

FLORIDA BUILDING COMMISSION
FLORIDA BUILDING CODE SYSTEM ASSESSMENT WORKSHOP III
AUGUST 8, 2011
Rosen Centre Hotel—9840 International Drive—Orlando, Florida 32819—800.204.7234

<i>WORKSHOP OBJECTIVES</i>	
<i>Workshop III</i>	
➤	To Review Regular Procedural Topics (Agenda and Procedural Guidelines)
➤	To Review Building Code System Assessment Project Scope
➤	To Review Results of Workshop II Options Identification Exercise
➤	To Identify Any Additional Proposed Options for System Enhancements
➤	To Evaluate Proposed Options to Enhance Building Code System
➤	To Identify Needed Next Steps

<i>WORKSHOP AGENDA—MONDAY, AUGUST 8, 2011</i>		
<i>All Agenda Times—including Adjournment—are Approximate and Subject to Change</i>		
1:00	<i>PM</i>	Welcome and Opening
	<i>PM</i>	Agenda Review and Approval
	<i>PM</i>	Florida Building Code System Assessment Project Scope Overview
	<i>PM</i>	Overview of Workshop II Options Identification Exercise Results
	<i>PM</i>	Identification of Any Additional Proposed Options to Enhance the Florida Building Code System
	<i>PM</i>	Acceptability Ranking of Proposed Options to Enhance the Florida Building Code System
	<i>PM</i>	Review of Project Delivery and Meeting Schedule, and Next Steps
	<i>PM</i>	<i>Adjourn</i>

Contact Information and Project Webpage
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FLORIDA BUILDING CODE SYSTEM ASSESSMENT PROJECT OVERVIEW

OVERVIEW

Triennial Report to the Legislature. Florida Statute, Chapter 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed. The Commission conducted the first assessment in 2005, and during 2010 the Commission again solicited stakeholder input in the form of an on-line survey (conducted from June 25 – August 30, 2010), and at the October 2010 meeting the Commission voted to conduct a comprehensive evaluation of the Building Code System. The Commission decided to conduct an expanded survey running from June 2010 through January 2011 and to use the results as one of the inputs for developing a package of recommendations for enhancements to the Florida Building Code System. The Goals of the 2011 Florida Building Code System Assessment are to evaluate the system for its successes and deficiencies, and to identify and select options for improvement. The Foundations of the Building Code System that will be evaluated are:

Foundation I	The Code and the Code Development Process
Foundation II	The Commission
Foundation II	Local Administration of the Code (Enforcement)
Foundation IV	Strengthening Compliance and Enforcement (Education)
Foundation V	Product Approval

FLORIDA BUILDING CODE SYSTEM ASSESSMENT AD HOC COMMITTEE

The chair appointed an Ad Hoc Committee of Commission members to review the results of the Building Code System Assessment surveys (I and II) and FBCSA workshops and develop recommendations for the Commission regarding any proposed changes to the Building Code System. This is a facilitated consensus-building process and the Ad Hoc met for the first time at the October 2010 Commission meeting, and the Commission will consider the Ad Hoc’s recommendations at the December 2011 meeting for inclusion in the report to the 2012 Legislature.

Members and Representation

Raul Rodriguez (Chair)	Architects
Dick Browdy	Home Builders
Ed Carson	Contractors, Manufactured Buildings, Product Approval
Herminio Gonzalez	Code Officials (SE Florida) and Product Evaluation Entities
Jim Goodloe	State Insurance and Fire Officials
Dale Greiner	Code Officials (Central Florida) and Local Government
Jeff Gross	Building Management Industry
Jon Hamrick	Public Education and State Agencies
Jim Schock	Code Officials (NE Florida)
Chris Schulte	Roofing/Sheet Metal and AC Contractors
Tim Tolbert	Code Officials (NW Florida)
Mark Turner	Electrical Contractors and Construction Subcontractors
Randy Vann	Plumbing Contractors and Construction Subcontractors

FLORIDA BUILDING CODE SYSTEM OVERVIEW

In 1997, the Governor's Building Codes Study Commission recommended that a single state-wide building code be developed to produce a more effective system for a better Built Environment in Florida. It was determined that in order to be effective, The Building Code System must protect the health, safety and welfare of the citizens of Florida, and in doing so:

1. Be simple to use and clearly understood;
2. Be uniform and consistent in its administration and application;
3. Be affordable; and
5. Promote innovation and new technology.

The Study Commission determined that an effective system must address five key components: the Code, the Commission, code administration, compliance and enforcement, and product evaluation and approval.

THE FLORIDA BUILDING CODE SYSTEM IS COMPRISED OF FIVE ESSENTIAL COMPONENTS. A SUMMARY OF EACH FOLLOWS:

I. The Florida Building Code and the Code Development Process. Historically the promulgation of codes and standards was the responsibility of local jurisdictions. It was determined that Florida's system is "a patchwork of codes and regulations developed, amended, administered and enforced differently by more than 400 local jurisdictions and state agencies with building code responsibilities". A critical component for an effective building code system was to develop and implement a single state-wide code.

The purpose of developing a single state-wide building code was to:

1. Serve as a comprehensive regulatory document to guide decisions aimed at protecting the health, safety and welfare of all of Florida's citizens.
2. Provide uniform standards and requirements through the adoption by reference of applicable national codes and providing exceptions when necessary.
3. Establish the standards and requirements through performance-based and prescriptive based criteria where applicable.
4. Permit and promote innovation and new technology.
5. Require adequate maintenance of buildings and structures, specifically related to code compliance, throughout the State.
6. Eliminate restrictive, obsolete, conflicting and unnecessary construction regulations that tend to increase construction costs unnecessarily or that restrict the use of innovation and new technology.

The new Florida Building Code is a state-wide code implemented in 2001 and updated every three years. The Florida Building Commission developed the Florida Building Code from 1999 through 2001, and is responsible for maintaining the Code through annual interim amendments and a triennial foundation code update.

II. The Commission. The Commission is an appointed representative stakeholder body that develops, amends and updates the Code. The Commission is comprised of members representing each of the key interests in the building code system. The Commission meets every six weeks and in addition to their code development responsibilities, regularly consider petitions for declaratory statements, accessibility waiver requests, the approval of products and entities, and the approval of education courses and course accreditors. The Commission also monitors the building code system and reports to the Legislature annually with their recommendations for changes to statute and law.

III. Local Administration of the Code. The Study Commission recommended, and subsequent legislation maintained, that the Code shall be administered and enforced by local government building and fire officials. The Commission has certain authorities in this respect such as the number and type of required inspections. However, the Commission's main responsibility remains amending the Code, hearing appeals of local building officials decisions, and issuing binding interpretations of any provisions of the Florida Building Code.

IV. Strengthening Compliance and Enforcement. Compliance and enforcement of the Code is a critical component of the system with the Commission's emphasis in this regard is on education and training. The Study Commission determined that in order to have an effective system a clear delineation of each participant's role and accountability for performance must be effected. There should be a formal process to obtain credentials for design, construction, and enforcement professionals with accountability for performance. Opportunities for education and training were seen as necessary for each participant to fulfill their role competently. Although many of the Commission's functions related to education were recently assigned to a legislatively created Education Council, education remains a cornerstone of the building code system. The Commission remains focused on the approval of course accreditors and the courses developed/recommended by approved accreditors.

V. Product Evaluation and Approval. In order to promote innovation and new technologies a product and evaluation system was determined to be the fifth cornerstone of an effective Building Code System. The product approval process should have specific criteria and strong steps to determine that a product or system is appropriately tested and complies with the Code. Quality control should be performed by independent agencies and testing laboratories which meet stated criteria and are periodically inspected. A quality assurance program was also deemed essential. The Commission adopted a Product Approval System by rule and currently approves products for state approval and product approval entities. Local product approval remains under the purview of the local building official as a part of the building permit approval process.

ADDITIONAL KEY BUILDING CODE SYSTEM PROGRAMS

A. Building Code Information System. The Building Code Information System (BCIS) was developed in early 2000 to implement the new responsibilities, business practices, and automated systems required by the Florida Building Code. The BCIS is a multi-functional database that provides building professionals, the general public, local governments, and manufacturers with single-point access to the Florida Building Code, Manufactured Building Program, Product Approval System, Prototype Program, local code amendments, declaratory statements, nonbinding opinions, and the interested party list.

Since its initial deployment, significant new functionality has been added to the BCIS in response to new legislation and to accommodate the changing needs of the Commission and DCA. The amount of information now available via the BCIS has more than doubled in the last four years; the number and type of users has correspondingly increased as new needs are addressed. The web site has become more complex and more difficult to locate needed information. As a result, the Department is in the process of updating the BCIS to address the overall accessibility of information contained within the BCIS.

B. Manufactured Buildings Program. Chapter 553, Part I, FS, known as the Manufactured Buildings Act of 1979, governs the design, plans review, construction and inspection of all buildings (excluding mobile homes) manufactured in a facility to ensure compliance with the Florida Building Code. Rule Chapter 9B-1 FAC was subsequently adopted by the Commission to adequately govern the program and to ensure that manufacturers and independent Third Party Inspection Agencies maintain performance standards. Inspections agencies qualified under this program and serving as agents for the State, provide construction plan reviews and in-plant inspections. All manufacturers and Third Party Agencies are monitored at least once per year to ensure quality assurance and adequate code enforcement. Manufactured Buildings approved under this program are exempted from local code enforcement agency plan review except for provisions of the code relating to erection, assembly or construction at the site.

C. Prototype Buildings Program. Chapter 553.77(5) F.S., Rule 9B-74 Prototype Plan Review and Approval program. The plans review program was developed by the Florida Building Commission to address public and private entities such as buildings and structures that could be replicated throughout the state. This program is conducted by an Administrator delegated by the Commission, this Administrator has qualifications to review plan compliance with the Florida Building Code and certified per the requirements of Chapter 468,F.S. The program Administrator contracts with qualified plans examiners to review Prototype plans for Code compliance with the Florida Building Code and Florida Fire Prevention Code, these plans examiners are certified in Chapter 468 or 633 F.S., or both Chapters 468 and 633, F.S. The prototype plans are reviewed for completeness in a timely manner compliant with Chapter 120 F.S.. Each approved Prototype plan is issued an identification tracking number, this number is used to track replicated plans to local governments. The Administrator regularly attends the Florida Building Commission and reports on the progress of the Prototype Buildings Program.

D. Alternative Plans Review and Inspections—Private Provider System for Plans Review and Inspection Functions. §553.791, Florida Statutes, was created in 2002 to allow property owners to utilize the services of a private interest to perform plan review and/or inspection services in lieu of, but subject to review by the local permitting authority. The legislation creating the process also directed the Commission to review the system and report the results to the legislature which was accomplished in the Commission's 03-04 report. In addition, the Commission as a result of a consensus stakeholder process convened in 2004, proposed, additional refinements to the system in the Commission's 04-05 report. In 2005 the Florida Legislature adopted a package of refinement to the system which were signed into law in the summer of 2005.

E. Interaction and Coordination Between the Florida Building Code and Other State Based Building Construction Regulations. The Florida Building Commission is committed to coordinating with other State agencies charged with implementing and enforcing their respective State based building construction regulations. The Commission only has authority to amend the Florida Building Code and respective rules, and other state agencies have similar authority for their respective rules and regulations. The Commission has worked closely with other state agencies to ensure consistency and coordination between the various codes and rules.

F. Enforcement of Other State Based Building Construction Regulations at the Local Level. Enforcement of state agency regulations occurs primarily at the local level under the jurisdiction of the respective agency's local officials. Regulations should be clear and consistent across the State, and coordination is required between the Florida Building Code's and other agency's requirements.

Ad Hoc Committee Process Overview

A Survey was conducted to solicit public input on the Building Code System. The survey was designed to solicit input on the five key components of the Building Code System: the Code, the Commission, administration of the Code, compliance and enforcement (education), and product approval. In addition, comments were solicited for four key Building Code System programs: the Building Code Information System, the Manufactured Buildings Program, the Prototype Buildings Program, and the Private Provider System. Finally, comments were solicited for two additional aspects of the System: interaction and coordination between the Florida Building Code, and other state based building construction regulations and enforcement of other state based building construction regulations at the local level. The survey ran from June 25, 2010 through August 30, 2010, and there were 85 respondents to the survey. The survey responses were compiled and shared without any attribution to individual survey respondents. The survey results will also serve as a component of the input for the Building Code System Assessment Ad Hoc Committee's recommendations.

WORKSHOP PROCEDURAL GUIDELINES

PARTICIPANT'S ROLE

- ✓ The workshop process is an opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- ✓ Listen to understand. Seek a shared understanding even if you don't agree.
- ✓ Be focused and concise—balance participation & minimize repetition. Share the airtime.
- ✓ Look to the facilitator(s) to be recognized. Please raise your hand to speak.
- ✓ Speak one person at a time. Please don't interrupt each other.
- ✓ Focus on issues, not personalities. Avoid stereotyping or personal attacks.
- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Participate fully in discussions, and complete meeting assignments as requested.
- ✓ Serve as an accessible liaison, and represent and communicate with member's constituent group.

FACILITATOR'S ROLE (FCRC CONSENSUS CENTER @ FSU)

- ✓ Design and facilitate a participatory Ad Hoc process.
- ✓ Assist the participants to build consensus on a package of recommendations for delivery to the Florida Building Commission.
- ✓ Provide process design and procedural recommendations to staff and the Ad Hoc.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow ground rules.
- ✓ Prepare and post agenda packets, worksheets and meeting summary reports.

GUIDELINES FOR BRAINSTORMING

- ✓ Speak when recognized by the Facilitator(s).
- ✓ Offer one idea per person without explanation.
- ✓ No comments, criticism, or discussion of other's ideas.
- ✓ Listen respectfully to other's ideas and opinions.
- ✓ Seek understanding and not agreement at this point in the discussion.

THE NAME STACKING PROCESS

- ✓ Determines the speaking order.
- ✓ Participant raises hand to speak. Facilitator(s) will call on participants in turn.
- ✓ Facilitator(s) may interrupt the stack (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

ACCEPTABILITY RANKING SCALE

During the meetings, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

Acceptability Ranking Scale	4 = <i>acceptable</i>, <i>I agree</i>	3 = <i>acceptable</i>, <i>I</i> <i>agree with minor</i> <i>reservations</i>	2 = <i>not acceptable</i>, <i>I</i> <i>don't agree unless major</i> <i>reservations addressed</i>	1 = <i>not</i> <i>acceptable</i>
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BUILDING CODE SYSTEM ASSESSMENT AD HOC WORKPLAN BY TASK

A. COMMISSION, AD HOC COMMITTEE AND TAC TASKS

- ◆ Committee meets at Commission meetings starting October 2010 and ending Dec. 2011.
 - ◆ A large forum public workshop is held to start the project. TACs are appointed for areas corresponding to the Building Code Study Commission’s “Foundation*” principles to review issues and develop recommendations. The Ad Hoc Committee considers TAC recommendations and develops final recommendations for the Commission to transmit to the Legislature.
- * The Study Commission determined that an effective system must address five key components: the Code and Code development process, the Commission, local administration of the Code, strengthening compliance and enforcement, and product evaluation and approval.*
- ◆ The Ad Hoc Committee manages the project for the Commission.
 - ◆ Project Workplan is reviewed and updated at each meeting, as needed.

B. AD HOC COMMITTEE TASKS

	START DATE	COMP. DATE
1. Ad Hoc conducts on-line Survey Phase I.	June 2010	Aug. 2010
2. Ad Hoc Meeting I—Organizational Meeting.	Oct. 12, 2010	
3. On-Line Survey Phase II conducted.	Oct. 2010	Jan. 2011
4. Large Forum Public Workshop.	April 2011	--
5. Second Workshop	June 2011	
6. Third Workshop	Aug 2011	
7. Fourth Workshop and AdHoc finalizes recommendations	Oct 2011	--
8. Commission considers recommendations.	Dec. 2011	--
9. Commission transmits recommendations to 2012 Legislature	Feb. 2012	--

C. AD HOC COMMITTEE AGREEMENTS/RECOMMENDATIONS

	START DATE	COMP. DATE
1. Committee recommends the Commission conduct a comprehensive evaluation of the System for submittal to the 2012 Legislature.	October 12, 2010	
2. Commission adopts Ad Hoc’s recommendations.	October 13, 2010	
3. On-Line Survey Phase II will be compiled and a report issued.	Oct. 2010	Feb. 2011
4. Commission adopts final recommendations for submittal to 2012 Legislature.	--	Dec. 2011

D. PUBLIC INVOLVEMENT		
	START DATE	COMP. DATE
1. Survey Phase I conducted on-line	June 2010	Aug. 2010
2. Survey Phase II conducted on-line.	Oct. 2010	Jan. 2011
3. Public comments solicited at Ad Hoc Committee meetings. (2010: October; 2011: April, October, and December)	Oct. 12, 2010	Dec. 2011
4. Public comments received at each Commission meeting. (2010: October; 2011: February, April, June, August, October, and December)	Oct. 2010	Dec. 2011

DEVELOPMENT OF THE FLORIDA BUILDING CODE OVERVIEW

In 1997, the Governor’s Building Codes Study Commission recommended that a single state-wide building code be developed to produce a more effective system for a better Built Environment in Florida. It was determined that in order to be effective, The Building Code System must protect the health, safety and welfare of the citizens of Florida, and in doing so:

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5. Promote innovation and new technology.

The Study Commission determined that an effective system must address five key components: the Code, the Commission, code administration, compliance and enforcement, and product evaluation and approval.

The Florida Building Code is a state-wide code implemented in 2001 and updated every three years. The Florida Building Commission developed the Florida Building Code from 1999 through 2001, and is responsible for maintaining the Code through annual glitch amendments and a triennial foundation code update.

The Commission is required by Florida law to update the Florida Building Code every three years, and the 2010 Edition will represent the third update and fourth edition of the Code. The update process is based on the code development cycle of the national model building codes, which serve as the “foundation” codes for the Florida Building Code.

Triennial Report to the Legislature. Florida Statute, Chapter 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed. The Commission conducted the first assessment in 2005, and during 2010 and 2011 Commission has appointed an Ad Hoc Committee to work with stakeholders to develop a package of recommendations for enhancements to the Florida Building Code System. The Commission’s recommendations will be a major component of their Report to the 2012 Legislature.

PUBLIC COMMENT FORM

The Florida Building Commission and the Florida Building Code System Assessment Ad Hoc Committee encourage written comments—All written comments will be included in the meeting summary report.

Name: _____

Organization: _____

Meeting Date: _____

Please make your comment(s) as specific as possible, and offer suggestions to address your concerns.

Please limit comment(s) to topics within the scope of the Ad Hoc. Any personal attacks or derogatory language will be discarded.

The facilitator may, at his discretion, limit public comment to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak.

COMMENT: _____

Please give completed form(s) to the Facilitator for inclusion in the meeting summary report.