

STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of

Florida Roofing Sheet Metal & Air
Conditioning Contractors Association, Inc.

Case #: DCA09-DEC-045

Petitioner.

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DECLARATORY STATEMENT

The foregoing proceeding came before the Florida Building Commission (the Commission) by a Petition from Brad Weatherholtz, the Director of Technical Services for the Florida Roofing Sheet Metal & Air Conditioning Contractors Association, Inc., which was received on February 11, 2009. Based on the statements in the petition, the material subsequently submitted and the subsequent request by the Petitioner, it is hereby ORDERED:

Findings of Fact

1. The petition is filed pursuant to, and must conform to the requirements of Rule 28-105.002, Florida Administrative Code.
2. The Petitioner is an association comprised, in large part, of Florida licensed, roofing contractors.
3. One of the purposes fulfilled by the Petitioner is to represent its members before the Commission and obtain interpretations of the Building Code on behalf of its members in the form of Declaratory Statements by the Commission.
4. One of the Petitioner's members has been requested to provide an estimate to replace a roof on a single-family dwelling that is located within the wind borne debris region of the state. The dwelling and has an insured value of over \$300,000 and its roof

has both gable and hip roof areas. The cost to retrofit the roof-to-wall connections at the corners of the roof and its hip and gable areas will exceed 15% of the re-roof cost but all the gables or all the hip corners can be completed at a cost of less than 15% of the reroof cost.

5. The Petitioner requests a clarification of the requirements of Section 611.8, Florida Building Code, Existing Buildings Volume (2007), and specifically:

(a) Whether a home requiring roof to wall improvements as per 611.8, with both gable and hip configurations, and a confirmed cost to improve both gable ends and hip corners that would exceed 15% of the re-roof cost be required to improve only the portion that would apply as per 611.8.1.7;

(b) Whether section 611.8.1, exception 2 supersedes section 611.8(b) and voids 611.8.1.7 when a home has both gable ends and hip corners that require improvements; and

(c) Whether a home that has both gable and hips, and as per section 611.8.1.7, and the gables are priority (or vice-versa) and can be improved with in budget of 15% of the re-roof cost, but all of the hip corners cannot be improved with in the same budget (15% of the reroof cost) do any of the hip corners still need to be improved?

Conclusions of Law

1. The Florida Building Commission has the specific statutory authority to interpret the provisions of the Florida Building Code by entering a declaratory statement.

2. Section 611.8, Florida Building Code, Existing Building Volume (2007as amended 3/1/09), provides:

When a roof covering on an existing site-built-single-family residential structure is removed and replaced on a

building that is located in the wind-borne debris region as defined in the Florida Building Code, Building and that has an insured value of \$300,000 or more or, if the building is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$300,000 or more:

(a) Roof to wall connections shall be improved as required by Section 611.8.1.

(b) Mandated retrofits of the roof-to-wall connection shall not be required beyond a 15 percent increase in the cost of re-roofing.

3. Section 611.8.1, Florida Building Code, Existing Building Volume (2007 as amended 3/1/09), requires:

Where required by Section 611.8, the intersection of roof framing with the wall below shall provide sufficient resistance to meet the uplift loads specified in Table 611.8.1 either because of existing conditions or through retrofit measures. As an alternative to an engineered design, the prescriptive retrofit solutions provided in Sections 611.8.1.1 through 611.8.1.76 shall be accepted as meeting the mandated roof-to-wall retrofit requirements.

Exceptions:

1. Where it can be demonstrated (by code adoption date documentation and permit issuance date) that roof-to-wall connections and/or roof-to-foundation continuous load path requirements were required at the time of original construction.

2. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15% of the cost of roof replacement.

4. Section 611.8.1.7, Florida Building Code, Existing Building Volume (2007 as amended 3/1/09), specifies that:

Priority shall be given to connecting the exterior corners of roofs to walls where the spans of the roofing members are greatest. For houses with both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections unless the width of the hip end is more than 1.5 times greater than the width of the gable end.

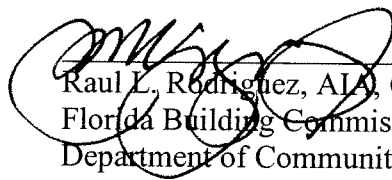
5. The response to the Petitioners first question is that, yes, improvement of the gables **or** hip corners is explicitly required by the Code.

6. The answer to the Petitioner's second question is that, no, one element of the relevant section of the Code does not void or supersede others, all apply to the circumstances identified.

7. Lastly, if fifteen percent of the cost to reroof the home is sufficient to complete all of the prioritized element (gables for example) pursuant to Section 611.8.1.7 but insufficient to complete all of the other element (hip corners), then no partial of complete retrofit of the non-prioritized element is required.

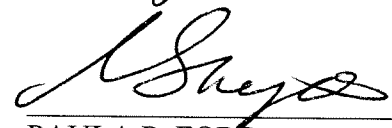
Petitioner and all other interested parties are hereby advised of their right to seek judicial review of this Order in accordance with Section 120.68(2)(a), Florida Statutes, and with Fla. R. App. 9.030(b)(1)(C) and 9.110(a). To initiate an appeal, a Notice of Appeal must be filed with Paula P. Ford, Clerk of the Commission, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and with the appropriate District Court of Appeal no later than thirty days after this Order is filed with the Clerk of the Commission. A Notice of Appeal filed with the District Court of Appeal shall be accompanied by the filing fee specified by section 35.22(3), Florida Statutes.

DONE AND ORDERED this 9th of July, 2009, in Coral Gables,
Miami-Dade County, State of Florida.


Raul L. Rodriguez, AIA, Chair
Florida Building Commission
Department of Community Affairs
Sadowski Building
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to the
following by the method indicated on this 13 day of July, 2009.


PAULA P. FORD
Commission Clerk

Via U.S. Mail

Brad Weatherholtz
Director of Technical Services
Florida Roofing Sheet Metal & Air
Conditioning Contractors Association, Inc.
Post Office Box 4850
Winter Park, Florida 32793

Via Hand Delivery

Mo Madani, C.B.O. Manager
Codes and Standards Section
Department of Community Affairs
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