



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE
APRIL 7, 2019
FLORIDA BUILDING COMMISSION
VIRTUAL MEETING VIA WEBINAR AND TELECONFERENCE**

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION

APRIL 7, 2020 FACILITATOR’S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
APRIL 7, 2020 FACILITATOR'S SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

TUESDAY, APRIL 7, 2020

I. PLENARY SESSION SUMMARY AND OVERVIEW

In response to the coronavirus COVID-19 pandemic, the Commission conducts their April 7, 2020 meeting as a virtual meeting via webinar and teleconference. At the April 7, 2020 virtual meeting 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, and recommendations from the Commission's various committees. In addition the Commission received a briefing on Binding Interpretation #179. Specific actions included voting unanimously to: 1.) Approve the Acting Chair's committee appointments; 2.) Limit the scope of Commission funding of research projects for fiscal year 2020/2021 to hurricane resistant research, and to approve using the Hurricane Research Advisory Committee (HRAC) to review and make recommendations to the Commission regarding which projects to fund; 3.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—7th Edition (2020), Florida Building Code; 4.) Approve the specified changes to the draft Rule 61G20-2.002, and to direct staff to proceed with rule adoption; and, 5.) Adopt the Commission's package of approved Code modifications to the 6th Edition (2017) for inclusion in the draft 7th Edition (2020), Florida Building Code and to proceed with rule adoption.

(Attachment 1—Meeting Evaluation Results)

II. ACTING CHAIR'S WELCOME

Acting Chair Schock welcomed the Commission, DBPR staff and the public to the April 7, 2020 virtual meeting conducted via webinar and teleconference plenary session of the Florida Building Commission.

The Acting Chair noted that in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, accessibility waivers, and recommendations from the Commission's various committees, the primary focus of the April meeting was to conduct rule workshops on Rule 61G20-2.002 (Updates and Amendment to the Florida Building Code), and Rule 61G20-1.001 (7th Edition (2020) Update to the Florida Building Code).

The Acting Chair explained that as always, the Commission would provide an opportunity for public comment on each of the Commission's substantive discussion topics. Commissioner Schock explained that if one wants to comment on a specific substantive Commission agenda item, they should wait until the facilitator requests public comment and stacks a list of names at the appropriate times during the meeting. The Acting 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 participated in the Tuesday, April 7, 2020 virtual meeting conducted via webinar and teleconference:

Jim Schock (Acting Chair), Hamid Bahadori, James Batts, Bob Boyer, Don Brown, Kelly Smith Burk, Oscar Calleja, David Compton, Nan Dean, Charles Fisher, John Gatlin, Shane Gerwig, Richard Goff, Jeff Gross, Robert Hamberger, David John, Brian Langille, Brad Schiffer, Fred Schilling, Drew Smith, Jeff Stone, Brian Swope, Don Whitehead, and John Wiseman.

(24 of the 25 currently seated Commissioners attended—96%).

Absent Commissioners:

David Gilson.

DBPR STAFF PARTICIPATING

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

MEETING FACILITATION

Meetings are facilitated, and meeting reports drafted by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



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, 24 - 0 in favor, to approve the agenda for the April 7, 2020 meeting as posted/presented. Following are the key agenda items approved for consideration:

- 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 2020-2021 Research Projects Funding and Approval Process.
- To Receive Update regarding the 7th Edition (2020), Florida Building Code Workplan.

- To Conduct Rule Workshop on 61G20-2.002.
- 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 Hear a Briefing on Binding Interpretation #179.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Conduct Rule Workshop on 61G20-1.001.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (June 2, 2020 in Sarasota or by virtual meeting TBD).

Amendments to the Posted Agenda:

There were no amendments to the posted agenda.

(Attachment 2—April 7, 2020 Commission Agenda)

V. APPROVAL OF THE FEBRUARY 11, 2020 FACILITATOR’S SUMMARY REPORT AND MEETING MINUTES

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the February 11, 2020 Facilitator’s Summary Report and Meeting Minutes as posted/presented.

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

VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS

Dick Browdy Update

The Acting Chair stated that he was pleased to report that staff had recently heard from Chairman Browdy, and he indicated that his latest scan in January revealed that he is “clean” with no cancer. The Acting Chair stated that everyone is very grateful, and happy for Dick and his family.

Binding Interpretation Panel

At BOAF’s recommendation the Chair appointed Sharon Mignardi to serve in the architect position vacated by the retirement of Larry Cohan. The Acting Chair thanked Larry for his service and Sharon for agreeing to serve.

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the appointment.

Updated Commission Milestones

The Acting Chair reminded participants that the Updated Commission Milestones document is linked to the April 7, 2020 FBC Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

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

Legislative Update for 2020 Legislative Session

CS/HB 1193—Deregulation of Professions & Occupations.

Status: The bill passed and pending action by the Governor the Commission will be reduced to 19 members effective January 1, 2021.

Pending any appointments or member changes by the Governor, the following will reflect the composition of the Commission on January 1, 2021:

1. Brad Schiffer-Architect
2. David Compton-Structural Engineer
3. Oscar Calleja-A/C or Mechanical Contractor or Mechanical Engineer
4. Chuck Fischer-Electrical Contractor or Electrical Engineer
5. John Wiseman-General Contractor or Building Contractor
6. Fred Schilling-Plumbing Contractor
7. Brian Swope-Roofing Contractor or Sheet Metal Contractor
8. Rick Goff-Residential Contractor
9. Shane Gerwig- District, County, or Municipal Codes Enforcement Official
10. David Gilson- District, County, or Municipal Codes Enforcement Official
11. Robert Hamberger-District, County, or Municipal Codes Enforcement Official
12. Vacant-Florida based organization of persons with disabilities or a nationally chartered organization with chapters in this state.
13. Nan Dean-Manufactured Buildings
14. Dr. Jeff Stone-Building Products
15. Jeff Gross-Building Owners
16. Don Brown-Insurance Industry
17. Jim Batts-Swimming Pool Contractor
18. Chief Resilience Officer or his/her designee.
19. Brian Langille-Natural Gas Distribution Systems

Travel Reimbursement Changes

Tom explained that in the past DBPR has reimbursed mileage at a \$.445 rate on a mile-per-mile basis. In February 2020, the Department of Financial Services (DFS) audited DBPR travel. After the audit was completed, the DFS informed DBPR that mileage was only allowed to be reimbursed at the .445 rate if the total mileage reimbursement was less than the estimate for a rental car. Going forward, staff will email Commissioners with what their lowest cost option is, and that is what they will be paid whether they drive their own car or use a rental car. There is also a calculator spreadsheet linked to the agenda item that can be used to make cost comparisons between driving their own car and renting a car. At least initially, staff will make the calculation for the Commissioners.

Future Commission Meeting Dates

Tom reported that the June 2, 2020 Commission meeting will be at the Hyatt Regency Sarasota, or by virtual meeting, and staff will advise how the meeting will be conducted closer to the date. Following are the remaining Commission meeting dates scheduled to date:

- August 4, 2020, Embassy Suites, Ft. Lauderdale, or by virtual meeting TBD.
- October 13, 2020, Shores Resort and Spa, Daytona Shores or by virtual meeting TBD.

VIII. RESEARCH FUNDING AND APPROVAL PROCESS FOR FY 2020/2021

The Acting Chair noted that originally Commission funding of research projects was limited to hurricane resistant research, and subsequently the scope was expanded to include other Code related topical areas. For fiscal year 2019/2020 based on the increased frequency and impacts of hurricanes to Florida, the Commission voted to narrow the scope of funding research projects to hurricane resistant research. Commissioner Schock stated that DBPR Commission staff, and he as Acting Chair, were again recommending that the Commission take the same action for fiscal year 2020/2021 to limit funding to hurricane resistant research. In addition, the Acting Chair noted that they are proposing to use the recently appointed Hurricane Research Advisory Committee (HRAC) to review and prioritize proposed research project recommendations for the Commission's consideration during the August 4, 2020 meeting. At that meeting the Commission will discuss the HRAC's recommendations, and decide on which research projects to fund for fiscal year 2020/2021.

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

Commission Actions:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to limit the scope of Commission funding of research projects for fiscal year 2020/2021 to hurricane resistant research, and to approve using the Hurricane Research Advisory Committee to review and make recommendations to the Commission regarding which projects to fund.

IX. 7TH EDITION (2020), FLORIDA BUILDING CODE WORKPLAN UPDATE

Mo Madani provided an update regarding the Workplan/Schedule for the development of the 2020 Code Update Process—7th Edition (2020), Florida Building Code.

Commissioner Stone requested that the Commission discuss whether to delay the effective date of the 7th Edition (2020), Florida Building Code for six months. The Acting Chair and the facilitator suggested that the issue be briefly discussed at the end of the meeting during Commissioner issues, but that the substantive discussion and any decision should occur at the June 2, 2020 meeting as a specific noticed agenda item.

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

Commission Actions:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to approve the updated Workplan/Schedule for the 2020 Code Update Process—7th Edition (2020), Florida Building Code.

(Attachment 5—Updated 2020 Code Update Workplan)

X. RULES WORKSHOP ON RULE 61G20-2.002

Acting Chair Schock noted that at the October 2019 meeting the Commission conducted a rule development workshop on Rule 61G20-2.002 -Statewide Amendments to the Florida Building Code and began the process of implementing the provisions of HB 447 amending Section 553.73 (7)(a), Florida Building Code to reflect that: Every 3 years, the Commission may approve updates to the Florida Building Code without a specific finding that the updates are required to accommodate the specific needs of this state. At the October 2019 meeting the Commission received public comments, and discussed the public comments regarding proposed changes to the triennial update process and changes to the Commission’s adopted code processes, and discussed any changes they would like to consider regarding the Rule and process documents. Based on the Commission’s direction staff drafted several rule approaches for the Commission’s consideration for the December 10, 2019 rule workshop where after comments and discussion the Commission approved a rule approach and a rule development process option for the development of the 2023 Code Update. At the February 7, 2020 rule workshop the Commission voted unanimously to approve the draft rule language text proposed by the Florida Homebuilders Association, incorporated several amendments to the text, approved the specified changes to the draft Rule 61G20-2.002, and directed staff to incorporate them into an updated draft for the Commission’s consideration during the April 7, 2020 fifth and final rule workshop.

The Acting Chair stated that based on the Commission’s decisions in February, staff prepared revised draft rule language, and corresponding amended process documents for the Commission’s consideration during the rule development workshop.

Jeff Blair explained that the Commission would be provided an opportunity to ask clarifying questions on the revised draft rule language after Tom Campbell reviewed the revised Rule, and then the public would provide their comments on the draft rule language for Rule 61G20-2.002 for updates and amendments to the FBC. At the conclusion of public comment the Commission will review the public comments to determine whether to incorporate any of them into the draft Rule text, and then move to approve the draft Rule language. Following this the Commission will receive public comments and then discuss the revised process documents (5). The Commission will review and discuss the process documents during the workshop, but will not seek formal approval until the Commission is ready to begin the 2023 Code Update Process per the Workplan/Schedule.

Following public comment the only change made to the text of draft Rule 61G20-2.002, presented during the meeting and posted to the BCIS, was to change ~~Florida-specific~~ to Florida Building Code in section (1)(e) 1.

Jeff Blair reviewed the five process documents with the Commission, answered members questions, offered an opportunity for public comment, and noted that the Commission would approve the documents at the appropriate times once the 2023 Code Update process was initiated.

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

Commission Actions:

MOTION—The Commission voted, 24 – 0 in favor, to approve the specified changes to the draft Rule 61G20-2.002, and to direct staff to proceed with rule adoption.

(Attachment 6—2023 Code Update Process Documents)

XI. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

Justin Vogel, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council's recommendations for all waiver applications, and the Commission reviewed and decided on the waiver applications submitted for their consideration.

Commission Actions Regarding Accessibility Waiver Applications:

1. New Control Room for Florida Caribbean Distillers Co. Lodge - Waiver 440 - 425 Recker Highway, Auburndale 33823

MOTION—The Commission voted unanimously, 24 – 0 in favor, to deny the waiver based on fact that the project in question is new construction.

2. Change of Use – Waiver 436- 1323 West Avenue, Miami Beach 33139

MOTION—The Commission voted, 23 – 1 in favor, to grant the waiver based on the grounds of technical infeasibility.

3. Penguin Hotel – Waiver 447 - 1418 Ocean Drive, Miami Beach 33139

MOTION—The Commission voted unanimously, 24 – 0 in favor, to grant the waiver based on the grounds of technical infeasibility.

4. Stay and Save Motel – Waiver 421 - 2430 NE 2nd Street, Ocala 34470

MOTION—The Commission voted unanimously, 24 – 0 in favor, to deny the waiver based on fact that the project in question is new construction.

5. Villa Cuatro – Waiver 448 - 334 Ocean Drive, Miami Beach 33139

MOTION—The Commission voted unanimously, 24 – 0 in favor, to grant the waiver based on the grounds of historical significance.

6. Leola Construction – Waiver 435 - 11849 US Highway 41S, Gibsonton 33534

MOTION—The Commission voted unanimously, 24 – 0 in favor, to grant the waiver based on the grounds of economic hardship and technical infeasibility.

7. New Athletic Field and Stadium - Community School of Naples – Waiver 446 - 13275 Livingston Road, Naples 34109

MOTION—The Commission voted unanimously, 24 – 0 in favor, to grant the waiver based on the grounds of unnecessary and unreasonable economic hardship.

XII. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Jeff 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, 24 - 0 in favor, to approve the consent agenda of product approval entities (27) as posted/presented.

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the consent agenda of products (146) recommended for approval to the 2017 Code as posted/presented.

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

MOTION—The Commission voted unanimously, 24 – 0 in favor, to approve product FL 16854 R-13.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to conditionally approve product FL 29497 R-1 based on the conditions requested by the applicant and recommended by DBPR staff.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the April 2020 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*)

XIII. 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, 24 – 0 in favor, to approve advanced accredited course numbers: 946.0 and 944.0.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to conditionally approve advanced accredited course number: 949.0.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to conditionally approve advanced accredited course number: 899.0.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to grant the withdrawal request by the applicant for accredited course number: 950.0.

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

XIV. LEGAL REPORT

Justin Vogel, Commission Legal Counsel, reported there were no new legal updates.

XV. BINDING INTERPRETATION #179 BRIEFING

Acting Chair Schock reported that Binding Interpretation #179 was petitioned by Nicholas Danaluk regarding the City of Fort Pierce Building Officials interpretation pursuant to Building, Chapter 3 – Use and Occupancy Classification, Section 310. The issue involves a petition for a binding interpretation on the BO's interpretation regarding whether the owner is required to change the use and occupancy classification from Residential Group R-2 to R-3 (Boarding House (Transient)) for short-term rentals.

Mo Madani briefed the Commission on the Binding Interpretation Panel's opinion as follows:

Binding Interpretation #179 Answer:

Question 1.) Answer: No.

Question 2.) Answer: No.

Question 3.) Answer: No.

The following comment was provided for all 3 questions: Consideration should be given to the term “primarily” used occupancy classification within the Florida Building Code and consider the FS 509.242 language in determining when a change of occupancy occurs.

XVI. COMMITTEE REPORTS AND RECOMMENDATIONS

Acting Chair Schock 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 Acting 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 TACs and POCs 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 7, 2020 Agenda):

http://www.floridabuilding.org/fbc/Commission/FBC_0220/index.htm.

Education POC

Commissioner Dean presented the POC’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the POC’s report as presented/posted (March 26, 2020).

Electrical TAC

Commissioner Fischer presented the TAC’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC’s report as presented/posted (March 25, 2020).

Energy TAC

Commissioner Smith presented the TAC’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC’s report as presented/posted (March 25, 2020).

Hurricane Research Advisory Committee

Jeff Blair presented the Committee’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the HRAC report as presented/posted (March 24, 2020).

Product Approval POC

Commissioner Stone presented the POC’s report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the POC’s report and Facilitator’s summary report as presented/posted (March 26, 2020).

Roofing TAC

Commissioner Swope presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC's report as presented/posted (March 24, 2020).

Structural TAC

Commissioner Schock presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC's reports as presented/posted (March 24, 2020).

Swimming Pool TAC

Commissioner Batts presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC's report as amended (March 24, 2020) to correct the TAC's recommendation on Comment #3 to As Modified (AM).

XVII. RULE WORKSHOP FOR RULE 61G20-1.001

Acting Chair Schock noted that the Commission started the 2020 Code Update Process in October of 2017 with selection of the 2018 I-Codes and the 2017 NEC, the TACs made recommendations on I-Code changes in June of 2018, the Commission decided on I-Code changes in October of 2018, the TACs made recommendations on proposed code modifications in March of 2019, the TACs decided on public comments to TAC recommendations in July of 2019, the Commission decided on code modifications for the 7th Edition (2020), Florida Building Code in August of 2018, and the TACs made recommendations on public comments to the draft 7th Edition (2020) Florida Building Code in January of 2020. At the February 7, 2020 rule workshop the Commission voted unanimously to adopt the Commission's package of approved Code modifications to the 6th Edition (2017) for inclusion in the draft 7th Edition (2020), Florida Building Code. Finally, in March of 2020 five TACs met to review topically relevant public comments submitted to the Commission's 2020 Draft Code, and to provide the Commission with recommendations.

The April 7, 2020 workshop was the final rule workshop for Rule 61G20-1.001 on the draft 7th Edition (2020), Florida Building Code. After the Commission took action on the TACs' recommendations on submitted public comments, comments submitted in advance of the Workshop and posted to the BCIS, and any verbal public comments provided during the rule workshop the Commission moved to proceed with rule adoption for Rule 61G20-1.001(1), Florida Building Code Adopted, incorporating all approved amendments.

Jeff Blair explained the process and sequencing for the Rule Workshop as follows:

- The Facilitator will introduce each TAC recommendation (favorable) on public comments in turn.
- All comments are limited to a maximum of three-minutes (3) per person.
- Proponents of the TAC's recommendation on the public comment will speak first.
- Opponents of the TAC's recommendation on the public comment 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. Rebuttals are limited to two-minutes (2).
- Limit your comment and be concise. Do not read lengthy prepared statements.
- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- The Commission wants to hear all perspectives, and not repeats of the same views.
- Clarifying questions of commenters is restricted to Commission members only.
- Staff, proponent, or specified commenter will respond to Commission Member's questions.
- Once a motion for an action on a comment is on the floor, discussion is limited to Commission members except as allowed by the Chair/Facilitator.
- All TAC recommendations on public comments will be considered individually. If there is not a motion to approve a TAC recommendation, then the recommendation will be deemed not approved.
- Once the Commission takes action on all of the TACs' recommendations, members of the public will be afforded an opportunity to provide additional public comment, including commenting on issues that did not receive a favorable recommendation from the TACs.
- The same process will be used as above: public comment received, and after public comment on each issue brought forward is concluded, the Commission will decide whether to take any action.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote, are deemed not approved.

Of note, the Commission approved all of the TACs' recommendations for approval, and also approved the additional 6 comments submitted prior to the Workshop and posted to the BCIS.

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

Commission Actions:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to adopt the Commission's package of approved Code modifications to the 6th Edition (2017) for inclusion in the draft 7th Edition (2020), Florida Building Code and to proceed with rule adoption.

XVIII. COMMISSION MEMBER COMMENTS AND ISSUES

Acting Chair Schock invited Commission members to offer any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

Commissioner Comments:

- Jim Schock: noted that the virtual meeting format worked well.
- Jeff Stone: reported that he was contacted by product manufacturers with a request to delay the effective date for the 7th Edition (2020), Florida Building Code by six months due to impacts from the coronavirus COVID-19 pandemic. Jeff stated that he agreed the Commission should defer discussion on the issue to the June 2, 2020 meeting. Jeff asked whether it would be possible to leave

the effective date the same, but delay when product approvals have to comply with the requirements of the 7th Edition.

- Mo Madani: responded that it would not be a good idea to uncouple product approval requirements from the requirements of the new Code once in effect, and it would create problems.
- Oscar Calleja: requested that legal staff provide a briefing on any legal implications of a Code delay at the June 2020 meeting.
- Tom Campbell: responded that staff would provide an analysis of the implications of legal, product approval, and other relevant issues at the June 2020 meeting.
- Mo Madani: stated that another issue with a delay is the requirement for the Florida Building Code to have the same effective date as the updated Florida Fire Prevention Code.
- Mo Madani: reported that the updated Draft 7th Edition (2020), Florida Building Code would be posted to the BCIS on April 20, 2020, and requested that stakeholders review the Code and provide any feedback regarding errors to him.

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, Acting Chair Schock invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- Steve Strawn, code consultant: remarked that the window manufacturing industry is impacted by the pandemic and need more time to make products compliant with the 2020 Code. Steve indicated that he supported having the discussion at the June 2020 Commission meeting.
- Mo Madani: indicated that in evaluating a delay to the Code's effective date the Florida Building Code System would need to be assessed comprehensively.
- Joe Belcher, FHBA: noted that if the 7th Edition effective date is delayed each subsequent edition would also need to be delayed by the same length of time, so that for example the 8th Edition would not become effective in only 2-1/2 years.
- Mike Silvers, FRSA: the roofing industry will need time to provide training on the new Code, and until training can be conducted face-to-face a delay would help. Mike also stated that he supported having the discussion at the June 2020 Commission meeting.
- Dallas Thiesen, Florida Swimming Pool Association: supports waiting until the June 2020 meeting to discuss a potential delay so that he can consult with the pool industry.
- Rick Olsen: agreed with Mike Silvers, and also agreed that he supported having the discussion at the June 2020 Commission meeting.

XX. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The June 2, 2020 meeting will focus on the Commission's regular procedural and substantive issues, any relevant rule development initiatives including a final rule hearing on Rule 61G20-1.001 (the draft 7th Edition (2020), Florida Building Code), and approval of the Commission's Annual Report to the Legislature (2021). Staff will keep the Commission and stakeholders informed regarding whether the June 2, 2020 meeting will be a face-to-face meeting in Sarasota, or a virtual meeting.

(Attachment 5—Commission Meeting Schedule)

OTHER COMMISSION ACTIONS

There were no additional Commission actions taken during the April 7, 2020 meeting.

STAFF ASSIGNMENTS FROM THE APRIL 7, 2020 MEETING

Add an agenda item to the June 2, 2020 meeting to discuss whether to delay the effective date of the 7th Edition (2020), Florida Building Code for 6 months.

ADJOURNMENT

After a closing roll call confirmed that the Commission retained a quorum (24 of the 24 Commissioner members who responded to the opening roll call), the Acting Chair thanked Commission members, staff and the public for their participation, and adjourned the meeting at 12:01 PM on Tuesday, April 7, 2020.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

APRIL 11, 2020—VIRTUAL MEETING VIA WEBINAR AND TELECONFERENCE

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

Number of Respondents: 18 of 24 (75%) Commissioners participating in the virtual meeting completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

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

- 9.8 ___ Chair's Discussion Issues and Recommendations.
- 9.4 ___ Executive Director's Announcements and Discussions.
- 9.8 ___ 7th Edition (2020), Florida Building Code Workplan Update.
- 9.8 ___ Rule Workshop on 61G20-2.002.
- 9.9 ___ Applications for Accessibility Waiver Applications Approvals.
- 9.7 ___ Applications for Products and Product Approval Entities Approvals.
- 9.7 ___ Applications for Accreditor and Course Approvals.
- 9.9 ___ Legal Report Briefing.
- 9.9 ___ Letter of Certification of Equivalence to DOE.
- 9.8 ___ Binding Interpretation #178 Briefing.
- 9.8 ___ TAC, POC, Committee, and Workgroup Reports and Recommendations.
- 9.9 ___ Rule Workshop on 61G20-1.001.

3. HOW WELL THE FACILITATOR HELPED THE COMMISSIONERS 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. COMMISSIONERS LEVEL OF SATISFACTION WITH THE MEETING.

- 9.8 ___ Overall, I am very satisfied with the meeting.
- 9.9 ___ 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.

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

6. WHAT COMMISSIONERS LIKED BEST ABOUT THE MEETING.

- Jeff, you did an excellent job running this meeting over the web. You had over 100 people participating and I can tell you, I heard and understood the conversation a lot better than if we had all met. I also think it kept the comments by the stakeholders concise and better organized. Great job Jeff!
- Great job with first offsite (virtual) meeting.
- Concise, to the point, everyone was very respectful of others.
- Kept on the agenda and moved along very well.
- Meeting time was efficient.
- The ability to use the Go-To-Meeting function.
- Using Virtual meeting format and not having to travel in these times.
- The proposal for the 2023 8th Edition was helpful in terms of approach and execution. It will eliminate many of the criticisms of this cycle's process internally and externally.

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

- I am at a loss (regarding what could be improved) as the meeting exceeded my expectations.
- Hard to find anything to improve given the size of the group and the success of the electronic format. Next best thing to being there!
- I think all the technical hurdles were corrected at the beginning. In my experience, feedback and open microphones can be a disaster on this type of meeting. You managed to keep all the sound issues to a minimum. Also was impressed on how in the world you (Jeff) and Tom kept track of the attendees' names.

8. SPECIFIC FEEDBACK ON HOW THE VIRTUAL MEETING WORKED USING THE WEBINAR AND TELECONFERENCE MEETING FORMAT, AND HOW VIRTUAL MEETINGS COULD BE IMPROVED.

- Great job with over 100 people online.
- I think the process went really well; I was worried about the stepping over speakers and the background noise. Only suggestion would be to possibly make use of the chat for stacking speakers, etc. Nice job by everyone.
- It really came together well, thanks to all. Let's look at doing more meetings on the web.
- I thought the meeting went very well considering it was virtual and there were over 100 people on the call. I would suggest asking folks in advance to notify you or Commission staff if they wish to make comments on items, and what items they want to comment on. That way you can get a list going prior to the meeting and then add on to it if needed. May save some time and people talking over each other.
- The software being utilized is not as sophisticated as utilized by ASHRAE and other code development organizations. For example identifying a list of people wishing to speak and the small size of the screen fonts.
- In Microsoft Teams the person speaking can be seen. It appeared that only three people were allowed to turn on their cameras. In addition to these three, can the person speaking also have his or her camera turned on?

- I feel considering the magnitude of business that was conducted, and the relative newness of this type of communication, it went extremely well and most effective. Thanks for everyone's efforts under our current conditions.
- Overall I would say the meeting went just perfect. Surprising given the approximately 150 people on the call. I prefer in-person meetings although this went very well and was conducted very professionally. Great job by the staff and the Facilitator.
- Worked great. Could have the members video shown when given the floor.
- Worked pretty well.
- The meeting went very smooth. I was very impressed. Thanks.
- It was outstanding! It saved the taxpayers of Florida quite a bit of money. I think it would be better if Commissioners were able to be seen by video during the meeting, and anyone speaking was seen when speaking. It would be nice to see facial expressions. That is all that was missed during the meeting.
- The only challenge with the webinar format is getting multiple replies at the same time, but that also happens live (we just lack the visual raised hand for the chair to see). It also didn't seem to be much of a problem through the majority of the meeting.
- I appreciate getting the agenda as early as we did. It gave me time to prepare for the meeting. Being new on the Commission, it was the first time I knew where to find the material that would be discussed and was able to prepare for the meeting. As I said above, my feedback is that I was better able to hear all the conversation in the virtual meeting. Sometimes the rooms where we meet are not the best acoustics.
- Also you did a fantastic job facilitating the meeting and keeping it on track. You gave everyone time for their input and listened well to their comments. When I heard we were going to do a virtual meeting I didn't think it was possible to get the meeting accomplished like you did. Congratulations!
- I believe the whole meeting went well. From my side everything seemed normal.
- The meeting went extremely well, better than I expected. Stakeholders had the opportunity to tell their story throughout the meeting. Jeff, great job keeping it together!

ATTACHMENT 2
APRIL 7, 2020 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION
APRIL 7, 2020
TELECONFERENCE/WEBINAR

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 2020-2021 Research Projects Funding and Approval Process.
- To Receive Update regarding the 7th Edition (2020), Florida Building Code Workplan.
- To Conduct Rule Workshops on 61G20-2.002.
- 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 Hear a Briefing on Binding Interpretation #179.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Conduct Rule Workshops on 61G20-1.001.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting.

COMMISSION COMMITTEES—ON-SITE AND TELECONFERENCE MEETINGS

March 24, 2020	8:30 a.m.	Structural Technical Advisory Committee Concurrent with the Hurricane Research Advisory Committee
March 24, 2020	1:00 p.m.	Roofing Technical Advisory Committee
March 24, 2020	2:00 p.m.	Swimming Pool Technical Advisory Committee
March 25, 2020	9:00 a.m.	Energy Technical Advisory Committee
March 25, 2020	1:30 p.m.	Electrical Technical Advisory Committee
March 26, 2020	9:00 a.m.	Education Program Oversight Committee
March 26, 2020	10:00 a.m.	Product Approval Program Oversight Committee
March 26, 2020	3:00 p.m.	Accessibility Advisory Council

MEETING AGENDA—APRIL 7, 2020

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 11, 2020
	4.)	Chair’s Discussion Issues: Appointments: Milestones:
	5.)	Executive Director Announcements and Discussions: Legislative Briefing Travel Reimbursement Changes: Future Meetings: June 2, 2020 – Hyatt Regency, Sarasota, Florida August 4, 2020 – Embassy Suites, Ft. Lauderdale, Florida
	6.)	2020-2021 Research Projects funding and approval process
	7.)	To Receive Update Regarding the 7th Edition (2020) Florida Building Code Workplan
	8.)	Rule Workshop for Rule 61G20-2.002
	9.)	Accessibility Waiver Applications: (Accessibility Advisory Council Report)
	10.)	Applications for Product (2017) and Entity Approval
	11.)	Applications for Accreditor and Course Approval
	12.)	Legal Report
	13.)	Binding Interpretation # 179 Briefing
	14.)	Committee Reports: Education Program Oversight Committee (March 26, 2020) Electrical Technical Advisory Committee (March 25, 2020) Energy Technical Advisory Committee (March 25, 2020) Hurricane Research Advisory Committee concurrent with the Structural Technical Advisory Committee (March 24, 2020) Product Approval Program Oversight Committee (March 26, 2020) Roofing Technical Advisory Committee (March 24, 2020) Structural Technical Advisory Committee concurrent with the Hurricane Research Advisory Committee (March 24, 2020) Swimming Pool Technical Advisory Committee (March 24, 2020)
	15.)	Rule Workshop for Rule 61G20-1.001, F.A.C. (7th Edition (2020) Update to the Florida Building Code)
	16.)	Commissioner Comment
	17.)	Public Comment Uniform Florida Building Code Citation – Joe Belcher (attachment)
	18.)	Adjourn Commission Plenary Session

**ATTACHMENT 3
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 4

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992 and Hurricane Opal in 1995, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, and 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 Study Commission recommended a Florida Building Code System comprised of *Five Foundations for a Better Built Environment* described as: I. The Code; II. The Commission; III. Local Administration of the Code; IV. Strengthening Compliance and Enforcement; and, V. Product Approval.

The legislature enacted the consensus recommendations into law in 1998. In late 1998, the FCRC Consensus Center 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. Facilitated Solutions, LLC continues to work with the Commission by providing facilitation and consensus-building services using the same process and facilitator.

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 5
COMMISSION'S UPDATED MEETING SCHEDULE AND CODE UPDATE WORKPLAN

(UPDATED APRIL 7, 2020)

COMMISSION APPROVED MEETING SCHEDULE

DATE FY 2018/2019	LOCATION
August 14-15, 2018	Coral Gables [August 15 Plenary] (Biltmore Hotel)
October 8, 2018	Sarasota (Embassy Suites Sarasota)
December 11, 2018	Tampa (Embassy Suites USF)
February 19, 2019	Jacksonville (Hyatt Regency Downtown/Riverfront)
March 18-22, 2019	Altamonte Springs (Embassy Suites) TAC Meetings for submitted Code modifications
April 16, 2019	Gainesville UF Hilton
June 18, 2019	Sarasota Hyatt Regency
July 9-12, 2019	TAC meetings for comments on TAC's recommendations
August 13, 2019	Hutchison Island Marriott Resort and Marina
October 15, 2019	St. Petersburg Hilton Carlton Park
December 10, 2019	World Golf Village Renaissance, St. Augustine
February 11, 2020	Sheraton Orlando North, Maitland (Rules Workshop)
April 7, 2020	Virtual Meeting Via Webinar and Teleconference (Rules Workshop)
June 2, 2020	Hyatt Regency, Sarasota, or Webinar-Teleconference TBD
August 4, 2020	Embassy Suites, Ft. Lauderdale, or Webinar-Teleconference TBD

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 <u>TAC meeting schedule</u> .	06/7-22/2018

Staff posts TACs' recommendations online for further public review	7/7/2018
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)	7/30/2018
Deadline for requesting amendments (2018 I-Codes changes) to be pulled of the consent agenda for individual consideration.	9/3/2018
Commission considers TACs' recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state – on site meeting (Embassy Suites - Sarasota)	10/8-9/2018
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	3/14-26/2019
TACs recommendations posted to the website (Total mods – 1058; AS – 664; AM – 25; NAR – 339; and W – 30) Starting date for the 2 nd 45 day comment period	4/12/2019
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 TACs/Commission on impactful code changes. RCCIWG meeting – on-site meeting (Gainesville)	5/6/2019
2 nd 45 day comment period ends (<i>by law – 45 day min before Commission review</i>)	5/26/2019
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 (Gainesville) and 2 – day via conference/webinar] – As needed and as applicable	7/9-12/2019
Staff post on Commission website TACs consideration of public comments	7/22/2019
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 2-day meeting	8/13-14/2019
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 11, 2020

	April 7, 2020
Integrated Draft 7 th Edition (2020) FBC – Posted online	April 20, 2020
<i>Final Rule Hearing</i> 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 2, 2020
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all of 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 6
2023 CODE UPDATE PROCESS DOCUMENTS

TAC PROCESS FOR REVIEWING 2021 MODEL CODE UPDATES
TAC MEETINGS
2023 CODE UPDATE PROCESS—8TH EDITION (2023) FLORIDA BUILDING CODE

2021 MODEL CODE UPDATES REVIEW AND CONSIDERATION PROCESS

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

SECTION I. 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 or Facilitator.
- 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.

SECTION 2. PUBLIC COMMENT PROCESS

- Facilitator will introduce 2021 model code updates by FBC Code Chapter and Section in turn and by TAC.
- The public will be invited to speak on any of the model code updates as introduced by the Facilitator with a 3-minute time limit. The commenter should address why they think the TAC should or should not recommend including the update into the 8th Edition (2023) FBC.
- If there is public comment on a model code update: proponents in favor of including the model code update into the 8th Edition (2023) FBC will speak first for a maximum of three-minutes each.
- Opponents of including the model code update into the 8th Edition (2023) FBC will follow proponents.
- Proponents/opponents will be allowed one (1) collective maximum of two-minute 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 to the proponents and the opponents to select one individual to make the counterpoint for their respective perspectives.

- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the TAC with a sense of stakeholder preferences.

SECTION 3. STAFF AND TAC MEMBER PREPARATIONS PRIOR TO TAC MEETINGS

Commission staff shall review the model codes and identify any provisions which overlap with the provisions of the Florida Building Code, correlate directly with the provisions of the Florida Building Code, provide for energy efficiency standards that meet or exceed the national energy standards mandated by Title III of the Energy Conservation and Protection Act, or are necessary to maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, or the United States Department of Housing and Urban Development. In addition, the Residential Construction Cost Impact Workgroup's analysis will be provided to the TAC prior to their consideration of model code updates.

Prior to the TAC meetings, each TAC member will be assigned to review specific model code updates and will provide a concise and brief summary of the updates to the TAC at the meeting to assist the TAC in deciding whether to recommend approval of the proposed update. TAC members are also secondarily responsible for reviewing all model code updates prior to the TAC meeting.

SECTION 4. TAC REVIEW PROCESS

During the TAC meetings, and after the opportunity provided for public comment on the specific model code update under review the TAC will decide whether to recommend the Commission include the 2021 model code update into the 8th Edition (2023) FBC as follows:

- In order to recommend approval of a 2021 model code update a TAC member will be required to make a motion to recommend the Commission incorporate the 2021 model code update into the 8th Edition (2023) FBC, a second will be required, and then following TAC discussion a vote will be taken.
- In order to recommend denial of a 2021 model code update a TAC member will be required to make a motion to recommend the Commission deny the 2021 model code update, and not incorporate the 2021 model code update into the 8th Edition (2023) FBC, a second will be required, and then following TAC discussion a vote will be taken.
- The TACs' recommendations shall be accompanied by a brief explanatory remark, and will be posted on the Commission's website.
- The TACs shall address each 2021 model code update either with a motion to approve or a motion to deny, and whether it should be included in the respective consent agenda (recommended for approval or denial) or considered individually by the Commission (*See TAC Recommendations Section 5*).
- No additional public comment will be considered once a motion is on the floor.

- The TAC must decide on the 2021 model code update as drafted and no amendments will be considered.

SECTION 5. TAC RECOMMENDATIONS

The TACs may make the following recommendations to the Commission:

- **Motion to Deny (Included on the Consent Agenda to Deny).** That the Commission reject certain model code provisions by consent agenda. Model code provisions may be recommended for rejection due to such issues as being unnecessary, negatively impacting the level of public health, safety, or general welfare provided by an existing Florida-specific provision, diminishing the requirements of provisions related to wind resistance or water intrusion, unnecessarily imposing additional costs, or potentially requiring modification or further investigation before being adopted for use in this state.
- **Motion to Approve (Included on the Consent Agenda to Approve).** That the Commission approve certain model code provisions by consent agenda. When considering whether to recommend inclusion on a consent agenda for approval, the TACs shall consider such criteria as whether the model code provisions are editorial or organizational in nature, correct an error, provide clarification, provide for alternative design methods, improve the effectiveness of the code, are uncontroversial to affected stakeholders, or are required by law.
- **Motion to Approve or Deny, For Individual Commission Consideration.** That the Commission approve or reject certain model code provisions after considering them individually. When recommending individual consideration of model code updates, the TACs shall consider such criteria as whether the update has the potential to impose significant costs, cause confusion or regulatory difficulty, may be unnecessary, is highly controversial to affected stakeholders, or requires further evaluation.

SECTION 6. GENERAL REQUIREMENTS

- Pursuant to Section 553.73 (7)(f), F.S., the TAC shall not recommend approval of any 2021 model code updates, 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 model code update 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 8th Edition (2023) Code Update Development Workplan/Schedule.

COMMISSION 2021 MODEL CODE UPDATES REVIEW PROCESS
2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE

SECTION 1. ORGANIZATION

CONSENT AGENDAS RECOMMENDED FOR DENIAL. The TACs’ recommendations for denial of specific 2021 model code updates are on “Consent Agendas Recommended for Denial,” one per TAC, consisting of multiple matrices containing updates reflective of the topical Code areas within the TAC’s purview. These recommendations are posted to the BCIS and labeled: Chart #1: “Tracking Charts with TAC Actions—Consent Agendas to Deny.” The matrices of updates recommended for denial relevant to each TAC will be considered by the Commission as a single consent agenda per TAC.

CONSENT AGENDAS RECOMMENDED FOR APPROVAL. The TACs’ recommendations for approval of specific 2021 I-Code amendments are on “Consent Agendas Recommended for Approval,” one per TAC, consisting of multiple matrices containing updates reflective of the topical Code areas within the TAC’s purview. These recommendations are posted to the BCIS and labeled: Chart #2: “Tracking Charts with TAC Actions—Consent Agendas for Approval.” The matrices of updates recommended for approval relevant to each TAC will be considered by the Commission as a single consent agenda per TAC.

RECOMMENDATIONS FOR INDIVIDUAL CONSIDERATION. The TACs’ recommendations for model code updates recommended for individual consideration, either to approve or to deny, will be considered individually by the Commission. These recommendations are posted to the BCIS and labeled: Chart #3: “Tracking Charts with TAC Actions—Individual Consideration.” The matrices of updates recommended for individual consideration relevant to each TAC will be considered by the Commission individually per TAC.

COMMISSION MEETING TO CONSIDER 2021 MODE CODE UPDATES. The Commission will consider the TACs recommendations and the Residential Cost of Construction Impact Workgroup’s comments during the Commission’s Model Code Updates Review meeting.

SECTION 2. REQUESTING UPDATES TO BE PULLED FROM CONSENT AGENDAS FOR INDIVIDUAL CONSIDERATION

REQUESTING AN UPDATE TO BE PULLED FOR INDIVIDUAL CONSIDERATION. Commissioners or members of the public requesting that updates be pulled for individual consideration (“Consent Agenda Recommended for Denial” or “Consent Agenda Recommended for Approval”) should submit their request in writing no later than 21 days prior to the Commission meeting where the updates will be considered. Requests should be sent to Mo Madani at DBPR. The Commission will decide which if any updates to pull for individual consideration at their Model Code Updates Review meeting.

Any Commissioner may pull any update off of a “Consent Agenda Recommended for Denial” or a “Consent Agenda Recommended for Approval” for individual consideration based on public comment (submitted in writing or verbally).

SECTION 3. COMMISSION’S 2021 MODE CODE UPDATES CONSIDERATION SEQUENCING.

The TACs’ recommendations regarding proposed 2021 model code updates for inclusion in the 8th Edition (2023) FBC are arranged on consent agendas by TAC. Each TAC Consent Agenda consists of multiple matrices by Code area. The Commission will consider TAC recommendations in the following sequence:

1. **CONSENT AGENDA RECOMMENDED FOR DENIAL:** Approval of consent agenda of TAC’s recommendations for denial of specific 2021 model code updates (Chart #1: “Tracking Charts with TAC Actions—Consent Agendas to Deny.”). The Commission votes to approve the TAC’s recommendations on the updates, as posted. The motion should be framed: Motion to approve the consent agenda for denial and deny all of the model code updates on the consent agenda. Commissioners should pull-off any updates that would prevent them from voting to approve the consent agenda of matrices recommended for denial by the TAC and as posted to the BCIS.
2. **Consent Agenda Recommended for Approval:** Approval of consent agenda of TAC’s recommendations regarding proposed amendments recommended for approval (Chart #2: “Tracking Charts with TAC Actions— Consent Agendas for Approval”). The Commission votes to approve the TAC’s recommendations on the amendments, as posted. Commissioners should pull-off any amendment(s) that would prevent them from voting to approve the consent agenda of matrices recommended for approval by the TAC and as posted to the BCIS.
3. **Updates Pulled for Individual Consideration:** Model code updates that the TACs recommended for individual consideration, and model code updates pulled by Commissioners for individual consideration for the purpose of approval or denial require a motion to approve or a motion to deny and a second. Additionally, the comments provided by the Residential Construction Cost Impact Workgroup should be considered regarding model code updates that are considered impactful by the Workgroup.

Pursuant to Section 553.73 (7)(f), F.S., the Commission shall not recommend approval of any 2021 model code updates 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.

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

SECTION 4. PUBLIC COMMENT PROCESS

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 Commissioner may request clarification of public comments through the 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 Chair may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The Commission wants to hear all viewpoints to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the Commission with a sense of stakeholder preferences

PUBLIC COMMENT PROCESS

- Facilitator will introduce 2021 model code updates by “Consent Agendas Recommended for Denial” and by “Consent Agendas Recommended for Approval” by TAC in turn (each consent agenda reflects multiple matrices with model code updates organized by FBC Chapter and Section within the TAC’s purview).
- The public will be invited to speak on any of the model code updates (“Consent Agenda Recommended for Denial” or “Consent Agenda Recommended for Approval”) by TAC in turn as introduced by the Facilitator, with a 3-minute time limit. The commenter should address why they think the Commission should or should not recommend including the model code update into the 8th Edition (2023) FBC.
- Public comments will be limited to a maximum of three-minutes (3) per person. However, a Commission member may request clarification of public comments through the Chair or Facilitator.
- If there is public comment requesting approval of a model code update on a Consent Agenda Recommended for Denial,” the proponents in favor of including the model code update into the 8th Edition (2023) FBC will speak first.
- Opponents of including the model code update into the 8th Edition (2023) FBC will follow proponents.
- If there is public comment requesting denial of a model code update on a “Consent Agenda Recommended for Approval,” opponents of including the model code update into the 8th Edition (2023) FBC will speak first.
- Proponents of including the model code update into the 8th Edition (2023) FBC will follow opponents.
- There will be no rebuttal opportunities for this Phase.

SECTION 5. COMMISSION 2021 MODE CODE UPDATES PROCESS AND SEQUENCING

- Facilitator will serve as the moderator, and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of the comment for the record.
- Proponents should identify the specific model code update they want the Commission to consider removing from the “Consent Agenda Recommend for Denial” or the “Consent Agenda Recommend for Approval” and address why they believe the model code update should be approved or denied.
- Comments are limited to a maximum of three-minutes (3) per person.

- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The FBC wants to hear all viewpoints to ensure all perspectives are considered, and not repeats of the same views.
- Facilitator will introduce each “Consent Agenda Recommended for Denial” consisting of matrices of 2021 model code updates recommended for denial by each TAC in turn.
- Facilitator will subsequently introduce each “Consent Agenda Recommended for Approval” consisting of matrices of 2021 model code updates recommended for approval by each TAC in turn.
- Public will speak to any model code updates they wish the Commission to consider individually from the “Consent Agenda Recommended for Denial” or “Consent Agenda Recommended for Approval” by TAC in turn as each consent agenda is introduced by the Facilitator.
- Commissioner(s) will decide which, if any, model code updates to pull for individual consideration.
- Any Commissioner may pull any model code update for individual consideration.
- Clarifying questions by FBC members only.
- FBC will vote in favor of each “Consent Agenda Recommended for Denial” in turn by TAC as posted or as amended by the Commission’s removal of specific model code updates recommended for denial.
- FBC will vote in favor of each “Consent Agenda Recommended for Approval” in turn by TAC as posted or as amended by the Commission’s removal of specific model code updates recommended for approval.
- Once a motion is on the floor, discussion is limited to FBC members except as allowed by the Chair.
- A Commissioner must move approval or denial of a model code update and receive a second prior to discussion.
- All model code updates pulled for individual consideration must be voted on individually either to approve or deny.
- Any model code update considered individually that does not receive a second is deemed denied due to failure to receive a second.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote are deemed denied.

**TACS' PRELIMINARY RECOMMENDATIONS TO THE COMMISSION
TAC CODE AMENDMENT REVIEW AND RECOMMENDATION PROCESS
2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE**

SECTION 1. GENERAL PROVISIONS

Facilitator will serve as moderator and assist with adopted process and groundrules.

- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of comment for the record.
- Comments are limited to a maximum of three-minutes (3) per person.
- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- Chair/Facilitator 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 view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to Code amendments to provide the TAC with a sense of stakeholder preferences.

SECTION 2. TAC CODE AMENDMENT REVIEW AND CONSIDERATION PROCESS

- Facilitator will introduce each proposed Code amendment by FBC Code Chapter and Section in turn, and by TAC.
- Proponents of proposed Code amendment will speak first.
- Opponents of proposed Code amendment will follow proponents.
- Proponents/opponents will be allowed one (1) collective two-minute 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.
- TAC will vote in favor of the motion that the standing findings apply to all motions to approve proposed Code amendments (*Section 4 on page 3*) prior to considering proposed Code amendments. The TAC will stand on the required findings for all motions to approve.
- Clarifying questions by TAC members only.
- Staff, proponent, or specified commenter will respond to TAC Member's questions.

- ☛ Once a motion and second is on the floor, discussion is limited to TAC members except as allowed by the Chair/Facilitator.
- ☛ **Withdrawal of a Code Amendment:** A Code amendment proposal may be withdrawn by the proponent at any time prior to the TAC's vote on the proposal.
- ☛ All Code amendments must be voted on individually, either to approve or to deny, and will require a motion and a second.
- ☛ **Rationale for Denial.** TAC members are encouraged, but not required, to provide feedback regarding their reason for not recommending the approval of a Code amendment proposal.
- ☛ Motions require a two-thirds (67%) favorable vote for approval; those amendments which receive less than a two-thirds favorable vote will be considered unapproved and will be deemed recommended for denial.
- ☛ In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a two-thirds 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. [Section 553.73 (3) (b), F.S.]

SECTION 3. TAC MEMBER MODIFICATIONS

- ☛ **TAC Modifications.** TAC members should avoid spending time modifying a Code amendment proposal, and instead TAC members should focus on providing a proponent with constructive comments for possible revision of their Code amendment during the 2nd 45 - day review/comment period. This approach will ensure that consideration of Code amendments are completed within the time frame allocated for the meeting.
- ☛ Any TAC modifications to a proposed Code amendment require: additional public comment, and TAC analysis of findings, rationale, and fiscal impact.
- ☛ **Modifications:** Modifications to proposed Code amendments may be suggested by any person participating in the TAC meeting. The person proposing the modification is deemed to be the proponent of the Code amendment. All modifications must be written, unless determined by the Chair to be either editorial or minor in nature. The proponent of the modification shall provide an electronic version in an editable format, and 20 hard copies to staff for distribution to the TAC prior to TAC consideration.
- ☛ A proposed modification to a Code amendment shall not be considered by the TAC if it:
 - Is not legible;
 - Changes the scope of the original proposal; or,
 - Is not readily understood so that a proper assessment of its impact on the original proposal of the Code can be determined.

SECTION 4. STANDING FINDINGS APPLIED TO ALL MOTIONS TO APPROVE PROPOSED CODE AMENDMENTS

Facilitator will read the following motion, ask for a motion and second to approve, and the TAC will then vote in favor.

The Technical Advisory Committee moves that for all motions made to approve a proposed Code amendment, the Technical Advisory Committee votes to recommend that the Commission approve the amendment based on the following Findings [Pursuant to the Requirements of Section 553.73 (9)(a) and (9)(b), F.S.]:

- A. The amendment is needed in order to accommodate the specific needs of this state; and
- B. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- C. The amendment strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- D. The amendment does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- E. The amendment does not degrade the effectiveness of the Florida Building Code; and
- F. The amendment has the following fiscal impact relative to the costs and benefits of the proposed amendment:
 - 1. The fiscal impact relative to enforcement imposed upon local government is as indicated by the proponent.
 - 2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
 - 3. The fiscal impact relative to compliance imposed upon industry is as indicated by the proponent.
 - 4. The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the code beyond the needs or regional variations addressed by the code and why the proposed amendment applies to this state.
- G. The amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

**TACs’ FINAL RECOMMENDATIONS TO THE COMMISSION
TAC REVIEW PROCESS FOR PUBLIC COMMENTS ON TACs’
PRELIMINARY CODE AMENDMENT RECOMMENDATIONS
2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE**

SECTION 1. GENERAL PROVISIONS

Facilitator will serve as moderator and assist with adopted process and groundrules.

- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of comment for the record.
- Facilitator will limit comments to a maximum of three-minutes (3) per person.
- Offer new points and/or state agreement with previous speakers; please do not repeat what has been stated.
- Facilitator 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 view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the TAC with a sense of stakeholder preferences.

SECTION 2. TAC REVIEW OF PUBLIC COMMENTS ON TAC RECOMMENDATIONS REVIEW AND CONSIDERATION PROCESS

- Facilitator will introduce each comment on TAC’s recommendations.
- Proponents of proposed comment will speak first.
- Opponents of proposed comment will follow proponents.
- Proponents/opponents will be allowed one (1) collective two-minute 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.
- **Withdrawal of Comment:** A comment on a TAC recommendation regarding a proposed Code amendment may be withdrawn by the proponent at any time prior to the TAC consideration of that comment.
- After public input on a comment on a TAC recommendation, the TAC will take action on the comment by voting either to approve the comment and amend their previous recommendation, or to deny the comment and retain their previous recommendation.
- In considering the comment the TAC should consider whether the public comment sufficiently addresses the TAC’s concern(s) regarding the proposed Code amendment, or does not address the TAC’s concern(s).

- ☛ A proposed comment shall not be considered by the TAC if it:
 - Is not legible;
 - Changes the scope of the original proposed Code amendment and/or TAC’s recommendation regarding the Code amendment; or,
 - Is not readily understood so that a proper assessment of its impact on the original proposed Code amendment and/or TAC’s recommendation can be determined.
- ☛ TACs should not attempt to revise or amend the comments in any way.
- ☛ The TAC’s final actions on the comments will be submitted to the Commission as the TAC’s final recommendations on proposed Code amendments to the Florida Building Code.
- ☛ The recommendations will be provided to the Commission on consent agendas.
- ☛ Motions require a two-thirds (67%) favorable vote for approval; those amendments which receive less than a two-thirds favorable vote will be considered unapproved and will be deemed recommended for denial.
- ☛ In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a two-thirds 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. [Section 553.73 (3) (b), F.S.]

SECTION 3. CONSENT AGENDAS OF TACs’ FINAL RECOMMENDATIONS TO THE COMMISSION

CONSENT AGENDAS RECOMMENDED FOR DENIAL. The TACs’ recommendations for denial of specific proposed Code amendments are on “Consent Agendas Recommended for Denial,” one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC’s purview. These recommendations are posted to the BCIS and labeled: Chart #1: “Tracking Charts with TAC Actions—Consent Agendas to Deny.” The matrices of Code amendments recommended for denial relevant to each TAC will be considered by the Commission as a single consent agenda per TAC.

CONSENT AGENDAS RECOMMENDED FOR APPROVAL. The TACs’ recommendations for approval of specific proposed Code amendments are on “Consent Agendas Recommended for Approval,” one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC’s purview. These recommendations are posted to the BCIS and labeled: Chart #2: “Tracking Charts with TAC Actions—Consent Agendas for Approval.” The matrices of Code amendments recommended for approval relevant to each TAC will be considered by the Commission as a single consent agenda per TAC.

RECOMMENDATIONS FOR INDIVIDUAL CONSIDERATION. The TACs’ recommendations for proposed Code amendments recommended for individual consideration, either to approve or to deny, will be considered individually by the Commission. These recommendations are posted to the BCIS and labeled: Chart #3: “Tracking Charts with TAC Actions—Individual Consideration.” The matrices of Code amendments recommended for individual consideration relevant to each TAC will be considered by the Commission individually per TAC.

COMMISSION CODE AMENDMENTS APPROVAL PROCESS
2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE

SECTION 1. OVERVIEW

Proposed Code amendments to the Florida Building Code will be reviewed by the Commission’s TACs in meetings per the 2023 Workplan/Schedule. The TACs’ preliminary recommendations regarding proposed Code amendments will subsequently be posted to the Commission’s website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs’ recommendations during this time-frame (second 45-day review period). The TACs will meet for a second time per the 2023 Workplan/Schedule to review the public comments, and to decide whether the submitted comments address their concerns regarding their recommendations on proposed Code amendments. The TACs will vote on their final recommendations during this meeting. In addition, the Residential Construction Cost Impact Workgroup will review the TACs’ recommendations and provide comments regarding costs/impacts of the TACs’ recommended Code amendments for approval relevant to the Residential Building Code (Code amendments identified as impactful). These comments will be incorporated into the TACs’ consent agendas of final recommendations.

The Commission will consider the TACs’ recommendations regarding proposed Code amendments per the 2023 Workplan/Schedule. The Commission will consider the TACs’ recommendations on two (2) consent agendas per topical code area. Any Commissioner may pull any Code amendments for individual consideration.

After the Commission takes action on all of the proposed Code amendments they will move to proceed with rule adoption for Rule 61G20-1.001(1), Florida Building Code Adopted, for the purpose of adopting approved Code amendments to the Florida Building Code.

SECTION 2. ORGANIZATION

The TAC’s recommendations regarding proposed Code amendments for the 2023 Code Update are arranged on two (2) consent agendas as follows:

TAC’s Recommendations are on Two Consent Agenda Per TAC (By Code Areas):

1. CONSENT AGENDAS RECOMMENDED FOR DENIAL. The TACs’ recommendations for denial of specific proposed Code amendments are on “Consent Agendas Recommended for Denial,” one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC’s purview. These recommendations are posted to the BCIS and labeled: Chart #1: “Tracking Charts with TAC Actions—Consent Agendas to Deny.” The matrices of Code amendments recommended for denial relevant to each TAC will be considered by the Commission as a single consent agenda per TAC. The Commission votes to approve the TAC’s recommendations on the Code amendments, as posted. The motion should be framed: Motion to approve the consent agenda for denial and to deny all of the proposed Code amendments on the consent agenda. Commissioners should pull-off any Code amendment(s) that would prevent them from voting to approve the consent agenda of matrices recommended for denial by the TAC and as posted to the BCIS.

2. CONSENT AGENDAS RECOMMENDED FOR APPROVAL. The TACs' recommendations for approval of specific proposed Code amendments are on "Consent Agendas Recommended for Approval," one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC's purview. These recommendations are posted to the BCIS and labeled: Chart #2: "Tracking Charts with TAC Actions—Consent Agendas for Approval." The matrices of Code amendments recommended for approval relevant to each TAC will be considered by the Commission as a single consent agenda per TAC. The Commission votes to approve the TAC's recommendations on the Code amendments, as posted. Commissioners should pull-off any Code amendment(s) that would prevent them from voting to approve the consent agenda of matrices recommended for approval by the TAC and as posted to the BCIS.

3. RECOMMENDATIONS FOR INDIVIDUAL CONSIDERATION. The TACs' recommendations for proposed Code amendments recommended for individual consideration, either to approve or to deny, will be considered individually by the Commission. These recommendations are posted to the BCIS and labeled: Chart #3: "Tracking Charts with TAC Actions—Individual Consideration." The matrices of Code amendments recommended for individual consideration relevant to each TAC will be considered by the Commission individually per TAC. Code amendments that the TACs' recommended for individual consideration, and Code amendments pulled by the Commission for individual consideration for the purpose of approval or denial require a motion to approve or a motion to deny and a second.

The Commission will vote in favor of the motion that the standing findings apply to all motions to approve proposed Code amendments (*Section 4 on page 3*) prior to considering proposed Code amendments. The Commission will stand on the required findings for all motions to approve.

SECTION 3. REQUESTING CODE AMENDMENTS BE PULLED FROM CONSENT AGENDAS FOR INDIVIDUAL CONSIDERATION

REQUESTING A CODE AMENDMENT TO BE PULLED FOR INDIVIDUAL CONSIDERATION. Commissioners or members of the public requesting that Code amendments be pulled for individual consideration ("Consent Agenda Recommended for Denial" or "Consent Agenda Recommended for Approval") should submit their request in writing no later than 21 days prior to the Commission meeting where the Code amendments will be considered. Requests should be sent to Mo Madani at DBPR. The Commission will decide which if any Code amendments to pull for individual consideration at their rule workshop on Rule 61G20-1.001.

Any Commissioner may pull any Code amendment off of a "Consent Agenda Recommended for Denial" or a "Consent Agenda Recommended for Approval" for individual consideration based on public comment (submitted in writing or verbally).

SECTION 4. STANDING FINDINGS APPLIED TO ALL MOTIONS TO APPROVE TACs' CONSENT AGENDAS AND FOR ALL INDIVIDUALLY CONSIDERED CODE AMENDMENTS

Facilitator will read the following motion, ask for a motion and second to approve, and the Commission will then vote in favor.

Motion 1: The Commission moves that for all motions made to approve a proposed consent agenda for approval and any individually considered Code amendments, the Florida Building Commission votes to approve them based on the following Findings [Pursuant to the Requirements of Section 553.73 (9)(a) and (9)(b), F.S.]:

- A. The amendment is needed in order to accommodate the specific needs of this state; and
- B. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- C. The amendment strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- D. The amendment does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- E. The amendment does not degrade the effectiveness of the Florida Building Code; and
- F. The amendment has the following fiscal impact relative to the costs and benefits of the proposed amendment:
 - 1. The fiscal impact relative to enforcement imposed upon local government is as indicated by the proponent.
 - 2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
 - 3. The fiscal impact relative to compliance imposed upon industry is as indicated by the proponent.
 - 4. The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the code beyond the needs or regional variations addressed by the code and why the proposed amendment applies to this state.
- G. The amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

Motion 2: Motion to approve consent agenda of Staff's recommendations regarding correlations and editorial fixes for the 8th Edition (2023), Florida Building Code.

SECTION 5. GENERAL PROVISIONS

- Facilitator will serve as the moderator, and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of comment for the record.
- Comments will be limited to a maximum of three-minutes (3) per person.
- Offer new points and/or state agreement with previous speakers; please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The FBC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the Commission with a sense of stakeholder preferences.

SECTION 6. PUBLIC COMMENT PROCESS OVERVIEW

- Facilitator will introduce the TACs' recommendations regarding proposed Code amendments by "Consent Agendas Recommended for Denial," and by "Consent Agendas Recommended for Approval," by TAC in turn (each consent agenda reflects multiple matrices with amendments organized by FBC Chapter and Section within the TAC's purview).
- The public will be invited to request that any of the TACs' recommendations on consent agendas for Commission action be considered individually, as introduced by the Facilitator in turn by TAC.
- Public comments will be limited to a maximum of three-minutes (3) per person. However, a Commission member may request clarification of public comments through the Chair or Facilitator.

SECTION 7. FLORIDA BUILDING COMMISSION 2023 CODE AMENDMENTS REVIEW AND APPROVAL PROCESS

- Facilitator will introduce each "Consent Agenda Recommended for Denial" consisting of matrices of proposed Code amendments recommended for denial by each TAC in turn.
- Facilitator will subsequently introduce each "Consent Agenda Recommended for Approval" consisting of matrices of proposed Code amendments recommended for approval by each TAC in turn.
- Public will speak to any Code amendments they wish the Commission to consider individually from the "Consent Agenda Recommended for Denial," or "Consent Agenda Recommended for Approval," by TAC in turn, as introduced by the Facilitator.
- Commissioner(s) will decide which, if any, Code amendments to pull for individual consideration.
- Any Commissioner may pull any Code amendment for individual consideration.

- Clarifying questions by FBC members only.
- FBC will vote in favor of each “Consent Agenda Recommended for Denial,” by TAC in turn, as posted or as amended by the Commission’s removal of specific Code amendments recommended for denial.
- FBC will vote in favor of each “Consent Agenda Recommended for Approval,” by TAC in turn, as posted or as amended by the Commission’s removal of specific Code amendments recommended for approval.
- Once a motion is on the floor, discussion is limited to FBC members except as allowed by the Chair.
- A Commissioner must move approval or denial of a proposed Code amendment and receive a second prior to discussion.
- All Code amendments pulled for individual consideration must be voted on individually either to approve or deny.
- Any Code amendment considered individually that does not receive a second will be considered unapproved and deemed denied due to failure to receive a second.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote will be considered unapproved and deemed denied.