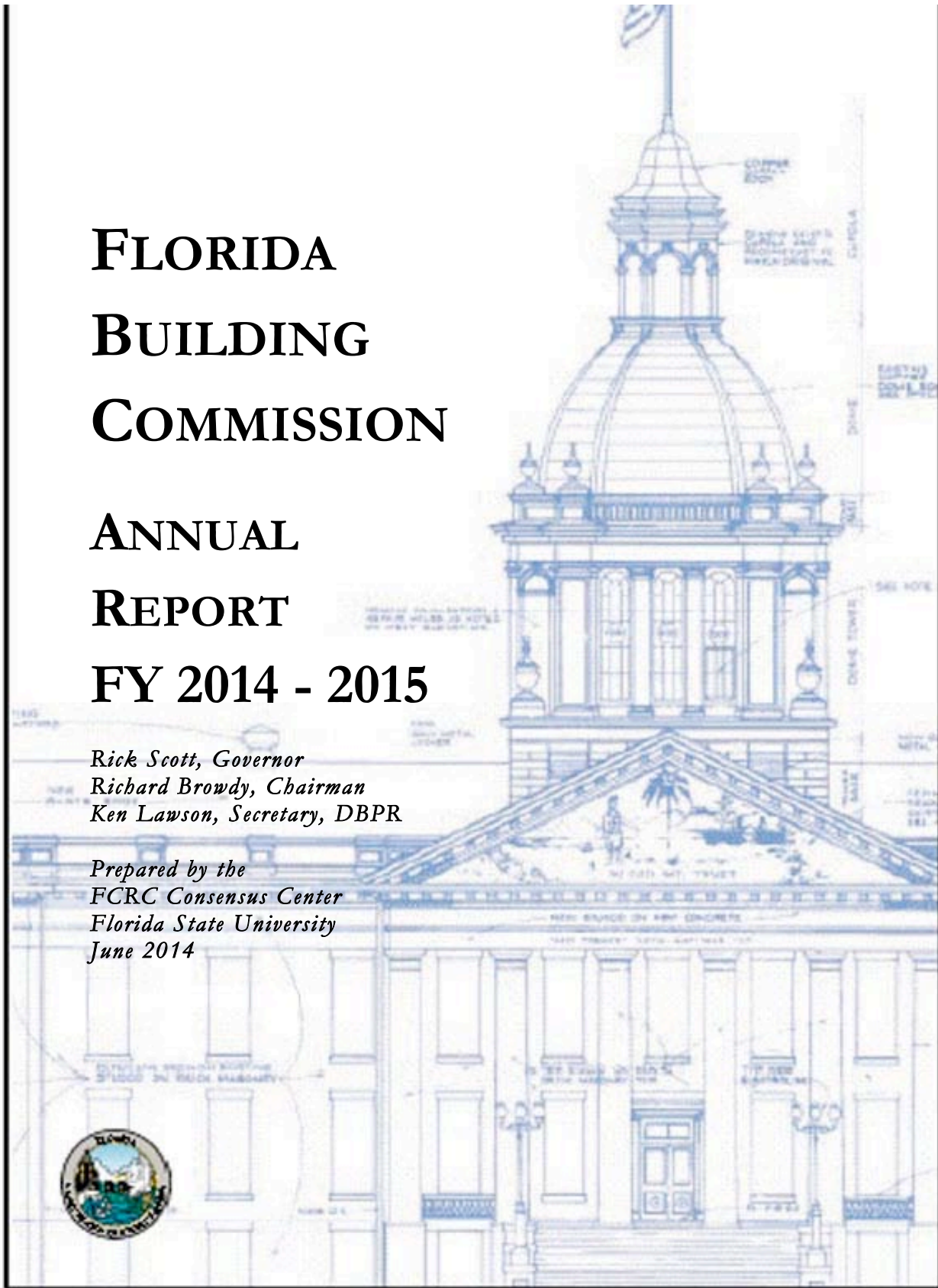


FLORIDA BUILDING COMMISSION

ANNUAL REPORT FY 2014 - 2015

Rick Scott, Governor
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Prepared by the
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June 2014



FLORIDA BUILDING COMMISSION
REPORT AND RECOMMENDATIONS TO THE 2016 LEGISLATURE
FOR THE REPORTING PERIOD JULY 1, 2014 – JUNE 30, 2015

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FLORIDA BUILDING COMMISSION REPORT AND RECOMMENDATIONS TO THE 2016 LEGISLATURE



**FLORIDA
BUILDING
COMMISSION**

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

Florida Department of
**Business
Professional
Regulation**

I. EXECUTIVE SUMMARY AND RECOMMENDATIONS

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

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

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

The Code establishes minimum requirements to protect newly constructed buildings from wind, rain, flood and storm surge based on well-researched and continually-evolving engineering standards

for buildings and the products that go into their construction. In addition to conducting research, developing state of the art hurricane resistance standards and integrating those standards in the Code at each revision cycle, the Commission seeks to be up-to-date with current national engineering and product standards within the Code. As with each subsequent version, the *5th Edition Florida Building Code (2014)* maintains this commitment.

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

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

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

CODE UPDATE. Florida law requires the Commission to update the Florida Building Code every three years, and the *Florida Building Code Fifth Edition (2014)* represents the fourth update of the Code. The update process is based on the code development cycle of the national model building codes, which serve as the “foundation” codes for the Florida Building Code. The development of the *Florida Building Code Fifth Edition (2014)* was initiated in 2012 with the Commission selecting the 2012 International Codes as the foundation codes for the *Florida Building Code Fifth Edition (2014)*. The Commission completed the primary components of the Code amendment review and adoption process including incorporation of Glitch amendments during 2013, and the final rule adoption hearing on the Code was conducted in January of 2015. Rule 61G20-1.001, which adopts by reference the *5th Edition (2014) Florida Building Code*, was filed for certification with the Department of State, and the effective date for the new Code is June 30, 2015. During the 2014 Code Update process the Commission focused on reviewing Florida specific requirements to the Code, achieving the goal of minimum variation from the foundation codes. In addition, at the April 2015 meeting the Commission initiated the 2017 Code Update process by voting to adopt the 2015 International Codes and 2014 NEC as foundation codes for the Florida Building Code, 6th Edition (2017).

The Code update process included integration of the Florida Energy and Conservation Code (FECC) and the International Energy Conservation Code (IECC) maintaining the efficiencies of the FECC. On a related note, the Commission voted to maintain the requirement for local governments to submit forms submitted to certify compliance with the Energy Code through the adoption of a

separate rule from the Building Code Rule. This action ensured that important energy data continues to be available for research purposes.

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

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

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

The Product Approval system efficiently processes hundreds of applications monthly. The Commission's Product Approval Program Oversight Committee (POC) convenes prior to every Commission meeting to review product and entity applications, address petitions for declaratory statements and consider enhancements to the product approval system. **Since the system went into effect in October 2003, the Commission has approved 17,894 product applications and 80,883 products for statewide use within limitations established by the approvals.**

EDUCATION. Education is one of the cornerstones of the Building Code System, and the effectiveness of the Building Code depends on the knowledge of professionals who design and construct buildings. The Commission continues to work with the Department of Business and Professional Regulation and representatives of the licensing boards to establish a cooperative system for approving building code courses and integrating building code continuing education into licensing requirements. In collaboration with the System Administrator and stakeholders, the Commission is working to ensure the accountability and efficacy of the Education System. During the reporting period the Commission continued to efficiently review and approve course and accreditor applications. In addition, the Commission completed adoption of Rule 61G20-6.002, F.A.C. (Commission Approval and Accreditation of Advanced Building Code Training Courses) including providing for approval of courses that are based on Commission approved changes to the Code that are not yet formally adopted by rule.

CODE COORDINATION AND IMPLEMENTATION WORKGROUP PROJECT. During the reporting period, the Commission in collaboration with Building Code System stakeholders, voted unanimously to convene a *Code Coordination and Implementation Workgroup* charged with reviewing and evaluating all of the regulatory requirements currently impacting the code development process (code update process), and to propose a legislative path to a more efficacious timetable for the implementation of the Florida Building Code update process going forward. The Workgroup is meeting regularly, and evaluating the following key issues: code printing and publication, Commission authority to issue errata, the Code amendment process (triennial, annual and glitch),

Florida Specific amendments, statutory timeline requirements, adoption of standards and codes by reference, and Commission participation with the ICC code development process. It is expected that any recommendations for statutory changes, once approved by the full Commission, will be delivered to the 2016 Florida Legislature.

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

RECOMMENDATIONS. Monitoring the building code system and determining refinements that will make it function better is a primary responsibility of the Commission, and consequently the Commission is continually effecting refinements to the building code system by administrative rule amendment(s) where the statutes provide authority. However, the building code system is established in law, requiring that some refinements must be implemented through changes to law. The Commission's recommendations for 2016 legislative actions designed to improve the system's effectiveness are summarized below:

THE FLORIDA BUILDING COMMISSION'S RECOMMENDATIONS FOR LEGISLATIVE ACTIONS DESIGNED TO IMPROVE THE SYSTEM'S EFFECTIVENESS ARE SUMMARIZED AS FOLLOWS:

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

II. INTRODUCTION

In 1974, Florida adopted a state minimum building code law requiring all local governments to adopt and enforce a building code. The system provided four separate model codes that local governments could consider and adopt to establish minimum standards of health and life safety for the public. In that system, the state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes as they saw fit.

Hurricane Andrew demonstrated in 1992 that this system of local codes did not provide the level of public protection that was necessary. The South Florida Building Code, which was the local code universally acknowledged to set the strongest standard for hurricane protection, essentially failed. The resulting problems had impacts well beyond southern Miami-Dade County. The state filled the property insurer void left by failed and fleeing private insurance companies, and the federal government poured billions of dollars of aid into the disaster area. It became starkly apparent the state had a significant interest in the effectiveness of building codes.

After Hurricane Andrew, Miami-Dade County conducted an exhaustive review of its building code and made significant changes to both the code and support systems for code enforcement. In other areas of the state the Florida Board of Building Codes and Standards (the predecessor to the Florida Building Commission) adopted significant upgrades to the wind resistance standards of the model state minimum code that was used by the majority of other local governments. The state also began licensing local governments' building code enforcement personnel. These steps proved critical in leading to the building codes that produced improved building performance in the 2004 hurricane season.

Like Miami-Dade County, the State went beyond modernizing the minimum building codes. In 1996 a study commission was appointed to review the system of local codes created by the 1974 law and to make recommendations for modernizing the entire system. The 1998 Legislature adopted the study commission's recommendations for a single state building code and an enhanced oversight role for the state in local code enforcement. The same legislation created the Florida Building Commission to develop and maintain the Florida Building Code and related programs and processes. The 2000 Legislature authorized implementation of the Florida Building Code, and the first edition replaced all local codes on March 1, 2002.

III. COMMISSION REPRESENTATION AND PROCESS

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 59 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.

IV. LEGISLATIVE ASSIGNMENTS

The Florida Legislature through consideration of HB 915 proposed a package of legislation effecting the Commission and the Florida Building Code. Due to the early adjournment of the Florida House of Representatives the Senate was not able to support the Building Code Bill without amendment and as a result the Bill was not passed. In general, the Commission works with stakeholders and effected interests to address legislative assignment through facilitated processes yielding consensus-based recommendations and Commission decisions.

2014 LEGISLATIVE CODE ASSIGNMENTS STATUS UPDATE

The 2014 Florida Legislature through the passage of HB 7147 charged the Commission with assignments impacting the Florida Building Code. The Commission implemented each assignment through appropriate actions. Following is an implementation summary of 2014 Legislative assignments:

Action Required: An amendment to Section 553.73 (15), F.S., required the Commission to amend the Code to clarify that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the Florida Building Code, except when the equipment is being required to be removed or replaced or moved during reroofing and is not in compliance with the provisions of the Florida Building Code relating to roof-mounted mechanical units.

Status: The Commission amended the Code through adoption of the *Florida Building Code Fifth Edition (2014)* to implement this provision.

Action Required: An amendment to Section 553.73 (18), F.S. required the Commission to amend the Code to provide that in single-family dwellings make up air is not required for range hood exhaust systems of a specified size and capacity.

Status: The Commission amended the Code through adoption of the *Florida Building Code Fifth Edition (2014)* to implement this provision.

Action Required: A new Section 553.883, F.S. required the Commission to amend the Code to provide that for one-family and two-family dwellings and townhomes undergoing a repair, or a level 1 alteration as defined in the Florida Building Code, it is permissible to use smoke alarms powered by 10-year nonremovable, nonreplaceable batteries in lieu of retrofitting such dwelling with smoke alarms powered by the dwelling's electrical system. Also, effective January 1, 2015, a battery-powered smoke alarm that is newly installed or replaces an existing battery-powered smoke alarm must be powered by a nonremovable, nonreplaceable battery that powers the alarm for at least 10 years.

Status: The Commission amended the Code through adoption of the *Florida Building Code Fifth Edition (2014)* to implement this provision.

Action Required: An amendment to Section 553.37, F.S. required the Commission to amend the Code to provide for specific inspection criteria for construction of manufactured buildings or modules.

Status: The Commission amended the Code through adoption of the *Florida Building Code Fifth Edition (2014)* to implement this provision.

An amendment to Section 553.77, F.S. required the Commission to amend the Code to require building officials to recognize and enforce variance orders issued by the Department of Health with regard to the provisions of the Florida Building Code specifically pertaining to public swimming pools and bathing places as authorized by Section 514.0115, Florida Statutes.

Status: The Commission amended the Code through adoption of the *Florida Building Code Fifth Edition (2014)* to implement this provision.

An amendment to Section 553.79, F.S. required the Commission to amend the code to prohibit a local enforcing agency from issuing a building permit for a public swimming pool without proof of application for an operating permit before a certificate of completion of occupancy or occupancy is issued.

Status: The Commission amended the Code through adoption of the *Florida Building Code Fifth Edition (2014)* to implement this provision.

V. The FLORIDA BUILDING CODE

Florida law requires the Commission to update the Florida Building Code every three years, and the *Florida Building Code Fifth Edition (2014)* represents the fourth update of the Code. Completing the triennial code update process for the *Florida Building Code Fifth Edition (2014)* was a major focus of the Commission during the reporting period. The Commission conducted the 2013 Code Update process during 2012 and 2013, and completed rule adoption in January of 2015. The new Code is adopted with an effective date of June 30, 2015. The code 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, and 2012 represented the second time the Commission adopted the International Energy Conservation Code (IECC) as the foundation for the 2014 Florida Energy Code. National model building codes and most engineering standards are updated every three years and the intent is to keep the Code up-to-date with evolving national standards of health, safety and welfare of the public.

The 2014 Update process (development of the *Florida Building Code Fifth Edition (2014)*) was initiated with selection of the 2012 I Codes as foundation for the 2013 Florida Building Code. The 2014 Code Update marked the first time that modifications to the foundation code remain effective only until the effective date of a new edition of the Florida Building Code every third year per Section 553.73(7)(g), F.S. With the exception that modifications related to state agency regulations, and wind-resistance design of buildings and structures within the high-velocity hurricane zone of Miami-Dade and Broward Counties which are adopted to an edition of the Florida Building Code do not expire and shall be carried forward into the next edition of the code. In addition, provisions of the foundation codes, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be modified to diminish those construction requirements. Based on technical staff’s recommendations the Commission’s technical advisory committees conducted the preliminary review and developed recommendations for which to retain based on statutory requirements. In addition, the Fire TAC reviewed and developed recommendations regarding overlaps and correlation issues between the Florida Fire Prevention Code and the Florida Building Code.

For the 2014 Code Update process proposed Code modifications to the Florida Building Code were reviewed by the Commission’s TACs in meetings conducted in October 2012. The TACs’ recommendations regarding proposed Code modifications were posted to the Commission’s website for a minimum of 45 days and the public was provided an opportunity to comment on the TACs’ recommendations during this time-frame (second 45-day review period). The TACs met in January 2013 to review the public comments, and provided TAC comments to the Commission regarding whether the submitted public comments addressed TAC concerns relative to their original recommendations on proposed Code modifications (TAC feedback on public comments to the Commission). During the February 2013 meeting the Commission considered the TACs’ recommendations and comments on public comments regarding proposed modifications for the *Florida Building Code Fifth Edition (2014)*. Once the Commission made decisions on all of the proposed Code modifications and local technical amendments submitted for statewide approval, the Commission voted unanimously to adopt the Commission’s package of recommendations of approved Code modifications for the 2014 Code Update, and to proceed with rule making. In August of 2013 the Commission conducted a rule development workshop pertaining to Rule

61G20-1.001(1), Florida Building Code to consider changes to the *Florida Building Code Fifth Edition (2014)* regarding 2014 Building Code “Glitch” fixes proposed pursuant to the statutory criteria allowing adoption without Code development processes, using Chapter 120 rulemaking procedures only. The proposed changes can only be approved if they meet the statutory requirements for “Glitch” Amendments pursuant to Section 553.73 (8), Florida Building Code. In August of 2013 the Commission voted unanimously to adopt approved Glitch modifications, the “Supplement” and approved comments, and to proceed with rule adoption for Rule 61G20-1.001(1), Florida Building Code. For the 2014 Code Update the Commission integrated the 2014 Code Update and the Glitch amendment process into a single rule development initiative eliminating the need for a supplement to the Code and resulting in a fully integrated set of the nine volumes comprising the *Florida Building Code Fifth Edition (2014)*.

Although the 5th Edition was primarily developed during 2012 and 2013, the final rule adoption hearing on the Code was conducted in January of 2015 due to statutory constraints regarding coordination with the development of the Florida Fire Prevention Code. To finalize the 2014 Code development process the Commission conducted a final rule adoption hearing on Rule 61G20-1.001, which adopts by reference the 5th Edition (2014) *Florida Building Code*, and filed the Rule for certification with the Department of State, with an effective date for the new Code of June 30, 2015. During the 2014 Code Update process the Commission focused on reviewing Florida specific requirements to the Code, achieving the goal of minimum variation from the foundation codes.

Highlights of *Florida Building Code Fifth Edition (2014)* enhancements include: incorporating IRC high wind area requirements, Florida specific wind resistance water infiltration requirements for Building and Residential codes, Flood requirements integration, swimming pool energy standards inclusion, roofing provisions, wind load provisions, and integration of windows and doors testing and labeling requirements into the Code.

Section 553.73 (7)(a), F.S., requires that every three years the Commission shall update the Florida Building Code selecting the most current version of the International Codes. In order to comply with this statutory requirement, at the April 2015 meeting, the Commission voted to initiate the 2017 Code Update Process by selecting the 2015 International Codes and 2014 NEC as foundation codes for the *Florida Building Code, 6th Edition (2017)*. The Commission also approved the workplan for development of the *Florida Building Code, 6th Edition (2017)*, including selecting a proposed effective date of December 31, 2017.

Of interest regarding the code development process, are several factors impacting the time that is required to adopt an updated Florida Building Code edition even after the development of the specific code amendments and rule development. An evaluation of the delays experienced in adopting the *Florida Building Code Fifth Edition (2014)* revealed 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. Additional 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. At the recommendation of Chairman Browdy the Commission decided to 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 this issue the Commission convened 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. It is anticipated that the Commission will have proposed statutory recommendations for consideration by the 2016 Florida Legislature.

(Attachment 5—Code Coordination and Implementation Workgroup Process)

INTEGRATION OF FLORIDA ACCESSIBILITY LAW INTO THE NEW ADAAG ADOPTED BY THE U.S. DEPARTMENT OF JUSTICE

The fundamental guidelines the ADA Standards are based on, the Americans with Disabilities Act Accessibility Guidelines, were updated in 2004 and in June 2008 the U.S. Department of Justice published its Notice of Proposed Rule, "*Proposed ADA Standards for Accessible Design, June 2008.*" The DOJ completed its adoption of revised regulations 28 CFR 35 and 28 CFR 36 establishing the 2010 ADA Standards for Accessible Design, September 15, 2010. In anticipation of the revised ADA Standards for Accessible Design the Commission convened an Accessibility Code Workgroup of stakeholders that developed recommendations to the Commission for changes to the Code as well as for statutory changes needed to conform Florida Law to the Federal Law. The Commission amended the Accessibility Code, and made recommendations for changes to law essential to conforming to the 2010 ADA Standards that were implemented by the Florida Legislature. As a result of the Commission's proactive initiative Florida's 2012 Accessibility Code for Building Construction fully integrates Florida Specific Requirements with the final 2010 ADA Standards for Accessible Design issued September 15, 2010.

As previously reported, Florida's Accessibility Code was ready for certification concurrent with the effective date of the new ADA Standards for Accessible Design (SAD), and it is currently under review for certification by the DOJ. The last report from the DOJ indicated that the FACBC is in the final stages of review and only has to be reviewed by the Access Board before certification from DOJ. It should be noted that Florida's Accessibility Code is the first code in the Nation submitted for certification to the new SAD.

VI. ENERGY EFFICIENCY INITIATIVES AND CODE CHANGES

During the development of the *Florida Building Code Fifth Edition (2014)* the Commission incorporated the International Energy Conservation Code (IECC) as the foundation code for the *Florida Energy Efficiency Code for Building Construction* while maintaining existing Florida efficiencies. Also consistent with 2013 statutory changes to Section 553.901, F.S., the Commission adopted the Florida Building Code–Energy Conservation as a volume of the Code consistent with other the Code sections and based on the International Building Code. Previously the Commission adopted the Florida Energy Efficiency Code for Building Construction within the Florida Building Code.

As with previous editions the *Florida Building Code Fifth Edition (2014)* meets or exceed all Federal energy efficiency requirements. A technical analysis conducted by the University of Central Florida’s Florida Solar Energy Center verified that Florida’s Energy Code exceeds the Federal energy requirements. As a result the Commission certified to the Department of Energy (DOE) that the residential building provisions of the *Florida Building Code Fifth Edition (2014), Energy Conservation*, meets or exceeds the 2012 edition of the *International Energy Conservation Code* for low-rise residential buildings, and the adopted *Florida Building Code Fifth Edition (2014), Energy Conservation*, meet or exceed the 2010 edition of the *Energy Standard for Buildings, Except Low-Rise Residential Buildings*, American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)/ Illuminating Engineering Society of North America (IESNA) Standard 90.1-2010 for commercial, and the 2012 *International Energy Conservation Code*, for buildings other than low-rise residential buildings.

Finally, during the reporting period the Commission voted to maintain the requirement for local governments to submit forms submitted to certify compliance with the Energy Code through the adoption of a separate rule from the Building Code Rule. This action ensured that important energy data continues to be available for research purposes.

VII. RESEARCH INITIATIVES—HURRICANE RESPONSE AND CODE CHANGES

Overview. The Florida Building Code establishes minimum requirements to protect buildings and their occupants from wind, rain, flood and storm surge based on well-researched and continually-evolving engineering standards for buildings and the products that go into their construction. In addition to conducting research, developing state of the art hurricane resistance standards and integrating those standards in the Code at each revision cycle, the Commission seeks to maintain the Code to be up-to-date with the national engineering and product standards. As with each subsequent version, the *Florida Building Code Fifth Edition (2014)* maintains this commitment.

Hurricane Research. The Commission has determined that research is a key to effectively and efficiently preventing or minimizing hurricane damage to buildings. The Commission convened the Hurricane Research Advisory Committee in response to Florida's 2004 and 2005 hurricane seasons to support code development and identification of studies to address wind-borne debris risks, water intrusion, wind resistance of roof systems, and other construction systems and practices that effect the hurricane resistance of buildings. The Florida Building Commission's Hurricane Research Advisory Committee (HRAC) will meet on an as needed basis to review research and make recommendations to the Commission regarding proposed code enhancements and research needs regarding proposed code amendments relevant to hurricane and storm protection enhancements. The Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission's Hurricane Research Advisory Committee in January of 2005.

Building Code System Research. The Commission currently funds research projects pertaining to hurricane resistance and other Building Code System related topical areas to ensure the development of code amendments that make Florida's structures, and the products that comprise them, more resistant. The Commission's technical advisory committees (TACs) meet annually to make recommendations on research projects for the next fiscal year, and they meet periodically to review the status and approve interim and annual reports submitted by the research projects' principal investigators (PIs).

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

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

performance and attachment to masonry wall systems. The TACs will meet during the Summer of 2015 to evaluate, rank and develop recommendations to the Commission regarding which research projects to fund for fiscal year 2015-2016.

VIII. PRODUCT APPROVAL

The Florida Building Code establishes standards for products integrated into buildings in addition to standards for the design of buildings themselves. Unlike prescriptive standards in the Code that can be easily verified by building officials, how well products such as windows perform cannot be determined by review of drawings or inspection of the product alone. Yet compliance of the individual products is fundamental to compliance of the overall building. To determine whether products and building systems comply, the building official must rely on engineers and testing laboratories to evaluate performance then rely on the manufacturers to maintain quality control of production to ensure that production products perform like the ones tested. The product approval system framed in law and implemented through rule requires accreditation of the product evaluators and quality assurance monitors and standardizes the information that must be provided to demonstrate code compliance.

The Commission directed a major part of its efforts since its inception in 1998 to developing a standardized system for public regulation from the many combinations of product evaluation and quality control monitoring services provided by private companies. The diversity of approaches used in different industries for product evaluation and quality control monitoring make standardization particularly difficult, and a considerable amount of time and effort have been dedicated to this task. Patience and hard work characterize the contributions of all parties.

Working in collaboration with stakeholders the Commission continues to monitor and fine tune the Product Approval System ensuring that the System is functioning more efficiently and user friendly, and user satisfaction, as determined by System user surveys, is very high.

As reported during the previous reporting period, the Commission voted to charge DBPR staff with assuming administration of the Product Approval System, initially working with the current staffing levels, beginning January 1, 2014. Fiscal-Year 2014 – 2015 represents the first full year under the change in administration, and the system is working well and stakeholders report satisfaction with the process.

During the reporting period the Commission reviewed and approved products and product approval entities, and considered complaints filed against products. Through product revocation, the Commission is authorized to revoke product approvals for products that no longer comply with the requirements of their product approvals, providing a key tool for maintaining the efficacy of the Product Approval System and providing protection for Florida consumers.

During the reporting period the Commission voted to move the Product Approval application submittal completion deadline back by one week to the current preliminary review deadline date for the product approval application cycle, providing additional time for applicants to resolve any issues with their product approval applications.

The Product Approval system is processing hundreds of applications monthly with efficiency and the satisfaction of the product manufacturers who use the system. The Commission's Product Approval Program Oversight Committee (POC) convenes prior to every Commission meeting, and

met six times during the reporting period to review product and entity applications, address petitions for declaratory statements and consider enhancements to the product approval system. Since the system went into effect in October 2003, the Commission has approved 18,886 product applications and 83,217 products for statewide use within limitations established by the approvals.

To date, under the 2010 and 2014 codes the Commission approved 28,931 products and 6,203 product applications under the 2010 Florida Building Code, and 1,848 products and 331 product applications under the 2014 Florida Building Code. In addition the Commission approved or revised 276 product approval entities under the 2010/2014 Code including 10 accreditation bodies, 34 certification agencies, 6 evaluation entities, 63 quality assurance entities, 125 testing laboratories, and 38 validation entities (new and renewed/revised).

Following are relevant product approval system statistics on product approvals:

PRODUCT APPROVAL STATISTICS UPDATE

CODE VERSION	2004		2007		2010		2014	
	Apps	Products	Apps	Products	Apps	Products	Apps	Products
Approved	5,593	22,575	5,767	27,529	6,203	28,931	331	1,848
Applied For	31	39	103	433	85	383	54	527
Denied	154	482	11	26	5	16	0	0
Validated	15	28	50	184	16	43	68	249
Suspended	0	0	0	0	0	0	0	0
Re-Apply	3	3	19	282	10	38	8	63
Pending FBC Approval	1	1	76	244	29	45	268	710
Revoked	6	17	1	1	0	0	0	0
Archived	528	1828	675	2582	525	2,149	50	749
Over 180 Days Old and Not Approved, Denied, Validated, or Pending Status	3	7	32	207	65	315	0	0
TOTALS	6,334	24,980	6,734	31,488	6,938	31,920	779	4,146

IX. BUILDING CODE TRAINING PROGRAM

Education is one of the cornerstones of the Building Code System, and the effectiveness of the Building Code depends on the knowledge of professionals who design and construct buildings. The Commission continues to work with the Department of Business and Professional Regulation and representatives of the licensing boards to establish a cooperative system for approving building code courses and integrating building code continuing education into licensing requirements.

The state building code system, first established in 1974, was overhauled in 1998 to improve its effectiveness. The Legislature recognized that the effectiveness of the Florida Building Code depended on the various participants' knowledge of the codes. The Building Code Training Program was intended to improve compliance and enforcement by providing a focus for code-related education through coordination of existing training resources, including those of universities, community colleges, vocational technical schools, private construction schools and industry and professional associations. As specified in law, the Commission's role is limited to the approval of code related courses, which are developed and submitted by private sector education and training providers to the Commission for approval. The Commission has no authority to determine the number of hours or courses for code related education and training. The licensing board for the respective category of affected licensee makes this determination.

For fiscal year 2014-2015, DBPR and the Florida Building Commission made the decision to contractually separate the activities of the Education Administrator from the current Florida Building Compliance and Mitigation Program. As a result, this report relates to the staffing/administrative activities of the Education Administrator with the Education Program Oversight Committee (ED POC) as well as assisting with the maintenance of the online Building Code Information System (BCIS).

During the reporting period, the Commission, based on recommendations developed by the Commission's Education Program Oversight Committee (POC) in collaboration with the program administrator and other entities, implemented education and outreach initiatives designed to ensure that Florida construction and design industries licensees are informed about Florida Building Code requirements and related specific duties.

The Commission amended and completed adoption of the Education Rule, 61G20-6.002, Florida Administrative Code as follows:

- To clarify the deadline (23 days prior to the next FBC meeting) for course submission and accreditation;
- To clarify the definition of a self-affirmed course;
- To clarify the process of a self-affirmed course reverting to a revised course;
- To clarify when courses can be submitted/accredited/approved, specifically when the building code is approved versus adopted;
- To clarify the requirement of the code edition inclusion in the title of an advanced course;

- To clarify the process for course revisions related to laws and rules changes versus building code changes; and
- To clarify the timelines that apply for any course for which revision(s) is required.

During the reporting period the Education Administrator worked with both training providers and accreditors to assist them with transitioning from using the 2010 Florida Building Code as the source code for developing and accrediting training courses, to using the new 5th Edition of the Florida Building Code (2014).

During the reporting period the Commission's Education Program Oversight Committee conducted six meetings in which it managed the review and approval of course and accreditor applications; handled inquiries from licensees, providers and the public; and developed and refined guidelines and information on course development and processing (including BCIS enhancements). The Commission continues to enhance access to committee meetings through the use of webinar technology, in addition to options to attend by telephone conference call or in-person.

Working with the education administrator, the Commission addressed specific education needs as follows:

- Maintained the modifications and subsequent efficiency to the online Building Code Information System (BCIS).
- Administered six meetings and tasks of the Commission's Education and Outreach Program Oversight Committee, including:
 - Conducting meetings; managing, review and approval of 52 total course applications, which breaks down to 43 new courses, 1 administratively approved course, and eight self affirmed courses (from July 31, 2014 to April 9, 2015).
 - Handling 173 inquiries (from July 31, 2014 to April 9, 2015) from licensees, training providers, accreditors, and the public (via phone, email, or both); and developing, refining, and modifying guidelines and information on course development and processing.
 - Approving Mr. Charles Barr as an accreditor of advanced courses for the Florida Building Commission.
- Conducted a training session in May 2015, for both accreditors and training providers. The content of the session was to review and possibly improve all of the processes involved with advanced course accreditation practices, and to review and discuss BCIS navigation.

X. FLORIDA BUILDING CODE SYSTEM UPDATES AND COMMISSION ACTIONS

FLORIDA BUILDING CODE SYSTEM

Florida Statute, Section 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code System 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 the second in 2012 for the purpose of evaluating the Florida Building Code System for its successes and deficiencies, and identifying and selecting options for improvement. The Commission is scheduled to conduct the next assessment concurrent with the development of the 6th Edition of the Florida Building Code and will report to the Legislature at the appropriate time in conformance with these provisions.

The Florida Building Code System as envisioned by the Building Codes Study Commission and implemented by the Florida Legislature in 1998 is comprised of five key foundations. Known as the *Five Foundations for a Better Built Environment*, they are: the Code (Florida Building Code), the Commission (Florida Building Commission), Local Administration of the Code, Strengthening Compliance and Enforcement (Education), and Product Approval.

FOUNDATION I—THE FLORIDA BUILDING CODE AND THE CODE DEVELOPMENT PROCESS.

The Florida Building Code is a statewide code implemented in 2001 and updated every three years. The Florida Building Commission developed the first edition of 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.

During the reporting period the Commission completed adoption of the *Florida Building Code, Fifth Edition (2014)* with a focus on removing (unnecessary) and maintaining (needed) Florida Specific requirements to the Code, achieving the goal of minimum variation from the foundations codes. Of note, for development of the 5th Edition of the Code the Commission integrated the 2014 Code Update and the Glitch amendment process into a single rule development initiative eliminating the need for a supplement to the Code and resulting in a fully integrated set of the nine volumes comprising *Florida Building Code Fifth Edition (2014)* with the adopted effective date of June 20, 2015. The development of the 2014 Code involved special issue stakeholder workgroups, rule development workshops and rule adoption hearings, all providing extensive opportunity for public participation.

During the next fiscal year (FY 2015-2016), the Commission will be working to ensure a smooth transition to the updated Code, and the implementation of any Legislative Code amendment assignments. In addition, the Commission will be developing the *Florida Building Code, 6th Edition (2017)*.

Of special interest, during the reporting period, the Commission in collaboration with Building Code System stakeholders, voted unanimously to convene a *Code Coordination and Implementation Workgroup* charged with reviewing and evaluating all of the regulatory requirements currently impacting the

code development process (code update process), and to propose a legislative path to a more efficacious timetable for the implementation of the Florida Building Code update process going forward. The Workgroup is meeting regularly, and evaluating the following key issues: code printing and publication, Commission authority to issue errata, the Code amendment process (triennial, annual and glitch), Florida Specific amendments, statutory timeline requirements, adoption of standards and codes by reference, and Commission participation with the ICC code development process. It is expected that any recommendations for statutory changes, once approved by the full Commission, will be delivered to the 2016 Florida Legislature.

FOUNDATION II—THE COMMISSION. The Commission is an appointed representative stakeholder body that develops, amends and updates the Code. The Commission is composed of members representing each of the key interests in the Building Code System. The Commission meets every eight weeks and, in addition to its code development responsibilities, regularly considers 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 its recommendations for changes to statute and law.

During the next fiscal year, the Commission will maintain their focus on increasing the capacity of its new members, and working with building construction industry stakeholders to build consensus on relevant aspects of the Florida Building Code System.

FOUNDATION III—LOCAL ADMINISTRATION OF THE CODE. Florida Law requires that the Code 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.

During the reporting period the Commission continued to work with local building officials to provide support as requested and as appropriate.

During the next fiscal year the Commission remains committed to enhancing communication and collaboration with local building and fire officials for the efficient and seamless functioning of the Florida Building Code System. In addition, the Commission is committed to working with stakeholders to identify and resolve any issues related to the administration and enforcement of the Florida Building Code System.

FOUNDATION IV—STRENGTHENING COMPLIANCE AND ENFORCEMENT. Compliance and enforcement of the Code is a critical component of the system, and the Commission's emphasis in this regard is on education and training. The Commission's Education Program Oversight Committee (POC), working with the program administrator and other entities, implemented initiatives collaboratively to ensure Florida construction and design industries licensees are informed about Florida Building Code requirements and aware of related specific duties.

During the reporting period, the Commission reviewed and approved education courses and course accreditors. In addition, the Commission, working in collaboration with stakeholders, implemented changes to enhance the efficacy of the Education System by revising the Education Rule to clarify

the following: the deadline for course submission and accreditation; the definition of a self-affirmed course; the process of a self-affirmed course reverting to a revised course; when courses can be submitted/accredited/approved; the requirement of the code edition inclusion in the title of an advanced course; and the process for course revisions related to laws and rules changes versus building code changes.

For the next fiscal year, the Commission will continue to work with stakeholders to identify any issues, and implement any recommended enhancements to the Education System.

FOUNDATION V—PRODUCT EVALUATION AND APPROVAL. 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 that 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 local building officials as part of the building permit approval process.

During the reporting period, the first full year of administration of the Product Approval System by DBPR staff has worked well and to the satisfaction of stakeholders.

During the next fiscal year the Commission will continue to work with stakeholders to enhance the Product Approval System including evaluating possible revisions to the Rule requested by industry stakeholders.

FLORIDA BUILDING COMMISSION
REPORT AND RECOMMENDATIONS TO THE 2016 LEGISLATURE

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APPENDIX A
KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs (Abolished 2011)
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDOH	Florida Department of Health
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

APPENDIX B

COMMISSION MILESTONES FOR JULY 2014 – JUNE 2015

AUGUST 2014

The Commission meets in St. Pete Beach and is briefed on adoption of the 5th Edition of the Florida Building Code (2014). The Commission approves the formation of an Interim Binding Interpretations Panel and the appointment of the eight members recommended for the Panel. The Commission approves funding the research projects for fiscal year 2014-2015 as recommended by the TAC chairs on the basis that the proposed projects evaluated met the three criteria for funding: 1.) definition of research and/or technical enrichment, 2.) urgency/immediacy, and needed for the 2014 FBC, and 3.) funding available (full or partial), and approving them for funding based on the funding levels recommended by the TAC chairs, and staff administering and overseeing the research, and negotiating contracting as appropriate. The Commission approves DBPR legal staff's recommendations for revising the draft Education Rule language to address JAPC's comments as detailed in the letter responding to JAPC, by issuing a Notice of Change, and proceeding with rule adoption for Rule 61G20-6.002, Commission Approval and Accreditation of Advanced Building Code Training Courses. The Commission changes the Product Approval application submittal completion deadline, by moving it back by one week to the current preliminary review deadline date for the product approval application cycle.

OCTOBER 2014

The Commission meets in Daytona Beach and votes to revise the tentative effective date of the 5th Edition of the Florida Building Code to no earlier than June 30, 2015. The Commission votes to convene a *Code Coordination and Implementation Workgroup* to review and evaluate all of the regulatory requirements impacting the code development process, and to develop recommendations to create a legislative path to a more effective timetable for the implementation of Florida Building Code updates. The Commission votes to maintain the requirement for local governments to submit forms submitted to certify compliance with the Energy Code through the development of a separate rule from the Building Code Rule, and schedules a rule development workshop for the December 2014 meeting.

NOVEMBER 2014

The Commission conducts a telephonic rule adoption hearing on November 13, 2014, and moves to approve the Florida Building Code, 5th Edition (2014) as posted on the BCIS (Supplement plus the foundation code) for adoption by reference within Rule 61G20-1.001; authorizing the Department to publish a Notice of Proposed Rule with regard to the same and establishing within that notice a hearing date and time to be conducted by communications media technology, specifically conference call and webinar as soon as practicable.

- DECEMBER 2014** The Commission meets in Daytona Beach and votes to revise the product approval deadline completion date for application submittal to provide additional time for the process. Commission approves the Statement of Estimated Regulatory Costs (SERC) and Legislative Ratification as completed for Rule 61G20-4.001, Procedures (Waiver Application Form). Commission discusses participation in the ICC code development process and refers the issue to the *Code Coordination and Implementation Workgroup*. Commission receives a report on a binding interpretation issued by the Commission's Interim Binding Interpretation Panel. Chairman Browdy appoints *Code Coordination and Implementation Workgroup* members.
- JANUARY 2015** The Commission conducts a rule adoption hearing on the Florida Building Code, 5th Edition (2014), approves a Notice of Correction to address JAPC comments, and moves to proceed with rule adoption.
- FEBRUARY 2015** The Commission meets in Tampa and votes to approve 2015 legislative issues teleconference meetings schedule. Commission is briefed that Rule 61G20-1.001, which adopts by reference the 5th Edition (2014) Florida Building Code, was filed for certification with the Department of State, and the effective date for the new Code is June 30, 2015.
- APRIL 2015** The Commission meets in Gainesville and votes to adopt the 2015 International Codes and 2014 NEC as foundation codes for the Florida Building Code, 6th Edition (2017), and approves the related Approach and Workplan for the 2017 Code Update Process. The Commission votes to approve the Summary of Issues and Recommendations for inclusion in the Commission's Fiscal-Year 2014 - 2015 Annual Report.
- JUNE 2015** The Commission meets in Gainesville and...

An updated *Commission Milestones* document containing all of the Commission's key milestones since inception is available at the following URL:

<http://consensus.fsu.edu/Code-Coordination/index.html>

APPENDIX C

COMMISSION MEETING SUMMARY REPORTS FY 2014 - 2015

August 22, 2014 Meeting. At the August 22, 2014 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission discussed whether to change the date for the adoption of the 5th Edition of the Florida Building Code (2014), deferring action until the October meeting in order to correlate with the adoption of the 2014 Florida Fire Prevention Code. Specific actions included: approving the formation of an Interim Binding Interpretations Panel and the appointment of the eight members recommended for the Panel; approving funding the research projects for fiscal year 2014-2015 as recommended by the TAC chairs on the basis that the proposed projects evaluated met the three criteria for funding: 1.) definition of research and/or technical enrichment, 2.) urgency/immediacy, and needed for the 2014 FBC, and 3.) funding available (full or partial), and approving them for funding based on the funding levels recommended by the TAC chairs, and staff administering and overseeing the research, and negotiating contracting as appropriate; approving DBPR legal staff's recommendations for revising the draft Education Rule language to address JAPC's comments as detailed in the letter responding to JAPC, by issuing a Notice of Change, and proceeding with rule adoption for Rule 61G20-6.002, Commission Approval and Accreditation of Advanced Building Code Training Courses; and, changing the Product Approval application submittal completion deadline by moving it back by one week to the current preliminary review deadline date for the product approval application cycle.

The full report is available on the BCIS (select meeting month Facilitator's Report) at the following URL: http://www.floridabuilding.org/fbc/commission/2014_Archive_Commission_Meetings.html

October 14, 2014 Meeting. At the October 14, 2014 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission discussed whether to change the date for the adoption of the 5th Edition of the Florida Building Code (2014), voting to make the tentative effective date of the 5th Edition of the Code no earlier than June 30, 2015. Specific actions included: voting unanimously to convene a *Code Coordination and Implementation Workgroup* to review and evaluate all of the regulatory requirements impacting the code development process, and to develop recommendations to create a legislative path to a more effective time table for the implementation of Florida Building Code updates; and, voting to maintain the requirement for local governments to submit forms submitted to certify compliance with the Energy Code through the adoption of a separate rule, and to schedule a rule development workshop for the December 2014 meeting.

The full report is available on the BCIS (select meeting month Facilitator's Report) at the following URL: http://www.floridabuilding.org/fbc/commission/2014_Archive_Commission_Meetings.html

December 12, 2014 Meeting. At the December 12, 2014 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission: discussed participation in the ICC code development process and referred the issue to the *Code Coordination and Implementation Workgroup*; received a report on a binding interpretation issued by the Commission's Interim Binding Interpretation Panel; and Chairman Browdy appointed the *Code Coordination and Implementation Workgroup* members. Specific actions included: voting unanimously to revise the product approval deadline completion date for application submittal to provide additional time for the process; and approved the Summary of Statement of Estimated Regulatory Costs Checklist and Legislative Ratification as completed for Rule 61G20-4.001, Procedures (Waiver Application Form).

The full report is available on the BCIS (select meeting month Facilitator's Report) at the following URL: http://www.floridabuilding.org/fbc/commission/2014_Archive_Commission_Meetings.html

February 20, 2015 Meeting. At the February 20, 2015 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission: received a report that Rule 61G20-1.001, which adopts by reference the 5th Edition (2014) Florida Building Code, was filed for certification with the Department of State, and the effective date for the new code will be June 30, 2015. In addition, the Commission received an update regarding the progress of and schedule for the Code Coordination and Implementation Workgroup. Specific actions included: voting unanimously to approve the schedule for 2015 Legislative issues teleconference meetings.

The full report is available on the BCIS by selecting the Facilitator's Report for the meeting month at the following URL: <http://www.myfloridalicense.com/dbpr/bcs/buildingcomm.html>

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

The full report is available on the BCIS by selecting the Facilitator's Report for the meeting month at the following URL: <http://www.myfloridalicense.com/dbpr/bcs/buildingcomm.html>

June 19, 2015 Meeting. At the June 19, 2015 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission...

The full report is available on the BCIS by selecting the Facilitator's Report for the meeting month at the following URL: <http://www.myfloridalicense.com/dbpr/bcs/buildingcomm.html>

An archive of Commission Meeting Facilitator's Summary reports is available at the following URL: http://consensus.fsu.edu/FBC/fbc_reports.html

APPENDIX D

CODE COORDINATION AND IMPLEMENTATION PROJECT

PROJECT OVERVIEW

Under the leadership of Chairman Browdy the Commission decided 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. Additional 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 decided to 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 this 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.

PROJECT SCOPE AND TIMETABLE FOR DELIVERY

The initial scope of the *Code Coordination and Implementation Workgroup* is 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.

PROJECT UPDATE

Starting in January 2015 the Workgroup began to meet on a bimonthly schedule consistent with Commission's meeting schedule in order to identify key issues and evaluate a range of options to address each key issue with the goal of developing consensus recommendations for the Commission's consideration. To date the Workgroup has identified and agreed to the following list of key issues for evaluation: Code printing and publication, Commission authority to issue errata, the Code amendment process (triennial, annual and glitch), Florida Specific amendments, statutory

timeline requirements, adoption of standards and codes by reference, and Commission participation with the ICC code development process. In addition, the Workgroup has identified a suite of possible options to address each key issue and is in the process of evaluating and consensus ranking each option in turn. The Workgroup operates under a facilitated consensus-building process where stakeholders are afforded opportunities to propose options and comment on options prior to the Workgroup's evaluation of the same. Stakeholders are included in every stage of the process with multiple comment opportunities at each meeting.

The Workgroup will continue to meet until they have completed their evaluation of all of the identified options. Following are all of the options ranked to date that have achieved a consensus level of support ($\geq 75\%$ in favor):

- Publish a fully integrated FBC for all code volumes (maintain the status quo). **[91% in favor]**
- Allow the Commission to issue errata only to correct scrivener's errors or simple typographical errors without additional rulemaking to implement the adopted errata. The proposed errata will be reviewed by the TACs prior to Commission consideration. The Commission will require a 75% or greater voting threshold for approving errata. **[100% in favor]**
- Maintain the 3-year code update cycle (maintain status quo). **[100% in favor]**
- Maintain status quo for annual amendments. **[100% in favor]**
- Issue glitch amendments whenever needed (status quo) and continue to conduct a glitch cycle within (concurrent with) the code update cycle. **[100% in favor]**

The complete package of the Workgroup's consensus recommendations will be evaluated and decided on by the full Commission once the process concludes.

Information on the project including the latest agenda packet and options evaluation worksheet, and meeting summary reports is available at the following URL:

<http://consensus.fsu.edu/Code-Coordination/index.html>