The Question/ Issue

Non Binding Technical assistance
* B.O., D.C.A., I.C.C. Etc.
* BOAF Non Binding

DEC Statement
Answers specific question on Code

DEC Statement supersedes Binding Interpretation

Binding Interpretation
Appeal of B.O interp Board of Appeal if exists
* Binding Opinion

Paths of resolution
Specific criteria
Cost, time, options, etc.
(see Overview)

A B C D

Advisory

Legal Document

Resolution

KEY
Florida Building Commission (FBC, the Commission)
Florida Building Code (the Code)
Building Official (B.O.)
Department of Community Affairs (DCA)
International Code Council (ICC)
Declaratory Statement (DEC)
Building Official’s Association of Florida (BOAF)
Technical Advisory Committee (TAC)
Technical Assistance (TA)
Florida Administrative Weekly (FAW)
Department of Administrative Hearing (DOAH)

Note: Licensing facilities and state agencies enforcing the Code may be subject to an alternative process
Overview of Code Resolution process

**Advisory**

**“A”**

**Purpose**
Provides clarification on issues relating to the Florida Building Code (the Code)

**Technical Assistance**
* DCA
* ICC
* etc.

* Time line as time permits
* Cost N/A
* Specific Process see figure “A”
* Final Product Clarification
* Scope Advisory

**Options**
B,C,D

**“B”**

**Purpose**
Provides expedited resolution of Code issues by committee of experts

**B.O.A.F Non-Binding Opinion**

* Time line 21 days
* Cost N/A
* Specific Process see figure “B”
* Final Product written advice
* Scope Advisory

**Options**
A,C,D

**“C”**

**Purpose**
Legal resolution to Code, Rule or Statute, relating to questions on a specific case

**Declaratory Statement DEC**

* Time line 90 days
* Cost N/A
* Specific Process see figure “C”
* Final Product Legal document
* Scope Binding on the petitioner

**Options Legal Appeal**
Legal Appeal to 1st District Court

**“D”**

**Purpose**
Appeal local B.O Interpretation of the Code to a panel of experts for a Binding Opinion

**B.O.A.F Binding Interpretation**

* Time line 25 business days
* Cost $250
* Specific Process see figure “D”
* Final Product Legal document
* Scope Binding on parties and all jurisdictions

**Options Legal Appeal**
Appeal to Commission via DOAH
Path to Resolution “A”

Technical Assistance (TA)
* DCA
* B.O.
* I.C.C
* State Agencies etc.
Time line, as permitted

USE=
Clarification of the Code

Process
* Phone call /e-mail
* Research/ available resources
* Referral

Product
* Clarification of the Code

B, C, D
Alternative Options to TA
Advisory Path to Resolution “B”

B.O.A.F Non-Binding Opinion
Time line 21 days from completed question

See Florida Statute 553.775 (3) (g) (hotlink)

Process

* Question: www.floridabuilding.org
  - Provide question to BOAF online form
  - Provide Code Volume
  - Provide Chapter and Section in Code
  - BOAF queries experts for answer
  - Question and answer posted on site

Product

* Research to resolution
  - *Advisory Non-Binding Opinion

A,C,D

Alternative to Option B

USE=
* Answer to question
* Library of Opinions
Declaratory Statement
DEC statement
Time line 90 days

* Resolution to a specific case
  facts, situation, circumstances
* Library of Opinions

Process

* Notices petitions in FAW
* Request petition to Commission
* 1st Reading of petition, TAC considers,
  Commission takes action & posted on
  the web site for comment
* Notice for 2nd Reading, next Commission
  meeting, Commission affirms or amends

Product

* Final order to petitioner

Appeal

* Appeal: 30 days, Chap 120 F.S.

None

Alternate options to “C”
Appeal process
Path to Resolution “D”

**Binding Interpretation**
- Time line approx. 25 days from completed petition

*B. O. A. F. Process*
- *After local Board of Appeal, if exists*
- *Petitioner completes online form and provides copy to B.O.*
- *B.O responds to petition within 5 days*
- *BOAF reviews petition determining completeness*
- *Public has 7 days to comment on petitioner’s issue*
- *Building Code Administrators panel acts on petition and files Binding Opinion*

**Product**
- *Interpretation shall be posted on line and noticed in the FAW*

**Appeal**
- *Within 30 days of issuance of Final Order per Chap. 120 F.S*

**None**
- Alternative to option “D”

See Florida Statute 553.775 (3) (c) (hotlink)

* Resolve conflict with B.O.*
* Library of Binding Opinions

USE=*

**B.O.A.F.**

* None