted in 2014 to interpret the Florida Accessibility Code for Building Construction (FACBC), the Commission to date has issued five interpretations regarding petitions for declaratory statements on the Accessibility Code.

ENERGY CODE INITIATIVES. During the reporting period, the Commission voted to certify that the commercial building provisions of the proposed Florida Building Code, 6th Edition (2017), Energy Conservation, will meet the 2013 edition of the Energy Standard for Buildings, Except Low-Rise Residential Buildings, American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)/ Illuminating Engineering Society of North America (IESNA) Standard 90.1, as referenced by the 2015 International Energy Conservation Code, for buildings other than low-rise residential.

In addition the Commission voted to approve Energy Code Compliance Software as follows:

- To conditionally* approve Energy Code Compliance Software update for the 5th Edition (2014) Florida Building Code, Energy Conservation, specifically Right-Suite Universal 2017 (using Right-

Energy Florida 2014) for demonstrating compliance with residential building energy requirements for single-family houses.

- Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically, EnergyGauge USA 6.0 for demonstrating compliance with residential building energy requirements.
- To conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically Right-Suite Universal 2017 (using Right-Energy Florida 2017) for demonstrating compliance with residential building energy requirements for new construction, single-family houses.
- COMcheck Version 4.0.8.0 Florida Review for demonstrating compliance with commercial building energy requirements for the 6th Edition (2017) Florida Building Code, Energy Conservation.
- To conditionally approve Energy Gauge Summit 6.0 for demonstrating compliance with commercial building energy requirements for the 6th Edition (2017) Florida Building Code, Energy Conservation.
- Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically REScheck version 4.6.5.0 Florida for demonstrating compliance with residential building energy requirements.

** Conditional approvals revert to approvals once the conditions of approval are met.*

PRODUCT APPROVAL. The product approval system is an internet-based system operated and administered by the Department of Business and Professional Regulation. 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 30,703 product applications and 135,903 products for statewide use within limitations established by the approvals. In addition, the total number of product approval applications approved to the 2017 Code is 2,765, the total number of products approved to the 2017 Code is 11,495, and the total number of entities approved to the 2017 Code is 134.

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.

LIGHTNING PROTECTION WORKGROUP PROJECT. The Lightning Protection Workgroup was appointed by Chairman Browdy during 2017 and convened in 2018. The scope of work and purpose of the Lightning Protection Workgroup was to provide consensus recommendations to the Florida Building Commission regarding whether lightning protection requirements should be included in the future update to the Florida Building Code; and if yes, to provide recommended code change language that

takes into consideration available lightning protection standards and technologies. The Workgroup met on January 18, 2018 and February 12, 2018 and in the process identified key issue regarding lightning protection standards, reviewed member submitted options regarding lightning protection standards for the Florida Building Code, identified additional options, and acceptability rated all of the proposed options. There were no options that achieved a consensus level of support, and as a result there are no recommendations for changes. It should be noted that the Status Quo achieved the highest level of support, and remains the requirement in the Florida Building Code.

RESIDENTIAL CONSTRUCTION COST IMPACT WORKGROUP. The Workgroup was convened in 2018 at the request of residential construction stakeholders in order to provide the technical advisory committees (TACs) and Commission with information regarding the cost of changes to the International Residential Code (IRC) and proposed modifications to the updated Code. The Workgroup's first task was to provide recommendations regarding the 2018 IRC and proposed modifications to the 6th Edition (2017) Florida Building Code for development of the 7th Edition (2020) Florida Building Code.

BINDING INTERPRETATION PROCESS. The Commission coordinates with the Building Officials Association of Florida (BOAF) on appointments to the Binding Interpretation Panel. The Panel consists of seven members charged with hearing requests to review decisions of local building officials. The Panel has heard 19 binding interpretations regarding the Florida Building Code to date.

LEGISLATIVE ASSIGNMENTS. The 2017 Florida Legislature through the passage of SB 1634 now 2017-97 Laws of Florida, HB 1021 now 2017-149 Laws of Florida, and HB 241 now 2017-52 Laws of Florida charged the Commission with a number of assignments impacting the Florida Building Code System. 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. All of the 2017 Legislative assignments were implemented timely, and the Commission's specific actions on assignments that were not completed in time for inclusion in the 2017 Annual Report are summarized below:

Action Required: In addition to the actions required to amend the Florida Building Code, Sixth Edition (2017), 2017-149, Laws of Florida (HB 1021) and 2017-97, Laws of Florida (SB 1634) required the Commission to amend the Florida Building Code, 5th Edition (2014) to incorporate specific Legislative Code changes.

Status: The Commission posted the required amendments to the Building Code Information System (BCIS) for enforcement by Building Officials, in order to implement the provisions.

Action Required: 2017-149, Laws of Florida (HB 1021) required the Commission to change some of their processes for developing the Florida Building Code.

Status: The Commission conducted rulemaking to update rules 61G20-2.001, Commission Organization and Operations, and 61G20-2.002, Statewide Amendments to the Florida Building Code, to implement these changes.

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.

In general the Commission works with building construction industry stakeholders to build consensus on legislative assignments and on modifications to the Florida Building Code, and relies on industry groups to take the lead in proposing specific legislation to implement proposed changes to statute.

The Commission's consensus developed recommendations for statutory changes designed to improve the system's effectiveness are developed in collaboration with industry stakeholders, who generally take the lead on initiating any specific legislative proposals. The Commission's summary of recommendations for 2019 Legislative actions, if any, will be included in the Annual Report for the reporting period of July 1, 2017 – June 30, 2018.