

**Report of the  
Florida Building Commission  
State Agency Review  
Ad Hoc Committee**

**October 4, 1999  
Gainesville, Florida**

**Meeting Design & Facilitation By:**



**A. September 8 – 9, 1999 Commission Meeting.**

The September Commission meeting marked the completion of several months of State Agency presentations on their existing authority and their recommendations on standards development and enforcement functions. At the conclusion of the agency presentations, staff presented a matrix that depicted the various agencies and their current roles and responsibilities. After reviewing the matrix, the Chair appointed an ad hoc committee to meet and provide preliminary recommendations at October's Commission meeting. The committee consists of Vice Chair Doug Murdock and Commission members Dick Browdy, Suzanne Marshall, Karl Thorne, George Wiggins, Craig Parrino, Dan Shaw, and John Calpini.

**B. Preparing for the October 4<sup>th</sup> Ad Hoc Committee Meeting.**

Prior to the Ad Hoc committee meeting, staff reviewed and updated the matrix chart which depicts each of the state agencies and the programs that they administer. The matrix was designed to provide a visual perspective on each of the state agency's current functions for standards development and enforcement. In addition, the matrix highlights the specific exemptions that HB-4181 requires to the Law's general requirement that building code related programs should go to the Florida Building Commission for standards development and maintenance and, that enforcement functions should be transferred to local building departments.

An analysis packet was prepared to assist Committee members in reviewing agency program laws and regulations, the construction code that they use, the intent of HB 4181, and a summary of each agency's presentation to the Commission as well as their responses to a written questionnaire solicited by staff. In addition, the packet contained a flowchart of the Commission's decision making timelines and process for competing their final recommendations on state agency functions relative to standards development and enforcement functions, the special Occupancy TAC's proposed criteria for making recommendation contrary to HB 4181, and several legal opinions and interpretations issued by legal staff regarding the intent and mandates of HB 4181.

The matrix and background information contained in the analysis packet were designed to serve as the template for reviewing current agency authority, the intent of HB 4181, and a method for reviewing which programs to recommend modifications to the requirements of the Law.

**C. October 4, 1999 Committee Meeting, Gainesville.**

The committee met in Gainesville to review current state agency functions and authority relative to standards writing and enforcement functions, to review the intent of HB 4181 relative to each agency and the various programs they administer, and to propose any modifications to the Law that will go into effect on January 1, 2001.

The Committee reviewed each of the programs incorporating building code elements that state agencies administer and decided whether or not to propose any modifications to the intent of the Law established in HB 4181.

### **C. Process for Review and Proposing Recommendations**

The committee agreed to use the following process for reviewing state agency functions and proposing any modifications for changes to law:

- Only Committee members would participate in the review and decision making process.
- Observers were encouraged to provide written comments and concerns on post-it notes and place them on the appropriate agency flipchart sheet mounted on a wall. They would be included in the Committee's report to the Commission.
- The matrix would be used to identify current agency function, Legislative intent, and to indicate any recommended modifications.
- Proposed modifications would be indicated with a "o" symbol on the matrix.
- The committee's recommendations would be preliminary.
- Recommendations for modifications would be accompanied with a rationale to explain the reason for the recommendation.
- A straw poll vote would be taken and recorded to indicate the level of support for proposed modifications.
- If a committee member did not support a modification they would explain their reasons and any alternative recommendations.
- If there were multiple recommendations on an agency program, a ranking exercise would be conducted to indicate the level of support that each proposal received from the Committee.
- At the conclusion of the review process public comment would be taken.
- At the conclusion of public comment the committee would review and adopt their preliminary recommendations to be included in a report to the Commission at October's meeting.

### **D. Results of the Committee's Recommendations.**

The committee reviewed the Special Occupancy TAC's proposed criteria for recommending modifications to HB 4181 requirements relative to state agency standard writing and enforcement functions.

At the request of Committee members a straw poll was taken on whether or not the Committee wanted to adopt the criteria for their own considerations.

Straw poll results of proposal to adopt the criteria for the Committee's use:

5 Support, 1 wants time to consider before adoption. (5 - 1)

Committee agreed to use the criteria as guidelines and consider their adoption at their next meeting.

#### **Review of the Legislative Assumptions of HB 4181.**

In general, building code programs shall be folded into the Florida Building Code and authority for the programs' standards writing and development shall be transferred from state agencies to the Florida Building Commission unless preempted by Federal Law or by a specific exemption in HB 4181.

In general, enforcement of plans review, permitting, inspection, and issuance of final approvals shall be transferred to local building departments unless a specific exemption is provided for in HB 4181.

## **1. True Building Code Programs**

### **DOE**

#### **Committee Recommendation:**

Committee agreed to propose no recommendations to the intent of HB 4181 which provides for an exemption from local enforcement of DOE constructed buildings. As required by law standards development would transfer to the Florida Building Commission.

#### **Comments:**

Plan review – coordinate with local government – make sure current language is adequate.

### **DCA**

For the Energy Code, Accessibility Code, Radon Code, and NFIP program:

#### **Committee Recommendation:**

The committee agreed with the requirements and intent of HB 4181 and proposed no modifications to the standards development authority transferring to the Commission and enforcement remaining with local building departments.

### **Manufactured Buildings**

#### **Proposed Modification:**

Standards writing will transfer to the FBC except that the administrative building code criteria will remain with DCA.

All enforcement activities will remain with the agency and not transfer to local building departments for enforcement.

#### **Rationale:**

Special program that would impose a burden on locals if they were required to take over enforcement functions.

#### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

#### **Comments:**

Could these be approved under product approval

How is plumbing pressure testing for these and mobile homes. Water tested in plant and on site. Waste testing may be needed

Considering a 3 year re-certification process

## **Manufactured Buildings Foundation & Siting**

### **Committee Recommendation:**

Committee recommends following requirements of the Law.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Comments:**

Foundation and siting is a local zoning issue

## **DMS**

### **Committee Recommendation:**

Committee unanimously agreed to propose no modifications to the intent of HB 4181 which will transfer standards writing to the FBC and the enforcement functions to local building departments.

### **Comments:**

Review prototype building later.

DMS has 12 inspectors state-wide who may not know local conditions.

Maybe a workload concern for local government.

Creates a checks and balances.

There is not a lot of buildings. 450/year state-wide so it won't be a big load on any local government.

Buildings are generally like private buildings.

Note: Consider prototype buildings for private use.

## **DOC**

Note: Recommendations apply only to Correctional facilities and include DJJ facilities.

### **Proposed Modification:**

Transfer standards writing to the FBC, however, enforcement functions should remain with the agency.

### **Rationale:**

Unique structure; security concerns

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Comments:**

Amend to assure coordination with local government

Fire protection may be a concern

What is different for county and city jails?

What about DJJ?

Statute says “ Correctional Facilities”  
**DOT**

Note: Recommendations do not apply to bridges and streets.

**Committee Recommendation:**

Committee unanimously agreed to propose no modifications to the intent of HB 4181 which will transfer standards writing to the FBC and the enforcement functions to local building departments.

**BOR**

**Committee Recommendation:**

Committee agreed that standards writing would transfer to the FBC and proposed no modifications to the HB 4181 exemption that enforcement functions shall remain with the agency.

**Comments:**

Structures are not unique

Political concerns

Some universities have local government do inspections

Universities have architects and engineers do inspections not a building official

Fox-hen house concern

May need an appeal process for local government regarding university buildings relative to building code compliance

**DMV**

**Mobile Homes**

**Proposed Recommendation:**

Standards writing to remain with the agency.

FBC adopts standards into the code by reference.

**Rationale:**

Foundations and sitings standards should be the same as for manufactured homes and shifte to FBC

**Straw Poll Results:**

5 in support and 1 opposed.

**Comments:**

Current standards are adequate

Utility hookups, should be inspected

Utility hookups are inspected

Clarify that

Don't want one official enforcing another's code

I am OK with the FBC blessing DMS standards, but we don't have the expertise to do by FBC

Some local governments are allowing mobile home tie downs for manufactured homes if approved by an engineer  
Mobile and manufactured homes have different standards and tie down needs

### **Foundation and Siting**

#### **Proposed Modification:**

Updating and maintaining of mobile home siting standards remain with DMV but it will be adopted by reference into the FBC.

#### **Straw Poll Results:**

5 in support and 1 opposed.

Would support if utilities are not included: 1

#### **Comments:**

There are legal questions about where DMV authority stops – are plumbing and electric included?

### **DBF**

Committee deferred review until the sub committee on mausoleums has completed their committee recommendations and the rule is filed and adopted.

## **2. Facility/Business Licensing Programs**

### **DBPR**

#### **Elevators**

#### **Proposed Modification:**

Standards development transfers to the FBC.

Enforcement functions should remain with agency.

#### **Rationale:**

Commission made the decision

Highly technical

Only a few local governments have currently opted to do so

Lower costs to consumer

Keeping standards in FBC ensures continuity between codes

#### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

#### **Comments:**

Need interface and coordination to let local government know an inspection has been done

## **Restaurants**

### **Proposed Modification:**

Standards development transfers to the FBC for building code and to the agency for the food code. (Split)

Enforcement functions should remain with agency for food code issues and building code installation functions would transfer to local authority. (Split)

Ongoing maintenance and licensing functions remain with the agency.

### **Rationale:**

Food code functions are not building code issues but installation functions are.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Comments:**

DACS & DOH may refer to food code

DBPR does license to operate; it is not a building permit

There may be a concern about the timing of approvals

## **Hotels & Motels**

### **Committee Recommendation:**

Committee unanimously agreed to propose no modifications to the intent of HB 4181 which will transfer standards writing to the FBC and the enforcement functions to local building departments.

Ongoing maintenance and licensing functions remain with the agency.

## **AHCA**

### **Hospitals**

#### **Proposed Modification:**

Standards writing for building design and construction transfers to FBC—except where preempted by Federal authority. Standards writing for specialty standards would remain with the agency. (Split)

The base Building Code functions would be enforced by local building departments and specialty standards and building code standards for state licensure (after CO issued) would be enforced by the agency. (Split)

#### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

#### **Comments:**

Need agency – local government coordination of CO's

Need to clarify the statute with the agency



Can regulations be split?

### **Nursing Homes & Ambulatory Care**

**Proposed Modification:**

Standards writing for building design and construction transfers to FBC—except where preempted by Federal authority. Standards writing for special occupancy standards would remain with the agency. (Split)

The base Building Code functions would be enforced by local building departments and specialty standards and building code standards for state licensure (after CO issued) would be enforced by the agency. (Split)

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Assisted Living Facilities, Adult Family Homes, Adult Day Care**

The committee requested that legal review and clarify the intent of the Statute and provide definitions of these facilities before committee make any recommendations.

## **DOH**

### **Institutional Food Service**

**Proposed Modification:**

Standards development transfers to the FBC for building code and to the agency for the food code. (Split)

Enforcement functions should remain with agency for food code issues and building code installation functions would transfer to local authority. (Split)

Ongoing maintenance and licensing functions remain with the agency.

**Rationale:**

Food code functions are not building code issues but installation functions are.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

## **DACS**

### **Food Service Establishments**

**Proposed Modification:**

Standards development transfers to the FBC for building code and to the agency for the food code. (Split)

Enforcement functions should remain with agency for food code issues and building code installation functions would transfer to local authority. (Split)

Ongoing maintenance and licensing functions remain with the agency.

**Rationale:**

Food code functions are not building code issues but installation functions are.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **3. Environmental/Health Programs**

#### **DEP**

##### **Water Wells**

**Proposed Modification:**

Standards writing authority to remain with agency for the environmental and health components, and building code components should transfer to the FBC. (Split)  
Enforcement of health and environmental functions to remain with the agency and enforcement of building code functions should be transferred to local building departments. (Split)

**Rationale:**

Health and environmental issues should stay with agencies that have the expertise in those areas.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

**Comments:**

Water wells – DEP inspects the pipe. Water well association has proposed language for portion not inspected to be included in the FBC  
DOH may want to retain control of the equipment  
Determine the breakout of responsibilities  
Jointly draft new rule not addressed before

##### **AC Return Wells**

**Proposed Modification:**

Standards writing authority to remain with agency for the environmental and health components and building code components should transfer to the FBC. (Split)  
Enforcement of health and environmental functions to remain with the agency and enforcement of building code functions should be transferred to local building departments. (Split)

**Rationale:**

Health and environmental issues should stay with agencies that have the expertise in those areas.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

**Comments:**

DEP has to deal with Federal delegation. DEP does not deal with equipment above the ground.

**Well Heads**

**Proposed Modification:**

Committee recommends that well heads be removed from the Florida Building Code.

**Rationale:**

Well heads are not construction or code related.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

**Coastal Construction**

**Proposed Modification:**

Standards writing authority to remain with agency for the environmental components and building code components should transfer to the FBC. (Split)  
Enforcement of environmental functions to remain with the agency and enforcement of building code functions should be transferred to local building departments. (Split)

**Rationale:**

Locals don't have expertise to deal with the environmental and Federal requirements.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

**Comments:**

Keep wind load in FBC

DEP will develop environmental standards to be put in the FBC, e.g., setting standard elevations.

**Storage Tanks**

Note: Applies to petroleum and hazardous waste storage tanks – above and below the ground

**Proposed Modification:**

Standards writing is mostly Federal and preempts state authority.

Enforcement should be split. Agency enforces environmental and public safety issues and local building departments enforce for any building code components such as plumbing and wiring. (Split)

**Straw Poll Results:**

**6 – 0 in support of the proposed recommendation.**

**Comments:**

Federally delegated program. Tied in to clean ups contracted out to all 67 counties  
There is a concurrent DEP-local government inspection process  
Reference ground water protection provisions in the FBC  
Piping is covered in the Federal requirements

**Turtle Protection**

**Committee Recommendations:**

Include in environmental component coastal construction.

**Straw Poll Results:**

**6 – 0 in support of the proposed recommendation.**

**Comments:**

Optional – voluntary for local government  
Could be in the appendix or to apply on the coast  
Is this more of a zoning issue?  
Could zoning address outdoor light levels  
Lighting reviewed by DEP for coastal construction permits

**DOH**

**Septic Tanks**

**Modification:**

Standards development and current enforcement functions to remain with the agency.  
The Ad Hoc Committee needs to define coordination responsibilities between FBC and DOH  
for building elevation in relation to septic system location and clarify coordination issues.

**Straw Poll Results:**

**6 – 0 in support of the proposed recommendation.**

**Comments:**

Leave it with the DOH  
Need to have a way for local government to have authority to intervene  
DOH can do a citation or DOAH action  
Local government can request enforcement  
Need coordination between DOH and local building office at time of CO  
Contractors need answers up front  
Need DOH permit before local government permit and DOH CO  
Combine statutory procedures in Chapter 1 administrative chapter of FBC

## **Public Swimming Pools**

### **Committee Modification:**

Leave as HB 4181 dictates. Standards writing to FBC and enforcement to local building departments for code inspection, with the exception of health and safety related inspections remaining with the agency. (Split)

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Comments:**

Structural under FBC

Concern about local before DOH approval

Now DOH does first

## **Migrant Camps**

### **Committee Recommendations:**

Leave as is except should be reviewed for any construction code issues and these should be incorporated into the Florida Building Code.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

## **Mobile Home Parks**

### **Committee Recommendations:**

Leave as is except should be reviewed for any construction code issues and these should be incorporated into the Florida Building Code.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Comments:**

Look for conformity in DOH regulation incorporated into the FBC with plumbing code

## **Community-Based Residential Facilities**

### **Committee Recommendations:**

Leave as is except should be reviewed for any construction code issues and these should be incorporated into the Florida Building Code.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

## **Sanitation Facilities/Public Employment**

### **Committee Recommendations:**

Have legal staff review and delete reference from code.

### **Rationale:**

Obsolete and no longer used.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

## **Drinking Water Systems**

### **Committee Recommendations:**

Refer to Plumbing and Special Occupancy TACs for recommendations and report back to Ad Hoc Committee.

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

### **Comments:**

Move to FBC

Conflicts with plumbing

Public and private wells different

Put private systems under FBC

1-2 units/dwelling

Put limited public with DOH

Florida Ground Water Association is drafting language for equipment for inclusion in the plumbing code for residential

## **Control Radiation Hazards**

### **Committee Modifications:**

Put any construction related issues in the FBC for standards development and enforcement b local building departments.

Environmental, health, and safety functions should remain with the agency. (split)

### **Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

## **Water Management Districts**

### **Water Well Construction**

#### **Proposed Modification:**

Standards writing authority to remain with agency for the environmental and health components and building code components should transfer to the FBC. (Split)

Enforcement of health and environmental functions to remain with the agency and enforcement of building code functions should be transferred to local building departments. (Split)

**Rationale:**

Health and environmental issues should stay with agencies that have the expertise in those areas.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

## **4. Other State Programs**

### **DOS**

#### **Historic Buildings**

**Committee Recommendations:**

Florida Building Commission would develop and maintain standards with DOS technical support.

Enforcement remains with local building departments.

**Straw Poll Results:**

6 – 0 in support of the proposed recommendation.

**Comments:**

They have no authority now – only guidelines. Must follow if you have federal money  
May reduce standards. There is an incentive to find alternative ways to achieve performance

## **Public Comments**

Turtles are not construction issues – it is environmental

Food agencies care about health and sanitation - not construction

I am concerned about expertise of building inspectors to deal with food facilities

## **Post-It Notes**

### **WMD**

- Under regulation Chair for WMD inspection water well construction an X needs to be placed in inspection ongoing column – as district maintains responsibility for wells after construction – Lee
- Under regulation Chair for WMD inspection water well construction an X needs to be included under permit – who issues local – do wells less than 6” in 8 counties within WM – St. Johns – Lee
- P44-45 – 26 (?) districts have delegated wells less than 6” O.D. to local authorities within county who have demonstrated ability, and staff expertise to permit and enforce 373 well construction criteria – Lee
- P44 – Well head protection currently WMD are developing well head protection within WMD boundaries; WMD enforces well setbacks from possible sources of contamination during initial permitting and follow up in field inspections – Larry Lee

### **DOH**

- Septic Tanks – FBC should coordinate regulation of septic tanks on connection to the structure – Chuck Vaugh, FL Assoc Plumbing
- Swimming Pools – DOH makes no requirements on rebar or concrete strength - our requirements are for health and safety, such as # of skimmers to remove soil and debris; c the site of a chlorinator to provide sufficient cl2 to sanitize the water – Juarez
- DOH has statutory authority over limited public and private water systems. This include pumps, any treatment components and storage tanks – Briggs/DOH
- Public swimming pool plan review with DOH first – Paul Sutherland, United Pool/Spa Assoc

### **DEP**

- The regulation characteristics matrix also states in the “code regs” column that only the state agency has rule adoption responsibilities. This is not entirely correct, because the U. EPA has nation-wide rules for underground storage tanks. Some of these are more stringent than state rules and laws and federal tank rules are in the process of being revised – MT Mott-Smith, FDEP
- The regulation characteristics matrix specifies that there is a permit required for storage tanks. This is incorrect. It is not a pre-approval government permit, but a post-submittal registration process. No state permit is required for underground or above ground storage tanks



- Underground storage tanks are regulated and pre-empted by the federal government and per the specific exemption contained in 98-287 L.O.F., should be removed from the draft (informational only reference would be acceptable)
- Well regulation – plumbing code should regulate wells above the well head – Chuck Vaugh, FAPHCC

### **DACS**

- DACS needs to retain enforcement authority to force compliance with sanitation requirements that have a building code element – example – sinks
- In the agency/program matrix under DACS, please be aware that there is a statutory authority for voluntary plan review done by the state agency

### **General**

- In response to an earlier statement, some state agencies do talk to each other. The Department of Health DBPR and DOACS meet quarterly to discuss issues common to the agencies

### **DBPR**

- A certificate of operation is given to the permit holder upon passing an inspection of a newly installed elevator. This certificate is required to be posted in the elevator by most local agencies prior to issuing a CO. DBPR will initiate more effective communication with building officials
- Municipalities do not have the expertise or resources to complete the almost 220,000 inspections DBPR/H&R does each year. No ongoing inspections have been contemplated by the Building Code
- BPR/hotels and restaurants fully support the concept of the united codes, but must retain enforcement authority regarding safety and sanitation regulations. This is an operational issue rather than a construction issue

### **DCA**

- Manufactured buildings – mobile homes should be treated consistently under the FBC and should be the manufactured building model – Chuck Vaugh

### **DMV**

- Mobile Homes – placement and set up and tie down should be part of FBC – Chuck Vaugh
- Regulation and treatment of FBC should be like manufactured buildings as to siting and set up – Chuck Vaugh

# Summary of Meeting Evaluation

## Florida Building Commission State Agency Review Ad Hoc Committee

October 4, 1999  
Gainesville, Florida

### How well did the Committee achieve the meeting objectives?

	<i>Circle One</i>					<u>Avg.</u>
	<u>Good</u>			<u>Poor</u>		
• To Review State Agency Functions Relative to Standard Setting and Regulation	5	4	3	2	1	5.00
• To Review Legislative Intent and Law Requirements Relative to Agency Regulation	5	4	3	2	1	5.00
• To Review Special Occupancy/Specialty Codes	5	4	3	2	1	5.00
• TAC Recommendations on Criteria for Modifications	5	4	3	2	1	5.00
• To Review and Seek Agreement or Options for Possible Modifications to True Building Code Programs, Facility/Business Licensing Programs, Environmental Health Programs and Other State Programs;	5	4	3	2	1	5.00
• To Provide an Opportunity for Public Comments on the Proposed Modifications or Options;	5	4	3	2	1	4.75
• To Agree and Adopt an Initial Report to the Commission on State Agency Standard Setting and Enforcement Functions.	5	4	3	2	1	5.00

### Rate the following aspects of the meeting?

Clarity of the meeting purpose and plan	5	4	3	2	1	4.75
Balance of structure and flexibility	5	4	3	2	1	5.00
Group involvement and productivity	5	4	3	2	1	5.00
Facilitation	5	4	3	2	1	4.75
Facility	5	4	3	2	1	4.28

### Comments:

**What did you like best about the meeting?**

Guidance by matrix.

# **Agenda Packet**

## **State Agency Review Ad Hoc Committee**

**October 4, 1999  
Gainesville, Florida**

### **Meeting Objectives**

- To Review State Agency Functions Relative to Standard Setting and Regulation
- To Review Legislative Intent and Law Requirements Relative to Agency Regulation
- To Review Special Occupancy/Specialty Codes TAC Recommendations on Criteria for Proposed Modification
- To Review and Seek Agreement or Options for Possible Modifications to True Building Code Programs, Facility/Business Licensing Programs, Environmental Health Programs and Other State Programs
- To Provide an Opportunity for Public Comments on the Proposed Modifications or Options
- To Agree and Adopt an Initial Report to the Commission on State Agency Standard Setting and Enforcement Functions.

### **Agenda**

- 9:00 Welcome and Introductions**
- 9:05 Review and Adopt Agenda, Meeting Process, Groundrules, and Roles**
- 9:15 Review Commission Decision Making Process Timeline Flowchart**
- 9:20 Overview of Matrix of Current Agencies' Regulation Functions/Authority Relative to Standards Setting and Enforcement**
- 9:30 Overview and Orientation of State Agency Analysis Packet**
- 9:40 Overview of Legislative Intent and Law Requirements**
- 10:00 Review Special Occupancy/Specialty Codes TAC Recommendations**
- 10:15 Break**
- 10:30 True Building Code Programs**  
Review and Propose Modifications to Current Agency Authority for Maintenance of Standards and Enforcement Using Matrix  
Identify Rationale and Agreement on Modifications  
Seek Options to Present to Commission Where Committee cannot Agree  
Rank Options to Reflect Level of Committee Support  
Identify any Additional Information Needed from any Agency for Further Consideration
- 12:45 Working Lunch**
- 1:00 Facility/Business Licensing Programs**  
Review and Propose Modifications to Current Agency Authority for Maintenance of Standards and Enforcement Using Matrix

- Identify Rationale and Agreement on Modifications
  - Seek Options to Present to Commission Where Committee cannot Agree
  - Rank Options to Reflect Level of Committee Support
  - Identify any Additional Information Needed from any Agency for Further Consideration
- 2:15 Environmental/Health Programs**
- Review and Propose Modifications to Current Agency Authority for Maintenance of Standards and Enforcement Using Matrix
  - Identify Rationale and Agreement on Modifications
  - Seek Options to Present to Commission Where Committee cannot Agree
  - Rank Options to Reflect Level of Committee Support
  - Identify any Additional Information Needed from any Agency for Further Consideration
- 3:00 Other State Programs**
- Review and Propose Modifications to Current Agency Authority for Maintenance of Standards and Enforcement Using Matrix
  - Identify Rationale and Agreement on Modifications
  - Seek Options to Present to Commission Where Committee cannot Agree
  - Rank Options to Reflect Level of Committee Support
  - Identify any Additional Information Needed from any Agency for Further Consideration
- 3:30 Break**
- 3:45 Public Comment on Proposed Modifications/Variations**
- 4:15 Review and Refine Recommendations and Options to Include in a Report to the Commission**
- 4:50 Summary and Drafting Assignments**
- 5:00 Adjourn**

# PROPOSED GROUNDRULES State Agency Review Ad Hoc Committee

October 4, 1999

- 1. Decision Rule.** Committee members will use the Commission consensus decision rule requiring 75% support for recommendations to be presented back to the Commission in October. (requiring 4 of 5 or 5 of 6 members to agree on an option to make a committee decision).
- 2. Committee Charge.** Committee members are charged by the Chair to develop consensus on recommendations for presentation to the Commission for consideration in October.
- 3. Committee Members and Advisors.** Committee members, including the Commission Vice Chair, will be the only participants at the table. The Chair, at his discretion, may permit an observer to provide information to the Committee and any member may request a caucus to consult with them prior to a Committee decision.
- 4. Problem Solving.** Members should acknowledge different views and perspectives and avoid stereotyping and personal attacks.
- 5. Observers.** Observers are welcome to speak during the public comment session and provide input through written comments on post-its during the course of the meeting.
- 6. Facilitation.** Facilitators will assist the Chair and members by facilitating an efficient consensus process to adopt recommendations for presentation to the full Commission in October. Facilitators may suggest use of consensus techniques such as ranking to achieve consensus on the option.

# Florida Building Commission's Milestones

(October, 1999)

- July, 1996** Governor Chiles establishes the Florida Building Codes Study Commission.
- May, 1998** The Florida Legislature passes and Governor signs HB 4181.
- July, 1998** The Florida Building Commission is formed.
- September, 1998** The Commission reaches consensus on criteria for potential modifications to base codes.
- October, 1998** The Commission selects the 1997 Standard Building Code as the base code (including the Standard Plumbing Code, Standard Mechanical Code, Standard Gas Code, the 1996 National Electrical Code (NFPA 70), and the 1996 National Fire Alarm Code (NFPA 72). The Commission agrees on guidelines for representation on the TAC/TGs.
- November, 1998** The Commission appoints nine Technical Advisory Committees (TACs) and two Task Groups (TG) to refine the Base Code into an approved draft for public dissemination.
- January, 1999** Commission selects the 1999 National Electrical Code as the base Electrical Code and the National Alarm Code as the base Alarm Code.
- Commission selects 1998 Florida Energy Efficiency Code for Building Construction.
- The first Public Input Forum held in Orlando.
- February, 1999** Commission replaces the 1997 Standard Mechanical Code with the 1998 International Mechanical Code as the base Mechanical Code.
- Commission replaces the 1997 Standard Gas Code with the International Fuel Gas Code as the base Gas Code.
- April, 1999** In April of 1999 the Commission authorizes the printing and dissemination of the TAC/TG recommendations on a working draft of the Florida Building Code and approves eight Public Input Forums to be held around the state in order to solicit public comment on the committee's recommendations.

- May, 1999** Commission sponsors 8 public input forums in Ft. Lauderdale, Melbourne, Jacksonville, Tallahassee, Orlando, Naples, Tampa and Pensacola and schedules an additional public hearing in Miami/Kendall on June 9. Commission agrees on workplan and decision making process for TACs/TG and Commission.
- June, 1999** Commission begins review of South Florida code integration issues beginning with wind load design options and holds additional Draft I public hearings in Miami and Pensacola. New Chair appointed by Governor.
- July, 1999** Commission approves five facilitated public hearings on draft II of the FBC. Commission ranks windload design options and reviews code enforcement issues. Chair assigns a drafting group to address the South Florida code integration issues of wind load design, roofing, and code enforcement. Commission reviews and adopts workplan from July through February of 2000 and approves a 51% quorum rule for the TAC/TGs. Drafting Committee on South Florida code integration issues meets and agrees on a consensus option to present to the Commission in August.
- August, 1999** Commission unanimously adopts draft II of the Florida Building Code including windload design, roofing, and code enforcement provisions for addressing the unique concerns of South Florida. Commission unanimously adopts additional criteria and process for considering proposed modifications to Draft II. Commission moves to file rule adopting the 1999 Edition of the National Electric Code.
- September, 1999** Commission approves consent responses to written comment on Draft I of the FBC. Commission unanimously adopts Education TG proposal for conceptual design for Building Code Training Program. State Agency Review Ad Hoc Committee appointed to present recommendations to Commission on State agency standards development and enforcement authority.