

COALITION OF STAKEHOLDERS

October 3, 2018

E. J. Carlson
Chair of Florida Building Commission
Post Office Box 511232
Punta Gorda, Florida 33951

Re: Florida Building Code 7th Edition Development Process for Meeting on
October 8 & 9, 2018, Sarasota, Florida

Dear Chairman Carlson,

We represent a coalition of major stakeholders that includes Florida designers, building officials and inspectors, and many other allied parties impacted by the ongoing development of the Florida Building Code.

The results of recent actions of the Building Commission's Technical Advisory Committees have raised serious concerns regarding a fair and effective process for handling the review of code updates for the next edition of the Florida Building Code, where the Commission is charged with the statutory requirement to update the "Florida Building Code every 3 years through review of the most current updates of the International...Codes, and the National Electrical Code."

As you may be aware, a small portion of the 2018 International Code updates have been recommended for approval on the upcoming meeting consent agenda to be heard on October 8 and 9 in Sarasota. As a result, hundreds of International Code updates have been requested to be pulled from the consent agenda to be considered separately due to concerns as to whether the Building Commission is taking the most effective approach to the update process. Having a fair hearing to vet hundreds of code updates within a 2-day Commission meeting does not seem to be realistically possible, particularly with so many stakeholders interested in developing the next edition of building code effectively with needed updates in the 2018 International Codes and National Electrical Code.

Without getting too deep in the weeds, there seems to have been some disconnect in the TACs on understanding what they could act upon to place on the consent agenda. For example, the Electrical and Plumbing TACs recommended approval of nearly all of the updates heard by their committees, whereas all other TACs felt constrained to approve many updates because of the need to only approve a code update that meets one or more of the "Technical amendment" criteria, which are items "a through f" included below as an excerpt from Rule 61G20-2.002[2.]. However, the criteria cited herein are not limited to items "a-f" as is clearly stated in the Rule itself that these amendments should "include but are not limited to amendments to the Florida Building Code that provide the following:" What follows next are items "a through f". In other

words, additional or different criteria can be used such as provisions that “Strengthens” the Code or provisions that “Improves” the Code as found in Rule 61G20-2.002[3](b) & (c). Those criteria options did not appear to be offered to the TACs, but likely would greatly have increased the probability of placing many more items on the consent agenda, and thus have a more expeditious code update process when entering the next phase of development.

Excerpt from 61G20-2.002 Statewide Amendments to the Florida Building Code.

1. Technical amendment means an alteration to the prescriptive requirements or reference standards for construction adopted by the code.

2. Technical amendments needed to accommodate the specific needs of this state include but are not limited to amendments to the Florida Building Code that provide for the following:

a. Establish minimum life safety construction requirements to protect buildings and their occupants from fire, wind, flood, and storm surge using the latest technical research and engineering standards for buildings and materials products.

b. Provide for flood protection provisions that are consistent with the latest flood protection requirements of the National Flood Insurance Program.

c. Maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development.

d. Provide for energy efficiency standards for buildings that meet or exceed the national energy standards as mandated by Title III of the Energy Conservation and Protection Act.

e. Maintain coordination with the Florida Fire Prevention Code.

f. Provide for the latest industry standards and design.

3. **Administrative amendment** means an addition to or amendment of the requirements adopted by the code for enforcement of the prescriptive requirements or reference standards for construction adopted by the code.

(b) **Strengthens** means to make more stringent and provide for greater lifesafety.

(c) **Improves** means to make more responsive to the context of application; statewide, regional or local; on the basis of experience or newly presented information without compromising or decreasing lifesafety requirements.

Furthermore, AIA Florida’s Rule challenge, if upheld, may negate the proposed October 8-9 code amendment actions altogether. However, we do realize the Commission is attempting to follow the administrative rule that is already set in place. One course of action that many stakeholders respectfully request is that the Commission consider postponing this process until these issues are resolved.

Having brought to light this information, we stand ready to assist the Florida Building Commission to the greatest extent possible to advance developing the next edition of the Florida Building Code as the best and most comprehensive building code in the nation in a manner that serves all stakeholders, particularly the citizens of and building owners in Florida.

Thank you for your service on the Florida Building Commission.

Respectfully Submitted,



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Director of Building/Legislative Affairs City of Winter Park
On behalf of the Building Officials Association of Florida
Former member of the Florida Building Commission (9 years)

Sara Yerkes, Senior Vice President, Government Relations
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Kim Headland, AIA
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