

**FLORIDA BUILDING COMMISSION
 CODE COORDINATION AND IMPLEMENTATION WORKGROUP
 AUGUST 18 - 19, 2015—MEETING IV
 PLAZA HISTORIC BEACH RESORT AND SPA
 600 NORTH ATLANTIC BOULEVARD—DAYTONA BEACH, FLORIDA 33706**

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Facilitator’s Summary Report/Meeting Minutes)
- To Review List of Options to Address Issues Regarding the Florida Building Code Development Process
- To Discuss and Evaluate Level of Acceptability of Proposed Options
- To Discuss Implementation Strategy for Consensus Recommendations
- To Adopt Consensus Package of Recommendations for Submittal to the Commission
- To Consider Public Comment
- ✓ To Identify Needed Next Steps: Information, Assignments, and Agenda Items for Next Meeting

MEETING AGENDA—TUESDAY, AUGUST 18, 2015

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

1:00 PM	A.)	WELCOME AND INTRODUCTIONS	Browdy
	B.)	AGENDA REVIEW AND APPROVAL (August 18 - 19, 2015)	Blair
	C.)	REVIEW AND APPROVAL OF FACILITATOR’S SUMMARY REPORT (June 18, 2015)	Blair
	D.)	REVIEW OF KEY ISSUES FOR EVALUATION REGARDING THE FLORIDA BUILDING CODE DEVELOPMENT PROCESS	Blair/ CCIW
	E.)	IDENTIFICATION, DISCUSSION AND EVALUATION OF OPTIONS IN TURN	CCIW
<i>~ 3:00 PM</i>		<i>BREAK</i>	
	E.)	IDENTIFICATION, DISCUSSION AND EVALUATION OF OPTIONS IN TURN (CONTINUED)	CCIW
	F.)	GENERAL PUBLIC COMMENT	Blair
<i>~ 5:00 PM</i>	G.)	<i>RECESS</i>	

MEETING AGENDA—WEDNESDAY, AUGUST 19, 2015

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

8:30 AM	A.)	WELCOME AND INTRODUCTIONS	Browdy
	B.)	IDENTIFICATION, DISCUSSION AND EVALUATION OF OPTIONS IN TURN	CCIW
~10:00 PM		<i>BREAK</i>	
	C.)	DISCUSSION OF IMPLEMENTATION STRATEGY FOR CONSENSUS RECOMMENDATIONS	CCIW
	D.)	GENERAL PUBLIC COMMENT	Blair
	E.)	ADOPTION OF CONSENSUS PACKAGE OF RECOMMENDATIONS FOR SUBMITTAL TO THE COMMISSION	Blair
	F.)	NEXT STEPS: AGENDA ITEMS, NEEDED INFORMATION, ASSIGNMENTS, DATE AND LOCATION IF NEEDED	Browdy/ Blair
~12:00 PM	G.)	<i>ADJOURN</i>	

CONTACT INFORMATION

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CONSENSUS CENTER

PROJECT WEBPAGE

http://www.floridabuilding.org/fbc/workgroups/Code_Coordination/Code_Coordination_WG.html

MEETING DATES AND LOCATIONS—2015

I.	January 30, 2015	Tallahassee
II.	April 13, 2015	Citra, IFAS Plant Science Research and Education
III.	June 18, 2015	Citra, IFAS Plant Science Research and Education
IV.	August 18 - 19, 2015	Daytona Beach, Plaza Resort and Spa
V.	October 13, 2015	If Needed, TBD

WORKGROUP MEMBERSHIP

MEMBER	AFFILIATION
1. Dick Browdy	Florida Building Commission (FBC)
2. Tom Allen (ex officio)	ICC Code Process
3. Steve Bassett	Building Professionals: Mechanical Contractors
4. Jay Carlson	Building Professionals: General Contractors
5. David Compton	Design Professionals: Engineers
6. Kevin Flanagan	Building Professionals: Electrical Contractors
7. Charles Frank	Division of State Fire Marshal
8. Darrell Phillips	Education Facility Professionals: Public Education
9. Brad Schiffer	Design Professionals: Architects
10. Jim Schock	Building Officials
11. Drew Smith	Building Professionals: Home Builders
12. Steve Strawn	Building Product Manufacturers
13. Brian Swope	Building Professionals: Roofing and Sheet Metal Contractors
14. George Wiggins	Building Officials of Florida (BOAF)
DBPR STAFF	
April Hammonds	FBC Legal Counsel
Mo Madani	Technical Manager
Jim Richmond	Executive Director
FACILITATOR	
Jeff Blair	FCRC Consensus Center at Florida State University

OVERVIEW

CODE COORDINATION AND IMPLEMENTATION WORKGROUP

Chairman Browdy recommended the convening of the Workgroup noting that with the delays experienced in adopting the *Florida Building Code Fifth Edition (2014)* it was apparent that there are regulatory requirements that constrain the Commission in being able to complete a code update in the most efficacious manner possible. Some of the statutory constraints include the requirement to coordinate with the adoption of the updated version of the *Florida Fire Prevention Code*, and the requirement to have the Florida Building Code published for 6 months after publication before it becomes effective. Other constraints include duplicative procedural requirements between the rulemaking requirements of Chapter 120, F.S and the code development requirements mandated by Section 553.73, F.S. Other considerations are the schedule for the IBC code updates, the NEC code schedule, and the schedule for other important reference documents that must be finalized before incorporation by reference into the Florida Building Code Rule. There are also other built-in time constraints that serve to delay the implementation of a code update cycle. The Commission should review all of the critical path milestones in the code development process and determine what should be done to make the process as efficient as possible.

In order to address the issue the Chair recommended that the Commission convene a *Code Coordination and Implementation Workgroup* to review and evaluate all of the regulatory requirements currently impacting the code development process (code update process), and to propose a legislative path for a more efficacious process and timetable for the implementation of the Florida Building Code update process. At the October 2014 meeting the Commission voted unanimously to convene a *Code Coordination and Implementation Workgroup* to review and evaluate all of the regulatory requirements currently impacting the code development process (code update process), and to propose a legislative path to a more efficacious timetable for the implementation of the Florida Building Code update process.

WORKGROUP SCOPE AND TIMETABLE FOR DELIVERY

The scope of the *Code Coordination and Implementation Workgroup* is as follows:

The initial scope of the *Code Coordination and Implementation Workgroup* will be to review and evaluate all of the regulatory requirements currently impacting the code development process (code update process), and to propose a legislative path to a more efficacious timetable for the implementation of the Florida Building Code update process going forward. It is expected that any recommendations for statutory changes, once approved by the full Commission, will be delivered to the 2016 Florida Legislature.

WORKGROUP PROCEDURAL GUIDELINES

PARTICIPANTS' ROLE

- ✓ The Workgroup 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 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. *"Using insult instead of argument is the sign of a small mind."*
- ✓ Avoid stereotyping or personal attacks. *"Mud thrown is ground lost."*
- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Represent and communicate with member's constituent group(s).
- ✓ Refrain from using electronic devices during the meetings; Keep electronic devices turned off or silent.

FACILITATORS' ROLE (JEFF A. BLAIR—FCRC CONSENSUS CENTER AT FSU)

- ✓ Design and facilitate a participatory Workgroup process.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow ground rules.
- ✓ Prepare agenda packets and provide 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= acceptable, I agree	3= acceptable, I agree with <i>minor reservations</i>	2= not acceptable, I don't agree unless <i>major reservations</i> addressed	1= not acceptable
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KEY ISSUES FOR WORKGROUP EVALUATION

I. Code Printing/Publication

Publishing a fully integrated Florida Building Code (Florida specific amendments integrated into the adopted I-Codes version), or publishing Florida specific amendments as a supplement.

II. Errata

Authority to issue errata and publication of the same.

A clear definition of what constitutes an errata.

III. Code Amendment Process

Triennial Update

Including a review of the 3-year update cycle

Annual Amendments

Glitch Amendments

IV. Florida Specific Amendments

Statutory requirements for what is carried forward and how they are reviewed by TACs and Commission.

V. Statutory Timeline Requirements

- Selection of I-Codes version for FBC Update (timelines and requirements).
- Selection of NEC version for FBC Update (timelines and requirements).
- Incorporation of FFPC (timelines and requirements).
- TAC review and public comment (timelines and requirements).
- Glitch amendment (timelines and requirements).
- Chapter 120 rule adoption process (timelines and requirements).
- The Florida Building Code shall take effect no sooner than 6 months after publication of the updated code (timelines and requirements).

Recommendations from Commission Process Review Ad Hoc Committee (2009)

Committee recommended that the Commission recommend to the Florida Legislature eliminating the statutory requirement for the Commission to wait six months after publication of the latest I-Code Edition before selecting the same as the foundation code for the Florida Building Code for future Code Editions.

VI. Adoption of Standards and Codes by Reference

National Electrical Code (NEC)

Florida Fire Prevention Code (FCPC)

All other relevant standards and codes adopted by reference

VII. Commission Participation With the ICC Code Development Process

Referred to the Workgroup by the Commission at their December 12, 2014 meeting.

(Note: An *ICC Participation Workgroup* process was conducted by the Commission in 2004, and the Commission made a policy decision not to participate in the ICC, instead relying on BOAF participation).

A discussion of whether the Commission should participate in the I-Code development process (FBC I-Code participation evaluation) was also considered during the *Building Code System Assessment Process* (BCSA) that delivered recommendations to the Commission in December of 2012.

OTHER RELATED TOPICS SUGGESTED BY MEMBERS WITH RELATED PREVIOUS COMMISSION ACTIONS

Local Technical Amendments

The issue is that local technical amendments are sometimes adopted by local jurisdictions without a demonstrated need, and the resultant impact to the consistency of state-wide implementation of the Florida Building Code (including interpretation and enforcement of the Code).

Building Code System Uniform Implementation Evaluation Workgroup (2013)

The Commission recommended and the Legislature implemented statutory clarification that local technical amendments should be clearly defined in Chapter 553, F.S., and local technical amendments should only be enacted when they fully comply with the provisions in Section 553.73 (4)(b)(1.-10.), F.S. governing adoption of local technical amendments. A definition of the term “*local technical amendment*” was added by the Legislature as Chapter 553.71 (6), F.S., as follows: “Local Technical Amendment” means an action by a local governing authority that results in a technical change to the Florida Building Code and its local enforcement.

Consistency in Code Interpretation

The issue is the need for a consistent and uniform implementation (interpretation and enforcement) of the Florida Building Code state-wide.

Building Code System Uniform Implementation Evaluation Workgroup (2013)

1) The Florida Building Commission developed the Florida Building Code to be implemented uniformly throughout the State with the exception of the HVHZ; (2) The Commission through its established processes continually addresses current relevant issues and model code updates; (3) The Florida Building Commission’s *Building Code System Uniform Implementation Evaluation Workgroup* has determined that there are significant disparities within the State in Code enforcement, permitting requirements and associated fees; (4) All regulatory agencies and licensees engaged in the process of implementing the Florida Building Code are required to implement the Florida Building Code and its associated processes; (5) Local technical amendments should be clearly defined in Chapter 553, F.S., and local technical amendments should only be enacted when they fully comply with the provisions in Section 553.73 (4)(b)(1.-10.), F.S. governing adoption of local technical amendments; (6) the Building Code System should be continuously monitored and evaluated for enhancements to the System relative to achieving the goal of uniform implementation and interpretation of the Code while preserving the Code’s foundations of local administration and enforcement.

ISO Ratings (ISO’s Building Code Effectiveness Grading Schedule (BCEGS))

The issue is that some jurisdictions are not able to achieve the highest ISO ratings since the adopted edition of the Florida Building Code does not generally incorporate the latest I-Code edition as the foundation code for the FBC.

Building Code System Assessment Process (2011)

Recommended convening a workgroup/process to ensure that the ISO recognizes the Florida Building Code for equivalent points for BSEGS (provide equal credits to the I-codes).

Status: The recommendation was referred to the *Building Code System Uniform Implementation Evaluation Workgroup (2013)*. The Workgroup did not take formal action on the issue, lacking participation from the insurance industry.

