ANALYSIS OF BINDING INTERPRETATION REQUEST 174

Questions requesting a response:

1. Does the generator in question as presented in documents, photographs and plans submitted comply with all Florida Building Code location requirements?

Based on the information presented referenced above the generator does not comply with manufacturer’s installation guidelines and location requirements described below:

* Clearance from the ends and front of the generator must be 3 ft.  This includes shrubs, bushes and trees.  Clearance from the back of the generator must be minimum 18 in.
* If the back of the generator meets the 18 in. clearance, this obstructs the existing A/C unit’s 3-ft clearance which must be maintained.

1. Does the Florida Building Code-Residential Volume 6th Edition Sections G2406, Section 2408, Section E3403 and Section E3405 require compliance with all manufacturer’s installation location requirements?  **YES.**

Comment:

Other legal issues related to this request with regard to flood regulation or noise abatement concerns are not a part of this binding interpretation response. However, in order to require compliance with flood -resistant construction under Section R322.1.6 of the Florida Building Code-Residential Volume, the subject building served by this generator must meet the criteria for undergoing a “substantial improvement” and this does not appear to be applicable to the building at this site.

Applicable Code provision for this interpretation:

* **G2408.1 (305.1) General.**

*Equipment* and *appliances* shall be installed as required by the terms of their approval, in accordance with the conditions of listing, the manufacturer’s instructions and this code. Manufacturer’s installation instructions shall be available on the job site at the time of inspection. Where a code provision is less restrictive than the conditions of the listing of the *equipment* or *appliance* or the manufacturer’s installation instructions, the conditions of the listing and the manufacturer’s installation instructions **shall apply**.

Unlisted *appliances approved* in accordance with Section G2404.3 shall be limited to uses recommended by the manufacturer and shall be installed in accordance with the manufacturer’s instructions, the provisions of this code and the requirements determined by the *code official*.

George Wiggins