

**PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION**

FILED	
Department of Business and Professional Regulation	
Deputy Agency Clerk	
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File #	

Date: November 1, 2015

Company: Bracken Engineering, Inc.
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DS 2015-135

Statute(s), Agency Rule(s), Agency Order(s) and/or Code Section(s) on which the Declaratory Statement is sought:

5th Edition (2014) Florida Building Code – Existing Building, Section 202
5th Edition (2014) Florida Building Code – Existing Building, Section 502
5th Edition (2014) Florida Building Code – Existing Building, Section 606
5th Edition (2014) Florida Building Code – Existing Building, Section 708

Background:

Bracken Engineering, Inc. is a consulting engineering firm located and licensed within the state of Florida. Bracken Engineering is currently in the process of investigating roof damage and offering repair recommendations for a house located in Spring Hill, Florida. The roof shingles of this home were damaged by hail stone impacts during a recent storm. Specifically, the hail damaged approximately 12 percent of the shingles on the east facing slope and approximately 15 percent of the shingles on the south facing slope, amounting to a total of 27 percent damaged shingles on the total roof. The Hernando County Property Appraiser's website lists the building value as \$160,994. Petitioner seeks clarification as to whether repairs to roof coverings performed in accordance with Chapter 6 – Repairs, of the 5th Edition (2014) Florida Building Code, Existing Building would need to comply with the requirements of Section 708 Reroofing.

Specifically, the 2014 Florida Building Code – Existing Building states within the follow sections as follows:

Section 202, General Definitions - ALTERATION. Any construction or renovation to an existing structure other than a repair or addition. Alterations are classified as Level 1, Level 2 and Level 3.

Section 202, General Definitions - REPAIR. The restoration to good or sound condition of any part of an existing building for the purpose of its maintenance.

Section 502.1 Scope. *Repairs, as defined in Chapter 2, include the patching or restoration or replacement of damaged materials, elements, equipment or fixtures for the purpose of maintaining such components in good or sound condition with respect to existing loads or performance requirements.*

Section 502.2 Application. *Repairs shall comply with the provisions of Chapter 6.*

Section 606.1.1 Nonstructural repair. *Nonstructural repair exclusive of fixtures and furniture, the cost of which does not exceed 25 percent of the replacement value of the existing building or structure, with the approval of the building official may be made of the same material of which the building or structure is constructed.*

Section 606.2 Repairs to damaged buildings. *Repairs to damaged buildings shall comply with this section.*

Section 708.1.1 *Not more than 25 percent of the total roof area or roof section of any existing building or structure shall be repaired, replaced or recovered in any 12-month period unless the entire roofing system or roof section conforms to requirements of this code.*

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QUESTION:

Does the repair of roof coverings performed in accordance with Chapter 6 of the 5th Edition (2014) Florida Building Code, Existing Building need to comply with the requirements of Section 708 Reroofing?

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Summary

The petitioner respectfully believes that the answer to the questions is 'No' and the repair to the roof covering would be subject to Section 606.1.1 Nonstructural Repair. As can be seen in the sections cited above, the definition of *Alteration* explicitly excludes repairs. The classification of work under Section 502.2 states that repairs shall comply with the provisions of Chapter 6, and Section 606.2 states that repairs shall comply with section 606. The building is valued at \$160,994 and as long as the repair does not exceed \$40,248 the Nonstructural Repair may be made of the same material of which the building or structure is constructed.

Respectfully submitted,
Bracken Engineering, Inc.



Robin Davies, PE
Vice President of Production