

**Code Changes to the 2001 Florida Building Code  
Filed November 2001**

Chapter 1, Administration:

Section 101.4.2, Building, is amended to read as follows:

The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in Chapter 34 of this code. ~~However, this section does not apply to manufactured or mobile homes as defined by Florida law.~~ The following buildings, structures, and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the Legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the Federal Government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile homes used as temporary offices, except that the provisions of part V (ss. 553.501-553.513, FS) relating to accessibility by persons with disabilities shall apply to such mobile homes.
- (f) Those structures or facilities of electric utilities, as defined in s. 366.02, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.

Section 104.1.5, Information required, is amended to read as follows:

Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner, or his authorized agent. The building permit

application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information as may be required by the building official. Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of s. 713.135(6) & (7) Florida Statutes. Each application shall be inscribed with the date of application, and the code in effect as of that date. ~~The code in effect on the date of application shall govern the project.~~ For a building permit for which an application is submitted prior to the effective date of the Florida Building Code, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

Section 104.5.4 Work starting before permit issuance is added to read as follows:

Upon approval of the building official, the scope of work delineated in the building permit application and plans may be started prior to the final approval and issuance of the permit provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

Section 104.6.2 Work commencing before permit issuance is amended to read:

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees.

Section 105.6, Required inspection, Subparagraph Building(6) is amended to read as follows:

Swimming pool inspection:

1. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete.
2. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.
3. In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 424.2.17.

Chapter 4, Special Occupancy:

Section 401 is amended to read as follows:

**SECTION 401  
GENERAL**

**401.1 Scope.** Provisions of this chapter shall govern the design of buildings for specific occupancies as well as special occupancy types.

**401.2 Additional Design Criteria.**

**401.2.1 Scope.** In addition to the provisions of this chapter, the following special occupancies, standards, requirements and codes shall conform to the following sections.

- Section 419: Hospitals and Intermediate Residential Treatment Facilities
- Section 420: Nursing Homes
- Section 421: Ambulatory Surgical Centers
- Section 422: Birthing Centers
- Section 423: Public Education Occupancy
- Section 424: Swimming Pools and Bathing Places
- Section 425: Public Lodging Establishments
- Section 426: Public Food Service Establishments
- Section 427: Mental Health Programs ~~Crisis Stabilization Units~~
- Section 428: Manufactured Buildings
- Section 429: Boot Camps for Children
- Section 430: Mausoleums and Columbariums
- Section 431: Transient Public Lodging Establishments
- Section 432: Use of Asbestos in New Public Buildings or Buildings Newly Constructed for Lease to Government Entities—Prohibition
- Section 433: Adult Day Care
- Section 434: Assisted Living Facilities
- Section 435: Control of Radiation Hazards
- Chapter 30: Elevators and Conveying Systems
- Section 3107: Structures Seaward of a Coastal Construction Control Line
- Section 3109: Flood Resistant Construction
- Section 3401.5: Special Historic Buildings

**401.2.2 General.** Where in any specific case, 419 through 432~~5~~ specify different materials, methods of construction, design criteria or other requirements than found in this code, the requirements of 419 through 432~~5~~ shall be applicable.

**401.2.3 Reference Standards.** Further information concerning the requirements for licensing, maintenance, equipment or other items not related to design and construction may be obtained for all state codes, rules and standards from the State of Florida Bureau of Administrative Codes.

Section 412, title, is amended to read as follows:

SECTION 412  
~~SPECIAL PROVISIONS FOR GROUP B AND GROUP R HIGH RISE BUILDINGS~~

Section 419 is amended to read as follows:

**SECTION 419  
HOSPITALS AND INTERMEDIATE RESIDENTIAL TREATMENT FACILITIES**

#### **419.1 Scope**

**419.1.1** ~~All~~ hospitals shall comply with the following design and construction standards as described here in Chapter 59A-3 Florida Administrative Code. Enforcement and interpretation of these provisions shall be by the entities ~~state agency~~ authorized by Chapter 553.8073(12) F.S.

Note: Other administrative and programmatic provisions may apply. See Agency of Health Care Administration [AHCA] Rule 59A-3, Florida Administrative Code and Chapter 395, Florida Statutes.

#### **419.2 59A-3.079 Codes and Standards to Be Used for Construction of Hospitals.**

**419.2.1** All construction of new hospitals and all construction of additions, alterations, refurbishing, renovations to and reconstruction of existing hospitals shall be in compliance with the following codes and standards:

- (a) ~~The building codes described in Rule 9B-3.047, Florida Administrative Code;~~
- 1** (b) The fire codes described in Chapter 4A-53, Florida Administrative Code;
- (c) ~~The handicap accessibility standards in Chapter 553, Part V, Florida Statutes;~~
- (d) ~~Facilities must comply with the requirements of the federal Americans with Disabilities Act;~~
- (e) ~~The following National Fire Codes of the National Fire Protection Association (NFPA):~~
  - 1. ~~Chapter 37, Installation and Use of Stationary Combustion Engines and Gas Turbines (1990 edition);~~
  - 2. ~~Chapter 50, Bulk Oxygen Systems at Consumer Sites (1990 edition);~~
  - 3. ~~Chapter 70B, Electrical Equipment Maintenance (1990 edition);~~
  - 4. ~~Chapter 70E, Electrical Safety Requirements for Employee Workplaces (1988 edition);~~
  - 5. ~~Chapter 77, Static Electricity (1988 edition);~~
  - 6. ~~Chapter 78, Lightning Protection Code (1989 edition);~~
  - 7. ~~Chapter 99B, Hypobaric Facilities (1990 edition);~~
  - 8. ~~Chapter 110A, Stored Electrical Energy Emergency and Standby Power Systems (1989 edition);~~
  - 9. ~~Chapter 170, Fire Safety Symbols (1991 edition);~~
  - 10. ~~Chapter 262, Method of Test for Fire and Smoke Characteristics of Electrical Wires (1990 edition);~~
  - 11. ~~Chapter 321, Basic Classification of Flammable and Combustible Liquids (1987 edition);~~
  - 12. ~~Chapter 497M, Classification of Gases, Vapors and Ducts for Electrical Equipment in Hazardous (Classified) Locations (1991 edition);~~
  - 13. ~~Chapter 600, Private Fire Brigades (1986 edition);~~
  - 14. ~~Chapter 801, Facilities Handling Radioactive Materials (1991 edition);~~
  - 15. ~~Chapter 850, Fossil Fueled Steam and Combustion Turbine Electric Generating Plants (1990 edition);~~
- 2** (f) Fire, Smoke and Radiation Damper Installation Guide for HVAC Systems (198695), Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA).

**419.2.2** ~~(2)~~ No building shall be converted to hospital use unless it complies with the standards and codes set forth herein. ~~and with the physical plant standards set forth in Rule 59A-3.081, Florida Administrative Code, Physical Plant Requirements.~~

**419.2.3** ~~(3)~~ Buildings acquired or constructed for purposes of outpatient treatment or diagnosis and which are to be included under the hospital license, whether on the premises or off, shall comply with the applicable portions of this rule section. This requirement includes modular and prefabricated buildings. ~~The outpatient portion of these facilities will be reviewed as business occupancy, and outpatient surgery areas will be reviewed as ambulatory health care occupancy.~~

- (4) ~~Local codes which set more stringent standards or add additional requirements shall take precedence over these standards and requirements as set forth in this section. Contact the Office of Plans and Construction when conflicts occur.~~

**419.2.4** ~~(5)~~ The Fire Safety Evaluation System as described in NFPA-101M A shall not be used as design criteria for new construction. ~~The requirements of this rule are the minimum requirements.~~

~~Specific 395.005 FS.~~

~~Law Implemented 395.001, 395.005 FS.~~

~~History—New 1-7-77, Formerly 10D-28.79, Amended 1-16-87, 11-23-88, Formerly 10D-28.079, Amended 9-3-92.~~

#### **419.3 59A-3.080 Plans Submission and Fee Requirements.**

**419.3.1** No construction work, including demolition, shall be started until prior written approval has been given by the Office of Plans and Construction, Agency for Health Care Administration. This includes all construction of new facilities and any and all additions, modifications or renovations to existing facilities. When demolition is necessary, demolition and egress plans shall be submitted to the Office of Plans and Construction for prior written approval. Upon approval, demolition is permitted prior to construction document submission.

**419.3.2** Construction shall begin within one year following the date of written approval of the construction documents by the Office of Plans and Construction; otherwise, ~~reapproval of the construction documents shall be resubmitted to the Office of Plans and Construction for approval.~~ ~~obtained.~~ A new plan review fee shall be submitted with the resubmission.

**419.3.3** When construction is required, either for new buildings or additions, alterations or renovations to existing buildings, the plans and specifications shall be prepared and submitted to the Office of Plans and Construction for approval by a Florida-registered architect and a Florida-registered professional engineer.

**419.3.4** Major alterations and renovations requiring conformance with the physical plant standards for new hospitals are defined to constitute those elements affecting the structural integrity of the building, fire safety, any substantial change in the functional operation, or a change in the number of beds.

**419.3.4.1** (a) Where modernization or replacement construction is done within an existing facility, all new work, additions or both shall comply with applicable sections of the codes. Where major structural elements make total compliance impractical or impossible, the licensee or potential licensee shall submit a request for a waiver to the Office of Plans and Construction.

1. In modernization projects and those projects which are making additions to existing facilities, only that portion of the total facility affected by the project shall comply with applicable sections of the codes covering new health care occupancies.
2. Existing portions of the facility which are not included in the modernization or renovation but are essential to the functioning of the complete facility, as well as existing areas which receive less than substantial amounts of new work, shall comply with ~~the section of NFPA-101~~ Chapter 4A-53, Florida Administrative Code for existing health care occupancies.

**419.3.4.2** (b) When a building is converted from one type occupancy to another, it shall comply with the new occupancy requirements of this Code ~~the life safety and building codes~~. For the purpose of life safety, conversion from a hospital to a nursing home or vice versa is not considered a change in occupancy.

**419.3.4.3** (c) When parts of an existing facility which are essential to the continued overall operation of the facility cannot comply with current standards, the licensee or potential licensee may submit a request for a temporary or permanent waiver to the Office of Plans and Construction.

~~(d) Modernization, alterations or both, including new additions, shall not diminish the safety level which existed prior to the start of the construction. It is not required that safety be retained which is in excess of that required for new facilities.~~

**419.3.4.4** (e) Nothing in these standards shall be construed as restrictive to a facility which chooses to do work or alterations as part of a long-range, phased safety improvement plan. All hazards to life and safety and all areas of noncompliance with applicable codes and regulations are to be corrected in accordance with a plan of correction approved in advance by the Office of Plans and Construction.

**419.3.4.5** (f) An ambulatory surgical center or a birth center may not be constructed or operated on the same premises as a hospital. A facility or building used for medical care, including a medical office building which is owned and operated by the licensee of a hospital, may be fully integrated with the hospital physical plant. If a fully integrated facility or building in operation or under construction on the effective date of this Code rule is subsequently transferred, the hospital licensee shall be solely responsible for either physical separation or assuring full compliance with this C ~~all life safety codes~~. Any other facility or building used for medical care, including a medical office building, must be physically separated from the hospital and have clear, visible and readable signs denoting its separateness from the hospital. Physically separate means, at a minimum, separation by fire walls and distinct mechanical and electrical systems. ~~This provision will not be applicable to any facility or building used for medical care, including an ambulatory surgical center, a birth center or a medical office building which is in operation or has received preliminary plan approval prior to the effective date of this Code rule.~~

**419.3.5** The initial submission of plans to the Office of Plans and Construction for any new project shall include a completed Plan Review Application Form ~~AHCA ACHA~~ FORM 3500-0011 NOV 96, incorporated by reference, and a valid Certificate of Need or written confirmation from the Agency's Certificate of Need/Budget Review Office that the proposed construction is either exempt from Certificate of Need or that it is not subject to Certificate of Need. This information shall accompany the initial submission, and approval will not be granted for any project without Certificate of Need verification. Plan Review Applications, incorporated by reference, are available from the Office of Plans and Construction.

**419.3.6** Plans and specifications submitted for review shall be subject to a plan review fee. This fee is prescribed by section 395.0163, F.S., and is as follows:

- (a) ~~The amount of the plan review fee for the portion of the review through the first revised construction document review shall not exceed 1 percent of the total estimated cost of the construction project. A cost estimate of the proposed construction shall be submitted by the Florida-registered architect or Florida-registered engineer who is the primary design professional for the project.~~
- (b) ~~An initial fee payment is due with the first submission of plans and specifications to the agency. This initial payment shall be 1 percent of the estimated construction cost or \$10,000, whichever is less, but shall in no case be less than \$2,000.00. A \$2,000.00 portion of the initial fee payment is non-refundable.~~
- (c) ~~The agency shall also collect its actual cost on all subsequent portions of the plan reviews and construction inspections.~~
- (d) ~~All fees shall be paid by check made payable to the Treasurer, State of Florida, with the check noted and identified that it is for the agency's Plans and Review Trust Fund. Fees will be accepted only from the licensee or prospective licensee.~~

**419.3.7 Plans and specifications**

Plans and specifications shall be submitted in three stages.

- (a) Stage I, schematic plans.
- (b) Stage II, preliminary plans, design development drawings.
- (c) Stage III, construction documents, including addenda and change orders.

**419.3.7.1.1 Stage I, Schematic Plans.**

- (a) At a minimum, the schematic plans shall include the following.
  1. Single-line drawings of each floor shall show the relationship of the various activities or services to each other and the room arrangement in each. The function of each room or space shall be noted in or near the room or space. The proposed roads and walkways, service and entrance courts, parking, and orientation shall be shown on either a small plot plan or on the first floor plan. Provide a simple cross-section diagram showing the anticipated construction. Provide a schematic life safety plan showing smoke and fire compartments, exits, exit passageways and gross areas of smoke and fire compartments. Provide information as to which areas are sprinklered, both new and existing.
  2. If the proposed construction is an addition or is otherwise related to existing buildings on the site, the schematic plans shall show the facilities and general arrangement of those buildings.
  3. Provide a list of the services to be provided in the proposed construction.
  4. Provide a schedule showing the total number of beds, types of bedrooms and types of ancillary spaces.

**419.3.7.2 Stage II, Preliminary Plans.**

- (a) At a minimum, the preliminary plans shall include the following.
  - 419.3.7.2.1.** Site Development Plans. Show existing grades and proposed improvements as required by the schematic submission. Provide building locating dimensions.
  - 419.3.7.2.2.** For new hospital construction, provide a vicinity map showing the major local highway intersections.
  - 419.3.7.2.3.** Architectural Plans.
    - 419.3.7.2.3.1** a. Provide floor plans, 1/8-inch scale minimum, showing door swings, windows, case work and mill work, fixed equipment and plumbing fixtures. Indicate the function of each space.
    - 419.3.7.2.3.2** b. Provide a large-scale plan of typical new bedrooms with a tabulation of gross and net square footage of each bedroom. Tabulate the size of the bedroom window glass.

**419.3.7.2.3.3e.** Provide typical large-scale wall interior and exterior sections and the exterior building elevations.

**419.3.7.2.3.4d.** Equipment which is not included in the construction contract but which requires mechanical or electrical service connections or construction modifications shall be identified to assure its coordination with the architectural, mechanical and electrical phases of construction.

**419.3.7.2.4.** Life Safety Plans.

**419.3.7.2.4.1.a:** Provide single-sheet floor plans showing fire and smoke compartmentation, all means of egress and all exit signs. Additionally, dimension the compartments, and calculate and tabulate exit units.

**419.3.7.2.4.2.b:** Show all sprinklered areas, fire extinguishers, fire alarm devices and pull station locations.

**419.3.7.2.4.3.c:** If the project is an addition, alteration or conversion of an existing building, fully developed life safety plans shall be submitted.

**419.3.7.2.5.** Mechanical Engineering Plans.

**419.3.7.2.5.1.a:** Provide a one-line diagram of the ventilating system with relative pressures of each space. Provide a written description and drawings of the anticipated smoke control system, passive or active, and a sequence of operation correlated with the life safety plans.

**419.3.7.2.5.2.b:** Provide the general location of all fire and smoke dampers, all duct smoke detectors and firestats.

**419.3.7.2.5.3.c:** If the building is sprinklered, provide the location of the sprinkler system risers and the point of connection for the fire sprinkler system. State the method of design for the existing and new fire sprinkler systems.

**419.3.7.2.5.4.d:** Provide the locations of all plumbing fixtures and other items of equipment requiring plumbing services and/or gas services.

**419.3.7.2.5.5.e:** Provide the locations of any fume, radiological or chemical hoods.

**419.3.7.2.5.6.f:** Provide the locations of all medical gas outlets.

**419.3.7.2.5.7.g:** Provide the locations and relative size of major items of mechanical equipment such as chillers, air handling units, fire pumps, medical gas storage, boilers, vacuum pumps, air compressors and fuel storage vessels.

**419.3.7.2.5.8.h:** Provide the locations of hazardous areas and the volume of products to be contained therein.

**419.3.7.2.6.** Electrical Engineering Drawings.

**419.3.7.2.6.1.a:** Provide a one-line diagram of normal and essential electrical power systems showing service transformers and entrances, switchboards, transfer switches, distribution feeders and over-current devices, panel boards and stepdown transformers. The diagram shall include a preliminary listing and description of new and existing, normal and emergency block loads, preliminary estimates of available short-circuit current at all new equipment and existing equipment serving any new equipment, short-circuit and withstand ratings of existing equipment serving new loads and any new or revised grounding requirements.

**419.3.7.2.6.2.b:** Show fire alarm zones and correlate with the life safety plan.

**419.3.7.2.7.** Outline Specifications. Outline specifications are to include a general description of the construction, including construction classification and ratings of components, interior finishes, general types and locations of acoustical material, floor coverings, electrical equipment, ventilating equipment and plumbing fixtures.

**419.3.7.2.8.** Whenever an existing building is to be converted to a health care facility, the general layout of spaces of the existing structure shall be submitted with the preliminary plans for the proposed facility.

**419.3.7.2.9.** Whenever an addition, alteration, renovation or remodeling to an existing facility is proposed, the general layout of spaces of the existing facility shall be submitted with the preliminary plans.

### **419.3.7.3. Stage III, Construction Documents.**

At a minimum, the construction document shall provide for the following:

**419.3.7.3.1.** (a) The Stage III, construction documents shall be an extension of the Stage II, preliminary plan submission and shall provide a complete description of the contemplated construction. Construction documents shall be signed, sealed and dated and submitted for written approval to the Office of Plans and Construction by a Florida-registered architect and Florida-registered professional engineer. These documents shall consist of work related to civil, structural, mechanical and electrical engineering, fire protection, lightning protection, landscape architecture and all architectural work. A life safety plan shall be included. Provide typical large-scale details of all major interior and exterior walls and smoke walls, horizontal exits and exit passageways.

**419.3.7.3.2.** (b) Structural engineering drawings shall include all plans, schedules and details.

**419.3.7.3.3.** (c) Mechanical engineering drawings shall be complete and shall include fire protection working plans for sprinklered buildings and fire and smoke control plans. Mechanical engineering drawings shall depict completely the systems to be utilized, whether new or existing, from the point of system origination to its termination.

**419.3.7.3.4.** (d) Fire protection drawings, where applicable, shall include the existing system as necessary to define the new work. Systems designed using the pipe schedule method shall not be connected to systems designed by hydraulic methodology.

**419.3.7.3.5.** (e) Electrical engineering drawings shall describe complete power, lighting, alarm, communications and lightning protection systems and power system study. Provide specifications for the complete description of the aforementioned disciplines. All construction documents shall be well coordinated. It is specifically required that in the case of additions to existing institutions, the mechanical and electrical, especially existing essential electrical systems and all other pertinent conditions shall be a part of this submission.

**419.3.7.3.6.** (f) The power study shall include a fault study complete with calculations to demonstrate that over-current devices, transfer switches, switchboards, panel boards, motor controls, transformers and feeders are adequately sized to safely withstand available phase-to-phase and phase-to-ground faults. The study shall also include an analysis of generator performance under fault conditions and a coordination study resulting in the tabulation of settings for all over-current device adjustable trips, time delays, relays and ground fault coordination. This must be provided for all new equipment and existing equipment serving any new equipment. Power studies for renovations of existing distribution systems shall include only new equipment and existing equipment upstream to the normal and emergency sources of the new equipment. Renovations involving only branch circuit panel boards without modifications to the feeder shall not require a full power study; instead, the power study shall be limited to the calculation of new and existing loads of the branch circuit panel.

**419.3.7.3.7.** (g) All subsequent addenda, change orders, field orders and other documents altering the above must also be signed, sealed and dated and submitted in advance to the Office of Plans and Construction for written approval.

**419.3.7.3.8.** (h) The construction documents shall contain comprehensive ceiling plans which show all utilities, lighting fixtures, smoke detectors, ventilation devices, sprinkler head locations and fire-rated ceiling suspension member locations where applicable.

**419.3.7.3.9.** (i) Floor/ceiling and roof/ceiling assembly descriptions shall be shown on all construction documents.

**419.3.7.3.10.** (j) Details and other instructions to the contractor shall be provided on the construction documents showing the techniques to be used to seal floor construction holes to the extent necessary to prevent smoke migration from floor to floor during a fire.

**419.3.7.3.11.** (k) ~~Stage III, construction document submissions will be acted upon by the agency within 60 days of the receipt of properly executed construction documents, and the initial payment of the plan review fee. Within this time frame, the department will either approve or disapprove the construction documents and shall provide a listing of deficiencies. Each subsequent resubmission of documents for review on the project will initiate another 60-day response period. The cost of additional reviews by the department will be applied against the plan review fee.~~

#### **419.3.8 Record Drawings.**

(a) Within 90 days after occupancy of the building or a project involving a portion thereof, the licensee and the Office of Plans and Construction shall be provided with a complete set of legible drawings showing



construction, fixed equipment and the mechanical and electrical systems as installed. These drawings shall include the life safety plans.

Specific 395.1055 FS:

Law Implemented 395.0163, 395.1055 FS:

History—New 1-1-77, Amended 4-26-78, Formerly 10D-28.80, Amended 1-16-87, 11-23-88, Formerly 10D-28.080, Amended 9-3-92, 6-29-97.

#### **419.4 ~~59A-3.081~~ Physical Plant Requirements for General, Rehabilitation, and Psychiatric Hospitals.**

**419.4.1** (†) The following minimum standards of construction and specified minimum essential facilities to be included in hospitals shall apply to all new hospital construction, and all additions, alterations or renovations to an existing hospital ~~on the effective date of these rules. Construction work in process on the effective date~~ (specific date) of these rules shall conform to the requirements in effect on the date the Stage II preliminary plans were approved.

##### **419.4.2 Site Work.**

(a) The site shall be well drained, and all roads and parking areas shall be paved. The design of the road system shall provide access to all entrances, including docks for loading and unloading delivery trucks. Hospitals having an organized emergency services department shall have emergency access that is well marked to facilitate entry from the public roads or streets serving the site. Access to the emergency entrance shall not conflict with other vehicular or pedestrian traffic. Paved sidewalks shall be provided for pedestrian traffic. Parking and ease-of-entry considerations for persons with disability ~~the handicapped~~ shall be required at all entrances designated for visitors and employees. Accessible parking shall comply with Chapter 11 of the Code.

**419.4.3** The following requirements shall apply to the medical, surgical and postpartum nursing care units. The requirements for other special care areas, recovery rooms, intensive care rooms, critical care units and pediatric units can be found under descriptions of those units.

##### **419.4.3.1** (a) Patient Rooms.

**419.4.3.1.1.** Private and multi-bed rooms shall be provided to meet the needs of patients in the hospital.

The maximum room capacity shall be four patients. The minimum room areas, exclusive of toilet rooms, closets, lockers, wardrobes, vestibules and door swing areas shall be 100 square feet per patient in single-bed rooms and 80 square feet per patient in multi-bed rooms. In multi-bed rooms, a minimum clearance of 3 feet 8 inches shall be available at the foot of each bed to permit the passage of equipment and beds. A minimum clearance of 3 feet shall be provided between beds and between the bed and the side wall. For planning purposes, a full-size bed is assumed to be 3 feet 6 inches by 7 feet 0 inches.

**419.4.3.1.2.** In multi-bed rooms, visual privacy shall be provided for each patient by the installation of flame retardant cubicle curtains or the equivalent built-in devices. The design for privacy shall not restrict patient access to the entrance, lavatory, toilet, wardrobe or closet, nor shall it block the spray from fire sprinklers. To prevent interference with fire sprinkler spray patterns, cubicle curtains shall be provided with one half ½ inch square mesh at the top or the curtain shall be suspended on bead chains. See NFPA-13 for open area requirements.

**419.4.3.1.3.** A lavatory complete with mixing faucet shall be provided in each patient room or patient room toilet, each patient room without an exclusive toilet room, and in patient bedrooms containing three or more beds. Postpartum bedrooms must have a lavatory in each bedroom.

**419.4.3.1.4.** Each patient shall have within the room a separate locker or closet suitable for hanging full-length garments and for storing personal effects.

**419.4.3.1.5.** Each patient bedroom shall have direct access to a toilet room without going through the general corridor. One toilet facility shall serve no more than four beds.

**419.4.3.1.6.** If an isolation room is provided, it shall be equipped with a connecting toilet and bathing facility. A mask and glove station and a hand washing facility shall be provided in the anteroom or directly outside of the isolation room in an alcove if an anteroom is not provided.

**419.4.3.2.** (b) Service Areas. Each nursing care unit shall contain the following service areas.

- 419.4.3.2.** 1. There shall be a nurse station for charting by the nurses and doctors, for communication and for storage of administrative supplies. The nurse station area shall include the following facilities.
- 419.4.3.2.1.1 a:** There shall be a hand washing facility near the nurse station. One lavatory may serve several areas if conveniently accessible to each.
- 419.4.3.2.1.2 b:** There shall be a staff toilet room adjacent to the nurse station.
- 419.4.3.2.1.3 c:** There shall be a staff lounge and/or conference room.
- 419.4.3.2.** 2. There shall be a clean workroom or clean holding room for storage and distribution of clean supply materials. If the room is used for preparing patient care items, it shall contain a counter and hand washing and storage facilities. If the room is used only for storage and holding as a part of a system for distribution of clean and sterile supply materials, the work counter and hand washing requirements may be omitted. The minimum size shall be 60 square feet.
- 419.4.3.2.** 3. There shall be an equipment storage room. This storage room may serve more than one nursing unit when it is conveniently located for access by each unit. The equipment storage room may be part of the clean workroom. If this option is used, the room size shall be increased by 5 square feet per bed served or a minimum size of 100 square feet, whichever is larger.
- 419.4.3.2.** 4. There shall be a soiled workroom. This room shall contain a flushing rim clinical service sink with 6-inch wrist blades and bedpan flushing device and a counter with a minimum work surface area of 6 square feet. The counter shall contain a double compartment sink. Where patient toilet rooms have bedpan rinsing devices, flushing rim clinical sinks will not be required. Rooms used only for the temporary holding of soiled materials need contain only a hand washing facility. The minimum size shall be 80 square feet.
- 419.4.3.2.** 5. There shall be a locked medicine room adjacent to the nurse station which shall be equipped with a sink, a refrigerator, locked storage and facilities for the administration of medication. The minimum area shall be 50 square feet. If drug distribution is from a self-contained unit dose cart or by other means as approved by the governing body of the hospital, the cart may be kept in a dedicated alcove in the nurse station provided it is under the visual control of the nursing staff. Medicine preparation may be part of the clean workroom, in which case an additional 20 square feet dedicated for this purpose shall be required. A refrigerator shall also be required if medicine preparation is included in this room.
- 419.4.3.2.** 6. There shall be a designated area for storage of clean linen. This area may be located within the clean workroom. Storage of clean linens, even a closed cart system, shall not be in an alcove off the corridor.
- 419.4.3.2.** 7. There shall be a nourishment room which shall contain a sink, a refrigerator, storage cabinets and equipment for serving nourishments between scheduled meals.
- 419.4.3.2.** 8. There shall be a dispensing type ice machine to provide ice for treatments and nourishment. Ice making equipment may be in the clean workroom or at the nourishment rooms under the control of the staff.
- 419.4.3.2.** 9. There shall be an alcove for the storage of stretchers and wheelchairs.
- 419.4.3.2.** 10. When individual bathing facilities are not provided for each patient bedroom, there shall be a minimum of 1 shower or tub for every 12 beds or fraction thereof. Each tub or shower shall be in an individual room or enclosure which provides privacy for bathing, drying and dressing. One sitz bath and one roll-in shower, including space for an attendant, shall be provided for patients at a ratio of 1 per every 100 beds or fraction thereof. This may be located on a separate floor.
- 419.4.3.2.** 11. There shall be an emergency equipment storage alcove. Space shall be provided for storing emergency equipment such as a cardiopulmonary resuscitation (CPR) cart. This area shall be under the direct control of the nursing staff and shall be located in close proximity to the nurse station but out of normal traffic.
- 419.4.3.2.** 12. There shall be a janitor closet for each nurse station. Each janitor closet shall contain a service sink or floor receptor and provisions for the storing of janitorial supplies.

**419.4.4. Intensive Care Units:**

When intensive care units are provided, the following requirements shall be met.

- 419.4.4.1.** ~~(a)~~ The location shall be convenient for access from emergency, respiratory therapy, laboratory, radiology and surgery.
- 419.4.4.2.** ~~(b)~~ The location shall be arranged to eliminate the need for through traffic.
- 419.4.4.3.** ~~(c)~~ The nurse station shall have space for charting and monitoring and shall be located so that nurses shall have visual control of each patient from common spaces.
- 419.4.4.4.** ~~(d)~~ A nurse call system shall be provided at each bed for summoning assistance. The call system for the unit shall include provisions for an emergency code resuscitative alarm to summon assistance from outside the intensive care unit.
- 419.4.4.5.** ~~(e)~~ Each bed shall be provided with one outside operable window. The minimum size of the window shall be 10 square feet of glass area.
- 419.4.4.6.** ~~(f)~~ Each patient bed area shall include provisions for visual privacy to prevent casual observation by other patients and visitors.
- 419.4.4.7.** ~~(g)~~ Separate rooms for single patient use shall contain a minimum net usable area of 120 square feet; multiple bed spaces using cubical curtain separators shall contain a minimum net usable area of 100 square feet per bed. The minimum room dimension perpendicular to the head wall shall be 12 feet.
- 419.4.4.8.** ~~(h)~~ When private rooms or cubicles are provided, borrowed light shall have drapes or curtains which may be closed. Doors to these spaces shall be a minimum of 3 feet 8 inches wide and shall be arranged so as to minimize interference with movement of beds and large equipment.
- 419.4.4.9.** ~~(i)~~ Sliding doors may be used for access to cubicles within a suite provided the outside door has a side-hinged breakaway feature that swings in the direction of egress and the hardware used eliminates the possibility of jamming and that any floor tracks do not impede wheel traffic or present a tripping hazard. When intensive care unit rooms are located on an exit access corridor, the sliding doors must be smoke resistant and may have the breakaway feature swing into the room.
- 419.4.4.10.** ~~(j)~~ At least one private room or cubicle shall be provided in each intensive care unit for patients requiring isolation or separation.
- 419.4.4.11.** ~~(k)~~ A space shall be provided for emergency cardiopulmonary resuscitation carts. This space shall be out of and not interfere with normal traffic in the unit.
- 419.4.4.12.** ~~(l)~~ Each intensive care unit shall have a medication administration station or unit dose cart under staff control with locked storage for controlled drugs. ~~The station or unit dose cart shall provide for emergency drugs as well as routine medication.~~
- 419.4.4.13.** ~~(m)~~ If the intensive care unit is in excess of 5,000 square feet, it shall be designed with a corridor system, and the medication dispensing station must be in a room.
- 419.4.4.14.** ~~(n)~~ Each intensive care unit shall have staff hand washing facilities convenient to the nurse station and the area served. There shall be at least one lavatory for every three patient beds in open plan areas and one in each patient room or cubicle.
- 419.4.4.15.** ~~(o)~~ The following additional service spaces shall be immediately available within each intensive care unit. These services may be shared by more than one intensive care unit if direct access is available from each intensive care unit suite.
- 419.4.4.15. 1.** There shall be a soiled workroom with a flushing rim clinical service sink with bedpan flushing device or the equivalent, and hand washing facilities. If each patient bed space has direct access to a patient toilet with a bedpan rinsing device, the requirement for the flushing rim clinical service sink with bedpan flushing device in the soiled workroom may be disregarded.
- 419.4.4.15. 2.** There shall be a separate space for the storage and distribution of clean medical and surgical supplies.
- 419.4.4.15. 3.** There shall be a clean linen closet or linen cart alcove.
- 419.4.4.15. 4.** There shall be a nourishment station, including a refrigerator, storage cabinets, ice dispenser and equipment for heating food and drinks.
- 419.4.4.15. 5.** There shall be a room or an alcove designated for the storage of equipment used in patient care areas. This room or alcove shall not interfere with the flow of traffic.
- 419.4.4.15. 6.** Portable commodes may be utilized in lieu of individual room toilets, but provisions shall be made for user privacy, storage, servicing and odor control.

**419.4.4.15.** 7. There shall be purse lockers at each nurse station for the secure storage of staff's personal effects.

**419.4.4.15.** 8. There shall be a janitor closet with floor receptor or service sink and storage space for janitorial cleaning equipment and supplies.

**419.4.4.15.** 9. There shall be a staff toilet which may be in conjunction with the staff lounge. One staff lounge may serve several intensive care units.

**419.4.4.15.** 10. There shall be a visitor waiting room for the unit, or units, with convenient access to telephones, drinking fountains and toilets. Such waiting rooms may serve several intensive care units.

**419.4.5 Additional special coronary intensive care requirements:**

The following are additional special requirements for coronary intensive care.

**419.4.5.1** Each cardiac patient shall have a private room or enclosure for acoustical and visual privacy.

**419.4.5.2** Each cardiac patient shall have access to a toilet directly from the room or cubicle.

**419.4.6. Neonatal care facilities**

**419.4.6.1. (a)** General Requirements.

**419.4.6.1. 1.** General categories of neonatal services are Level I, newborn nursery; Level II, intermediate care; and Level III, intensive care. Facilities which offer obstetrical services shall provide a Level I newborn nursery or a holding nursery ~~s-See section 419.4.10.6 Rule 59A-3.081(10)(a)6., Florida Administrative Code.~~ Existing hospitals which have Levels I, II or III services may continue to function without modifying existing facilities. Hospitals that remodel or build new Levels I, II or III nurseries shall comply with the requirements set forth hereinafter.

**419.4.6.1. 2.** Those facilities providing obstetrical services but not Level I neonatal care shall provide a holding nursery for maternal respite. The postpartum rooms shall be designed for rooming-in capabilities. The holding nursery shall be immediately adjacent to the postpartum nurse station and shall be a minimum of 24 square feet per bassinet. The area shall contain a hand washing facility, a nurse call duty station and a vision panel to accommodate vision from the nurse station.

**419.4.6.1. 3.** General room illumination shall provide a maximum of 100 footcandles. The lighting fixture layout shall be designed to avoid a fixture directly over the neonate.

**419.4.6.1. 4.** All nurseries shall be provided with ceiling air supply and returns at or near the floor. Ventilation shall be designed to avoid a draft over the neonate.

**419.4.6.1. 5.** A janitor closet shall be provided which has a floor receptor to serve new Levels I, II and III nurseries.

**419.4.6.2. (b)** Level I, newborn nurseries, shall meet the following requirements.

**419.4.6.2. 1.** There shall be a minimum of 24 square feet of floor area for each bassinet.

**419.4.6.2. 2.** There shall be a minimum of 3 feet between bassinets and between a bassinet and any fixed equipment or side wall.

**419.4.6.2. 3.** There shall be no more than 24 bassinets per room.

**419.4.6.2. 4.** There shall be a hand washing facility at each entrance to the nursery unit. A large diameter clock with a sweep second hand shall be provided in each nursery.

**419.4.6.2. 5.** There shall be a minimum of one hand washing facility for every six bassinets or portion thereof. These hand washing facilities shall be evenly distributed within the nursery.

**419.4.6.2. 6.** There shall be a workroom or work corridor for each nursery. The workroom shall contain a work counter, space for storing daily supplies, space for charting and view windows for observing the nursery. One workroom may serve more than one nursery. The following shall be provided immediately adjacent to the workroom or work corridor:

- a. A staff toilet;
- b. A soiled holding room with a minimum of 10 square feet of counter area and a double compartment sink. This room shall be accessible from both the public corridor and the workroom or work corridor; and
- c. An equipment storage area with a minimum of 6 square feet of floor space for each patient station.

- 419.4.6.2.7.** There shall be no doorways between adjacent nurseries. Doorways in nurseries are permitted only between the nursery and the workroom and between the nursery and the corridor.
- 419.4.6.2.8.** There shall be at least one duplex electrical receptacle for every two parallel adjacent patient stations. The minimum spacing shall be 3 feet on center.
- 419.4.6.2.9.** There shall be at least one oxygen, one medical air and one vacuum station for every six neonatal stations. These are to be evenly distributed within the nursery.
- 419.4.6.3. (e)** Level II, intermediate care nurseries, shall meet the following requirements.
- 419.4.6.3.1.** There shall be a minimum of 50 net square feet for each neonatal station.
- 419.4.6.3.2.** There shall be a scrub and gown area at each entrance to the unit. This area shall be equipped with a minimum of two scrub sinks and gowning supply and disposal facilities.
- 419.4.6.3.3.** There shall be a minimum of 4 feet between neonatal care isolettes and between a platform and fixed equipment or a side wall. There shall be 8 feet, foot to foot, between rows of isolettes in their normal positions.
- 419.4.6.3.4.** There shall be a hand washing facility for every four neonatal stations or portion thereof and shall be conveniently located and evenly distributed.
- 419.4.6.3.5.** There shall be a work counter at each neonatal care station at approximately the height of the platform mattress. The shelf shall be the width of the station. To accommodate the monitoring equipment, there shall be a shelf or other device at eye level. Sixty inches above the floor is suggested. The apron of the lower shelf shall accommodate oxygen, vacuum and compressed air.
- 419.4.6.3.6.** There shall be a clean utility room for each nursery. The room shall contain a work counter and sink and space for storage of daily supplies. At the hospital's discretion, this area may be replaced by storage areas and clean work surfaces in the nursery.
- 419.4.6.3.7.** There shall be a control center in a location that offers a view of all of the neonatal stations.
- 419.4.6.3.8.** There shall be charting and dictation space for physicians.
- 419.4.6.3.9.** There shall be a medication preparation room with a minimum area of 50 square feet. The room shall contain a work counter, a sink and a refrigerator.
- 419.4.6.3.10.** There shall be a multipurpose room for breast feeding demonstration and counseling with a minimum area of 80 square feet. The room shall be equipped with a hand washing facility.
- 419.4.6.3.11.** There shall be a soiled holding room with a counter with a double compartment sink and a minimum of 10 square feet of counter area. This room shall be accessible from both the public corridor and the work/neonatal work areas.
- 419.4.6.3.12.** There shall be a blood gas station.
- 419.4.6.3.13.** Access to the Level II nursery suite is permitted only through exit access corridor doorways.
- 419.4.6.3.14.** There shall be a lounge, a locker room and a toilet within or adjacent to the suite for staff use.
- 419.4.6.3.15.** There shall be an equipment storage room with a minimum area of 18 square feet per neonatal station.
- 419.4.6.3.16.** There shall be a minimum of four duplex electrical receptacles for each patient station. Two shall be connected to the critical branch of the essential electrical system with at least one of the required number connected to a dedicated circuit. Two receptacles shall be connected to a normal power circuit. There shall not be more than four receptacles per circuit. All branch circuits from the emergency system shall be from the same panel board. All branch circuits from the normal system shall be from the same panel board. Emergency system and normal system receptacles shall be identified and shall also indicate the panel board and circuit numbers. Both normal and emergency branch circuit over-current devices shall be readily accessible to nursing and other authorized personnel. Install one of the receptacles at the monitoring level, one above the main counter and two in the apron of the cabinet.
- 419.4.6.3.17.** There shall be two oxygen, two medical air and two vacuum outlets per patient station.
- 419.4.6.4. (f)** Level III, intensive care nurseries, shall meet all of the Level II, intermediate care nursery, requirements and the following modifications and additions.
- 419.4.6.4.1.** There shall be a minimum of 80 net square feet for each high-risk neonatal station.

**419.4.6.4.** 2. There shall be a minimum of 6 feet between neonatal care platforms and between a platform and fixed equipment or a side wall. There shall be 8 feet, foot to foot, between rows of isolettes in their normal positions.

**419.4.6.4.** 3. There shall be an area out of normal traffic paths for storage of a portable x-ray machine.

**419.4.6.4.** 4. There shall be a blood gas station.

**419.4.6.4.** 5. There shall be a physicians' sleeping room equipped with a private toilet and shower room.

**419.4.6.4.** 6. There shall be a respiratory therapy workroom with a minimum area of 120 square feet. This may be located in the respiratory department provided a dedicated area is provided for neonatology.

**419.4.6.4.** 7. There shall be a minimum of six duplex electrical receptacles for each patient station. Four shall be connected to the critical branch of the essential electrical system with at least two of the required number connected to dedicated circuits. Two receptacles shall be connected to a normal power circuit. There shall not be more than two receptacles per circuit. All branch circuits from the emergency system shall be from the same panel board. All branch circuits from the normal system shall be from the same panel board. Emergency system and normal system receptacles shall be identified and shall also indicate the panel board and circuit numbers. Branch circuit over-current devices shall be readily accessible to nursing and other authorized personnel. Install two of the receptacles above the top shelf, two above the main counter and four in the apron of the cabinet.

**419.4.6.4.** 8. There shall be two oxygen, two medical air and two vacuum outlets per patient station.

**419.4.7. (7) Pediatric Nursing Unit.**

**419.4.7.1. (a)** The spatial requirements in 419.4.3.1 which apply to patient bedrooms shall also apply to pediatric and adolescent nursing units. Additional provisions for parental hygiene, toilet, sleeping and personal belongings shall be included in facilities where parents will be allowed to remain with young children.

**419.4.7.2. (b)** There shall be an examination and treatment room which shall be a minimum of 120 square feet in area. It shall contain a work counter, storage facilities and a hand washing facility.

**419.4.7.3. (c)** The service areas in pediatric and adolescent nursing units shall conform to the same requirements as for acute care areas.

**419.4.7.4. (d)** There shall be a minimum of one isolation room in each pediatric unit.

**419.4.7.5. (e)** There shall be an equipment storage room for each unit which shall contain a minimum of 10 square feet of storage space for each pediatric bed.

**419.4.7.6. (f)** There shall be a playroom with a minimum area size of 250 square feet.

**419.4.8. (8) Surgical Facilities.**

**419.4.8.1. (a)** The number of operating rooms and recovery beds and the sizes of the service areas shall be based on the anticipated surgical workload. The surgical suite shall be located and arranged to prevent non-related traffic through the suite. Additions to and adaptations of the following elements and requirements shall be made for the special procedure operating rooms found in larger facilities. Care shall be exercised in the location of the rooms to be used for surgical cystoscopic and other endoscopic procedures so that cross traffic is minimized.

**419.4.8.2. (b)** Each general surgery room shall have a minimum clear area of 360 square feet exclusive of fixed cabinets and built-in shelves. Each room shall contain a telephone and an x-ray film illuminator capable of illuminating a minimum of two standard size films simultaneously.

**419.4.8.3. (c)** Operating rooms specifically intended for orthopedic surgery shall have an adjacent room for the storage of splints and traction equipment. If plaster of paris is used for cast work, there shall be a sink with a plaster trap. If a case cart system is utilized and the carts are to be stored elsewhere within the unit, this requirement will be waived.

**419.4.8.4. (d)** Operating rooms for the specific use of surgical cystoscopic and other endoscopic procedures shall have a minimum clear area of 250 square feet exclusive of fixed cabinets and built-in shelves. These rooms shall be located within the surgical department in such a manner as to minimize the distance between them and the recovery room, the main entrance and the staff lounge.

**419.4.8.5. (e)** Each recovery room shall contain a medication administration station, hand washing facilities, a nurse station with charting facilities, a flushing rim clinical service sink, and storage space for stretchers, supplies and equipment. The design shall provide space for additional equipment and shall provide a

minimum of 3 feet between the patient recovery beds and adjacent wall surfaces. There shall be space and equipment for recovery beds at a ratio of one and one half  $\frac{1\frac{1}{2}}$  beds for each operating room. In facilities anticipating 1,000 or more surgical procedures per year, separate and additional recovery space will be necessary to accommodate surgical outpatients. There shall be an isolation room in the recovery room.

**419.4.8.6. (†) Service Areas.**

**419.4.8.6. 1.** There shall be a control station which is located to permit visual observation of all traffic into and within the suite.

**419.4.8.6. 2.** There shall be a surgical director's office which is located to allow visitors to the suite to confer with the director without passage through the suite or the sterile quarters.

**419.4.8.6. 3.** There shall be a minimum of one high-speed sterilizer conveniently located to serve all operating rooms.

**419.4.8.6. 4.** There shall be two scrub positions which are located near the entrance to each operating room. Two scrub positions may serve two operating rooms if both are located adjacent to the entrance of both operating rooms. Scrub facilities shall be arranged to minimize any incidental splatter on nearby personnel or on medical equipment or supplies, and sufficient space shall be provided around the scrub facilities to eliminate any incidental contact with other surfaces by the medical personnel.

**419.4.8.6. 5.** There shall be a soiled workroom for the exclusive use of the surgical suite staff, or there shall be a soiled holding room that is part of the system for the collection and disposal of soiled material. The soiled workroom shall contain a flushing rim clinical service sink, a work counter with a minimum area of 10 square feet and a double compartment sink, a waste receptacle and linen receptacle. When a soiled holding room is used, the flushing rim clinical service sink and work counter may be omitted. If this technique is chosen, a separate fluid waste disposal room will be required. The soiled work or storage facilities, or the fluid waste disposal facility, shall not have direct connection with operating rooms but shall open only to the sterile corridor.

**419.4.8.6. 6.** There shall be a clean workroom. This workroom is required when clean materials are assembled within the surgical suite prior to use. A clean workroom shall contain a work counter with a minimum area of 14 square feet, a sink equipped for hand washing and a space for clean and sterile supplies. If a clean holding room is the technique desired by the hospital, the counter may be eliminated and a lavatory substituted for the sink.

**419.4.8.6. 7.** There shall be an anesthesia workroom for cleaning, testing and storing anesthesia equipment. This workroom shall contain a work counter with a minimum area of 10 square feet and a sink equipped for hand washing.

**419.4.8.6. 8.** There shall be an equipment storage room. This room is for the equipment and supplies to be used in the surgical suite and shall have a minimum area of 100 square feet.

**419.4.8.6. 9.** There shall be clothing change areas for male and female personnel. The areas shall contain lockers, shower, toilets, urinals, lavatories equipped for hand washing and space for donning scrub surgical attire. These areas shall be arranged to require a one-way traffic pattern so that personnel entering from the outside of the surgical suite can change and move directly into the sterile corridor of the surgical suite.

**419.4.8.6. 10.** There shall be a staff lounge and toilet facilities. Separate or combined lounges for male and female staff shall be provided. The lounge shall be designed to minimize the need to leave the suite and shall have convenient access to the recovery room.

**419.4.8.6. 11.** There shall be areas for dictation and report preparation which shall be accessible from the lounge area.

**419.4.8.6. 12.** There shall be a janitor closet in both the sterile and non-sterile areas. Each shall contain a floor receptor or service sink and storage for janitorial supplies and equipment.

**419.4.9. (‡) Outpatient Surgery.**

**419.4.9.1. (†)** There shall be a separate area where outpatients may change from street clothing into hospital gowns and be prepared for surgery. This would include male and female locker rooms, toilets, clothing change

or gowning areas. A common waiting room shall be provided. This function may be accommodated in the patient bedroom area.

**419.4.9.2.** ~~(b)~~ There shall be an outpatient recovery room. The recovery room may be part of the inpatient recovery area.

**419.4.9.2.1.** If a separate recovery room is provided, it shall accommodate a minimum of two recovery beds for each operating room. The size of the room shall be based on a minimum of 80 square feet per recovery bed.

**419.4.9.2.2.** There shall be a work counter and a hand washing facility.

**419.4.9.3.** ~~(c)~~ There shall be toilet rooms for patients with direct access from the outpatient recovery area. Smaller facilities may use the same spaces as for preoperative preparation.

**419.4.9.4.** ~~(d)~~ Outpatient surgical operating rooms shall have a minimum clear area of 170 square feet.

**419.4.9.5.** ~~(e)~~ If outpatient surgery is provided but not contiguous with the surgical department, all of the following requirements shall be met.

**419.4.9.5.1.** There shall be a control station located to permit visual observation of all traffic into and within the suite.

**419.4.9.5.2.** There shall be a surgical director's office which shall be located to allow visitors to the suite to confer with the director without passing through the suite or through the sterile quarters.

**419.4.9.5.3.** There shall be at least one high-speed sterilizer conveniently located to serve all operating rooms.

**419.4.9.5.4.** There shall be two scrub positions near the entrance to each operating room. Two scrub positions may serve two operating rooms if both are located adjacent to the entrance of each operating room. Scrub facilities shall be arranged so as to minimize any incidental splatter on nearby personnel, medical equipment or supplies, and sufficient space shall be provided around the scrub facilities to eliminate any incidental contact with other surfaces by the medical personnel.

**419.4.9.5.5.** There shall be a soiled workroom or decontamination room for the exclusive use of the surgical suite staff, or a soiled holding room that is part of the system, for the collection and disposal of soiled material.

**419.4.9.5.5.1.** ~~a~~ The soiled workroom shall contain a flushing rim clinical service sink with a rinsing device, a work counter with a minimum area of 10 square feet, a double compartment sink with equipment for hand washing, a waste receptacle and a linen receptacle.

**419.4.9.5.5.2.** ~~b~~ When a soiled holding room is used, the flushing rim clinical service sink and work counter may be omitted and a lavatory for hand washing substituted.

**419.4.9.5.5.3.** ~~c~~ The soiled work or holding facilities shall not have direct connection with the operating rooms but shall open only into the sterile corridor.

**419.4.9.5.6.** There shall be a clean workroom. This workroom is required when clean materials are assembled within the surgical suite prior to use.

**419.4.9.5.6.1.** ~~a~~ A clean workroom shall contain a work counter with a minimum of 14 square feet, a sink equipped for hand washing and space for clean and sterile supplies.

**419.4.9.5.6.2.** ~~b~~ If a clean holding room is utilized by the hospital, the counter may be eliminated and a lavatory substituted for the sink.

**419.4.9.5.7.** There shall be an equipment storage room for storing supplies and equipment to be used in the surgical suite. The minimum area for this room shall be 100 square feet.

**419.4.9.5.8.** There shall be a lounge for staff use. Separate or combined lounges for male and female staff shall be provided. The lounge shall be designed to minimize the need to leave the suite and to ensure convenient access to the recovery room.

**419.4.9.5.9.** There shall be areas for dictation and report preparation which shall be accessible from the lounge area.

**419.4.9.5.10.** There shall be a janitor closet in both the sterile and non-sterile areas. Each shall contain a floor receptor or service sink and storage for janitorial supplies and equipment.

**419.4.9.5.11.** There shall be staff toilets.



**419.4.9.5.** 12. There shall be a medication storage and distribution room which shall include a hand washing facility and a refrigerator.

**419.4.9.5.** 13. If the outpatient surgery unit is located in a separate building or on a different campus, there shall be toilets for persons with disabilities ~~the handicapped~~.

**419.4.10. (10) Obstetrical Facilities.**

(a) At the option of the hospital, obstetrical suites may consist of any combination of the following major elements except that a Cesarean section/delivery room shall be provided in each facility. The requirement for a Cesarean section/delivery room will be waived for hospitals with 1,500 or fewer births per year. If the number of births exceeds 1,500 per year for 2 consecutive years, this requirement will no longer be subject to waiver, and a Cesarean section/delivery room, recovery room and service areas as described shall be provided.

**419.4.10. 1. Cesarean Section/Delivery Room.**

**419.4.10.1.1.** a. Each room shall have a minimum net usable clear area of 300 square feet with a minimum dimension of 15 feet.

**419.4.10.1.2.** b. Room temperature shall be individually controlled.

**419.4.10.1.3.** c. An area of the room shall be designated for infant resuscitation. There shall be a minimum of one oxygen, vacuum, medical air outlet and one critical power duplex receptacle in the resuscitation area.

**419.4.10.1.4.** d. There shall be two scrub sinks at the entrance to the Cesarean section/delivery room which shall be located to allow the physician to observe the patient while scrubbing.

**419.4.10. 2. Recovery Room.**

a. Each recovery room shall contain a minimum of two beds and have a nurse position with charting facilities located to permit visual control of all beds. Each room shall include facilities for medicine administration and hand washing, a flushing rim clinical service sink with a bedpan flushing device, and cabinets for storage of equipment and supplies.

**419.4.10. 3. Service Area**

**419.4.10.3.1.** a. There shall be a control or nurse station located to permit observation of all traffic entering the obstetrical department.

**419.4.10.3.2.** b. There shall be an office for the obstetrical department director's office which shall be located to allow visitors to the suite to confer with the director without passing through the suite or the sterile quarters.

**419.4.10.3.3.** c. There shall be a minimum of one high-speed sterilizer conveniently located to serve all delivery rooms.

**419.4.10.3.4.** d. At Cesarean section/delivery rooms, there shall be separate clothing change areas for male and female staff. These areas shall contain lockers, showers, toilets, urinals, lavatories equipped for hand washing, and space for changing into scrub attire. They shall be arranged to require a one-way traffic pattern so that personnel entering from outside the obstetrical suite can shower, change and move directly into the sterile corridor of the obstetrical suite.

**419.4.10.3.5.** e. There shall be a medication room with a work counter and sink.

**419.4.10.3.6.** f. There shall be an anesthesia storage and workroom which shall contain a work counter with a double compartment sink and storage cabinets.

**419.4.10.3.7.** g. There shall be a clean workroom with an area in the room for exchange carts. The room shall contain a work counter with sink and storage shelves.

**419.4.10.3.8.** h. There shall be an equipment cleanup and soiled workroom. This room shall include an area for carts and a work counter with a double compartment sink. There shall be a clinical service sink with a rinsing device.

**419.4.10.3.9.** i. There shall be an equipment storage room in a convenient location. The minimum size shall be 1 percent of the gross area of the department or 100 square feet, whichever is larger.

**419.4.10.3.10.** ~~j~~ There shall be a family room near the entrance to the unit. Toilet facilities for persons with disabilities, ~~the handicapped~~ shall be adjacent to this room.

**419.4.10.3.11.** ~~k~~ There shall be a janitor closet containing a floor receptor or service sink and storage for janitorial supplies and equipment for the exclusive use of the obstetrical suite.

**419.4.10.3.12.** ~~l~~ There shall be a lounge and toilet facilities for obstetrical staff which is conveniently located to the labor, delivery and recovery areas.

**419.4.10.3.13.** ~~m~~ There shall be private on-call bedrooms with toilets for physicians.

**419.4.10.3.14.** ~~n~~ There shall be an area for storing stretchers which is out of the path of normal traffic.

**419.4.10.3.15.** ~~o~~ There shall be a nourishment room with counter, sink and refrigerator.

**419.4.10.3.16.** ~~p~~ If Labor-Delivery-Recovery (LDR) or Labor-Delivery-Recovery-Postpartum (LDRP) rooms are not provided, labor rooms complying with the following shall be provided.

**419.4.10.3.16. 1** Each room shall be designed for either one or two beds with a minimum area of 100 square feet per bed. Two labor beds shall be provided for each delivery room.

**419.4.10.3.16. 2** In facilities having only one delivery room, two separate labor rooms shall be provided, one of which shall be a minimum of 160 square feet and shall be equipped with a minimum of two oxygen outlets and two suction outlets in order to perform as an emergency delivery room.

**419.4.10.3.16. 3** Each labor room shall contain a lavatory equipped for hand washing and shall have access to a toilet room. One toilet room may serve two labor rooms.

**419.4.10.3.16. 4** Labor rooms shall have controlled access with doors arranged for observation from a nurse work station.

**419.4.10.3.16. 5** There shall be at least one shower for the use of patients in labor. A water closet shall be conveniently accessible to each shower facility.

#### **419.4.10. 4.Labor-Delivery-Recovery Room (LDR).**

**419.4.10.4.1.** ~~a~~ LDR rooms shall contain a minimum area of 250 square feet with a minimum dimension of 12 feet. This includes the toilet and shower room and concealable equipment storage area. Without a change in room area, the equipment may be kept in an additional storage room near the nurse station in lieu of a concealable storage area.

**419.4.10.4.2.** ~~b~~ An infant resuscitation area shall be provided. This area shall be provided with a minimum of one oxygen, vacuum and medical air outlet. One duplex receptacle shall be connected to the critical branch, and one duplex receptacle shall be connected to the normal branch.

**419.4.10.4.3.** ~~c~~ The following shall be provided in the delivery area:

**419.4.10.4.3.1.** ~~(i)~~ One oxygen and one vacuum outlet;

**419.4.10.4.3.2.** ~~(ii)~~ Four duplex receptacles connected to the critical branch and two duplex receptacles connected to the normal branch;

**419.4.10.4.3.3.** ~~(iii)~~ Examination light controls;

**419.4.10.4.3.4.** ~~(iv)~~ A telephone or a communication system;

**419.4.10.4.3.5.** ~~(v)~~ A hand washing facility; and

**419.4.10.4.3.6.** ~~(vi)~~ Room light intensity controls.

**419.4.10.4.4.** ~~d~~ Each LDR room shall have direct and exclusive access to a toilet and shower without going through the general corridor. All finishes in the room shall be selected for ease in cleaning as well as for contributing to a homelike atmosphere. The LDR room shall be located within the obstetrical department.

**419.4.10.4.5.** ~~e~~ The service area requirements for normal patient rooms shall be provided for the LDR suite.

**419.4.10.5. Labor-Delivery-Recovery-Postpartum Rooms (LDRP)** shall meet all of the requirements of the labor-delivery-recovery suite in 419.4.10.4. Additionally, each patient room shall have a window to the exterior. The window shall comply with all of the size, location and operational requirements of other patient room windows. Windows shall be appropriately curtained.

**419.4.10. 6. Holding Nursery.**

**419.4.10.6.1. a:** In facilities that provide only LDR rooms with postpartum bedrooms of LDRP rooms, a full-term or Level I nursery is not required. In that case, a holding nursery shall be provided.

**419.4.10.6.2. b:** The holding nursery shall be sized at a ratio of one bassinet for every two and one-half postpartum beds.

**419.4.10.6.3. c:** Each bassinet position shall have 24 square feet of floor area.

**419.4.10.6.4. d:** There shall be a hand washing facility at a ratio of one for every six bassinets in each nursery.

**419.4.10.6.5. e:** Locate the nursery next to the nurse station and provide view windows to allow staff viewing.

**419.4.11. (H) Emergency Service Department.** When 24-hour emergency service is to be provided, the following elements shall be required.

**419.4.11.1. (a)** There shall be a grade level entrance sheltered from the weather. The entrance and driveway shall have direct access from the public roads for ambulance and vehicle traffic and shall be clearly marked. If a raised platform is used for ambulance discharge, a separate entrance for pedestrians and persons with disabilities ~~the handicapped~~ shall be provided. There shall be an emergency access area to permit discharge of patients from automobiles and ambulances at the sheltered entrance. There shall be an area for temporary parking of such vehicles away from the entrance.

**419.4.11.2. (b)** There shall be a reception and control station located so as to permit staff to observe and control the access to treatment areas, pedestrian and ambulance entrances and the public waiting area.

**419.4.11.3. (c)** There shall be convenient wheelchair and stretcher storage. Such storage shall be out of the flow of traffic but with convenient access to emergency entrances.

**419.4.11.4. (d)** There shall be a public waiting area with adjacent toilet facilities, drinking fountains and telephones.

**419.4.11.5. (e)** There shall be a treatment and examination room which shall have a minimum of 100 square feet of clear floor space and shall contain a work counter with storage cabinets, hand washing facilities and an examination light. The number of treatment or examination rooms is dependent on the anticipated workload. These treatment areas may be in a large room with cubicle curtains providing privacy. In each such case, a minimum of one fully enclosed treatment or examination room shall be provided.

**419.4.11.6. (f)** There shall be an x-ray film illuminator which shall be conveniently located in the department.

**419.4.11.7. (g)** Provisions for orthopedic and cast work may be in a separate room. Located conveniently to the orthopedic work area, facilities shall be provided for storing splints and other orthopedic supplies, a plaster sink, an x-ray film illuminator and an examination light.

**419.4.11.8. (h)** A poison control center may be part of the nurse station.

**419.4.11.9. (i)** There shall be a shower near the entrance for the emergency wash-down of patients. The arrangement shall permit staff assistance.

**419.4.11.10. (j)** There shall be a soiled workroom. This room shall contain a flushing rim clinical service sink and a work counter with a double compartment sink. Receptacles for the disposal of soiled items shall also be included. If the room is to function as a soiled holding room, the work counter and double compartment sink may be eliminated, but a hand washing facility must be provided.

**419.4.11.11. (k)** There shall be a clean workroom equipped with a work counter and storage for medical supplies and a lavatory or sink for hand washing. If a clean holding room is provided, the requirements for fixed storage and hand washing are eliminated.

**419.4.11.12. (l)** There shall be a storage area for crash carts. Portable x-ray units and other equipment shall be located out of traffic and clearly accessible to each operating and treatment room.

**419.4.11.13. (m)** The hospital corridor system shall not pass directly through this unit.

**419.4.11.14.** ~~(¶)~~ There shall be a station for staff work and charting with counters, cabinets and medication storage. This area may be combined with or include centers for reception control, poison control, after hours admitting and communication. There shall be convenient access to the hand washing facilities.

**419.4.11.15.** ~~(¶)~~ There shall be locked cabinets or other secure storage for staff's personal effects within the nurses' work area or lounge.

**419.4.11.16.** ~~(¶)~~ There shall be staff toilets.

**419.4.11.17.** ~~(¶)~~ There shall be a janitor closet for the exclusive use of the emergency department. This must be located within or adjacent to the emergency service area.

**419.4.11.18.** ~~(¶)~~ For electrical design purposes only, trauma rooms shall be synonymous with treatment rooms.

**419.4.12. ~~(12)~~ Radiology Suite.**

**419.4.12.1.** ~~(a)~~ Each hospital shall provide facilities for diagnostic radiographic examination of patients. The number of radiographic and fluoroscopic rooms is dependent on the anticipated workload and shall contain the following features.

**419.4.12.2.** ~~(b)~~ Radiographic and fluoroscopic functions may be performed in one room or in separate rooms. The room shall be appropriately sized to accommodate equipment, patient stretchers and staff work area. Shielded control areas shall be included in or adjacent to each radiographic room with provisions for viewing the entire table and patient and for audio communication during film exposure. ~~See the licensing and registration requirements in Rule 10D-91, Florida Administrative Code.~~

**419.4.12.2. 1.** Each fluoroscopic room shall have an adjacent patient toilet room. This patient toilet room shall contain a water closet and a hand washing facility. One door must open out from the toilet room.

**419.4.12.2. 2.** A barium preparation area shall be provided with sink, work counter and storage area to allow mixing of contrast media. One barium preparation unit may serve several radiographic rooms. Premixed commercial preparations, if used, may be stored in a conveniently located clean workroom.

**419.4.12.2. 3.** A cleanup facility shall be provided within the suite and shall include a service sink and storage space for equipment and supplies.

**419.4.12.2. 4.** An alcove shall be provided near the processor for viewing film immediately after it is processed.

**419.4.12.2. 5.** There shall be offices for the radiologists and other staff as required. There shall be facilities for the storage of active x-ray film conveniently located for immediate film retrieval.

**419.4.12.2. 6.** There shall be a film storage room for inactive records. The room may be outside the radiology suite but must be under the administrative control of the radiology department with provisions to secure films against loss or damage.

**419.4.12.2. 7.** There shall be the necessary clerical offices.

**419.4.12.2. 8.** There shall be a patient stretcher holding alcove adjacent to each radiographic area.

**419.4.12.2. 9.** There shall be a hand washing facility in each procedure room. Hand washing facilities may be omitted from rooms used only for routine screening such as chest x-rays.

**419.4.12.2. 10.** There shall be a toilet room with hand washing facilities conveniently located to waiting areas. The toilet room shall be usable and accessible for wheelchair patients. Separate toilets shall be provided with direct access to each radiographic room routinely used for fluoroscopic procedures and arranged so that a patient may leave the toilet room without reentering the fluoroscopic area.

**419.4.12.2. 11.** There shall be staff toilets.

**419.4.12.2. 12.** There shall be patient dressing rooms conveniently located to the waiting area and to the radiographic rooms. Dressing rooms shall include a seat or bench, a mirror and provisions for hanging the patient's clothing. At least one dressing room in the radiographic suite shall be sized for access and use by wheelchair patients.

**419.4.13. ~~(13)~~ Laboratory Suite.**

**419.4.13.1.** ~~(a)~~ Each hospital shall provide laboratory facilities for hematology, clinical chemistry, urinalysis, microbiology, serology, anatomic pathology and a transfusion service to meet the workload anticipated by the hospital. At a minimum, the laboratory shall provide for the following procedures to be performed on site:

**419.4.13.1. 1.** Blood count;

**419.4.13.1. 2.** Urinalysis;

**419.4.13.1. 3.** Blood glucose, electrolytes, blood urea and nitrogen (BUN), amylase; and

**419.4.13.1. 4.** Transfusion type and cross match capacity.

**419.4.13.2.** (b) At a minimum, the laboratory suite shall contain the following.

**419.4.13.2.1.** There shall be a laboratory work counter with space for microscopes, appropriate chemical analyzers, incubators and centrifuge. Work areas shall include access to vacuum, gas and electrical services, as needed, and sinks with water.

**419.4.13.2.2.** There shall be refrigerated facilities for the storage of blood for transfusions. The blood storage refrigerator shall be equipped with temperature monitoring and alarm signaling devices.

**419.4.13.2.3.** There shall be lavatories or counter sinks equipped for hand washing. These counter sinks may be used for the disposal of nontoxic fluids.

**419.4.13.2.4.** There shall be storage facilities for reagents, standards, supplies and stained specimens, microscope slides, etc., including refrigeration as needed. There shall be separate, well ventilated storage facilities for volatile liquids.

**419.4.13.2.5.** There shall be separate rooms for bacteriology and histology. The minimum size for each room shall be 80 square feet.

**419.4.13.2.6.** If outpatient services are provided, a specimen blood, urine and feces collection facility shall be required. The blood collection area shall have work counter space and hand washing facilities. The urine and fecal collection room shall be equipped with a water closet with a rinsing device and a lavatory.

**419.4.13.2.7.** There shall be emergency shower and eye flushing devices and fire blankets.

**419.4.13.2.8.** If radioactive materials are employed, there shall be facilities for long-term storage and disposal of these materials. No special provisions will be required for body waste products for patients receiving low level isotope diagnostic material.

**419.4.13.2.9.** There shall be administrative areas including offices and space for clerical work, filing and records maintenance.

**419.4.13.2.10.** There shall be lounge, locker and toilet facilities which shall be conveniently located for male and female laboratory staff. These may be outside the laboratory area and shared with other departments.

(c) ~~Licensure for this laboratory facility shall be required accordance with Chapter 483, Florida Statutes, and as prescribed in Rule 59A-7, Florida Administrative Code.~~

**419.4.14. (H) Rehabilitation Therapy Department.**

**419.4.14.1.** (a) If formal rehabilitative therapy services are included as part of the services rendered by the hospital such as physical therapy, occupational therapy or respiratory therapy, all of the requirements of this section shall be met. Where two or more rehabilitative services are included, some of the requirements may be shared as appropriate.

**419.4.14.2.** (b) Each rehabilitative therapy department shall include the following common elements which may be shared or provided as separate units for each service.

**419.4.14.2.1.** There shall be an office and clerical space for filing and retrieving patient records.

**419.4.14.2.2.** There shall be a reception and control station with visual control of the waiting and activities areas. This may be combined with the office and clerical space.

**419.4.14.2.3.** There shall be outpatient waiting areas which are out of the general traffic.

**419.4.14.2.4.** There shall be patient toilets with hand washing facilities accessible to persons with disabilities ~~the handicapped~~.

**419.4.14.2.5.** There shall be storage space or spaces for parking wheelchairs and stretchers out of traffic while patients are using the services. These spaces may be separate from the service area but must be located for convenient use.

**419.4.14.3.** (c) Physical Therapy. If physical therapy is part of the service, at a minimum, the following shall be included.

**419.4.14.3.1.** There shall be individual treatment areas which shall have a minimum of 60 square feet of clear floor area.

**419.4.14.3.2.** There shall be hand washing facilities either within or at each treatment area for staff use. One hand washing facility may serve a maximum of three treatment areas.

**419.4.14.3.3.** There shall be an exercise area and facilities.

- 419.4.14.3.** 4. There shall be storage for clean linen and towels. This may be in cabinets, closets or in carts located for convenient use and out of traffic.
- 419.4.14.3.** 5. There shall be storage for equipment and supplies.
- 419.4.14.3.** 6. There shall be separate storage for soiled linen, towels and supplies.
- 419.4.14.3.** 7. There shall be a patient toilet room with a hand washing facility.
- 419.4.14.4.** (d) Occupational Therapy. If occupational therapy services are provided, the following shall be included.
- 419.4.14.4.** 1. There shall be work areas and counters suitable for wheelchair access.
- 419.4.14.4.** 2. There shall be hand washing facilities.
- 419.4.14.4.** 3. There shall be storage for supplies and equipment.
- 419.4.14.5.** (e) Respiratory Therapy Services.
- 419.4.14.5.** 1. If respiratory therapy services are provided, the following requirements shall be met.
- 419.4.14.5.1.1.** a: There shall be storage for supplies and equipment.
- 419.4.14.5.1.2.** b: There shall be space and utilities for cleaning and sanitizing equipment.
- 419.4.14.5.1.3.** c: There shall be service facilities for calibrating, adjusting, servicing and minor repairing of equipment.
- ~~2. Respiratory therapy services shall be conveniently accessible on a 24-hour basis to the intensive care units:~~
- 419.4.14.5.2.** 3: If respiratory therapy services such as testing and demonstration for outpatients are part of the hospital's services, additional facilities and equipment shall be provided as necessary.
- 419.4.15.** (f5) **Morgue and Autopsy.**
- 419.4.15.1.** (a) Morgue and autopsy facilities shall be accessible to the exterior entrance and shall be located so as to avoid the need for transporting bodies through public areas.
- 419.4.15.2.** (b) At a minimum, the following facilities shall be provided when autopsies are performed within the hospital.
- 419.4.15.2.** 1. There shall be refrigerated body holding facilities.
- 419.4.15.2.** 2. There shall be an autopsy room. This room shall contain an autopsy table and a work counter with a sink equipped for hand washing.
- 419.4.15.2.** 3. There shall be storage space for supplies, equipment and specimens.
- 419.4.15.2.** 4. There shall be a clothing change area equipped with shower, toilet and lockers.
- 419.4.15.2.** 5. There shall be a janitor closet with floor receptor or sink and facilities for storing janitorial equipment and supplies.
- 419.4.15.3.** (c) If autopsies are performed outside the facility, only a well ventilated body holding room shall be required.
- 419.4.16.** (f6) **Pharmacy.**
- 419.4.16.1.** (a) A pharmacy shall be provided in the hospital. The facilities and equipment necessary shall be adequate to handle the pharmacy and medicine requirements of the hospital.
- 419.4.16.2.** (b) The pharmacy shall include the following.
- 419.4.16.2.** 1. There shall be a pick-up and receiving counter, an area for reviewing and recording orders, an extemporaneous compounding area, work counters and cabinets for pharmaceutical activities and an area for temporary storage, exchange and restocking of carts.
- 419.4.16.2.** 2. There shall be a compounding area.
- 419.4.16.2.** 3. There shall be space for packaging, labeling and quality control.
- 419.4.16.2.** 4. There shall be space for bulk, active and refrigerated storage. Special care shall be taken in storing bulk quantities and alcohol. There shall be secure storage for controlled substances. There shall be separate storage for general supplies and equipment when not in use.
- 419.4.16.2.** 5. There shall be separate administrative space for office functions including filing, communication and reference. This is not required in psychiatric hospitals.
- 419.4.16.2.** 6. There shall be hand washing facilities within each room where open medication is handled.

**419.4.16.2.7.** If a unit dose procedure is used, there shall be additional space and equipment for supplies, packaging, labeling and for storing the carts.

**419.4.16.2.8.** If intravenous solutions are prepared in the pharmacy, there shall be an area for a laminar flow bench and hood. The laminar flow system shall include a non-hygroscopic filter rated at 99.97 percent efficiency, HEPA, per DOP test. A visible pressure gauge shall be provided which measures the pressure drop across the filter.

**419.4.17. (17) Dietary Facilities.**

**419.4.17.1. (a)** Food service facilities and equipment shall be provided as needed to meet the dietary requirements of the hospital. A conventional or convenience food preparation system or any appropriate combination thereof is acceptable.

**419.4.17.2. (b)** The following facilities shall be provided in the size required to meet the needs and to implement the type of food service selected.

**419.4.17.2.1.** There shall be a control station for receiving and controlling food supplies.

**419.4.17.2.2.** There shall be storage, including cold storage space.

**419.4.17.2.3.** There shall be food preparation facilities.

**419.4.17.2.4.** There shall be hand washing facilities.

**419.4.17.2.5.** There shall be facilities for assembling and distributing patient meals. This is not required in psychiatric facilities.

**419.4.17.2.6.** There shall be a dining room for ambulatory patients, staff and visitors.

**419.4.17.2.7.** There shall be facilities for ware washing located in a room or an alcove that is separate from the food preparation area. Commercial type ware washing equipment shall be provided. There shall be separation between the receiving, scraping, sorting and stacking of soiled tableware and the clean tableware collecting area. Hand washing facilities shall be conveniently available in the soiled tableware side.

**419.4.17.2.8.** There shall be facilities for pot washing.

**419.4.17.2.9.** There shall be a storage area and sanitizing facilities for cans, carts and mobile tray conveyors.

**419.4.17.2.10.** There shall be facilities for waste storage which are located in a separate room easily accessible to the outside for direct pick up or disposal.

**419.4.17.2.11.** There shall be an office for the dietary service manager with additional space or a separate office provided for the dietitian.

**419.4.17.2.12.** There shall be toilets with hand washing facilities within the dietary department. Such toilets shall have a separate vestibule.

**419.4.17.2.13.** There shall be a janitor closet within the dietary department which shall include a floor receptor and storage space for janitorial supplies and equipment.

**419.4.17.2.14.** There shall be ice making equipment either within the food preparation area or in a separate room.

**419.4.18. (18) Administration and Public Areas.**

**419.4.18.1. (a)** All public waiting areas shall be provided with male and female toilets designed to accommodate persons with disabilities ~~the handicapped~~. Such facilities shall be within 75 feet of the waiting area and may serve more than one such area.

**419.4.18.2. (b)** The entrance shall be at grade level and shall be sheltered from inclement weather and accessible to persons with disabilities ~~the handicapped~~.

**419.4.18.3. (c)** A lobby shall be provided which includes a counter or desk for reception and information, public waiting areas, public telephones and drinking fountains.

**419.4.18.4. (d)** Interview space shall be provided which allows for private interviews relating to social services, credit and admissions.

**419.4.18.5. (e)** There shall be an admissions area with a separate waiting area for patients and accompanying persons. This area shall include a work counter or desk for staff and a storage area for wheelchairs which is out of the path of normal traffic.

**419.4.18.6. (f)** There shall be general business offices for hospital business transactions, medical and financial records and offices for the administrative and professional staff.

**419.4.18.7. (g)** There shall be a minimum of one multipurpose room for conferences, meetings and health education purposes, including provisions for using visual aids.

- 419.4.18.8.** (h) There shall be a medical library. The library may be an area within the physicians' lounge or the medical records department.
- 419.4.18.9.** (i) There shall be space for storing office equipment and supplies.
- 419.4.19.** (19) **Mobile Testing and Treatment Facilities.**
- 419.4.19.1.** (a) There shall be sturdy walls, fences or bollards around the immediate site to prevent collisions with the unit by other vehicles
- 419.4.19.2.** (b) Electrical connection to the hospital electrical system shall be permitted only when the mobile facility complies with appropriate requirements of chapter 27 of the Florida Building Code, Building NFPA-70, National Electrical Code®.
- 419.4.19.3.** (c) There shall be a rain-free passage from the hospital to the entrance to the mobile facility.
- 419.4.19.4.** (d) A fire alarm system shall be provided. An alarm initiated in the mobile facility shall activate the hospital system, and an in-house alarm shall sound an alarm in the facility.
- 419.4.19.5.** (e) The mobile facility shall not diminish egress from the hospital.
- 419.4.19.6.** (f) Mobile facilities shall be approved in advance by the Office of Plans and Construction and the Office of Licensure and Certification.
- 419.4.19.7.** (g) Egress from the mobile facility shall conform with health care occupancy standards of Chapter 4A-53, Florida Administrative Code the Life Safety Code.
- 419.4.19.8.** (h) There shall be a telephone which shall be connected to the hospital communication system.
- 419.4.20** (20) **Medical Records.** There shall be rooms, areas and offices for the medical records administrator or technician for purposes of review and dictation, for sorting, recording and microfilming records and for records storage.
- 419.4.21.** (21) **Central Sterile Supply Services.** Each hospital, except psychiatric hospitals, shall provide a central sterile supply services department comprised of the following elements.
- 419.4.21.1** (a) There shall be a receiving and decontamination room. At a minimum, this room shall contain work space and equipment for cleaning medical and surgical equipment and for disposing of used and soiled material. This room shall include facilities for hand washing.
- 419.4.21.2** (b) There shall be a clean workroom which shall contain facilities for hand washing and work space and equipment for terminal sterilization and sanitation of medical and surgical equipment and supplies.
- 419.4.21.3** (c) There shall be a storage area for clean medical, surgical supplies and for sterile supplies. This area may be part of the clean workroom.
- 419.4.21.4** (d) There shall be a room for storage of equipment used in the delivery of patient care.
- 419.4.22.** (22) **General Storage.**
- 419.4.22.1.** (a) There shall be a general storage facility with a minimum total area of 20 square feet per inpatient bed. In psychiatric and rehabilitation hospitals, general storage shall be provided with a minimum total area of 5 square feet per inpatient bed.
- 419.4.22.1.** 1. There shall be receiving areas.
- 419.4.22.1.** 2. There shall be off-street unloading facilities.
- 419.4.22.2.** (b) If the general storage areas are located in a separate building on the site, provisions shall be made for protecting supplies against inclement weather during transfer. At a minimum, a covered walkway may be used for this purpose. The off-street loading facilities and receiving areas for the general stores shall not be part of the general means of egress for the building.
- 419.4.23.** (23) **Linen Services.**
- 419.4.23.1.** (a) Each hospital shall have provisions for storing and processing clean and soiled linens as required for appropriate patient care. Processing may be done within the facility in a separate building on or off site, or in a commercial or shared laundry.
- 419.4.23.2.** (b) At a minimum, the following facilities shall be included.
- 419.4.23.2.** 1. There shall be a separate room for receiving and holding soiled linen until it is ready for pickup or processing.
- 419.4.23.2.** 2. There shall be a central storage room issuing clean linen. The central storage capacity shall be sufficient for four days' operation or two normal deliveries, whichever is greater.
- 419.4.23.2.** 3. There shall be a cart storage area for separate out-of-traffic parking of clean and soiled linen carts.
- 419.4.23.2.** 4. There shall be a clean linen inspection and mending room or area.



- 419.4.23.2. 5.** Hand washing facilities shall be provided in each area where unbagged soiled linen is handled.
- 419.4.23.2. 6.** If linen is processed outside the building, provisions shall be made for a service entrance which is protected from inclement weather during loading and unloading of linen.
- 419.4.23.2. 7.** If linen is processed in a laundry facility which is part of the hospital, the following shall be provided.
- 419.4.23.2.7.1 a-** There shall be a receiving, holding and sorting room for the control and distribution of soiled linen. Discharge from soiled linen chutes may occur within this room or into a separate room.
- 419.4.23.2.7.2 b-** There shall be a laundry processing room. The equipment shall be arranged so as to permit an orderly flow with minimum cross traffic that would mix clean and soiled operations.
- 419.4.23.2.7.3 c-** There shall be a storage area for laundry supplies.
- 419.4.23.2.7.4 d-** There shall be hand washing facilities for employees in each separate room where clean or soiled linen is processed and handled.
- 419.4.24 (24) Employee Facilities.** Lockers, lounges and toilets shall be provided for employees and volunteers. These shall be in addition to and separate from those required for the medical staff and the public.
- 419.4.25 (25) Janitor Closets.** In addition to the janitor closets specifically required in certain departments, sufficient janitor closets shall be provided throughout the facility as required to maintain a clean and sanitary environment. Each janitor closet shall contain a floor receptor or service sink and storage space for janitorial equipment and supplies. There shall be a minimum of one janitor closet on each floor.
- 419.4.26. (26) Engineering Service and Equipment Areas.**
- 419.4.26.1. (a)** There shall be a room or separate building for boilers, fire pumps, and mechanical and electrical equipment.
- 419.4.26.2. (b)** There shall be an office for the building engineer with file space and provision for the protected storage of the facility's drawings, records and manuals.
- 419.4.26.3. (c)** There shall be a general maintenance shop for repair and maintenance with a separate area for building maintenance supplies. Special care shall be taken in designing and constructing spaces used for storing solvents and flammable liquids to ensure conformance with applicable NFPA codes as referenced in Chapter 4A-53, Florida Administrative Code. This is also required for the carpentry shops and other dust producing areas.
- 419.4.26.4. (d)** There shall be a separate area or room specifically for storing, repairing and testing electronic and other medical equipment. This is not required in psychiatric hospitals.
- 419.4.26.5. (e)** A storage room shall be provided for yard equipment which is located so that the equipment may be moved directly to the exterior.
- 419.4.27 (27) Waste Processing Services.** Facilities shall be provided for the sanitary storage and disposal of waste by incineration, mechanical destruction, compacting, containerization removal, or sterilization or by a combination of these techniques. Biohazardous waste disposal shall comply with the requirements contained in Rule 64E-16 10D-104, Florida Administrative Code.
- 419.4.28. (28)** There shall be public toilet rooms on each floor which are designed to accommodate persons with disabilities ~~the handicapped~~.
- 419.4.29. (29) Rehabilitation Hospitals.** New rehabilitation hospitals shall be required to meet all of the requirements as stated in 419.4 Rule 59A-3.081 for general hospitals except as modified herein.
- 419.4.29.1. (a)** Surgical, and obstetrical and emergency room facilities are not required.
- 419.4.29.2. (b)** In hospitals with a bed capacity of 200 or less, the requirements for diagnostic radiology and laboratory are not required if outside contractual arrangements are made to provide these services.
- 419.4.29.3. (c)** Physical Therapy Unit.
- 419.4.29.3. 1.** There shall be an office for the physical therapist.
- 419.4.29.3. 2.** There shall be waiting areas.
- 419.4.29.3. 3.** There shall be facilities for hand washing. These facilities may serve more than one cubicle.
- 419.4.29.3. 4.** There shall be a group exercise area.
- 419.4.29.3. 5.** There shall be a room for storing linen supplies and equipment.
- 419.4.29.3. 6.** There shall be patient dressing areas with shower, lockers and toilet rooms.
- 419.4.29.3. 7.** There shall be a janitor closet with floor receptor.

- 419.4.30. (30) Psychiatric Hospitals.** New psychiatric hospitals and new psychiatric sections in general hospitals shall comply with all of the minimum standards set forth in 419.4.1 through 419.4.28 ~~Rule 59A-3.081(1) through (28)~~ for general hospitals except for the requirements for isolation facilities and surgical and obstetrical services. Diagnostic x-rays and laboratory services may be provided by contract if such services are available locally.
- 419.4.30.1. (a)** Each patient sleeping room intended for occupancy for 24 hours or longer shall have an outside window or outside door arranged and located so that it can be opened from the inside to permit venting products of combustion and to provide fresh air to any occupant in case of emergency.
- 419.4.30.2. (b)** In buildings housing high risk patients or having detention rooms or security sections, it will be necessary to provide detention screens or polycarbonate glazing to confine and protect building inhabitants.
- 419.4.30.2. 1.** Where windows require the use of tools and keys for operation because of detention screens, the tools or keys shall be located on the floor or area involved at a prominent location which is accessible to staff.
- 419.4.30.2. 2.** Where glass fragments may create a hazard, safety glazing or other appropriate security features shall be incorporated.
- 419.4.30.2. 3.** The degree of security required in the window opening to inhibit the possible tendency for suicide or escape shall be determined by the hospital.
- 419.4.30.3. (c)** A nurse call system is not required; however, a voice activated and switchable emergency calling system shall be provided in seclusion rooms. If a nurse call system is included, provisions shall be made to permit the removal of call buttons or for the use of blank plates as required for security.
- 419.4.30.4. (d)** Each patient shall have access to a toilet room without entering the general corridor area.
- 419.4.30.4. 1.** One toilet room shall serve no more than four beds and no more than two patient rooms.
- 419.4.30.4. 2.** The lavatory may be in either the patient bedroom or in the toilet room. A tub or shower may be added to the toilet room as required by the hospital. All mirrors shall be non-breakable.
- 419.4.30.4. 3.** Psychiatric services for children which require the observation and control of patient activity may vary from these requirements.
- 419.4.30.5. (e)** The service areas shall be located in or readily available to each nursing unit. Each service area may be arranged and located to serve more than one nursing unit, but a minimum of one such service area shall be provided on each nursing floor.
- 419.4.30.5. 1.** There shall be an administrative center or nurse station.
- 419.4.30.5. 2.** There shall be a staff lounge and/or a conference room.
- 419.4.30.5. 3.** There shall be facilities for hand washing which are located near the nurse station and the drug distribution station. One lavatory may serve both areas.
- 419.4.30.5. 4.** A charting area shall be provided with adequate space for the function. There shall be acoustical privacy.
- 419.4.30.5. 5.** A viewing window to permit observation of the patient area by the charting nurse or physician may be used if it is located so that the patient files cannot be read from outside the charting space.
- 419.4.30.5. 6.** A minimum of two separate social areas shall be provided, one appropriate for noisy activities and the other for quiet activities. The combined total area shall be a minimum of 40 square feet per bed space or a minimum of 160 square feet for each of the two areas, whichever is greater. The noisy activity areas may be combined and may be remotely located.
- 419.4.30.5. 7.** There shall be a room for group therapy. The area of the room shall be a minimum of 250 square feet. The group therapy room may be combined with the area for quiet activities, provided the total area is a minimum of 400 square feet if used for both functions.
- 419.4.30.5. 8.** Patient laundry facilities with automatic washers and dryers may be provided.
- 419.4.30.5. 9.** Separate consultation rooms, each with a minimum floor space of 100 square feet, shall be provided at a rate of one consultation room for the first 24 beds or any portion thereof. For each additional 24 beds or any portion thereof, there shall be one additional consultation room. The rooms shall be arranged for acoustical and visual privacy.
- 419.4.30.5. 10.** Space for occupational therapy shall be provided with a minimum area of 375 square feet or at a rate of 4 square feet per bed, whichever is greater. This space shall include provisions for hand washing, work counters, storage and displays.

**419.4.30.5.11.** Where psychiatric facilities contain fewer than 25 beds, the occupational therapy function may be performed within the noisy activities area if a minimum space of 495 square feet is available for both the noisy activity area and the occupational therapy activities. If the occupational therapy function is performed within the noisy activities area, that space shall contain provisions for hand washing, work counters, storage and displays.

**419.4.30.5.12.** There shall be a lounge and toilet rooms for staff.

**419.4.30.5.13.** There shall be individual closets or compartments for the safekeeping of personal belongings of the nursing personnel. These shall be located so as to be convenient to the duty station of the personnel or in a central location.

**419.4.30.5.14.** There shall be space for examination and treatment of patients which shall contain a minimum floor area of 120 square feet excluding space for vestibules, toilet and closets. The minimum room dimension shall be 10 feet. The room shall contain a lavatory or sink equipped for hand washing, a work counter, storage facilities and a desk counter or shelf space for writing. The emergency treatment room may be used for this purpose if it is conveniently located on the same floor as the patient rooms.

**419.4.30.6. (†)** There shall be a clean linen area for the storage and distribution of clean linen. The required area may be concentrated in one central room or divided into several rooms throughout the facility.

**419.4.30.7. (‡)** There shall be a soiled linen area. The area shall be part of the system for collecting and disposing of soiled materials and shall include a holding room for soiled linens. The required area may be concentrated in one room or divided into several rooms throughout the facility. There shall be a lavatory for hand washing in each soiled linen area.

**419.4.30.8. (†)** There shall be a drug distribution station which shall contain a minimum area of 30 square feet. Provisions shall be made for convenient and prompt 24-hour distribution of medicine to patients. This may be from a medicine preparation room or from a self-contained medicine dispensing unit. The area may be located at the nurse station and shall be under the visual control of the nursing staff. It shall contain a work counter and sink, a refrigerator and locked storage for biologicals and drugs. The drug distribution station shall be under the direct control of the nursing or pharmacy staff, and provisions for security against unauthorized access must be assured.

**419.4.30.9. (†)** There shall be a small kitchen for patient use.

**419.4.30.10. (†)** There shall be patient bathing facilities. Bathtubs or showers shall be provided at a rate of one for every four bed spaces which are not otherwise served by bathing facilities within the patients' rooms. Each tub or shower shall be in an individual room or enclosure which provides space for the private use of the bathing fixture and for drying and dressing.

**419.4.30.11. (†)** There shall be space for storing emergency equipment which shall be under the direct control of the nursing staff and in close proximity to the nurse station and out of traffic.

**419.4.30.12. (†)** There shall be a seclusion room for patients requiring security and protection from either themselves or others. The room area shall be a minimum of 60 square feet, and the room dimension shall be a minimum of 6 feet.

**419.4.30.12.1.** The room shall be located and designed in such a manner as to afford direct supervision and observation of the patient and the entire room by the nursing staff. It shall be a single room and shall be constructed to minimize the patient's hiding, escape, injury or suicide. Rooms may be grouped together or placed in every psychiatric nursing unit.

**419.4.30.12.2.** The seclusion room is intended for short-term occupancy by patients who become violent or may be suicidal; therefore, special fixtures, hardware, and tamper-proof screws shall be used. Doors shall open out and shall have provision for staff observation while maintaining privacy from the public and other patients. The seclusion room shall have natural light—skylight, window or small thick glass opening to the exterior—to maintain a therapeutic environment.

**419.4.30.13. (†)** In facilities designed for geriatric psychiatric patients, there shall be soiled workrooms which comply with the requirements for medical-surgical beds.

**419.4.30.14. (†)** Multi-storied psychiatric hospitals shall have elevators.

†.In multi-storied facilities, a minimum of one elevator shall be provided which is hospital size with 4,000 pound capacity. The other elevators may be normal passenger elevators with 2,500 pound capacity. If appropriately located, a freight elevator may be substituted for the hospital size elevator.

2. The quantity of elevators shall be as required by 419.4.37.1 through 419.4.37.5 ~~Rule 59A-3.081(37)(a) through (e), Florida Administrative Code.~~

**419.4.30.15** (e) Televisions in psychiatric patient rooms are optional. Where televisions are not provided, associated electrical services may likewise be omitted.

**419.4.31** (31) **Details and Finishes.** The following describes the requirements for details and finishes in new hospitals and for additions, alterations and renovations to existing hospitals.

**419.4.31.1** (a) Corridors in patient care and treatment areas must be a minimum of 8 feet in clear and unobstructed width except in psychiatric facilities where 6-foot corridors are acceptable. In psychiatric facilities housing geriatric patients, corridors in patient care and treatment areas must be a minimum of 8 feet in clear and unobstructed width. Equipment such as drinking fountains, telephone booths and time clocks shall be located in alcoves or in other locations so as not to infringe on the corridor space and not reduce the corridor width below the required minimum. Corridors in non-patient care areas shall be a minimum of 44 inches in clear width.

**419.4.31.2** (b) Smaller rooms which may be occupied by patients and which contain bathtubs, sitz baths, showers and water closets shall have doors which open away from the room. When such rooms are necessarily on corridors, the corridors shall be equipped with alcoves to accommodate the door swinging outward. These alcoves must be designed to allow a minimum of 1 foot from the latch side of the door frame to allow opening by persons in wheelchairs. In non-corridor locations where doors opening outward are not feasible, the door and frame shall be fitted with rescue-type hardware.

**419.4.31.3** (c) Doors to patient sleeping rooms, treatment rooms, examination rooms and exits shall be a minimum of 44 inches wide and a minimum of 80 inches high. Doors to other rooms and spaces shall be a minimum of 34 inches wide. In patient areas of rehabilitation hospitals, there shall be a minimum clearance of 1 foot at the strike side of the door to accommodate wheelchair accessibility. Patient room doors in psychiatric hospitals shall be a minimum of 36 inches wide, except doors to patient rooms in geriatric psychiatric areas shall be a minimum width of 44 inches.

**419.4.31.4** (d) Doors shall not swing into corridors except those in spaces that are not subject to occupancy such as small closets. Large walk-in closets are considered occupiable spaces.

**419.4.31.5** (e) Patient charting desks that fold down from the wall are not permitted to intrude on the required corridor space, and if used, must be placed in an alcove of sufficient depth to eliminate any intrusion on the corridor space.

**419.4.31.6** (f) Patient sleeping rooms shall be provided with operable windows to the exterior sized to equal at least 8 percent of the gross floor area of the room. All windows shall have a minimum 20-foot unobstructed vista. This vista is measured perpendicularly from the plane of the window. Other than in intensive care units, the maximum stool height in patient sleeping rooms may not exceed 3 feet above the finished floor. Window locking and operating mechanisms may not be more than 72 inches above the finished floor. Window stools in intensive care units may not exceed 5 feet above the finished floor.

**419.4.31.7** (g) Flat plates, if used as sills under A-labeled doors and expansion joint covers, shall be flush with the adjacent finished floor covering, and the surface shall be smooth.

**419.4.31.8** (h) Ceiling heights shall be as follows.

**419.4.31.8.1.** Ceilings in rooms with ceiling-mounted surgical light fixtures and in kitchens shall be a minimum height of 9 feet.

**419.4.31.8.2.** In psychiatric facilities, ceilings in patient bedrooms and seclusion rooms shall be a minimum height of 9 feet.

**419.4.31.8.3.** Ceilings in corridors and patient toilet rooms shall be a minimum height of 7 feet 6 inches. Lighting fixtures, signs and other equipment shall not extend below a height of 6 feet 8 inches above the finished floor. Ceilings in all other rooms shall be a minimum height of 8 feet.

**419.4.31.8.4.** When remodeling existing facilities, written approval by the Office of Plans and Construction shall be required in advance for ceiling heights which are lower than the above minimums.

- 419.4.31.9.** (†) Ceilings shall be acoustically treated in corridors in patient areas, nurse stations and dining rooms. Ceilings in kitchens, operating rooms and delivery rooms, including LDR and LDRP rooms, shall be washable.
- 419.4.31.10.** (†) Dispensers for single-service paper towels and soap dispensers shall be provided at all hand washing facilities.
- 419.4.31.11.** (†) The walls in patient treatment areas and sleeping areas shall be washable; and in the immediate area of plumbing fixtures, the finish shall be moisture resistant.
- 419.4.31.12.** (†) Toilet compartment partitions and urinal screens in the men's toilet rooms shall not be constructed of enameled steel.
- 419.4.31.13.** (†) Wall bases in operating rooms and Cesarean section/delivery rooms shall be integral with the floor surface material and shall be without voids that can harbor harmful bacteria.
- 419.4.31.14.** (†) All smoke partitions, horizontal exits and exit passageway partitions shall be constructed prior to the construction of intervening walls.
- 419.4.31.14.1.** Smoke partitions shall be constructed so as to provide a continuous smoke-tight membrane from exterior wall to exterior wall and from the floor to the underside of the deck above. This includes interstitial space and the area above solid fire tested membranes.
- 419.4.31.14.2.** Where it is not possible to inspect smoke partitions because of the fire tested membrane, fire-rated access panels shall be installed adjacent to each side of the smoke partitions at intervals not exceeding 30 feet and in such locations as necessary to view all surfaces of the partition.
- 419.4.31.14.3.** No items shall be recessed in smoke partitions, horizontal exits and exit passageway walls which will compromise the fire integrity.
- 419.4.31.14.4.** Where plaster or gypsum wallboard are used to construct such partitions, each side of the partition shall be continuous from outside wall to outside wall and from the floor to the underside of the deck above, interrupted only by doors and ventilation duct work which has been dampered properly to prevent the passage of smoke.
- 419.4.31.14.5.** Where electrical conduits, cable trays, ducts and utility pipes pass through the smoke partition, the utilities shall be located so that access is maintained to adjacent wall surfaces and to all damper access panels. The details shall show the studs and reinforcing half studs so that proper support is provided for the wall surfacing material. There shall be a minimum clearance of 6 inches between all conduits, piping and duct work at corridor walls to facilitate the inspection of these walls.
- 419.4.31.15.** (†) The design and construction of linen and refuse chutes shall be in accordance with NFPA-82, Standard on Incinerators, Waste and Linen Handling Systems and Equipment as prescribed by Rule Chapter 4A-3, F.A.C.
- 419.4.31.15.1.** Dumbwaiters, conveyors and other material handling systems shall not open directly into a corridor or exit way but shall open into a room enclosed by construction having a minimum fire resistance of 1 hour and provided with Class B-labeled, 1-hour fire-rated doors.
- 419.4.31.15.2.** Service entry doors to vertical shafts containing dumbwaiters, conveyors and material handling systems shall be not less than Class B-labeled, one and one half  $\frac{1}{2}$ -hour fire-rated doors. Material handling systems designed to open directly to the service area without the use of doors shall be fitted with tight closing smoke dampers. The doors of smoke dampers used in these systems shall close upon activation of a local smoke detector.
- 419.4.31.16.** (†) In general hospitals and rehabilitation hospitals, and in those areas designed for ~~persons with disabilities~~ ~~handicapped people~~, grab bars shall be provided at patient use toilets, showers and tubs. The bars shall be one and one half  $\frac{1}{2}$  inches in diameter, shall have one and one half  $\frac{1}{2}$ -inch clearance to walls and shall be of sufficient strength and anchorage to sustain a concentrated load of 250 pounds for 5 minutes. Fully recessed soap dishes shall be provided at all tubs and showers.
- 419.4.31.17.** (†) Mirrors shall not be installed at hand washing facilities in food preparation areas and in clean utility rooms.
- 419.4.32.** (†) Recreation rooms, exercise rooms and similar spaces where impact noises may be generated shall not be located directly over patient bed areas unless special provisions are made to minimize noise.

**419.4.33.** ~~(33)~~ Floor materials shall be easily cleanable and shall have wear resistance appropriate for the location involved. Floors in areas used for food preparation and food assembly shall be water resistant and grease proof. Joints in ceramic tile, quarry tile and similar materials in food preparation, food assembly, ware washing and other areas subject to harsh chemicals shall be of a material not affected by such chemicals. In all areas frequently subject to wet cleaning methods, floor materials shall not be physically affected by germicides and cleaning solutions. Floors that are subject to traffic while wet, such as assisted and non-assisted shower and bath areas, kitchens and similar work areas, shall have a nonslip surface.

**419.4.34** ~~(34)~~ Wall bases in kitchens, toilets and other areas which are frequently subject to wet cleaning methods shall be made integral and cove with the floor, tightly sealed within the wall and constructed without voids that can harbor insects.

**419.4.35** ~~(35)~~ The finished ceiling in the dietary and food preparation areas shall enclose all overhead duct work and piping.

**419.4.36** ~~(36)~~ Finished ceilings may be omitted in mechanical and equipment spaces, repair workshops, general storage areas and similar spaces unless the ceiling is required for structural fire protection purposes.

**419.4.37.** ~~(37)~~ **Elevators Where Required.** All hospitals where either patient beds or a critical service facility such as operating, delivery, diagnostic, recreation, patient dining or therapy rooms are located on more than one floor shall have electric or electrohydraulic elevators and shall be in compliance with the requirements of Chapter 30 Elevators and Conveying Systems and Chapter 4A-47, Florida Administrative Code “Uniform Fire Safety Standards For Elevators.” ~~the Code, Chapter 30 Elevators and Conveying Systems Rule Chapter 4A-47, Florida Administrative Code (Florida Elevator Safety Code);~~ as follows.

**419.4.37.1.** ~~(a)~~ At least one hospital type elevator shall be installed where 1 to 59 patient beds are located on any floor other than the first floor. For purposes of these requirements, the first floor is that floor first reached from the main front entrance.

**419.4.37.2.** ~~(b)~~ At least two hospital type elevators shall be installed:

**419.4.37.2. 1.** Where 60 to 200 patient beds are located on floors other than the first; or

**419.4.37.2. 2.** Where service facilities are located on a floor other than that containing the patient beds.

**419.4.37.3.** ~~(c)~~ A minimum of three hospital type elevators shall be installed:

**419.4.37.3. 1.** Where 201 to 350 patient beds are located on a floor other than the first floor;

**419.4.37.3. 2.** Where service facilities are located on a floor other than the first; or

**419.4.37.3. 3.** Where service facilities are located on a floor other than that containing the patient beds.

**419.4.37.4.** ~~(d)~~ For hospitals with more than 350 beds, the number of elevators shall be determined by an independent study of the hospital plan and the estimated vertical transportation requirements. In no case shall there be fewer than three elevators.

**419.4.37.5.** ~~(e)~~ Hospital type elevator cars shall have inside dimensions that will accommodate a standard patient bed and attendants. The car door shall have a minimum clear opening of 4 feet wide by 7 feet high. The minimum capacity of the elevator shall be 4,000 pounds. Additional elevators installed for visitors and material handling may be of a size less than noted above, but they shall be subject to the standards for access by the handicapped.

**419.4.37.5. 1.** Leveling. Elevators shall be equipped with a 1-way automatic level maintaining device with an accuracy of  $\pm 1/4$  inch.

**419.4.37.5. 2.** Operation. Except those dedicated for material handling, each elevator shall be equipped with a two-way special service switch for staff use to permit cars to bypass all landing button calls and be dispatched directly to any floor. The fireman’s service function may be used.

**419.4.37.5. 3.** Elevator controls, landing calls, alarm buttons and telephones shall be accessible to wheelchair occupants.

**419.4.37.5. 4.** Elevator call buttons and controls shall be of the type that will not be activated by heat or smoke. If used for operation of door reopening devices without physical contact, light beams shall be provided in addition to door edge safety devices. The light beams shall be interconnected with a system of smoke detectors so that in case of smoke at any landing, the light control feature will be overridden or disengaged.

**419.4.38.** ~~(38)~~ **Water Supply and Sewage Disposal.**

**419.4.38.1.** (a) Water Supply. An approved, accessible, adequate, safe and potable supply of water shall be available at all times for drinking, culinary, bathing, cleaning and laundry purposes. Hot water shall be supplied to all lavatory and sink plumbing fixtures available for use by patients and staff.

**419.4.38.2.** (b) Sewage Disposal. An approved, adequate and safe method of sewage collection, treatment and disposal shall be provided for each hospital.

**419.4.39** (39) **Heating, Ventilating and Air Conditioning Systems.** Air handling equipment shall be located in mechanical equipment rooms unless it serves only one room and is located in that room.

(a) Ventilation. Ventilation shall be provided by mechanical means in all rooms in new facilities and in all remodeled rooms. The minimum quantities and filtrations shall be met as set forth in the Minimum Hospital Ventilation Rate Tables below for those spaces that are listed. These requirements apply to inpatient areas and outpatient areas within the hospital. Detached outpatient facilities shall comply with 419.4.40 section (40) below except that outpatient surgery, outpatient cardiac catheterization and any other treatment or diagnostic procedure involving invasive procedures shall comply with the requirements for outpatient area within the hospital.

**419.4.40.** (40) Psychiatric and rehabilitation hospitals shall comply with the requirements for general hospitals except as follows.

**419.4.40.1.** (a) Total air quantities shall be a minimum of 75 cubic feet per minute (0.04 m<sup>3</sup>/s) for each room.

**419.4.40.2.** (b) Outdoor air shall be supplied in sufficient quantities to balance air exhausted but not less than 25 cubic feet per minute (0.012 m<sup>3</sup>/s) per occupant.

**419.4.40.3.** (c) Air handler system types and filtration levels may be 1C, 2C or 3C as noted in 419.4.39. Rule 59A-3.081(39)(a); Florida Administrative Code.

**419.4.41.** (41) **Exhaust.** All fans serving exhaust systems shall be located at the discharge end of the system in all new and remodeled facilities. Fans located immediately within the building at the end of exhaust ducts shall be permitted. Existing, nonconforming systems need not be brought into compliance except in remodeling but should strive for compliance when equipment is replaced.

**419.4.41.1.** (a) All halon extinguishing systems shall be provided with a manually operated purge system. The purge system shall exhaust where there is no possible re-entry into the building.

**419.4.41.2.** (b) Each space used for administering inhalation anesthesia shall be provided with a scavenging system to vent waste gases. The system may be connected to the room exhaust system but must be exhausted to the outside.

**419.4.41.3.** (c) Exhaust for autopsy tables and rooms and body boxes shall be on a dedicated duct system(s) and shall discharge where re-entry into the building will be prevented.

**419.4.42** (42) **Hoods.** Laboratory and Nuclear Medicine Hoods. Exhaust ducts shall be installed without fire or smoke dampers. All exhaust air ducts shall be terminated above the roof with the fan mounted on the roof. Exhaust hoods in central food preparation centers shall be listed or certified by a nationally recognized independent testing laboratory.

**419.4.43.** (43) **Ducts.** Except as noted in subparagraph (a) below, all new hospital, outpatient surgery and cardiac catheterization facility construction shall have completely ducted air supply, return, outside air and exhaust systems including areas of other occupancies.

**419.4.43.1.** (a) Outpatient diagnostic and treatment facilities in buildings detached from the hospital may have plenum returns. The use of plenums does not relax the requirement of space relative pressure maintenance or smoke/fire compartment/zone neutrality.

**419.4.43.2.** (b) In new construction, duct system risers penetrating more than one floor shall be installed in vertical fire-rated shafts. Horizontal offsets of the risers shall not be allowed. Fire/smoke dampers shall be installed at duct penetrations of the chase.

**MINIMUM HOSPITAL VENTILATION RATE TABLE (See Note 2)  
GENERAL ACUTE CARE HOSPITALS**

(Table was not changed.)

**MINIMUM HOSPITAL VENTILATION RATE TABLE (See Note 2)**  
**GENERAL ACUTE CARE HOSPITALS**

(Table was not changed.)

**419.4.43. (c) Fan and Damper Control During Fire Alarm.**

**419.4.43. 1.** During a fire alarm, fan systems and fan equipment shall be stopped or controlled to prevent the movement of smoke by mechanical means from the zone in alarm.

**419.4.43. 2.** Fan control shall be designed so as to minimize the interruption of heating, ventilating and air conditioning in compartments remote from the compartment in alarm.

**419.4.43. 3.** Fan control shall not interfere with the continuous operation of exhaust systems conveying ethylene oxide or other hazardous chemicals and fumes or systems required to operate continuously for the health and safety of occupants. Such systems shall include fume hood exhaust deemed by the governing body of the hospital to present a hazard to occupants if exhaust airflow is stopped. Air handling systems shall be designed to allow for continuous operation of all such systems and to minimize movement of smoke by mechanical means from the zone in alarm.

**419.4.44. (44) Plumbing.** All fixtures used by medical and nursing staff and all lavatories for use by patients and food handlers shall be trimmed with valves which can be operated without the use of hands and shall have a water supply spout mounted so that its discharge point is a minimum of 5 inches above the rim of the fixture. Where blade handles are used, they shall not be less than 3 ½ inches or more than 4 ½ inches in length, except that handles on clinical sinks shall not be less than 6 inches long. Scrub sinks shall have foot, knee or timer operated control valves.

**419.4.44.1. (a)** Clinical sinks shall be installed in all soiled utility rooms and shall have an integral trap in which the upper portion of a visible trap seal provides a water surface. Each clinical sink shall be equipped with a flush valve, a water faucet with both hot and cold water, and a bedpan rinsing device.

**419.4.44.2. (b)** Bedpan rinsing devices shall be provided in each patient toilet room.

**419.4.44.3. (c)** The above valves, spouts and bedpan rinsing devices are not required in psychiatric patient rooms except for geriatric or medical patient sleeping and treatment areas.

**419.4.44.4. (d)** Floor drains shall not be permitted in operating, cystoscopy and delivery rooms. Enamel finish flushing rim floor sinks may be installed in rooms used for cystoscopy procedures only.

**419.4.44.5. (e)** Hot water for patient use shall be maintained at a maximum temperature of 120 degrees Fahrenheit at the storage points.

**419.4.44.6. (f)** The location and arrangement of hand washing facilities shall permit their proper use and operation and shall not interfere with movement of the bed. Proper care should be given to the clearances required for blade type operating handles when and if they are used.

**419.4.44.7. (g)** Wall-mounted lavatories and hand washing facilities shall be attached to floor-mounted carriers and shall withstand an applied vertical load of a minimum of 250 pounds on the front of the fixture.

**419.4.44.8. (h)** There shall be a lavatory in each exam treatment room.

**419.4.44.9. (i)** Grease interceptors shall be located outside of the building.

**419.4.44.10. (j)** In nurseries where the admission/observation function is performed in the Level I nursery, there must be a medical gas alarm panel as required for critical care areas.

**419.4.44.11. (k)** A minimum of 4 inches of space shall be provided between the sides of wall-mounted fixtures and surfaces to either side of the fixture.

**419.4.45. (45) Fire Pump.** Where required in new construction, fire pumps and ancillary equipment shall be separated from other functions by construction having a 2-hour fire resistance rating.

**419.4.45.1. (a)** The fire pump normal service disconnect shall be rated to hold locked rotor current indefinitely and shall be located in compliance with Chapter 27, Florida Building Code and National Electric Code 230-70 ~~(a) NFPA 20, 1999 edition, "Standard for the Installation of Centrifugal Fire Pumps"~~ ~~as referenced in 4A-3 FAC. and NFPA-20, Centrifugal Fire Pumps as prescribed by Rule Chapter 4A-3, F.A.C.~~ If the approved normal service disconnect is located on the exterior, the disconnect shall be



padlocked in the “on” position. The position of the disconnect shall be supervised by connection to the fire pump remote annunciator and shall provide a separate fire alarm system trouble indication.

**419.4.45.2.** ~~(b)~~ When the fire pump is placed on the emergency system in addition to the normal supply, the emergency feeder protective device shall be sized in accordance with maximum rating or settings of Chapter 27, Florida Building Code NFPA-70 as prescribed by ~~Rule Chapter 4A-3, F.A.C.~~

**419.4.45.3.** ~~(c)~~ The fire pump transfer switch may be either manual or automatic. If located on the line side of the controller as a separate unit, the switch must be rated for the pump motor locked rotor current indefinitely and must be located in the pump room.

**419.4.45.4.** ~~(d)~~ Combination fire pump controller and transfer switch units listed by the Underwriter’s Laboratories, Inc., as prescribed by Chapter 27, Florida Building Code and Section 4A-3.012(4) FAC. ~~Rule Chapter 4A-3, F.A.C.~~, are acceptable when the transfer switch has exposable and replaceable contacts, not circuit breaker types, rated for the available short-circuit current.

**419.4.45.5.** ~~(e)~~ The fire pump shall be installed in a readily accessible location with direct access from the exterior.

**419.4.46.** ~~(f)~~ **Electrical Requirements. General.** All material, including equipment, conductors, controls, and signaling devices, shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facility requirements as shown in the specifications and as indicated on the plans. All materials and equipment shall be listed as complying with applicable standards of Underwriter’s Laboratories, Inc., or other established standards.

**419.4.46.1.** ~~(a)~~ Nonmetallic sheathed cable or similar systems are not permitted for power and lighting wiring in any facility.

**419.4.46.2.** ~~(b)~~ Panel boards located in spaces subject to storage shall have the clear working space per Chapter 27, Florida Building Code NFPA-70, National Electric Code<sup>®</sup>. “Electrical Access — Not For Storage” shall be permanently marked on the floor and wall about the panel. Panel boards shall not be located in egress corridors.

**419.4.46.2. 1.** Nonmetallic raceways shall not be used or reused to serve patient care areas. Renovated patient care area branch circuitry shall be provided with an equipment ground conductor in compliance with Chapter 27 of the Florida Building Code, the National Electric Code<sup>®</sup>.

**419.4.46.2. 2.** Critical care area wet locations, including cystology rooms, shall be powered through approved isolated power systems. Wet locations are defined as a patient care area that is normally subject to wet conditions while patients are present. This includes standing fluids on the floor or drenching of the work area, either of which condition is intimate to the patient or staff. Routine housekeeping procedures and incidental spillage of liquids do not define a wet location.

**419.4.46.3.** ~~(c)~~ There shall be documentation for equipotential grounding in all patient care areas, building service ground electrode systems, lightning protection ground terminals and special systems such as fire alarm, nurse call, paging, generator, emergency power and breaker coordination.

**419.4.47.** ~~(47)~~ **Lighting.** All spaces occupied by people, machinery and equipment within buildings, approaches to buildings and parking lots shall have electric lighting. Emergency lighting shall be supplied as described in NFPA-99 Standard for Health Care Facilities, pursuant to ~~Rule Chapter 4A-34, F.A.C.~~ Selected egress emergency lighting shall be provided for the parking area and approaches to the parking area to allow safe exiting from the building area.

**419.4.47.1.** ~~(a)~~ Patient bedrooms shall have general lighting and night lighting. A reading light shall be provided for each patient. At least one luminaire for night lighting shall have a switch at the entrance to each patient room. Patient reading lights and other fixed lights not switched at the door shall have switch controls convenient for use at the luminaire. All switches for control of lighting in patient areas shall be of the quiet operating type.

**419.4.47.2.** ~~(b)~~ Operating rooms and delivery rooms shall have general lighting for the room in addition to local high intensity, specialized lighting provided by special fixtures at the surgical and obstetrical tables. Each special lighting unit for local lighting at the tables shall be connected to an independent circuit and shall be powered from the critical branch. A minimum of one general purpose lighting fixture shall be powered from a normal circuit in an operating room, delivery or similar room. A minimum of one

general purpose lighting fixture in an operating room, delivery room or similar room shall be powered from the critical branch circuit.

**419.4.48. (48) Receptacles.** Every operating room and delivery room shall have a minimum of six duplex receptacles connected to the critical branch. All emergency operating rooms and outpatient operating rooms shall have a minimum of four duplex receptacles connected to the critical branch. Where mobile equipment is used which requires special electrical considerations, additional receptacles distinctively marked for specific equipment use shall be provided and connected to the critical power.

**419.4.48.1. (a)** Each general care patient bedroom shall have two duplex receptacles, one on each side of the head of each bed. Each receptacle shall be on a different circuit, at least one of which shall originate in a normal system panel board. There shall be one additional receptacle for motorized beds, if used, and one general purpose receptacle on another wall. There shall be a receptacle high on the footboard wall for entertainment television power. This receptacle is optional in psychiatric facilities.

**419.4.48.2. (b)** A maximum of six duplex receptacles shall be connected to a branch circuit over-current device.

**419.4.48.3. (c)** Mount general purpose receptacles at 18 inches and mount switches 48 inches above the finished floor. All dimensions are to the center line of boxes.

**419.4.48.4. (d)** Duplex receptacles in critical care areas, in all emergency treatment rooms and other areas— acute care beds, angiographic laboratories, cardiac catheterization laboratories, coronary care units, hemodialysis rooms or areas, emergency room treatment areas, human physiology laboratories, intensive care units and postoperative recovery rooms—shall be provided as follows.

**419.4.48.4. 1.** There shall be a minimum of six duplex electrical receptacles for each patient station.

**419.4.48.4.1.1. a.** Four shall be connected to the critical branch of the essential electrical system, and two of the required number shall be connected to dedicated circuits.

**419.4.48.4.1.2. b.** Two shall be connected to a normal power circuit except in anesthetizing locations where two shall be connected to critical power circuits.

**419.4.48.4.1.3. c.** There shall be no more than two receptacles per circuit.

**419.4.48.4. 2.** All branch circuits from the emergency system shall be from the same panel board.

**419.4.48.4. 3.** All branch circuits from the normal system shall be from the same panel board.

**419.4.48.4. 4.** All receptacles shall have engraved cover plates to indicate the panel board and circuit numbers powering the device.

**419.4.48.4. 5.** Branch circuit over-current devices shall be readily accessible to nursing staff and other authorized personnel.

**419.4.48.4. 6.** Receptacles and cover plates shall be identified by a distinctive color. The color selected shall be maintained throughout the facility.

**419.4.48.5. (e)** Equipment in critical care areas—acute care beds, angiographic laboratories, cardiac catheterization laboratories, coronary care units, hemodialysis rooms or areas, emergency room treatment areas, human physiology laboratories, intensive care units and postoperative recovery rooms—shall be provided as follows.

**419.4.48.5. 1.** All branch circuits powering equipment from the emergency system shall be from the same panel board.

**419.4.48.5. 2.** All branch circuits powering equipment from the normal system shall be from the same panel board.

**419.4.48.5. 3.** Fixed equipment shall have engraved nameplates to indicate the panel board and circuit numbers powering the equipment. Nameplates shall be permanently attached to such equipment and shall be located so as to be easily read.

**419.4.48.5. 4.** There shall be critical power receptacles for blood bank refrigerators and a minimum of one receptacle for each pathology laboratory work counter.

**419.4.49 (49) Fire Alarm Systems.** A fire alarm annunciator panel shall be provided at a 24-hour monitored location. The panel shall indicate the zone of actuation of the alarm, and there shall be a trouble signal indicator. Each smoke compartment shall be a separate fire alarm zone. A fire alarm system zone shall not

include rooms or spaces in other smoke compartments and shall be limited to a maximum area of 22,500 square feet.

**419.4.50. (50) Nurse Call System.** A nurse call system shall be provided that will register a call from each patient bed to the nurse station and activate a visual signal at the patient room door and activate a visual and audible signal in the clean workroom, the soiled workroom, the nourishment station and the master station of the nursing unit. In multi-corridor nursing units, additional visible signals shall be installed at corridor intersections in the vicinity of nurse stations. In rooms containing two or more calling stations, indicating lights shall be provided for each calling station.

**419.4.50.1. (a)** Master staff and duty stations may include volume controls provided the minimum setting provides audibility of 15 decibels above normal ambient noise levels where the station is located.

**419.4.50.2. (b)** An emergency calling station of the pull cord type shall be provided and shall be conveniently located for patient use at each patient toilet, bath or shower room, but not inside the shower. The call signal shall be cancelled only at the emergency calling station. The emergency station shall activate audible and visual signals immediately.

**419.4.50.3. (c)** An emergency resuscitation alarm calling station shall be provided for staff use in each operating, delivery, recovery LDR, LDRP, emergency, cardiac and intensive nursing care rooms, nurseries and similar rooms. Supervised wards for mental patients and pediatric bedrooms require special emergency aid calling stations.

**419.4.50.4. (d)** Emergency resuscitative alarm panels (centralized Code Blue) shall be provided at the attending nurse station and at other locations which are staffed 24 hours per day. Audible signals may be silenced temporarily for a call provided subsequent calls automatically reactivate the audible signal immediately. The alarm panel at the 24-hour staffed station may indicate the nurse station/suite where the call originated in lieu of identifying the bed only when a 24-hour station is not one and the same as the attending nurse station.

**419.4.51. (51) Emergency Electric Service.** An essential electrical system shall be provided in accordance with NFPA 99, 1999 edition, "Standard for Health Care Facilities" as referenced in Rule Chapter 4A-3 FAC. ~~NFPA-99 (1990), Standards for Health Care Facilities, as prescribed by Rule Chapter 4A-3, F.A.C.~~

**419.4.51.1. (a)** Separate the normal main service equipment from the emergency distribution equipment by a minimum distance of 6 feet, or locate in separate rooms. Transfer switches shall be considered emergency equipment.

**419.4.51.2. (b)** Switches for critical branch lighting shall be totally separate from normal switching. The devices or cover plates shall be of a distinctive color. Critical branch switches may be adjacent to normal switches. Switches for life safety lighting are not permitted except as required for dusk-to-dawn automatic control of exterior lighting fixtures.

**419.4.51.3. (c)** There shall be selected life safety lighting arranged for automatic dusk-to-dawn operation in the parking lots and along the travel paths from the exits to safe areas. A minimum of 5 footcandles is required.

**419.4.51.4. (d)** A minimum of one elevator per bank serving any patient use floor shall be connected to the equipment branch of the essential electric system and arranged for manual or automatic operation during loss of normal power.

**419.4.51.5. (e)** There shall be a dedicated low fuel alarm for the day tank supplying the emergency generator driver. A manual pump shall also be provided for the day tank. The alarm shall be located at the generator derangement panel.

**419.4.51.6. (f)** Transfer switch contacts shall be of the open type and shall be accessible for inspection and replacement.

**419.4.51.7. (g)** There shall be power connected to the equipment branch of the essential electrical system for kitchen refrigerators, freezers and range hood exhaust fans to facilitate emergency food preparation. Selected lighting within the kitchen and dry storage areas shall be connected to the critical branch of the essential electrical system.

**419.4.51.8. (h)** Outpatient surgery units which are located in a separate building or on another campus shall have a Type I essential electrical system in compliance with NFPA-99, Chapters 3 and 13, Ambulatory Surgical Centers.

**419.4.52. (52) Lightning Protection.** A lightning protection system shall be provided for all new buildings and additions in accordance with NFPA 780, 1997 edition, "Installation of Lightning Protection Systems." ~~NFPA-78, Lightning Protection Code, as prescribed by Rule Chapter 4A-3, F.A.C NFPA 78~~

- 419.4.52.1. (a)** Where additions are constructed to existing buildings, the existing building lightning protection system, if any, shall be inspected and brought into compliance with current standards.
- 419.4.52.2. (b)** When outpatient buildings, either on or off the campus, are constructed or purchased and ambulatory surgical procedures are contemplated, a lightning protection system shall be installed.
- 419.4.52.3. (c)** There shall be surge protection for all electrical services.
- 419.4.52.3. 1.** Main Building Power.
- 419.4.52.3.1.1. a.** Service entrance surge arresters shall comply with National Electric Code Article 280, as prescribed by ~~Chapter 27 of the Florida Building Code, Building Rule Chapter 4A-53, F.A.C.~~ and shall have integral visual indication for surge suppression failure. Additional surge protection shall be provided for all low voltage and power connections to all electronic equipment in critical care areas and life safety systems and equipment such as fire alarm, nurse call and other critical systems as listed in ~~s. 419.4.48.5 Rule 59A-3.081(48)(c), Florida Administrative Code.~~ Protection shall be in accordance with appropriate IEEE Standards for the type of equipment protected.
- 419.4.52.3.1.2. b.** All low voltage system main or branch circuits entering or exiting the structure shall have surge suppressors installed for each pair of conductors and shall have visual indication for protector failure to the maximum extent feasible.
- 419.4.52.3. 2.** Free-standing, one-story outpatient facilities deemed not to be extraordinarily subject to lightning strikes, as determined by surrounding terrain and structures, will not be required to be provided with a lightning protection system.
- 419.4.53. (53)** Physical Plant Requirements for Adult Inpatient ~~Diagnostic Cardiac Catheterization Service.~~ The following are additional special requirements for Adult Inpatient Diagnostic Cardiac Catheterization Service established after July 1, 1997:
- 419.4.53.1. (a)** The number of procedure rooms and the size of the preparation, holding areas shall be based on the anticipated utilization.
- 419.4.53.1. 1.** The procedure room shall be a minimum of 400 square feet (37.16 meters) exclusive of fixed and movable cabinetry.
- 419.4.53.1. 2.** A patient preparation, holding and recovery room shall be provided and arranged to provide visual observation before and after the procedure.
- 419.4.53.1. 3.** There shall be a control room or an area shall be provided and shall be large enough to contain and provide for the efficient functioning of the X-ray and image recording equipment.
- 419.4.53.1. 4.** There shall be a view window permitting full view of the patient from the control console.
- 419.4.53.1. 5.** There shall be an equipment room or enclosure large enough to contain X-ray transformers, power modules, and associated electronics and electrical gear.
- 419.4.53.1. 6.** There shall be scrub facilities with hands-free operable controls adjacent to the entrance of procedure rooms, and shall be arranged to minimize incidental splatter on nearby personnel, medical equipment, or supplies.
- 419.4.53.1. 7.** There shall be a staff change area(s) arranged to ensure a traffic pattern so that personnel entering from outside the service area can enter, change their clothing and move directly into the cardiac catheterization suite.
- 419.4.53.1. 8.** There shall be a clean workroom or clean supply room. If the room is used for preparing patient care items, it shall contain a work counter and handwashing sink. If the room is used only for storage and holding of clean and sterile supply materials, the work counter and handwashing facilities may be omitted.
- 419.4.53.1. 9.** There shall be a soiled workroom containing a handwashing and clinical sink or equivalent flushing rim fixtures. When the room is used for temporary holding or soiled materials, the clinical sink may be omitted.
- 419.4.53.1. 10.** There shall be a housekeeping closet containing a floor receptor or service sink with provisions for storage of supplies and housekeeping equipment.
- 419.4.53.2. (b)** The following spaces shall be available for use by the Adult Inpatient ~~Diagnostic Cardiac Catheterization Service:~~
- 419.4.53.2. 1.** An X-ray viewing room; and
- 419.4.53.2. 2.** An X-ray film file room.
- 419.4.53. (c)** The minimum quantities and filtrations shall be met as set forth in the following table:

**ADULT INPATIENT ~~DIAGNOSTIC~~ CARDIAC CATHETERIZATION SERVICE  
MINIMUM VENTILATION RATE TABLE**

(Table was not changed.)

**ADULT INPATIENT ~~DIAGNOSTIC~~ CARDIAC CATHETERIZATION SERVICE  
MEDICAL GAS STATION OUTLETS**

(Table was not changed.)

Specific ~~395.0163, 395.1055, 408.036 FS.~~

Law Implemented ~~395.0163, 395.1031, 395.1055, 408.036 FS.~~

History ~~—New 1-1-77, Formerly 10D-28.81, Amended 1-16-87, 11-23-88, Formerly 10D-28.081, Amended 9-3-92, 6-29-97, 3-18-98.~~

**419.4.54. 59A-3.108 Facilities and Physical Plant Safety for Intensive Residential Treatment Facilities (IRTF)**

**419.4.54.1. (†) General Requirements.** The facility shall plan and provide an environment that is therapeutic to, and supportive of, all the patients in regard to their disturbances, their healthy development and their changing needs. The therapeutic environment shall take into consideration the architecture of the facility, indoor and outdoor activity areas, furnishings, equipment, decorations and all other factors that involve the interpersonal and physical environment.

**419.4.54.2. (⊖) Facilities shall:**

**419.4.54.2.1. (⊕)** be designed to meet the needs of the age group of the patients and the objectives of the program;

**419.4.54.2.2. (⊖)** provide adequate and appropriate space and equipment for all of the programs of the facility and the various functions within the facility;

**419.4.54.2.3. (⊖)** provide sufficient space and equipment to ensure housekeeping and maintenance programs capable of keeping the building and equipment clean and in good repair; and

**419.4.54.2.4. (⊕)** provide buildings and grounds of the special hospital that shall be maintained, repaired and cleaned so that they are not hazardous to the health and safety of the patients and staff.

**419.4.54.2.4. 1.** Floors, walls, ceilings, windows, doors and all appurtenances of the structures shall be of sound construction, properly maintained, easily cleanable and shall be kept clean.

**419.4.54.2.4. 2.** All areas of the facility other than closets or cabinets shall be well lighted. Dormitories, toilets and dayrooms shall have light sources capable of providing adequate illumination to permit observation, cleaning, maintenance and reading. Light fixtures shall be kept clean and maintained.

**419.4.54.2.4. 3.** All housing facilities shall be kept free of offensive odors with adequate ventilation.

**419.4.54.2.4.3.1. a:** If natural ventilation is utilized, the opened window area for ventilation purposes shall be equal to one-tenth of the floor space in the residential area.

**419.4.54.2.4.3.2. b:** When mechanical ventilation or cooling systems are employed, the system shall be kept clean and properly maintained. Intake air ducts shall be designed and installed so that dust or filters can be readily removed. In residence areas and isolation rooms without natural ventilation, mechanical ventilation systems shall provide a minimum of 10 cubic feet of fresh or filtered recirculated air per minute for each patient occupying the area.

**419.4.54.2.4.3.3. c:** All toilet rooms shall be provided with direct openings to the outside or provided with mechanical ventilation to the outside.

**419.4.54.2.4.3.4. d:** Facilities which utilize permanent heating units shall maintain a minimum temperature of 65EF at a point 20 inches above the floor in sleeping areas. Facilities, such as outdoor programs, which cannot provide permanent heating units, shall ensure that patients are provided with items which will provide adequate warmth during sleep. These shall include items such as portable catalytic heaters and sleeping bags, extra blankets and clothing designed to ensure comfortable sleep in cold weather.

**419.4.54.2.5.** (e) Provide both indoor and outdoor areas where patients can gather for appropriate activities. The grounds on which the facility is located shall provide adequate space to carry out the stated goals of the program; for outdoor activity areas that are appropriate for the ages and clinical needs of children; and provide an appropriate transitional area between the facility and the surrounding neighborhood which is consistent with the goals of the facility, and compatible with existing zoning ordinances.

**419.4.54.2.6.** (f) Provide sleeping areas that shall promote comfort and dignity and provide space and privacy for residents.

**419.4.54.2.6.1.** 1. There shall be no more than eight patients in a sleeping room unless written justification on the basis of the program requirements has been submitted to and approved by the licensing agency.

~~2. ——— Beddings, Clothing and Personal Items. Beds and beddings shall be kept in good repair and cleaned regularly. Used mattress and pillow covers shall be laundered before being issued. Sheets and personal clothing shall be washed at least weekly and blankets washed or dry cleaned at least quarterly. Sheets and blankets shall be stored in a clean, dry place between laundering and issue.~~

**419.4.54.2.6.2.** 3. Each patient shall have his own bed consisting of a level bedstead and a clean mattress in good condition.

**419.4.54.2.6.3.** 4. All mattresses shall have fire retardant mattress covers or protectors. Water repellent mattress covers shall be available if needed.

**419.4.54.2.7.** (g) Provide individual and separate accessible storage areas for each resident's clothing and personal possessions.

**419.4.54.2.8.** (h) Provide laundry and/or dry cleaning facilities. Where laundry facilities are provided, they shall be adequate to ensure an ample quantity of clean clothing, bed linens and towels. Laundry facilities shall be of sound construction and shall be kept clean and in good repair. Laundry rooms shall be well lighted and properly ventilated. Clothes dryers and dry cleaning machines shall be vented to the exterior. Exposure to dry cleaning solvents shall not exceed threshold limit values set by the American Conference of Governmental Hygienists. If laundry facilities are not available, sheets and blankets shall be sent to commercial laundries.

**419.4.54.2.9.** (i) Provide privacy for personal hygiene.

**419.4.54.2.9.1.** 1. All toilets shall have secured seats and be kept clean and in good working order, and all toilets shall be partitioned for privacy.

~~2. ——— Bathrooms shall be cleaned thoroughly each day.~~

**419.4.54.2.9.2, 3.** Bathrooms shall be conveniently located to the sleeping areas.

~~(j) ——— Provide for the personal hygiene for all patients.~~

~~1. ——— A written policy shall be maintained on file at the facility.~~

~~2. ——— Toothbrushes, toothpaste, soap, and other items of personal hygiene shall be provided by the facility if not provided by the patients.~~

**419.4.54.2.9.3.** Shatterproof mirrors shall be furnished in each bathroom.

~~(k) ——— Maintain food service facilities in accordance with the regulations described by AHCA in the Code Chapter 10D-13, Florida Administrative Code.~~

**419.4.54.3.** (3) The facility shall be constructed and maintained in a manner that protects the lives and insures the physical safety of patients, staff and visitors. The center will comply with all relevant federal, state and local building codes, fire, health, safety laws and ordinances and regulations as specified below. Current inspection reports shall be retained in the facility's files for AHCA review.

~~(a) ——— It is the responsibility of the program to arrange for the necessary inspections and to comply within the time frame with any resulting recommendations noted in the inspection reports.~~

~~(b) ——— The grounds and all buildings on the grounds shall be maintained in a safe and sanitary condition, as required in Chapter 386, F.S.~~

**419.4.54.3.1.** (e) Water Supply. Water supplies shall be adequate to serve the demands of the facility and shall be constructed, operated and maintained in accordance with requirements of the Code. ~~Chapter 17-22 or 10D-4, F.A.C.~~

**419.4.54.3.1.1.** 1. Drinking water shall be accessible to all clients. When drinking fountains are available, the jet of the fountain shall issue from a nozzle of non-oxidizing impervious material set at an angle from the vertical. The nozzle and every other opening in the water pipe or conductor leading to the nozzle shall be above the edge of the bowl so that such nozzle or opening will not be

flooded in case a drain from the bowl of the fountain becomes clogged. The end of the nozzle shall be protected by non-oxidizing guards to prevent persons using the fountain from coming into contact with the nozzle. Vertical or bubbler drinking fountains shall be replaced with approved type water fountains or be disconnected. When no approved drinking fountains are available, clients shall be provided with single service cups which shall be stored and dispensed in a manner to prevent contamination. Common drinking cups are prohibited.

**419.4.54.3.1. 2.** Hot and cold running water under pressure and at safe temperatures (not to exceed 120°F for washing and bathing to prevent scalding) shall be provided at regular washing and bathing areas.

**419.4.54.3.2. (d)** Sanitary System, Facilities and Fixtures.

**419.4.54.3.2. 1.** All sewage and liquid waste shall be disposed of in accordance with the Florida Building Code, Plumbing Chapter 17-6 or 10D-6, F.A.C.

**419.4.54.3.2. 2.** All plumbing shall comply with the requirements of Chapter 10D-9, F.A.C., or the plumbing code legally applicable to the area where the facility is located: the Florida Building Code, Plumbing.

**419.4.54.3.2. 3.** For facilities with nine or more patients, curbed areas with floor drains shall be available in convenient locations throughout the facility for the proper disposal of cleaning water and to facilitate cleaning.

~~(c) — Garbage and Rubbish. All garbage, trash and rubbish from residential areas shall be collected daily and taken to storage facilities. Garbage shall be removed from storage facilities at least twice per week. Wet garbage shall be collected and stored in impervious, leak proof, fly tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin. If public or contract garbage collection service is available, the facility shall subscribe to these services unless the volume makes on-site disposal feasible. If garbage and trash are disposed on premises, the method of disposal shall not create sanitary nuisance conditions and shall comply with provisions of the Code. Chapter 17-7, F.A.C.~~

~~**419.4.54.3.3. (f)** Outdoor Areas. Outdoor areas shall be kept free of litter and trash and be well drained. If swimming pools are available in facilities with nine or more clients, such pools shall comply with requirements of the Code, Chapter 4, Section 424 Chapter 10D-5, F.A.C., and shall be supervised at all times when they are in use. Indoor and outdoor recreational areas shall be provided with safeguards designed for the needs of the residents.~~

~~**419.4.54.3.4. (g)** Insect and Rodent Control. Facilities shall be kept free of all insects and rodents. All outside openings shall be effectively sealed or screened to prevent entry of insects or rodents. All pesticides used to control insects or rodents shall be applied in accordance with instructions on the registered product label. Persons applying restricted use pesticides shall be certified by the Department. Facilities not having certified pest control operators shall utilize commercial licensed pest control companies.~~

~~**419.4.54.4. (4)** All facilities shall be required to meet Rule 4A-53 FAC, the Fire Safety Standards uniform fire safety standards for special hospitals and Nursing Homes, as established by the State Fire Marshal pursuant to § 633.022(1)(b)05(8), F.S.~~

~~(a) — All staff shall be instructed in the use of fire extinguishers.~~

~~(b) — All fire extinguishers shall be inspected as regulated by local requirements and shall be serviced as required.~~

~~(c) — All fire safety systems shall be kept in good operating condition.~~

~~(d) — Fire safety systems shall be inspected regularly as regulated by local requirements, and records of such inspections shall be kept on file.~~

~~(5) — The special hospital shall provide for safety inspections by a facility personnel committee.~~

~~(a) — Personnel responsible for safety evaluation shall receive appropriate training.~~

~~(b) — Safety inspections shall be done on a monthly basis, shall be made into a written report, and shall be maintained on file at the facility.~~

~~(c) — Special safety measures shall be provided for areas of the facility that may present an unusual hazard to patients, staff or visitors. Poisonous or toxic compounds are to be stored apart from food and other areas that would constitute a hazard to the residents.~~

~~(6) — Disaster Planning.~~

Programs licensed under Rules 59A-3.100 through 59A-3.111 shall comply with Rule 59A-3.078, F.A.C., in regard to a the comprehensive emergency management plan.

Specific 395.1055 FS:

Law Implemented 252.35(2)(f), 252.38(1)(c), 395.1055 FS:

History—New 2-15-82, Formerly 10D-28.108, Amended 9-4-95.

**419.4.55. 59A-3.081 Physical Plant Requirements for General, Rehabilitation and Psychiatric Hospitals.**

(55) Physical Plant Requirements for Disaster Preparedness of New Hospital Construction.

**419.4.55.1. (a)** Definitions. The following definitions shall apply specifically to all new facilities as used herein in rule 59A-3.081(55):

**419.4.55.1. 1.** “New facility” means a hospital, or an addition of a wing or floor to an existing hospital, which has not received a Stage II Preliminary Plan approval pursuant to this section Chapter 59A-3, F.A.C., prior to the effective date of Rule 59A-3.081 this rule. Interior renovation, refurbishing, modifications or conversions inside of an existing structure licensed as a hospital, shall not have to meet the standards contained in this paragraph;

**419.4.55.1. 2.** “Net square footage” means the clear floor space of an area excluding cabinetry and other fixed furniture or equipment;

**419.4.55.1. 3.** “During and immediately following” means a period of 72 hours following the loss of normal support utilities to the facility;

**419.4.55.1. 4.** “Occupied patient area(s)” means the location of patients inside of the new facility or in the addition of a wing or floor to an existing facility during and immediately following a disaster;

**419.4.55.1. 5.** ——— “Building code” means the building codes as described in section 553.73, F.S.

6. “Patient support area(s)” means the area(s) required to ensure the health, safety and well- being of patients during and immediately following a disaster, such as a nursing station, clean and soiled utility areas, food preparation area, and other areas as determined by the facility.

**419.4.55.1.6. 7.** “On-site” means either in, immediately adjacent to, or on the campus of the facility, or addition of a wing or floor to an existing facility.

**419.4.55.2. (b) New Facility Construction Standards.** The following construction standards are in addition to the physical plant requirements described in sections 419.2 through 419.4 079 through 081 of Chapter 59A-3, F.A.C. These minimum standards are intended to increase the ability of the new facility, or new floor or new wing added to an existing facility to be structurally capable of serving as a shelter for patients, staff and the family of patients and staff (as determined by the facility) and equipped to be self-supporting during and immediately following a disaster:

**419.4.55.2. 1.** Space Standards.

- a. For planning purposes, as estimated by the facility, each new facility shall provide a minimum of 30 net square feet per patient served in the occupied patient area(s).
- b. As determined by the facility, space for administrative and support activities shall be provided for use by facility staff to allow for care of patients in the occupied patient area(s).
- c. As determined by the facility, space shall be provided for staff and family members of patients and staff.

**419.4.55.2. 2.** Site standards.

**419.4.55.2.2.1. a:** All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation, or;

**419.4.55.2.2.2. b:** The floor elevation of all new occupied patient area(s) and all patient support area(s) and patient support utilities, including mechanical, electrical except as noted in 419.4.55.2.8.2.1 (55)9.b.(f), and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation, or

**419.4.55.2.2.3. c:** New additions or floors added to existing facilities, as determined by their site locations, shall be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency



Management Agency, incorporated by reference and available from Federal Emergency Management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024.

**419.4.55.2.2.4, d:** Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route;

**419.4.55.2.2.5 e:** New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the Florida Building Code applicable building code;

**419.4.55.2.2.6, f:** New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria of the American Society of Civil Engineers (ASCE 7-95~~8~~), fifty-year recurrence interval of wind velocity with appropriate exposure category dependent on site location, ~~incorporated the Code. by reference and available from the American Society of Civil Engineers, United Engineering Center, 345 East 47<sup>th</sup> Street, New York, NY 10017-2398.~~

**419.4.55.2. 3.** Structural Standards. Wind load design of the building structure and exterior envelope including exterior wall systems shall be designed in accordance with the ~~Florida Building Code~~.

**419.4.55.2. 4.** Roofing Standards.

**419.4.55.2.4.1, a:** Roofing membrane material shall resist the uplift forces specified in the ~~building Code~~. Roof coverings shall be installed according to the specifications provided by the manufacturer.

**419.4.55.2.4.2, b:** Loose-laid ballasted roofs shall not be permitted;

**419.4.55.2.4.3, c:** All new roof appendages such as ducts, tanks, ventilators, receivers, dx condensing units and decorative mansard roofs and their attachment systems shall be structurally engineered to meet the wind load requirements of the applicable building code. All of these attachment systems shall be connected directly to the underlying roof structure or roof support structure.

**419.4.55.2. 5.** Exterior Unit Standards.

**419.4.55.2.5.1, a:** All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall be designed to resist the wind load requirements of the ~~building Code~~ and the debris impact requirements of in 1626 ~~by the Florida Building Code, as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

**419.4.55.2.5.2, b:** Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements of this Code and the debris impact requirements as specified in 1626 ~~by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130;~~

**419.4.55.2.5.3, c:** Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on-site at the facility and that meet the wind load requirements of the ~~Building Code~~, and the debris impact requirements of 1626 the Code. ~~specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130, may be utilized to protect the exterior units;~~

**419.4.55.2.5.4, d:** All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet wind load

requirements of the ~~Building~~ Code, and the impact requirements of ~~1626~~, specified by ~~Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~ These designs shall be signed, sealed and dated by a registered structural engineer;

~~419.4.55.2.5.5, e:~~ The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by ~~1626 the Florida Building Code. Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

~~419.4.55.2.5.6, f:~~ All of the exterior impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading;

~~419.4.55.2.5.7, g:~~ When not being utilized to protect the windows, the protective system shall not restrict the operability of the windows in the occupied patient bedrooms.

~~419.4.55.2.5.8, h:~~ When not being utilized to protect the windows, the protective systems shall not reduce the clear window opening below 8% of the gross square footage of the patient room.

~~419.4.55.2.6.~~ Heating, Ventilation and Air Conditioning (HVAC) Standards.

~~419.4.55.2.6.1, a:~~ Air moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of or on the roof of the new facility or wing or floor addition to an existing facility and providing service to the new facility or wing or floor addition to an existing facility shall be permitted only when either of the following are met:

~~419.4.55.2.6.1.1, (A)~~ They are located inside a penthouse designed to meet the wind load requirements of the Building Code, or;

~~419.4.55.2.6.2.2 (B)~~ Their fastening systems are designed to meet the wind load requirements of the ~~Building~~ Code and they are protected from impact as specified by ~~Section 1626 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

~~419.4.55.2.6.2, b:~~ All occupied patient areas and patient support areas shall be supplied with sufficient HVAC as determined by the facility to ensure the health, safety and well being of all patients and staff during and immediately following a disaster.

~~419.4.55.2.6.3, c:~~ As determined by the facility these selected HVAC systems and their associated support equipment such as a control air compressor essential to the maintenance of the occupied patient and patient support area(s) shall receive their power from the emergency power supply system(s).

~~419.4.55.2.6.4, d:~~ Ventilation air change rates in occupied patient areas shall be maintained as specified in ~~this section Chapter 59A-3, F.A.C.~~, during and immediately following a disaster.

~~419.4.55.2.6.5, e:~~ Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping shall be located, routed and protected in such a manner as determined by the facility to ensure the equipment receiving the services will not be interrupted.

~~419.4.55.2.7.~~ Plumbing Standards.

~~419.4.55.2.7.1, a:~~ There shall be an independent on-site supply (i.e., water well) or on-site storage capability of potable water at a minimum quantity of 3 gallons per in-patient served in the new facility or wing or floor addition to an existing facility per day during and immediately following a disaster. For planning purposes the number of patients shall be estimated by the facility.

~~419.4.55.2.7.2, b:~~ There shall be an independent on-site supply or storage capability of potable water at a minimum quantity of 1 gallon per facility staff, and other personnel in the

new facility or wing or floor addition to an existing facility per day during and immediately following a disaster. For planning purposes, the number of these personnel shall be estimated by the facility.

**419.4.55.2.7.3, c:** The facility shall determine what amount of water will be sufficient to provide for patient services, and shall maintain an on-site supply or on-site storage of the determined amount.

**419.4.55.2.7.4, d:** When utilized to meet the minimum requirements of this Code rule, selected system appurtenances such as water pressure maintenance house pumps, and emergency water supply well pumps shall take power from the emergency power supply system(s).

**419.4.55.2.7.5, e:** Medical Gas Systems Standards. The storage, distribution piping system and appurtenances serving the occupied patient area(s) shall be contained within a protected area(s) designed and constructed to meet the structural requirements of the Code and debris impact requirements as specified by 1626. ~~by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

**419.4.55.2.8 9.** Emergency Electrical Generator and Essential Electrical System Standards.

**419.4.55.2.8.1, a:** There shall be an on-site Level I emergency electrical generator system designed to support the occupied patient area(s) and patient support area(s) with at least the following support services:

**419.4.55.2.8.1.1, (A)** Ice making equipment to produce ice for the patients served, or freezer storage equipment for the storage of ice for the patients served;

**419.4.55.2.8.1.2, (B)** Refrigerator unit(s) and food service equipment if required by the emergency food plan;

**419.4.55.2.8.1.3, (C)** Life safety and critical branch lighting and systems as required by the section Chapter 59A-3.081, F.A.C.;

**419.4.55.2.8.1.4, (D)** Selected HVAC systems as determined by the facility and other systems required by this Code rule;

**419.4.55.2.8.2, b:** The emergency generator system shall be fueled by a fuel supply stored on-site sized to fuel the generator for 100 percent load for 64 hours or 72 hours for actual demand load of the occupied patient area(s) and patient support area(s) and patient support utilities during and immediately following a disaster, whichever is greater.

**419.4.55.2.8.2.1, (A)** The fuel supply shall either be located below ground or contained within a protected area that is designed and constructed to meet the structural requirements of the Code and debris impact requirements of 1626 as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130. If an underground system is utilized, it shall be designed so as to exclude the entrance of any foreign solids or liquids;

**419.4.55.2.8.2.2, (B)** All fuel lines supporting the generator system(s) for the occupied patient area(s) and patient support area(s) shall be protected also with a method designed and constructed to meet the structural requirements of the Code and debris impact requirements of 1626, as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.

**419.4.55.2.8.2.3, (C)** All panel boards, transfer switches, disconnect switches, enclosed circuit breakers or emergency system raceway systems required to support the occupied patient area(s), patient support area(s) or support utilities shall be contained within a protected area(s) designed and constructed to meet the structural requirements of the Code and debris impact requirements of 1626, as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130, and shall not rely on systems or devices outside of this protected area(s) for their reliability or continuation of service.

~~419.4.55.2.8.2.4. (FV)~~ The emergency generator(s) shall be air or self-contained liquid cooled and it and other essential electrical equipment shall be installed in a protected area(s) designed and constructed to meet the structural requirements of the Code and debris impact requirements of 1626, as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.

~~419.4.55.2.9 (H)~~ Fire Protection Standards.

~~419.4.55.2.9.1. a:~~ If the facility requires fire sprinklers as part of its fire protection, either of the following shall be met:

~~419.4.55.2.9.1.1. (F)~~ On-site water storage capacity to continue sprinkler coverage, in accordance with the requirements of NFPA 13, 1996 edition, incorporated by reference, of the Florida Fire Prevention Code, and available from NFPA, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101 or;

~~419.4.55.2.9.1.2. (H)~~ If the facility plans to provide a Fire Watch, it shall be in accordance with Rule 59A-3, FAC use the following procedure as approved by the Office of Plans and Construction for all areas of the facility that are without sprinkler coverage due to interrupted water flow.

~~(A) Notify the local fire department and document instructions.~~

~~(B) Notify the Agency through the Area Office.~~

~~(C) Assess the extent of the condition and effect corrective action, with a documented time frame. If the corrective action will take more than four (4) hours, do the following items:~~

~~(i) Implement a contingency plan to the facility fire plan containing: a description of the problem, specifically what the system is not doing that it normally does, and the projected correction time frame. All staff on shifts involved shall have documented in-servicing and drilling for the contingency.~~

~~(ii) Begin a documented firewatch, until the system is restored. Persons used for firewatch must be trained in what to look for, what to do, and be able to expeditiously contact the fire department. For a firewatch, a facility can use only: public safety persons (i.e., fire service), a guard service, or staff (e.g., a nurse, maintenance, drill or safety coordinator); if the persons are:~~

~~(A) Off duty from their regular position; in compliance with current state staffing ratios and personnel policies (i.e., not in a condition that would impair performance);~~

~~(B) Trained and competent in what to look for and what to do;~~

~~419.4.55.2.9.1.2.1. (E)~~ Have a provision for priority communication (i.e., a radio or special telephone).

~~419.4.55.2.9.1.2.2. (F)~~ Notify Agency and local authorities, if the time-frame changes or system is restored.

~~419.4.55.2.9.2. b:~~ If the facility provides a Fire Watch in lieu of sprinkler on-site water or water storage, then one 4-A type fire extinguisher or equivalent shall be provided for every 3 or less 2-A fire extinguishers required by NFPA 10, as referenced in 4A-3 FAC. 1998 edition, incorporated by reference and available from NFPA, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101, for the area served. These additional extinguishers shall be equally distributed throughout the area they are protecting.

~~11. External Emergency Communications Standards. Each new facility shall provide for external electronic communication not dependent on terrestrial telephone lines, cellular, radio or microwave towers, such as on-site radio transmitter, satellite communication systems or a written agreement with an amateur radio operator volunteer group(s). This agreement shall provide for a volunteer operator and communication equipment to be re-located into the facility in the event of a disaster until communications are restored. Other methods which can be shown to maintain uninterrupted electronic communications not dependent on land-based transmission shall be pre-approved by the Office of Plans and Construction.~~

~~Specific Authority 395.0163, 395.1055, 408.036, 400.23, F.S.~~

~~Law Implemented 395.0163, 395.1031, 395.1055, 408.036  
400.23, 553.73, 633.022, F.S.~~

~~History New 1-1-77, Formerly 10D-28/81,  
Amended 1-16-87, 11-23-88. Formerly~~

Section 420 is amended to read as follows:

**SECTION 420  
NURSING HOMES**

**420.1 Scope.** All nursing homes shall comply with the following design and construction standards as described herein in Chapter 59A-4 Florida Administrative Code. Enforcement and interpretation of these provisions shall be by the entities state agency authorized by Chapter 553.8073(12) F.S.

Note: Other administrative and programmatic provisions may apply. See Agency of Health Care Administration [ACCA] Rule 59A-4, Florida Administrative Code and Chapter 400 Part II, Florida Statutes.

**420.1.1 59A-4.133 Plans Submission and Review and Construction Standards.**

(†) When construction is contemplated for new buildings or for additions, conversions, renovations or alterations to existing buildings, the plans and specifications for the contemplated construction shall be prepared by Florida-registered architects and engineers.

**420.1.2** (‡) All contemplated additions, conversions, renovations or alterations shall be submitted for approval or exemption from the plans review process.

**420.1.3** (‡) Plans and specifications submitted for review shall be subject to a plan review fee. ~~This fee is as prescribed in Florida by s. Statutes and is as follows:~~

(a) ~~— The amount of the plan review fee for the portion of the review through the first revised construction document review shall not exceed 1 percent of the total estimated cost of the construction project. A cost estimate of the proposed construction shall be submitted by the Florida-registered architect or Florida-registered engineer who is the primary design professional for the project.~~

(b) ~~— An initial fee payment is due with the first submission of plans and specifications to the AHCA. This initial payment shall be 1 percent of the estimated construction cost or \$10,000, whichever is less, but shall in no case be less than \$2,000.00. A \$2,000.00 portion of the initial fee payment is non-refundable.~~

(c) ~~— The AHCA shall also collect its actual cost on all subsequent portions of the plan reviews and construction inspections.~~

(d) ~~— All fees shall be paid by check made payable to the Treasurer, State of Florida, with the check noted and identified that it is for the AHCA Plans and Review Trust Fund. Fees will be accepted only from the licensee or prospective licensee.~~

**420.1.4.** (‡) Plans and specifications for contemplated new buildings or additions, conversions, renovations or alterations which affect the structural integrity, life or fire safety or use of space of existing buildings shall be submitted in three stages as follows:

**420.1.4.1.** (†) First Stage—Schematic Plans, which shall, at a minimum, include the following:

**420.1.4.1.1.** A list of services to be provided in the proposed construction;

**420.1.4.1.2.** A schedule showing total number of beds; types of bedrooms such as private, semi-private, etc.; and types of ancillary spaces;

**420.1.4.1.3.** Single line drawings of each floor which show the relationship of the various activities or services to each other and the room arrangement in each. The name of each room shall be noted;

**420.1.4.1.4.** The proposed roads, walks, service and entrance courts, parking and orientation shall be shown on either a small plot plan or the first floor plan;

**420.1.4.1.5.** A simple cross section diagram of the building; and

**420.1.4.1.6.** If the proposed construction is an addition to or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangement of those buildings.

**420.1.4.2.** (b) Second Stage—Preliminary Plans, Design Development Drawing, which shall, at a minimum, include the following:

**420.1.4.2.** 1. Civil engineering plans—show existing grade structure and proposed improvements. Provide a vicinity map.

**420.1.4.2.** 2. Architectural plans—provide floor plan, 1/8" scale preferred. Show door swings, windows, case work and millwork, fixed equipment and plumbing fixtures. Indicate function of each space. Provide large plan of typical new bedroom. Provide typical large scale wall interior and exterior section and exterior wall elevations.

**420.1.4.2.** 3. Life safety plans—provide single sheet floor plans of both contemplated and existing areas, showing fire and smoke compartmentation, all means of egress, all exit markings and a description of exterior egress lighting. Dimension the compartments, calculate and tabulate exit units and poche unsprinklered areas.

**420.1.4.2.** 4. Mechanical engineering plans—provide one line diagram of the ventilating system with relative pressures of each space. Provide, at a minimum, in outline form, a description or drawing of the anticipated emergency smoke control, passive or active, and system operation, correlated with the life safety plans.

**420.1.4.2.** 5. Electrical engineering drawings—provide one line diagram of essential electrical system showing both normal and alternate power supplies, service entrances, switchboards, transfer switches, distribution and panel boards and description of loads. Show zoned fire alarm correlated with the life safety plans.

**420.1.4.2.** 6. Outline specifications—provide a general description of the construction, including construction classification and rate of components, interior finishes, general types and locations of acoustical material, floor coverings, hardware groups, electrical equipment, ventilating equipment and plumbing fixtures.

**420.1.4.2.** 7. If conversion of an existing building to a nursing home is contemplated, the general layout of space of the existing structure shall be submitted; and

**420.1.4.2.** 8. If addition, alteration, renovation or remodeling to a new or existing facility is proposed, the plans for that existing building shall be submitted.

**420.1.4.3.** ~~(e)~~ Third Stage—Construction Documents.

**420.1.4.3.** 1. The construction documents shall be an extension of the Second Stage-Preliminary Plans submittal and shall completely describe the construction contemplated.

**420.1.4.3.** 2. In the case of additions to new or existing facilities, it is specifically required that mechanical and electrical conditions, including essential electrical systems, be a part of this submittal.

**420.1.5** ~~(5)~~ The AHCA shall approve or disapprove Third Stage submittals within 60 days of receipt of those documents.

**420.1.5.1.** ~~(a)~~ Disapproval of Third Stage submittals because of noncompliance with required codes or the provisions of these rules will automatically terminate the run of the 60 day time period; subsequent resubmissions of the project will initiate another 60 day response period.

**420.1.5.2.** ~~(b)~~ A lack of response within 90 days from the date of disapproval of the Third Stage submittals will constitute abandonment of the project.

**420.1.6** ~~(6)~~ Construction work shall not be started until written approval has been given by the AHCA and must be started within one year following written approval of the construction documents. If construction work is not started within this time period, reapproval must be obtained.

**420.1.7** ~~(7)~~ All subsequent addenda, change orders, field orders and contractor letters altering the approved Construction Documents shall be submitted to the AHCA for approval. Any deviation from approved submittals shall require written approval from the AHCA.

**420.1.8.** ~~(8)~~ Construction inspections.

**420.1.8.1.** ~~(a)~~ All construction projects shall be inspected and approved by the AHCA prior to occupancy.

**420.1.8.2.** ~~(b)~~ The prospective licensee shall notify the AHCA a minimum of 30 days prior to project completion for inspection scheduling.

**420.1.9.** ~~(9)~~ Construction standards.

**420.1.9.1.** ~~(a)~~ For the purposes of these rules, new facility shall be defined as:

**420.1.9.1.1.** 1. All new facilities which are constructed for the purpose of operating a nursing home according to Second Stage—Preliminary Plans approved by the AHCA subsequent to January 1, 2002 ~~April 3, 1995~~.

**420.1.9.1.2.** 2. All conversions of existing buildings from other occupancies which are converted for the purpose of operating a nursing home according to Second Stage—Preliminary Plans approved by the AHCA subsequent to January 1, 2002 ~~April 3, 1995~~.

**420.1.9.1.3.** 3. All buildings previously licensed under the requirements of Chapter 400, Part I, F.S., but not licensed during the 12 calendar months prior to January 1, 2002 ~~April 3, 1995~~.

**420.1.9.1.4.** 4. All new construction additions to facilities according to Second Stage—Preliminary Plans approved by the AHCA subsequent to January 1, 2002 ~~April 3, 1995~~.

**420.1.10.** ~~(10)~~ For the purposes of this section ~~these rules~~, existing facility shall be defined as:

**420.1.10.1.** ~~(a)~~ All facilities in operation prior to January 1, 2002 ~~April 3, 1995~~.

**420.1.10.2.** ~~(b)~~ All facilities with Second Stage—Preliminary Plans approved by the AHCA prior to January 1, 2002 ~~April 3, 1995~~.

**420.1.11.** ~~(11)~~ A licensee for a new facility shall comply with all the following technical codes and standards, which are adopted by reference:

**420.1.11.1.** ~~(a)~~ The fire codes described in Chapter 4A-53, F.A.C.;

**420.1.11.2.** ~~(b)~~ Building Construction Standards in accordance with the Florida Building Code provisions of Chapter 553, F.S.;

**420.1.11.3.** ~~(c)~~ "Duct Construction," Chapter 1 of ASHRAE Guide and Data Book, 1986 Edition, Equipment, American Society of Heating, Refrigeration and Air Conditioning Engineers; and

**420.1.11.4.** ~~(d)~~ I.E.S. Lighting Handbook, Application Volume and Reference Volume, Illuminating Engineering Society of North America, Copyright 1981.

**420.1.11.5.** ~~(e)~~ The following Sheet Metal and Air Conditioning Contractors' National Association, Inc., Standards:

**420.1.11.5.1.** Fire Damper and Health Stop for Air Handling Systems, Second Edition, 1981.

**420.1.11.5.2.** Low Pressure Duct Construction Standards, Fifth Edition, 1976.

**420.1.11.5.3.** High Pressure Duct Construction Standards, Third Edition, 1979.

**420.1.11.5.4.** Rectangular Industrial Duct Construction Standards, 1980.

**420.1.11.5.5.** Round Industrial Duct Construction Standards, 1977.

**420.1.11.5.6.** Flexible Duct Performance and Installation Standards, First Edition, 1980.

**420.1.11.5.7.** Duct Liner Application Standards, Second Edition, 1975.

**420.1.12.** ~~(12)~~ A licensee of an existing facility shall comply with the requirements listed in Table I excluding those requirements identified by an asterisk.

**420.1.12.1.** ~~(a)~~ A licensee shall complete required alterations within a time schedule approved by the AHCA.

**420.1.12.2.** ~~(b)~~ Failure of a licensee to complete alterations within the approved time schedule shall constitute a violation of this section.

~~(13) Local codes which set more stringent standards or add additional requirements shall take precedence over the standards and requirements set forth in this rule.~~

**420.1.13** ~~(14)~~ No currently licensed and operating facility, either previously conforming or nonconforming or as originally approved by the AHCA shall reduce its current degree of compliance with these standards.

**420.1.14** ~~(15)~~ Each facility shall comply, as appropriate, with the standards in Tables I, II, and III, hereby incorporated by reference. ~~Tables I, II, and III may be obtained from the Agency for Health Care Administration, Long Term Care Section, 2727 Mahan Drive, Tallahassee, Florida 32308.~~

**420.1.15.** ~~(16)~~ All facilities shall comply with the following standards:

**420.1.15.1.** ~~(a)~~ All operable windows shall be equipped with well fitted insect screens not less than 16 mesh per inch.

**420.1.15.2.** ~~(b)~~ Throw rugs or scatter rugs shall not be used in the facility. Floor mats are allowed in the facility.

**420.1.15.3.** ~~(c)~~ Interior corridor doors, except for those of small closets and janitors' closets, shall not swing into corridors.

**420.1.15.4.** ~~(d)~~ The temperature of hot water supplied to resident use lavatories, showers and baths shall be between 105E Fahrenheit and 115E Fahrenheit.

**420.1.15.5.** ~~(e)~~ Forced fresh air ventilation shall be provided to all rooms and spaces as required in Table I.

**420.1.15.6.** ~~(f)~~ Laundry facilities, if provided, shall be separated from resident and food service areas, shall be self-contained and shall not be accessible through any other room. The layout of the laundry shall provide a soiled holding room and shall provide for the separation of clean and soiled functions with partitions and doors. Plumbing fixtures and trim shall be in accordance with Table III.

**420.1.15.7.** ~~(g)~~ All spaces occupied by people, machinery, and equipment within buildings, approaches to buildings and parking lots shall be provided with artificial lighting commensurate with the tasks to be performed in, and the function intended for, the space.

**420.1.15.8.** ~~(h)~~ Ceiling mounted tracks and cubicle curtains shall be provided for privacy at each bed in multiple occupancy resident bedrooms. In instances where the use of cubicle curtains is contraindicated by the resident's condition or the attending physician's orders, the facility shall make provision for an alternate, effective method for ensuring resident privacy, approved by the AHCA. In facilities where portable screens have been accepted by the AHCA in lieu of ceiling mounted tracks and cubicle curtains, such screens may continue to be used.

~~(i) All facilities shall be supplied with potable water which is in compliance with the provisions of Chapter 64E-8 or Chapter 17-22, F.A.C., whichever is applicable. Whenever a municipal or community water supply is available to the property, such water supply shall be used in lieu of installing a privately owned water system.~~

~~(j) A safe method of sewage collection, treatment and disposal shall be provided for each nursing home and shall be in compliance with the provisions of Chapter 17-6 or Chapter 64E-6, F.A.C., whichever is applicable. Whenever a municipal or public sewer system is available to the property, such system shall be used.~~

**420.1.15.11.** ~~(k)~~ All windows in resident bedrooms shall be provided with light control devices appropriate to the needs of the residents occupying the room.

**420.1.15.12.** ~~(l)~~ All ice making equipment installed in resident access areas ~~subsequent to April 1, 1982,~~ shall be the self-dispensing type.



**420.1.15.13.** ~~(m)~~ All wiring for power and light feeders, subfeeders and branch circuits in the normal, emergency, essential and equipment systems including nurse call, emergency communication, alarm and alerting systems, shall be installed in metal raceways except: Schedule 40 PVC minimum conduit may be used:

**420.1.15.13.** 1. In underground or in concrete slabs.

**420.1.15.13.** 2. For ungrounded, isolated power branch.

**420.1.15.13.** 3. Above nonfire-rated ceilings and where ceiling cavity is not used for a return air plenum.

(17) Alterations:

(a) ~~If, within a period of 12 months, alterations, conversions, renovations or repairs, costing in excess of 50 percent of the then physical value of the nonconforming building as determined by the sponsor, architect or engineer and approved by the AHCA are made, such building shall be made to conform to each and every standard for a new facility.~~

(b) ~~If a nonconforming building is damaged by fire or otherwise, in excess of 50 percent of its then physical value before such damage is repaired, it shall be made to conform to each and every standard for a new facility.~~

(c) ~~If the cost of such alterations, conversions, renovations or repairs, or the amount of such damage, is more than 25 percent but not more than 50 percent of the then physical value of the nonconforming building, the degree of compliance with new facility standards shall be determined by the AHCA.~~

(d) ~~Alterations, renovations or repairs not covered by the three preceding paragraphs to restore a nonconforming building to its condition previous to damage or deterioration shall minimally meet standards for new facilities.~~

Specific 400.23 FS:

Law Implemented 400.011(2), 400.021(1) ~~—(17)~~, 400.022(1) ~~—(4)~~, 400.102, 400.141, 400.23 FS:

History ~~—~~ New 4-1-82, Amended 4-1-84, 4-29-92, Formerly 10D-29.120, 59A-4.120, Amended 2-6-97.

**TABLE I - GENERAL STANDARDS**

(Table was not changed.)

**TABLE I - GENERAL STANDARDS**

(Table was not changed.)

**TABLE I - GENERAL STANDARDS**

(Table was not changed.)

**TABLE I - GENERAL STANDARDS**

(Table was not changed.)

**TABLE I - GENERAL STANDARDS**

(Table was not changed.)

**TABLE I - GENERAL STANDARDS**

(Table was not changed.)

**TABLE II  
VENTILATION RATE TABLE**

(Table was not changed.)

**420.1.17.** ~~(18)~~Physical Plant Requirements for Disaster Preparedness of New Nursing Home Construction.

**420.1.17.1.** ~~(a)~~Definitions. The following definitions shall apply specifically to all new facilities as used in this section ~~rule 59A-4.133(18)~~:

**420.1.17.1. 1.** **New facility** means a nursing home, or an addition of a wing or floor to an existing nursing home, which has not received a Stage II Preliminary Plan approval pursuant to this section ~~Chapter 59A-4, F.A.C., prior to the effective date of this rule~~. Interior renovation, refurbishing, modifications or conversions inside of an existing structure licensed as a nursing home shall not have to meet the standards contained in this paragraph.

**420.1.17.1. 2.** **Net square footage** means the clear floor space of an area excluding cabinetry and other fixed furniture or equipment.

**420.1.17.1. 3.** **During and immediately following** means a period of 72 hours following the loss of normal support utilities to the facility.

**420.1.17.1. 4.** **Occupied resident area(s)** means the location of residents inside of the new facility or in the addition of a wing or floor to an existing facility during and immediately following a disaster.

**420.1.17.1. 5.** **Building code** means the building codes as described in section 553.73, F.S.

**420.1.17.1. 6.** **Resident support area(s)** means the area(s) required to ensure the health, safety and well-being of residents during and immediately following a disaster, such as a nursing station, clean and soiled utility areas, food preparation area and other areas as determined by the facility.

**420.1.17.2.** ~~(b)~~New Facility Construction Standards. The following construction standards are in addition to the physical plant requirements described in ~~sections 420.1.1 through 420.4.11~~ ~~(11)~~ ~~of Chapter 59A-4.133, F.A.C.~~ These minimum standards are intended to increase the ability of the new facility to be structurally capable of serving as a shelter for residents, staff and the family of residents and staff and equipped to be self-supporting during and immediately following a disaster:

**420.1.17.2. 1.** Space Standards.

**420.1.17.2.1.1.** ~~a~~For planning purposes, as estimated by the facility, each new facility shall provide a minimum of 30 net square feet per resident served in the occupied resident area(s).

**420.1.17.2.1.2.** ~~b~~As determined by the facility, space for administrative and support activities shall be provided for use by facility staff to allow for care of residents in the occupied resident area(s).

**420.1.17.2.1.3.** ~~c~~As determined by the facility, space shall be provided for all staff and family members of residents and staff.

**420.1.17.2. 2.** Site standards.

**420.1.17.2.2.1.** ~~a~~All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation, or;

**420.1.17.2.2.2.** ~~b~~the floor elevation of all new occupied resident area(s) and all resident support area(s) and resident support utilities, including mechanical, electrical and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations whichever requires the highest elevation, or

**420.1.17.2.2.3.** ~~c~~new additions or floors added to existing facilities, as determined by their site locations, shall be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency Management Agency, incorporated by reference and available from Federal Emergency Management Agency, Federal Insurance Administration, Attn. Publications, P.O. Box 70274, Washington, D.C. 20024.

**420.1.17.2.2.4.** ~~d~~Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route;

**420.1.17.2.2.5.** ~~e~~New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the ~~applicable building cCode~~;

**420.1.17.2.2.6.** ~~f~~New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria of the American Society of Civil Engineers (ASCE 7-985), fifty-year recurrence interval of wind velocity with appropriate exposure category dependent on site location, ~~incorporated by reference and available from the American Society of Civil Engineers, United Engineering Center, 345 East 47<sup>th</sup> Street, New York, NY 10017-2398.~~

**420.1.17.2. 3.** Structural Standards. Wind load design of the building structure and exterior envelope including exterior wall systems shall be designed in accordance with the ~~building cCode~~.

**420.1.17.2. 4.** Roofing Standards.

**420.1.17.2.4.1.** ~~a~~Roofing membrane material shall resist the uplift forces specified in the ~~building cCode~~. Roof coverings shall be installed according to the specifications provided by the manufacturer.

**420.1.17.2.4.** ~~b~~Loose-laid ballasted roofs shall not be permitted;

**420.1.17.2.4.** ~~c~~All new roof appendages such as ducts, tanks, ventilators, receivers, dx condensing units and decorative mansard roofs and their attachment systems shall be structurally engineered to meet the wind load requirements of the applicable building code. All of these attachment systems shall be connected directly to the underlying roof structure or roof support structure.

**420.1.17.2. 5.** Exterior Unit Standards.

**420.1.17.2.5.1.** ~~a~~All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall be designed to resist the wind

load requirements of the ~~building e~~ Code and the debris impact requirements as specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

~~420.1.17.2.5.2, b~~: Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements of the code and the debris impact requirements as specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

~~420.1.17.2.5.3, c~~: Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on-site at the facility and that meet the wind load requirements of the ~~building e~~ Code, and the debris impact requirements specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130,~~ may be used to protect the exterior units;

~~420.1.17.2.5.4, d~~: All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet wind load requirements of the ~~building e~~ Code, and the impact requirements specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~ These designs shall be signed, sealed and dated by a registered structural engineer.

~~420.1.17.2.5.5, e~~: The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

~~420.1.17.2.5.6, f~~: All of the exterior impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading.

~~420.1.17.2.5.7, g~~: When not being used to protect the windows, the protective system shall not restrict the operability of the windows in the occupied resident bedrooms.

~~420.1.17.2.5.8, h~~: When not being used to protect the windows, the protective systems shall not reduce the clear window opening below 8% of the gross square footage of the resident room.

**420.1.17.2. 6.** Heating, Ventilation and Air Conditioning (HVAC) Standards.

~~420.1.17.2.6.1, a~~: Air moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of or on the roof of the facility shall be permitted only when either of the following are met:

~~420.1.17.2.6.1.1, (A)~~ They are located inside a penthouse designed to meet the wind load requirements of the ~~building e~~ Code, or

~~420.1.17.2.6.1.2, (B)~~ Their fastening systems are designed to meet the wind load requirements of the ~~building e~~ Code and they are protected from impact as specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

**420.1.17.2.6.2.** ~~b~~-All occupied resident areas and resident support areas shall be supplied with sufficient HVAC as determined by the facility to ensure the health, safety and well being of all residents and staff during and immediately following a disaster.

**420.1.17.2.6.3.** ~~c~~-As determined by the facility these selected HVAC systems and their associated support equipment such as a control air compressor essential to the maintenance of the occupied resident and resident support area(s) shall receive their power from the emergency power supply system(s).

**420.1.17.2.6.4.** ~~d~~-Ventilation air change rates in occupied resident areas shall be maintained as specified in this section Chapter 59A-4, F.A.C., during and immediately following a disaster.

**420.1.17.2.6.5.** ~~e~~-Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping shall be located, routed and protected in such a manner as determined by the facility to ensure the equipment receiving the services will not be interrupted.

#### **420.1.17.2.7.** Plumbing Standards.

**420.1.17.2.7.1.** ~~a~~-There shall be an independent on-site supply (i.e., water well) or on-site storage capability of potable water at a minimum quantity of 3 gallons per resident served per day during and immediately following a disaster.

**420.1.17.2.6.2.** ~~b~~-There shall be an independent on-site supply or storage capability of potable water at a minimum quantity of 1 gallon per facility staff, and other personnel in the facility per day during and immediately following a disaster. For planning purposes, the number of these personnel shall be estimated by the facility.

**420.1.17.2.6.2.** ~~c~~-The facility shall determine what amount of water will be sufficient to provide for resident services, and shall maintain an on-site supply or on-site storage of the determined amount.

**420.1.17.2.6.2.** ~~d~~-When used to meet the minimum requirements of this rule, selected system appurtenances such as water pressure maintenance house pumps and emergency water supply well pumps shall take power from the emergency power supply system(s).

**420.1.17.2.8.** Medical Gas Systems Standards. The storage, distribution piping system and appurtenances shall be contained within a protected area(s) designed and constructed to meet the structural requirements of the Code and debris impact requirements as specified by 1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.

#### **420.1.17.2.9.** Emergency Electrical Generator and Essential Electrical System Standards.

**420.1.17.2.9.1.** ~~a~~-There shall be an on-site Level I emergency electrical generator system designed to support the occupied resident area(s) and resident support area(s) with at least the following support services:

**420.1.17.2.9.1.1.** ~~(I)~~Ice making equipment to produce ice for the residents served, or freezer storage equipment for the storage of ice for the residents served;

**420.1.17.2.9.1.2.** ~~(II)~~Refrigerator unit(s) and food service equipment if required by the emergency food plan;

**420.1.17.2.9.1.3.** ~~(III)~~Life safety and critical branch lighting and systems as required by this section Chapter 59A-4, F.A.C.;

**420.1.17.2.9.1.4.** ~~(IV)~~Selected HVAC systems as determined by the facility and other systems required by this Code rule;

**420.1.17.2.9.2.** b-The emergency generator system shall be fueled by a fuel supply stored on-site sized to fuel the generator for 100 percent load for 64 hours or 72 hours for actual demand load of the occupied resident area (s) and resident support area(s) and resident support utilities during and immediately following a disaster, whichever is greater.

**420.1.17.2.9.2.1.** (F)The fuel supply shall either be located below ground or contained within a protected area that is designed and constructed to meet the structural requirements of the Code and debris impact requirements as specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~ If an underground system is used, it shall be designed so as to exclude the entrance of any foreign solids or liquids;

**420.1.17.2.9.2.2.** (F)All fuel lines supporting the generator system(s) shall be protected also with a method designed and constructed to meet the structural requirements of the Code and debris impact requirements as specified by ~~s. 1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

**420.1.17.2.9.2.3.** (F)All panel boards, transfer switches, disconnect switches, enclosed circuit breakers or emergency system raceway systems required to support the occupied resident area(s), resident support area(s) or support utilities shall be contained within a protected area(s) designed and constructed to meet the structural requirements of the Code and debris impact requirements as specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130,~~ and shall not rely on systems or devices outside of this protected area(s) for their reliability or continuation of service.

**420.1.17.2.9.2.4.** (F)The emergency generator(s) shall be air- or self-contained liquid cooled and it and other essential electrical equipment shall be installed in a protected area(s) designed and constructed to meet the structural requirements of the Code and debris impact requirements as specified by ~~1626 Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.~~

**420.1.17.2.** 10.Fire Protection Standards.

**420.1.17.2.10.1.** a-If the facility requires fire sprinklers as part of its fire protection, either of the following shall be met:

**420.1.17.2.10.1.1.** (F)On-site water storage capacity to continue sprinkler coverage, in accordance with the requirements of NFPA 13, as referenced in the 1996 edition, Florida Fire Prevention Code incorporated by reference and available from NFPA, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101, or

**420.1.17.2.10.1.2.** (F)If the facility plans to provide a firewatch, it shall be in accordance with Rule 59A-4, Florida Administrative Code. use the following procedure as approved by the Office of Plans and Construction for all areas of the facility that are without sprinkler coverage because of interrupted water flow:

(A)Notify the local fire department and document instructions.

(B)Notify the Agency through the Area Office.

(C) Assess the extent of the condition and effect correction action, with a documented time frame. If the corrective action will take more than four (4) hours, do the following items:

- I. Implement a contingency plan to the facility fire plan containing: a description of the problem, specifically what the system is not doing that it normally does, and the projected correction time frame. All staff on shifts involved shall have documented in-servicing and drilling for the contingency.
- H. Begin a documented firewatch, until the system is restored. Persons used for firewatch must be trained in what to look for, what to do, and be able to expeditiously contact the fire department. For a firewatch, a facility can use only: public safety persons (i.e., fire service), a guard service, or staff (e.g., a nurse, maintenance, drill or safety coordinator); if the persons are:
  - A. Off duty from their regular position; in compliance with current state staffing ratios and personnel policies (i.e., not in a condition that would impair performance);
  - B. Trained and competent in what to look for and what to do;
  - C. Have a provision for priority communication (i.e., a radio or special telephone);
  - D. Notify Agency and local authorities, if the time-frame changes or system is restored.

**420.1.17.2.10.2. b.** If the facility provides a firewatch in lieu of sprinkler on-site water or water storage, then one 4-A type fire extinguisher or equivalent shall be provided for every 3 or less 2-A fire extinguishers required by NFPA 10, 1998 edition, incorporated by reference and available from NFPA, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101, for the area served. These additional extinguishers shall be equally distributed throughout the area they are protecting.

11. External Emergency Communications Standards. Each new facility shall provide for external electronic communication not dependent on terrestrial telephone lines, cellular, radio or microwave towers, such as on-site radio transmitter, satellite communication systems or a written agreement with an amateur radio operator volunteer group(s). This agreement shall provide for a volunteer operator and communication equipment to be relocated into the facility in the event of a disaster until communications are restored. Other methods which can be shown to maintain uninterrupted electronic communications not dependent on land-based transmission shall be pre-approved by the Office of Plans and Construction, Agency for Health Care Administration, 2727 Mahan Drive Building 1, Tallahassee, Florida 32308.

Specific Authority ~~381.031(1)(g)7.~~, 400.23, F.S.

Law Implemented ~~381.031, 400.011(2), 400.021(1)-(17), 400.022(1)-(4), 400.102, 400.141, 400.23, 553.73, 633.022, F.S.~~

History ~~New 4-1-82, Amended 4-1-84, 4-29-92, formerly 10D-29.120, 59A-4.120, Amended 2-6-97.~~

Section 421 is amended to read as follows:

**SECTION 421**  
**AMBULATORY SURGICAL CENTERS**

**421.1. Scope.** All ambulatory surgical centers shall comply with the following design and construction standards as described ~~herein Chapter 59A-5 Florida Administrative Code~~. Enforcement and interpretation of these provisions shall be by the ~~entities~~ state agency authorized by Chapter 553.8073(12) F.S.

Note: Other administrative and programmatic provisions may apply. See Agency of Health Care Administration [AHCA] Rule 59A-5, Florida Administrative Code and Chapter 395, Florida Statutes.

**421.2 59A-5.021 Plans Submission and Fee Requirements.**

**421.2.1.** ~~(1)~~Construction work, including demolition, shall not be started until written approval has been given by the Office of Plans and Construction, Agency for Health Care Administration, 2727 Mahan Drive Building 1, Tallahassee, Florida 32308, and must be started within 1 year following approval of construction documents, otherwise reapproval must be obtained and the cost of any additional review by the agency will be applied against the initial plans review fee. All design and construction shall comply with the requirements for such facilities as contained in codes and standards published in the National Fire Protection Association No. 101 *Life Safety Code*, Chapter 4A-53, Florida Administrative Code ~~Florida Fire Prevention Code 1994 edition or subsequent edition~~ pursuant to s. 633.022, F.S., and Florida Standard Building Code, 1994 edition Business Occupancy Group B., ~~pursuant to s. 553.73, F.S.~~

**421.2.1.1.** ~~(a)~~No building shall be converted to an ambulatory surgical center unless it complies with the requirements for new ambulatory surgical centers and meets specified standards for patient services to be rendered as contained in this section 59A-5.022 through 59A-5.031, F.A.C.

**421.2.1.2.** ~~(b)~~Major alterations and renovations requiring conformance with the physical plant standards for new ambulatory surgical centers are defined to constitute those elements affecting: the structural integrity of the building; fire safety; substantial change of functional operations; or change in number of constructed recovery beds or operating rooms as contained in this section 59A-5.022 through 59A-5.031, F.A.C.

**421.2.2** ~~(2)~~When construction is contemplated, either for new buildings, additions, or alterations to existing buildings, plans and specifications shall be prepared by a Florida registered architect and by a Florida registered professional engineer. All new buildings and all additions, alterations, conversions and renovations to existing buildings, shall be submitted for approval or exemption from the plan review process.

**421.2.3** ~~(3)~~Plans and specifications subject to review shall be subject to a plan review fee as ~~This fee is prescribed by statute and is as follows:~~

~~(a) The amount of the plan review fee for the portion of the review through the first revised construction shall not exceed 1 percent of the total estimated cost of the construction project. A cost estimate of the proposed construction project shall be submitted by the Florida-registered architect or Florida-registered engineer who is the primary design professional for the project.~~

~~(b) An initial fee payment is due with the first submission of plans and specifications to the agency. This initial payment shall be 1 percent of the estimated construction cost or \$10,000, which ever is less, but shall in no case be less than \$2,000.00. A \$2,000.00 portion of the initial fee payment is non-refundable.~~

~~(c) The agency shall also collect its actual cost on all subsequent portions of the plan reviews and construction inspections.~~

~~(d) All fees shall be paid by check made payable to the Treasurer, State of Florida, with the check noted and identified that it is for the Agency's Plans and Review Trust Fund. Fees will be accepted only from the licensee or prospective licensee.~~

**421.2.4.** ~~(4)~~Plans and specifications shall be submitted in three stages consisting of:



**421.2.4.1.** ~~(a)~~ Schematic Plans.

**421.2.4.2.** ~~(b)~~ Preliminary Plans — design development drawings.

**421.2.4.3.** ~~(c)~~ Construction documents including addenda and change orders.

**421.2.5.** ~~(5)~~ First Stage—Schematic Plans including the following as a minimum:

**421.2.5.1.** ~~(a)~~ Program.

**421.2.5.1.** 1. List services to be provided in the proposed construction.

**421.2.5.1.** 2. A schedule showing total number of operating rooms and recovery beds.

**421.2.5.2.** ~~(b)~~ Schematic plans.

**421.2.5.2.** 1. Single line drawings of each floor shall show the relationship of the various activities or services to each other and the room arrangement in each. The function of each room shall be noted. The proposed roads and walks, service and entrance courts, parking and orientation, shall be shown on either a small plot or the first floor plan. A simple cross section diagram shall be submitted at this stage. A schematic life safety plan showing smoke and fire compartments and exit passageways.

**421.2.5.2.** 2. If the project is an addition, or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangement of those buildings.

**421.2.6.** ~~(6)~~ Second Stage—Preliminary plans shall include the following as a minimum:

**421.2.6.1.** ~~(a)~~ Civil Engineering plans. Show existing grade structure and proposed improvements. Provide a vicinity map.

**421.2.6.2.** ~~(b)~~ Architectural plans. Provide floor plans, 1/8" scale preferred. Show door swings, windows, case work and millwork, fixed equipment and plumbing fixtures. Indicate function of each space. Provide large scale plan of typical new operating and recovery rooms with a tabulation of gross and net square footage of each operating and recovery room. Provide typical large scale wall interior and exterior sections and exterior wall elevations.

**421.2.6.3.** ~~(c)~~ Life Safety plans. Single sheet floor plans showing fire and smoke compartmentation, if any, all means of egress and all exits marking. Additionally, dimension compartments and calculate and tabulate exit units. Show sprinklered areas. Show fire extinguishers and alarm device locations.

**421.2.6.4.** ~~(d)~~ Mechanical Engineering plans. Provide one line diagram of the ventilating system with relative pressures of each space.

**421.2.6.5.** ~~(e)~~ Electrical Engineering Drawings. One line diagram of normal and alternate, essential, power systems showing service entrances switchboards, transfer switches, distribution and panel boards, and description of loads. Show fire alarm zones correlated with item **421.2.6.3** ~~(c)~~ above.

**421.2.6.6.** ~~(f)~~ Outline Specifications. A general description of the construction, including construction classification and ratings of components, interior finishes, general types and locations of acoustical materials, floor coverings, electrical equipment, ventilating equipment, and plumbing fixtures.

**421.2.6.7.** ~~(g)~~ Whenever an existing building is to be converted to an ambulatory surgical center, the general layout of spaces of the existing structure shall be submitted with the preliminary plans for the proposed facility.

**421.2.6.8.** ~~(h)~~ Whenever an addition, alteration, renovation or remodeling to an existing facility is proposed, the general layout of spaces of the existing facility shall be submitted with the preliminary plans.

**421.2.7.** ~~(7)~~ Third Stage—Construction Documents:

**421.2.7.1.** (a) The construction documents shall be an extension of the second stage—preliminary plans submittal and shall completely describe the construction contemplated. These documents shall consist of work related to civil engineering, architectural, including a revised life safety plan; this shall include complete large scale details of all smoke walls, horizontal exits and exit passageways, structural engineering, mechanical engineering, including fire control plans, electrical engineering and specifications for the complete description of the aforementioned disciplines. All construction documents shall be well coordinated. It is specifically required that in the case of additions to existing institutions that mechanical and electrical, especially essential electrical systems, conditions be a part of the submittal.

**421.2.7.2.** (b) All subsequent addenda, change orders, field orders, and other documents altering the above shall be signed, dated under the signature, sealed and submitted for approval pursuant to 471.25 or 481.221, F.S., as appropriate. Any deviation from the approved plans shall require written approval from the agency based upon these rules. Requests for price proposal, which do not officially modify the contract, will not be reviewed.

**421.2.7.3.** (c) Third stage submittals shall be acted upon by the agency within 60 days of the receipt of the construction documents. The agency will, within the indicated time frame, approve or disapprove with a listing of deficiencies. If the agency disapproves of the submission because of non-compliance with appropriate codes and these rules, the run of the 60-day period shall automatically stop. Subsequent resubmission of the project shall initiate another 60-day response period.

Specific 395.1055 FS:

Law Implemented 395.001, 395.0163, 471.025,

481.221, 553.73, 633.033 FS:

History—New 6-14-78, Formerly 10D-30.21, Amended 2-3-88, 5-6-92, Formerly 10D-30.021, Amended 11-12-96.

**421.3 59A-5.022 Physical Plant Requirements for Ambulatory Surgical Centers.** The following minimum standards of construction and specified minimum essential facilities which must be included in ambulatory surgical centers shall apply to all ambulatory surgical centers construction and existing ambulatory surgical centers on the effective date of Rule 59A-5 these rules:

**421.3.1.** (a) Surgical Suite—The surgical suite shall be located so that traffic shall not pass through the suite to any other part of the ambulatory surgical center.

**421.3.1.1.** (a) Operating Rooms—Operating rooms shall be provided in sufficient number to meet the surgical workload of the ambulatory surgical center. The minimum room area shall be 170 square feet. The minimum room dimension shall be 12 feet.

**421.3.1.2.** (b) Operating Service Areas—Size of service area will depend upon the surgical workload and shall include:

**421.3.1.2.** 1. Sterilizing facilities;

**421.3.1.2.** 2. Medication preparation and storage area;

**421.3.1.2.** 3. Scrub-up facilities;

**421.3.1.2.** 4. Soiled work room with work counter;

**421.3.1.2.** 5. Clean work area with storage for clean and sterile supplies;

**421.3.1.2.** 6. Blood storage with alarm, if provided in center;

**421.3.1.2.** 7. Equipment storage;

**421.3.1.2.** 8. Janitor's closet with floor receptor or service sink; and

**421.3.1.2.** 9. Clothing change areas with lockers, showers and toilet rooms for doctors, nurses and other personnel.

In new multi-operating rooms centers, the change areas shall be arranged to permit staff personnel to travel from public spaces through the change area to the operation room corridor without passing through any other space.

**421.3.1.3.** ~~(e)~~Recovery Area — It will be located in the surgical suite or adjacent thereto and shall not be a part of the corridor.

**421.3.1.4.** ~~(d)~~Recovery Service Area — The size of each service area will depend on the number and type of beds in each unit, and include:

**421.3.1.4.1.** Nurses station. For nurses' charting, doctors' charting, communications, and storage for supplies and nurses' personal effects.

**421.3.1.4.2.** Clean work area with work counter and sink.

**421.3.1.4.3.** Soiled work area shall contain work counter and soiled linen receptacles.

**421.3.1.4.4.** Medication preparation area refrigerator, locked storage, and facilities for preparation and dispensing of medication. May be designated area within clean work area, if a double locked cabinet is provided.

**421.3.1.4.5.** Clean linen storage.

**421.3.1.4.6.** Nourishment station.

**421.3.1.4.7.** Handwashing facilities shall be conveniently located to work areas and nourishment stations.

**421.3.1.4.8.** Stretcher and wheelchair parking area or alcove.

**421.3.1.5.** ~~(e)~~Radiology Suite, if provided—Space and fixed equipment for diagnostic x-ray examination, including facilities for development and storage of radiographic film, shall be provided. All radiographic installations shall meet the requirements of NCRP No. 49 and Chapter 64E-5, F.A.C., and shall be subject to inspection by the Bureau of Radiation Control, Department of Health.

**421.3.1.6.** ~~(f)~~Laboratory, if provided—Space and equipment as required for clinical laboratory services shall be provided.

**421.3.1.7.** ~~(g)~~Administrative Department—Space shall be provided for the following functions: business office, admitting office, lobby, public toilet rooms, director of nurses' office, inservice training or conference room, housekeeper's office or space, and other space as necessary to meet the ambulatory surgical center's other needs.

**421.3.1.8.** ~~(h)~~Medical Records—Space shall be provided for clerical staff and inactive record storage.

**421.3.1.9.** ~~(i)~~Laundry—If provided, shall have separate space for: soiled linen; clean linen; linen cart storage, soiled and clean; and storage for laundry supplies.

**421.3.1.10.** ~~(j)~~Central Stores—General storage rooms shall provide a total area of not less than 5 square feet per recovery bed.

**421.3.2.** ~~(2)~~Details and Finishes. Details and finishes for new ambulatory surgical centers shall meet the following requirements:

**421.3.2.1.** ~~(a)~~Such items as drinking fountains, telephone booths, and vending machines shall be located so that they do not project into the corridors.

**421.3.2.2.** ~~(b)~~All doors to patient toilet and dressing spaces, shall be a minimum of 2 feet 8 inches wide and equipped with hardware which will permit access in any emergency.

**421.3.2.3.** ~~(c)~~No doors shall swing in the corridor except closet doors and doors to small mechanical rooms.

**421.3.2.4.** ~~(d)~~Thresholds and expansion joint covers, if used, shall be flush with the floor.

**421.3.2.5.** ~~(e)~~All corridor doors must be equipped with automatic positive latching hardware.

**421.3.2.6.** ~~(f)~~Single service paper towel dispensers and soap dispensers shall be provided at all lavatories and sinks used for handwashing.

**421.3.2.7.** ~~(g)~~Ceiling heights shall be as follows:

**421.3.2.7.1.** Corridors, storage rooms and patients' toilet rooms, not less than 7 feet 6 inches.

**421.3.2.7.2.** All other rooms—no less than 8 feet.

**421.3.2.8.** ~~(h)~~ Approved fire extinguishers shall be provided throughout the building in accordance with Chapter 4A-53~~21~~, F.A.C. If located in corridors, fire extinguishers shall be fully recessed.

**421.3.2.9.** ~~(i)~~ Walls shall be washable and in the immediate area of plumbing fixtures, the finish shall be moisture-proof. Wall bases in the dietary areas shall be free of spaces that can harbor insects.

**421.3.2.10.** ~~(j)~~ All ceilings shall be washable or easily cleanable except that ceilings shall be washable in operating suites and dietary areas. This requirement does not apply to boiler rooms, mechanical and building equipment rooms, shops and similar spaces.

**421.3.2.11.** ~~(k)~~ Ceilings shall be acoustically treated in corridors in patient areas, nurses' stations, and dining areas.

**421.3.2.12.** ~~(l)~~ Wall bases in any areas used for surgical procedures shall be integral with either the wall or the floor surface material and shall be without voids that can harbor harmful bacteria.

**421.3.3** ~~(3)~~ Elevators Where Required. All ambulatory surgical centers where either patients' beds or a critical service facility such as operating, delivery, diagnostic, recreation, patient dining, or therapy rooms, are located on other than one floor, shall have electric or hydraulic elevators and be in compliance with the requirements of Chapter 399, F.S., and ~~61~~7C-5, F.A.C. (Florida Elevator Safety Code). At least one 2500-pound capacity elevator shall be installed as a minimum where recovery beds are located on any floor other than the floor of exit discharge.

~~(4) Water Supply and Sewage Disposal:~~

~~(a) Water Supply—An accessible, adequate, safe, and potable supply of water shall be provided and shall be in compliance with Chapter 17-22, F.A.C. Such water supply shall be accessible and available at all times for drinking, cooking, bathing, cleaning, and laundry purposes. Whenever a municipal or community public water supply is available, such water supply shall be used in lieu of installing a privately owned water system. All plans regarding potable water supply systems shall be approved by the county health department of the county in which the proposed ambulatory surgical center is to be located, and the Department of Environmental Protection.~~

~~(b) Sewage Disposal—An adequate and safe method of sewage collection, treatment and disposal shall be provided for each center, and shall be in compliance with Chapter 17-6, F.A.C. Whenever an existing sewer system is available to the ambulatory surgical center, such system shall be used. All plans regarding collection, treatment and disposal of sewage shall be approved by the county health department of the county in which the ambulatory surgical center is to be located and the Department of Environmental Protection.~~

**421.3.5** ~~(5)~~ Incinerators. Incinerators, if provided, shall be approved by the Department of Environmental Protection under the authority of Chapter 403, F.S.

**421.3.6.** ~~(6)~~ Air Conditioning, Heating and Ventilating Systems.

**421.3.6.1.** ~~(a)~~ Heating and Cooling. Air handling equipment serving a large space or more than one room shall be separated by walls or partitions from storage and occupied areas.

**421.3.6.2.** ~~(b)~~ In new construction, fire dampers, where required, shall be installed in the plane of the wall or floor or if installed in a 10 gauge steel sleeve, not more than 12 inches out of the plane. Access doors shall be provided outside of the sleeve. In existing facilities where the access door is between the plane of the wall or floor and the damper, the access door shall be considered as a smoke door and shall be made self-closing. Smoke dampers shall meet the requirements as prescribed by Chapter 4A-~~53~~, F.A.C. When air handling equipment is not operating, the smoke dampers in the ductwork associated with that equipment shall close.

**421.3.6.3.** ~~(c)~~ Ventilation. Ventilation shall be provided in all rooms in new and remodeled facilities by mechanical means. The minimum quantities and filtrations as set forth in the Minimum Ambulatory

Surgical Center Ventilation Rate Table included as Table I for those spaces that are listed shall be met. Rooms in existing facilities which are not being remodeled need not meet the rate table requirements.

**421.3.6.4.** ~~(d)~~ Under fire alarm conditions, corridors shall not be used to supply air to or return air from any space except as prescribed by an engineered smoke control system, either passive or active.

**421.3.6.5.** ~~(e)~~ Variable volume systems are permitted in all ambulatory surgical centers except in surgical procedures rooms and recovery rooms.

**421.3.6.6.** ~~(f)~~ All air supplied to operating rooms shall be delivered at or near the ceiling of the area served, and all air removed from the area shall be removed near the floor level laterally. Laminar flow systems are not to be prohibited by this requirement. At least two return or exhaust outlets shall be used in all operating rooms. The bottom of the exhaust or return outlets shall be located not less than 3 inches nor more than 12 inches above the finished floor.

**421.3.6.7.** ~~(g)~~ All spaces having large volume exhaust hoods shall have sufficient make-up supply such that the required pressure relationship will not be adversely affected by the operation of the hood.

**421.3.6.8.** ~~(h)~~ Outdoor air intakes shall be located at least 36 inches above surrounding surfaces and a minimum of 10 feet from any exhaust air and plumbing vent. Air intakes for through-the-wall air conditioners serving no more than 1 room are an exception to the 36 inch requirements.

**421.3.6.9.** ~~(i)~~ Friable duct linings exposed to air movement shall not be used in ducts, terminal boxes or other systems supplying operating rooms and recovery rooms, unless terminal filters of at least 90 percent efficiency are installed downstream of linings.

**421.3.6.10.** ~~(j)~~ Smoke dampers shall be capable of being reset automatically.

**421.3.6.11.** ~~(k)~~ Condensate shall be piped to a roof drain or floor drain or shall spill on the ground.

**421.3.6.12.** ~~(l)~~ Roof mounted air handling units shall be located away from any ponding on the roof.

#### MINIMUM HOSPITAL VENTILATION RATE TABLE (See Note 2) GENERAL ACUTE CARE HOSPITALS

(Table was not changed.)

#### **421.3.7.** ~~(7)~~ Plumbing Fixtures.

**421.3.7.1.** ~~(a)~~ Plumbing shall comply with the Florida Building Code, Plumbing Chapter 10D-9, F.A.C.

**421.3.7.2.** ~~(b)~~ Lavatories and sinks required in patient care areas shall have the water supply spout mounted so that its discharge point is a minimum distance of 5 inches above the rim of the fixture. All fixtures used by medical and nursing staff shall be trimmed with valves which can be operated without the use of hands. Where blade handles are used for this purpose, they shall not exceed 4 1/2 inches in length, except that handles on clinical sinks shall not be less than 6 inches long, and scrub sinks shall have foot, knee, or elbow operated water control valves or timers.

**421.3.7.3.** ~~(c)~~ Clinical sinks if provided shall have an integral trap in which the upper portion of a water surface provides a visible trap seal.

**421.3.7.4.** ~~(d)~~ Floor drains shall not be installed in operating rooms.

**421.3.8.** ~~(8)~~ **Electrical Requirements.** All material, including equipment, conductors, controls, and signaling devices, shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities shown in the specifications or indicated on the plans. All materials shall be listed as complying with applicable standards of Underwriters' Laboratories, Inc., or other similarly established standards.

**421.3.8.1.** ~~(a)~~ All spaces occupied by people, machinery and equipment within buildings, and the approaches thereto, and parking lots, shall have electric lighting.

**421.3.8.2.** ~~(b)~~Patients' recovery rooms shall have general lighting. Fixed lights not switched at the door shall have switch controls convenient for use at the luminaries. All switches for control of lighting in recovery areas shall be of the quiet operating type.

**421.3.8.3.** ~~(c)~~Operating rooms shall have general lighting for the room in addition to local lighting provided by special lighting units at the surgical tables. Each special lighting unit for local lighting at tables shall be connected to an independent branch circuit.

**421.3.8.4.** ~~(d)~~Each operating room shall have at least three receptacles of the interchangeable type as defined in the *National Fire Protection Association Code* as prescribed by Chapter 4A-53, F.A.C.

**421.3.8.5.** ~~(e)~~Each patient recovery room shall have duplex receptacles as follows: one on each side for the head of each bed, for parallel adjacent beds only one receptacle is required between beds; receptacles for luminaries and motorized beds, if used; and one receptacle on another wall.

**421.3.8.6.** ~~(f)~~Duplex receptacles for general use shall be installed approximately 50 feet apart in all corridors and within 25 feet of ends of corridors.

**421.3.8.7.** ~~(g)~~In areas where gaseous anesthetic agents are used, such as operating and anesthesia induction rooms, and rooms for storage of flammable gases, all electrical equipment and devices including receptacles, and wiring shall comply with the *National Fire Protection Association Code* as prescribed by Chapter 4A-53, F.A.C.

**421.3.9.** ~~(h)~~Nurses' Calling System and Fire Alarm System. In facilities which contain more than eight recovery beds, or where recovery beds are not in direct view from the nurses' station, a nurses' calling system shall be provided. Each recovery bed shall be provided with a call button. Two call buttons serving adjacent beds may be served by one calling station. Call shall activate a visual and audible signal at the nurses' station and in the clean workroom and soiled workroom. If voice circuits are provided, indicating lights shall be used and shall remain lighted as long as the voice circuit is operating.

**421.3.9.1.** ~~(a)~~A nurses' call emergency system shall be provided at each patient toilet and dressing room. Activation shall be by a pull cord which extends to within 4 inches above the floor. This system will activate audiovisual signals in the recovery room nurses' station and in the surgical suite nurses' station. The emergency call system shall be designed so that signal light activation will remain lighted until turned off at patient's calling station.

**421.3.9.2.** ~~(b)~~A fire alarm system shall be installed in compliance with the *National Fire Protection Association Code* as prescribed by Chapter 4A-53, F.A.C.

**421.3.10** ~~(i)~~Emergency Electric System. There shall be an emergency electrical service to provide power and light to the surgery. This system will be a Type I system as defined in NFPA 99, for a minimum period of 2 hours. The system shall operate emergency exit lighting, fire alarm systems and nurses' calling systems, surgical room lighting, recovery room lighting and shall power monitoring equipment and selected receptacles in the operating and recovery areas. ~~Power may be supplied by batteries or an emergency generator.~~

Specific 395.1055 FS:

Law Implemented 395.1055 FS:

History—New 6-14-78, Formerly 10D-30.22, Amended 2-3-88, Formerly 10D-30.022, Amended 6-11-97:

Section 422 is amended to read as follows:

## **SECTION 422 BIRTHING CENTERS**

**422.1 Scope** All birthing centers shall comply with the following design and construction standards as described here in Chapter 59A-11 Florida Administrative Code.

Note: Other administrative and programmatic provisions may apply. See Agency of Health Care Administration [AHCA] Rule 59A-11, Florida Administrative Code and Chapter 383, Florida Statutes.

**422.2 59A-11.023 Physical Environment, Water Supply and Fire Safety.**

**422.2.1** (†) At least one birthing room shall be maintained which is adequate and appropriate to provide for the equipment, staff, supplies and emergency procedures required for the physical and emotional care of a maternal client, her support person and the newborn during labor, birth, and the recovery period.

**422.2.2** (‡) The birth center shall be designed to provide adequate space for the following:

- (a) Birth rooms shall be located to provide unimpeded, rapid access to an exit of the building which will accommodate emergency transportation vehicles;
- (b) Adequate fixed or portable work surface areas shall be maintained for use in the birth room;
- (c) A separate space for a clean area and a contaminated area; if it is not feasible to provide such separate areas, special procedures shall be established for the disposal of infectious waste. Sanitary waste containers, soiled linen containers, storage cabinets, and an autoclave, pressure cooker, or other effective sterilization equipment shall be available;
- (d) Prenatal and postpartum examinations which will provide privacy for the patient, hand washing facilities and the appropriate equipment for staff; and
- (e) Medical record storage, client interviews, instruction, and waiting rooms.

**422.2.3** (⊕) Toilet and bathing facilities.

- (a) A toilet and lavatory shall be maintained in the vicinity of the birth room.
- (b) Hand washing facilities shall be in or immediately adjacent to the birth room.
- (c) A bathtub or shower shall be available for client use.
- (d) All floor surfaces, wall surfaces, water closets, lavatories, tubs, showers, shall be kept clean, and all appurtenances of the structures shall be of sound construction, properly maintained, in good repair, and free from safety hazards.

**422.2.4** (⊖) There shall be provisions and facilities for secure storage of personal belongings and valuables of clients.

**422.2.5** (⊗) There shall be provisions for visual privacy for each maternal client and her support person.

**422.2.6** (⊘) Hallways and doors providing access and entry into the birth center and birth room shall be of adequate width and conformation to accommodate maneuvering of ambulance stretchers and wheelchairs.

**422.2.7** (⊙) All areas of the facility shall be well lighted and shall have light fixtures capable of providing at least 20 footcandles of illumination at 30 inches from the floor to permit observation, cleaning and maintenance. Light fixtures shall be properly maintained and kept clean.

**422.2.8** (⊚) All housing facilities shall have adequate ventilation and be kept free of offensive odors.

- (a) If natural ventilation is utilized, the opened window area for ventilation purposes shall be equal to one-tenth of the floor space in the residential area.
- (b) When mechanical ventilation or cooling systems are employed, the system shall be properly maintained and kept clean. Intake air ducts shall be designed and installed so that dust or filters can be readily removed. In residence areas and segregation rooms with solid doors, mechanical ventilation systems

shall provide a minimum of ten cubic feet of fresh or filtered recirculated air per minute for each client occupying the area.

- (c) All toilet rooms shall be provided with direct openings to the outside or provided with mechanical ventilation to the outside.

**422.2.9** ~~(9)~~ Adequate heating and cooling facilities shall be provided to maintain a minimum temperature of 68 degrees Fahrenheit and maximum temperature of 78 degrees Fahrenheit at a point 20 inches above the floor.

**422.2.10** ~~(10)~~ All heating devices shall comply with fire prevention provisions found in Rule 4A-53, F.A.C., April 8, 1990, promulgated pursuant to Chapter 633, F.S.

**422.2.11** ~~(11)~~ Laundry.

- (a) Where laundry facilities are provided, ~~clean clothing, bed linens, and towels shall be available for the patients. Laundry facilities shall be of sound construction and shall be in good repair and clean. Adequate space shall be provided and areas shall be designated for the separation of clean and soiled clothing, linen and towels.~~
- (b) Laundry rooms shall be well lighted and properly ventilated. Clothes dryers shall be vented to the exterior. ~~Carts used for transporting dirty clothes, linens, and towels shall not be used for transporting clean articles unless they have been thoroughly cleaned.~~
- (c) ~~If laundry facilities are not available, sheets and blankets shall be cleaned by commercial laundries.~~

~~(12) Beddings. Beds and beddings shall be kept in good repair, cleaned and sanitized whenever soiled. Mattresses and pillows shall have cleanable covers which shall be cleaned and sanitized between use by different clients. Clean sheets shall be used for each client. Blankets shall be washed or dry cleaned whenever soiled. Sheets, blankets, and clean clothing shall be stored in a clean, dry place between laundering and use.~~

~~(13) The grounds and all buildings on the grounds shall be maintained in a safe and sanitary condition.~~

**422.2.12** ~~(14)~~ Insect and Rodent Control. Facilities shall be kept free of all insects and rodents. All outside openings shall be effectively sealed or screened with sixteen mesh screening or equivalent to prevent entry of insects or rodents. ~~All pesticides used to control insects or rodents shall be applied in accordance with instructions on the registered product label. Persons applying restricted use pesticides shall be certified by the department. Facilities not having certified pest control operators shall utilize commercial licensed pest control companies when using restricted use pesticides.~~

**422.2.13** ~~(15)~~ Outdoor Areas. Outdoor areas shall be well drained and ~~kept free of litter and trash.~~ Indoor and outdoor recreational areas shall be provided with safeguards designed for the needs of the residents.

~~(16) Poisonous or Toxic Substances. Poisonous or toxic compounds are to be stored apart from food and other areas that would constitute a hazard to the residents.~~

**422.2.14** ~~(17)~~ Water Supply.

- (a) ~~Water supplies shall be adequate to serve the demands of the facility and shall be constructed, operated and maintained in accordance with requirements of Chapter 62-555 or 10D-4, F.A.C.~~
- ~~(b)~~ Drinking water shall be accessible to all clients. When drinking fountains are available, the jet of the fountain shall issue from a nozzle of non-oxidizing impervious material set at an angle from the vertical. The nozzle and every other opening in the water pipe or conductor leading to the nozzle shall be above the edge of the bowl so that such nozzle or opening will not be flooded in case a drain from the bowl of the fountain becomes clogged. The end of the nozzle shall be protected by non-oxidizing guards to prevent persons using the fountain from coming into contact with the nozzle. Vertical or bubbler drinking fountains shall be replaced with approved type water fountains or be disconnected. When no approved



- drinking fountains are available, clients shall be provided with single service cups which shall be stored and dispensed in a manner to prevent contamination. Common drinking cups are prohibited.
- (be) Hot and cold running water under pressure and at safe temperature, not to exceed 110 degrees Fahrenheit to prevent scalding, shall be provided to all restrooms, lavatories and bathing areas.

**422.2.15** (18) Sewage Disposal.

- (a) ~~All sewage and liquid waste shall be disposed of in accordance with Chapter 62-600 or Chapter 10D-6, F.A.C.~~
- (b) ~~All sanitary facilities shall comply with the requirements of the Florida Building Code Chapter 10D-10, F.A.C.~~
- (c) ~~All plumbing shall comply with the requirements of Chapter 10D-9, F.A.C., or the plumbing code legally applicable to the area where the facility is located.~~
- (bd) For facilities with nine or more birth rooms, mop sinks or curbed areas with floor drains shall be available in convenient locations throughout the facility to facilitate cleaning and for the proper disposal of cleaning water.

(19) ~~Waste Disposal:~~

- (a) ~~All garbage, trash and rubbish from residential areas shall be collected daily and taken to storage facilities. Garbage shall be removed from storage frequently enough to prevent a potential hazard or at least twice per week. Wet garbage shall be collected and stored in impervious, leak proof, fly tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin.~~
- (b) ~~If public or contract garbage collection service is available, the facility shall subscribe to these services unless the volume makes on-site disposal feasible. If garbage and trash are disposed of on premises, the method of disposal shall not create sanitary nuisance conditions and shall comply with provisions of Chapter 62-701, F.A.C., and 10D-6, F.A.C.~~

**422.2.16** (20) Fire Control. Each birth center shall provide fire protection through the elimination of fire hazards, the installation of necessary safeguards such as extinguishers and smoke alarms to insure rapid and effective fire control; ~~and the adoption of written fire control plans rehearsed four times a year by all personnel.~~

- (a) To safeguard all clients, the birth center shall have:
- ~~1. Written evidence of regular inspection by local fire control agencies;~~
  - ~~2. Annual check of fire extinguishers for type, replacement, and renewal dates;~~
  - ~~1 3. "No Smoking" signs prominently displayed in those areas where smoking is not permitted; and~~
  - ~~2 4. Fire regulations and evacuation route prominently posted.~~
- (b) The written fire control plan approved by the appropriate local fire authority shall contain provisions for prompt reporting of all fires, extinguishing fires, protection of personnel and guests, evacuation, and cooperation with fire fighting authorities.
- (c) New centers' carpeting must comply with the maximum flame-spread rating of seventy-five in accordance with American Society for Testing Material (ASTM) E-84-68 test as required under Title 4A, F.A.C. Those existing centers not having affirmative evidence of complying with such flame-spread rating shall establish fire control measures including the prohibition of smoking in carpeted areas. Such procedures shall be approved by the ~~appropriate local fire~~ authority having jurisdiction.

Specific 383.309 FS.

Law Implemented 20.42(2)(a), 383.308, 383.309, 633 FS.

History—New 3-4-85, Formerly 10D-90.23, 10D-90.023, Amended 2-12-96, 9-17-96.

**59A-11.024 Food Service:**

In birth centers where food is provided to the clients:

- (1) All food service areas shall comply with Chapter 10D-13, F.A.C., Rules 10D-13.022, Definitions; 10D-13.023, Food Supplies; 10D-13.024, Food Protection; and 10D-13.025, Personnel.
- (2) Birth centers with three or less birthing rooms shall have facilities and equipment that is consistent with those found in single family dwelling units.
- (3) Birth centers, with four or more birthing rooms, and in which food is provided to the clients shall comply with the prescribed equipment pursuant to Chapter 10D-13, F.A.C.
- (4) If food is catered from outside sources, those sources must comply with Chapter 10D-13, F.A.C.
- (5) If the birth center policy limits the food service to light snacks supplied by the client or support persons there shall be an adequate refrigerator capable of maintaining a temperature of 45 degrees Fahrenheit or lower.

Specific 383.309 FS.

Law Implemented 383.308, 383.309 FS.

History—New 3-4-85, Formerly 10D-90.24, 10D-90.024.

Section 423 is amended to read as follows:

## SECTION 423 STATE REQUIREMENTS FOR EDUCATIONAL FACILITIES

**423.1. Scope. PUBLIC EDUCATIONAL FACILITIES.** Public educational facilities shall comply with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and life safety code (see Rule 6A2-001)~~. These are minimum standards; boards may impose more restrictive requirements. Additional requirements for public educational facilities in Florida, including public schools and public community/junior colleges, are found in these standards.

Note: Other administrative and programmatic provisions may apply. See Department of Education Rule 6-2 and Chapter 235, Florida Statutes.

### **423.2. ~~(1)~~ PUBLIC SCHOOLS AND COMMUNITY COLLEGES GENERAL REQUIREMENTS.**

**423.2.1. ~~(a)~~ Owner.** Each school board and community college board of trustees is deemed to be the owner of facilities within its respective jurisdiction. Boards shall provide for enforcement of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~building codes, life safety codes~~; including standards for health, sanitation, and others as required by law.

**423.2.2. ~~(b)~~ Exemption from Local Requirements.** All public educational and ancillary plants constructed by a school board or a community college board are exempt from all other state, county, district, municipal, or local building codes, interpretations, building permits, and assessments of fees for building permits, ordinances, road closures, and impact fees or service availability fees as provided in Section 235.26~~(12)~~(a), F.S.

### **423.3. ~~(2)~~ CODE ENFORCEMENT.**

**423.3.1. ~~(a)~~ School Boards and Community College Boards.** Section 553.80(6), F.S., provides options for plan review services and inspections by school boards and community college boards.

**423.3.2. ~~(b)~~ Owner Review and Inspection.** A school board or community college board which undertakes the construction, remodeling, renovation, lease, or lease-purchase of any educational plant or ancillary facility, or day labor project, regardless of cost or fund source, shall review construction documents as required by law in Sections 235.017, F.S., and Section 553.80(6), F.S., and shall ensure compliance with requirements of law, rule, and the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~building and life safety codes~~. Section. 553.80(6), F.S., states that district school boards and community college boards shall provide for plan review and inspections for their projects. They shall use personnel certified under Part XII ~~or of~~ Chapter 468, F.S., to perform the plan reviews and inspections or use one of the options provided in Section 235.017, F.S. Under this arrangement, school boards and community college boards are not subject to local government permitting, plan review, and inspection fees.

- 423.3.3. (c) Local Government Review and Inspection.** As an option to the owner providing plan review and inspection services, school boards and community college boards may use local government code enforcement offices who will not charge fees more than the actual labor and administrative costs for the plan review and inspections. Local government code enforcement offices shall expedite permitting. Any action by local government not in compliance with Section 553.80(6), F.S., may be appealed to the Florida Building Commission, which may suspend the authority of that local government to enforce the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and life safety codes~~ on the facilities of school boards and community college boards.
- 423.3.4. (d) Other Regulatory Agencies.** Boards shall coordinate the planning of projects with state and regional regulatory and permitting agencies, as applicable. Other state or local agencies may inspect new construction or existing facilities when required by law; however, such inspections shall be in conformance with the code as modified by this section.
- 423.3.5. (e) Day Labor Projects.** Any one construction project estimated to cost \$200,000 or less where bonafide board employees or contracted labor provide the work. Day labor projects are subject to the same Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~building and life safety codes~~ as new construction.
- 423.3.6. (f) Routine Maintenance.** Maintenance projects are subject to the same Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~building and life safety codes~~ as new construction. Chapter 489, F.S., exempts boards from the use of a licensed general contractor for projects up to \$200,000 where bonafide board employees provide the work. Maintenance projects estimated to cost more than \$200,000 and which include construction, renovation and/or remodeling, shall be reviewed for compliance with the Ccode.
- 423.3.7. (g) Certificate of Occupancy.** New buildings, additions, renovations, and remodeling shall not be occupied until the building has received a Certificate of Occupancy for compliance with codes that were in effect on the date of permit application ~~the construction contract was signed~~.
- 423.3.8. (h) Reuse and prototype plans** shall be code updated with each new project.

**423.4. (3) REFERENCE DOCUMENTS:**

- (a) School Boards and Community Colleges Boards of Trustees.** In addition to complying with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code, life safety codes~~, and other adopted standards and this section, public educational facilities and sites shall comply with applicable federal and state laws and rules.
- 423.4. 1. Rule 6-2 and SREF** [*State Requirements for Educational Facilities (SREF)*]. Florida Department of Education document which includes required design standards, standards for rehabilitation of historical resources, capital outlay project process requirements, and various agencies having jurisdiction during project planning and construction.
- 423.4. 2. FEMA.** Federal Emergency Management Agency. Rules and Regulations 44 CFR, Parts 59 and 60, Revised as of October 1, 1995.
- 423.4. 3. Florida Statutes and State Rules.** Including, but not limited to, Chapters 235, 240, 255, ~~442~~, 468, 471, 481, 489, 553, 633, and Section 287.055 F.S., and various state rules as applicable to specific projects.
- 423.4. 4. Accessibility Requirements for Children’s Environments.** U.S. Department of Justice and the U. S. Architectural and Transportation Barriers Compliance Board.
- 423.4. 5. Handbook for Public Playground Safety.** Playgrounds and equipment shall be designed and installed using the “Handbook for Public Playground Safety” by the U. S. Consumer Product Safety Commission, and the ASTM/CPSC “Playground Audit Guide” as applicable.
- 423.4. 6. ANSI Z53.1.** “American National Standard Safety Color Code for Marking Physical Hazards,” used in shops where machinery requires marking and safety zones.
- 423.4. 7. ASCE 7-98.** American Society of Civil Engineers.
- 423.4. 8. “Life Cycle Cost Guidelines for Materials and Buildings for Florida’s Public Educational Facilities”** available from the Department of Education, Bureau of Educational Facilities ~~shall be considered~~.

**423.5. (4)DEFINITIONS**

**423.5.1. (a)ASSEMBLY.** Assembly occupancies ~~include, but are not limited to,~~ are buildings or portions of buildings used for gatherings of 50 or more ~~people~~ persons, such as auditoriums, gymnasiums, multi-purpose rooms, classrooms and labs, cafeterias, stadiums, media centers and interior courtyards. Assembly occupancies include adjacent and related spaces to the main seating area, such as stages, dressing rooms, workshops, lobbies, rest rooms, locker rooms, and store rooms. School board and community college facilities shall follow the requirements of Uniform Fire Safety Standards as adopted by the State Fire Marshal 2000 ? NFPA 101 for assembly spaces.

**423.5.2. (b)BOARD.** Unless otherwise specified, in this section “board” means a district school board and a community college board of trustees.

**423.5.3. (c)BOILER.** A fuel fired heat-producing appliance with an minimum input capacity of sixty thousand (60,000) B.T.U.’s per hour and intended to supply hot water or steam. Boilers and the inspection of boilers shall comply with the Boiler Safety Act of 1987.

**423.5.4. (d)CERTIFICATE OF OCCUPANCY.**

Documentation issued by an authority having jurisdiction which indicates inspection and approval of completion of a construction project pursuant to the requirements of Florida law.

**423.5.5. (e)COURTYARD.** A court or enclosure adjacent to, or surrounded by, a building(s) and/or walls.

**423.5.5. 1.Exterior Courtyard.** A courtyard which is not roofed, has a minimum width of 40 feet, and has an opening a minimum width of 40 feet, with no obstructions, on at least one end. An exterior courtyard may be considered exterior space and used for exiting of adjacent spaces. For an exterior courtyard with an opening between 40 feet and 60 feet wide, the walls and wall openings must meet the requirements of Florida Building Code, Building SBC Table 600 and the maximum travel to the courtyard opening shall not exceed 150 feet from any point within the courtyard.

**423.5.5. 2.Enclosed Courtyard** - A courtyard which is not roofed and which is substantially surrounded by a building(s) on two sides or more and each opening to the exterior is less than 40 feet in width. The courtyard area shall be calculated for maximum occupancy as an assembly space and the number and size of remotely located exits shall be calculated for the maximum possible load. The maximum possible load is the greater of the calculated capacity of the courtyard or the load imposed by the surrounding spaces. An enclosed courtyard may be used as a component of exit access provided that the walls and wall openings meet the requirements of Florida Building Code, Building SBC Table 600 and the maximum travel to the exit discharge does not exceed 150 feet from any point within the enclosed courtyard. An enclosed courtyard cannot serve as the exterior for exiting or for emergency rescue openings.

**423.5.5. 3.Roofed Courtyard.** A courtyard which is roofed in any manner. Courtyards may be used for assembly spaces and may not be used as a component of exiting from adjacent spaces.

**423.5.6. (f)FACILITY.** Within public education, facilities are additionally defined as follows:

**423.5.6. 1.Ancillary Facility.** A building or other facility necessary to provide district-wide support services, such as an energy plant, bus garage, warehouse, maintenance building, or administrative building.

**423.5.6. 2.Ancillary Plant.** The buildings, site, and site improvements necessary to provide district-wide vehicle maintenance, storage, building maintenance activities, or administrative functions necessary to provide support services to an educational program.

**423.5.6. 3.Auxiliary Facility.** The support spaces located at educational facilities and plants which do not contain student stations but are used by students, such as libraries, administrative offices, and cafeterias.

**423.5.6.4.Educational Facility.** Buildings and equipment, structures, and special educational use areas that are built, installed, or established to serve primarily the educational purposes and secondarily the social and recreational purposes of the community.

**423.5.6.5.Educational Plant.** Comprises the educational facilities, site, and site improvements necessary to accommodate students, faculty, administrators, staff, and the activities of the educational program.

**423.5.6.6.Existing Facility.** A facility owned, rented, or leased.

**423.5.6.7.Leased Facility.** A facility not owned, but contracted for use.

**423.5.6.8.Permanent Facility.** A facility designed for a fixed location.

**423.5.6.9.Relocatable/Portable Facility.** A building which is designed with the capability of being moved to a new location.

**423.5.6.10.Modular Facility.** A structure which, when combined with other modules and/or demountable roof and/or wall sections, forms a complete building. This facility may be relocatable.

**423.5.7. (g) MAINTENANCE AND REPAIR.** The upkeep of educational and ancillary plants including, but not limited to, roof or roofing replacement, short of complete replacement of membrane or structure; repainting of interior or exterior surfaces; resurfacing of floors; repair or replacement of glass and hardware; repair or replacement of electrical and plumbing fixtures; repair of furniture and equipment; replacement of system equipment with equivalent items meeting current code requirements providing that the equipment does not place a greater demand on utilities, structural requirements are not increased, and the equipment does not adversely affect the function of life-safety systems; traffic control devices and signage; and repair or resurfacing of parking lots, roads, and walkways. Does not include new construction, remodeling, or renovation, except as noted above.

**423.5.8. (h) NEW CONSTRUCTION.** Any construction of a building or unit of a building in which the entire work is new. An addition connected to an existing building is considered new construction.

**423.5.9. (i) OPEN PLAN BUILDING.** Any building which does not have corridors defined by permanent walls and is entirely open or divided by partitions which may be easily rearranged.

**423.5.10. (j) OPEN PLAN INSTRUCTIONAL SPACE.** An arrangement of two or more class areas with no permanent partitions or wall separations.

**423.5.11. (k) OWNER.** Each school board and community college board of trustees is deemed to be the owner of facilities within its respective jurisdiction.

**423.5.12. (l) PERMIT.** A permit for construction is documentation issued by an authority having jurisdiction which indicates approval of construction plans prepared pursuant to the requirements of Florida law. ~~After January 1, 20021, refer to Chapter 2 of the Florida Building Code, Building.~~

**423.5.13. (m) REMODELING.** The changing of existing facilities by rearrangement of space and/or change of use. Only that portion of the building being remodeled must be brought into compliance with the Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~building and life safety codes~~ unless the remodeling adversely impacts the existing life safety systems of the building.

**423.5.14. (n) RENOVATION.** The rejuvenating or upgrading of existing facilities by installation or replacement of materials and equipment. The use and occupancy of the spaces remain the same. Only that portion of the building being renovated must be brought into compliance with the Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~building and life safety codes~~ unless the renovation adversely impacts the existing life safety systems of the building.

**423.5.15. (o) SEPARATE ATMOSPHERE.** The individual volumes of air in a building which are divided by smoke proof barriers to limit contamination of the air by smoke and fumes during a fire.

**423.5.16. (p) SEPARATE BUILDING.** A structure separated from other buildings by 60 feet or more, or by a 4-hour fire wall.

**423.5.17. (q) STUDENT-OCCUPIED SPACE.** Any area planned primarily for use by six or more students.

**423.6. (5)ADMINISTRATION OF PUBLIC EDUCATION PROJECTS**

**423.6.1. (a)Occupancy During Construction.** School board and community college board facilities, or portions of facilities, shall not be occupied during construction unless exits, fire detection and early warning systems, fire protection, and safety barriers are continuously maintained and clearly marked at all times. Construction on an occupied school board site shall be separated from students and staff by secure barriers. Prior to issuance of the Notice to Proceed, a safety plan shall be provided by the contractor which clearly delineates areas for construction, safety barriers, exits, construction traffic during the various phases of the project and when conditions change. Where heavy machinery, as is used for earth moving or scraping, is required to work on a school board's occupied site, the work shall be separated from occupants by secure double barriers with a distance of 10 feet in between. New construction, remodeling or renovations in existing facilities shall not reduce the means of egress below the requirements for new buildings; safe means of egress from a student-occupied space may be accomplished as authorized by NFPA 101. New construction (additions) shall not block or reduce safe means of egress.

**423.6.2. (b)Contractor Toxic Substance Safety Precautions.** When hazardous chemicals as defined by 29 CFR 1910.1200, OSHA Hazard Communication Standard ~~toxic substances~~ are to be used during the maintenance, renovation, remodeling, or addition to an existing facility, the contractor shall notify the administrator in writing at least three working days before any hazardous chemical ~~toxic substance listed in Section 442.103, F.S.~~ is used. The notice shall indicate the name of each of the hazardous chemical ~~toxic substances~~ which will be used, where and when they will be used, and a copy of a Material Safety Data Sheet (MSDS) for each hazardous chemical ~~as defined in Section 442.102, F.S.~~ The contractor shall comply with the safety precautions and handling instructions set forth in the material safety data sheet. Copies of hazardous waste manifests documenting disposal shall be provided to the facility's administrator who will notify occupants of the anticipated presence of toxic substances during the maintenance, renovation, remodeling, or addition to an existing facility.

**423.6.3. (c)Flammable or Explosive Substances.** No flammable or explosive substances or equipment shall be introduced during a remodeling or renovation project in a facility of normally low or ordinary hazard classification while the building is occupied.

**423.7. (6)LIFE SAFETY**

**423.7.1. (a)Separate Exits.** In assembly occupancies, each required exit must exit into a separate atmosphere or to the exterior, to be considered as a separate exit.

**423.7.2. (b)Exit Access.** Exit access shall not be through a toilet room, storage room, or similar space, or any space subject to being locked.

**423.7.3. (c)Location of Fire Extinguishers and Blankets.** Fire extinguishers may be located inside student-occupied spaces provided they are placed adjacent to the primary exit door, and the room door remains unlocked when the facility is occupied, and a permanently affixed sign, with a red background and white letters (raised letters and braille), reading "FIRE EXTINGUISHER INSIDE" is placed on the outside adjacent to the door. Fire extinguisher cabinets shall not be locked. Fire blankets shall be located in each laboratory and each shop where a fire hazard may exist. Fire extinguishers and fire blankets shall be readily accessible and suitable for the hazard present and shall not be obstructed or obscured from view. Extinguishers and blankets shall be on hangers or brackets, shelves, or cabinets so that the top of the extinguisher or blanket is not more than 54 inches above finish floor (AFF) and complies with state and federal accessibility requirements. All extinguishers shall be installed and maintained in accordance with NFPA. Extinguishers shall remain fully charged and operable at all times and have a current tag to indicate compliance.

**423.7.4. (d)Common Fire Alarm.** Buildings within 60 feet of each other shall have a common fire alarm system. Emergency shelters shall have the fire alarm panel located in the space identified as the shelter manager's office.

**423.7.5. (e)Fire Alarm Sending Stations.** Sending stations may be located inside student-occupied spaces, adjacent to the primary exit door only if the door to the occupied space is unlocked at all times while the

facility is occupied. When located inside a student occupied space, a permanently affixed sign reading “FIRE ALARM PULL STATION INSIDE” shall be placed outside that space adjacent to the door. This sign shall have a red background with white letters (raised letters and braille). Sending stations shall be mounted to meet accessibility requirements.

**423.7.6. (f) Automatic Shut Off.** The fire alarm system shall shut off gas and fuel oil supplies which serve student-occupied spaces or pass through such spaces. The fire alarm system shall not shut off gas supplies which serve emergency power sources. Kitchen gas supplies shall be shut off by an automatic fire extinguishing system ~~the Ansul System~~. The shut-off valve shall be located exterior to the building. The shut-off valve shall have a manual reset.

**423.7.7. (g) Unoccupied Rooms and Concealed Spaces.** Rooms or spaces for storage, custodial closets, mechanical rooms, spaces under stages with wood structures and other unoccupied or unsupervised spaces in a building shall have automatic smoke or heat detector devices installed. Any concealed space with exposed materials having a flame spread rating greater than Class A, including crawl spaces under floors, interstitial spaces between ceiling and floor or roof above and attic spaces, shall be equipped with heat detector devices. Smoke and heat detector devices shall be installed in accordance with NFPA 72.

**423.7.8. (h) Boiler Rooms.** Each boiler room shall be ~~one hour~~ separated from the remainder of the building, by one hour fire rated construction or any shall be separate from other buildings ~~within~~ by 60 feet, and shall have an out-swinging door opening directly to the exterior. A fire door swinging into the boiler room shall also be provided for any opening into the interior of the building. There shall be no opening into any corridor or area designed for use by students.

**423.8. (7) GENERAL REQUIREMENTS FOR NEW CONSTRUCTION, ADDITIONS, RENOVATION, AND REMODELING.**

**423.8.1. (a) Codes and Standards.** Educational facilities owned by school boards and community college boards shall meet the construction requirements of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code, life safety codes,~~ state and federal laws and rules, and this section for Florida’s Public Educational Facilities for new construction, remodeling and renovation of existing facilities. This is a minimum standard; boards may impose more restrictive safety and level of quality standards for educational, auxiliary, and ancillary facilities under their jurisdiction provided they meet or exceed these minimum requirements.

**423.8.1. 1. Educational Occupancy.** School board educational facility projects whether owned, lease-purchased or leased shall comply with the Educational Occupancy and Assembly Occupancy portions of the above referenced codes as applicable, except where in conflict with this section. The support spaces such as media centers, administrative offices, auditoriums, gymnasiums, and cafeterias and kitchens located within educational facilities are not separate occupancies.

**423.8.1. 2. Business Occupancy.** Community college board educational facility projects whether owned, lease-purchased or leased shall comply with the Business Occupancy and the Assembly Occupancy of the above referenced codes as applicable, except where in conflict with this section.

**423.8.1. 3. Ancillary Facility.** School board and community college board ancillary facilities such as warehouses or maintenance buildings, shall use the applicable occupancy section of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and life safety codes~~. Ancillary facilities on educational plant sites shall be separated from the educational facility as required by code.

**423.8.2. (b) Space Standards.** School board and community college board facility sizes shall use standards in the “Size of Space and Occupant Design Criteria Table” found in the Department of Education document, *State Requirements for Educational Facilities (SREF)*.

**423.8.3. (c) Construction Type.** School board and community college buildings including auxiliary, ancillary and vocational facilities shall comply with the following:

**423.8.3. 1.Non-combustible Type IV.** The minimum construction Type for one- and two-story public educational facilities shall be non-combustible Type IV construction or better.

**423.8.3. 2.Type II.** Facilities three stories or more shall be Type II construction or better.

**423.8.3. 3.Type III.** When Type III construction is used, wood shall be exposed and not covered by ceilings or other construction.

**Exceptions: 423.8.3.3.1. a.**Covered walkways open on all sides may be Type V or Type VI construction.

**423.8.3.3.2. b.**Dugouts, press boxes, concession stands, related public toilet rooms, and non-flammable storage buildings which are detached from the main educational facility by at least 60 feet, may be Type V or Type VI construction.

**423.8.4. (d)Standards for Remodeling and/or Renovation Projects.** Portions of buildings being remodeled and/or renovated shall be brought into compliance with current required Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~life safety codes and the building code~~ as required by the plan review authority in its best ~~judgment~~ **judgement**.

**423.8.5. (e)Leased Facilities.** Leased facilities shall be brought into compliance with applicable occupancy requirements of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and the life safety codes~~ prior to occupancy.

**423.8.6. (f)Asbestos Prohibited.** The federal Asbestos Hazard Emergency Response Act, (AHERA) 40 CFR, Part 763, as revised July 1, 1995, prohibits the use of any asbestos containing materials in any public education construction project and requires certification of same by the architect of record.

**423.8.7. (g)Life Cycle Cost Guidelines for Materials and Building Systems.** An analysis shall be included, as required by Section 235.26(31), F.S., which evaluates building materials and systems, life cycle costs for maintenance, custodial, operating, and life expectancy against initial costs, as described in Section 235.26(21)(f)54, F.S. Standards for evaluation of materials are available from the Department in a publication entitled "Life Cycle Cost Guidelines for Materials and Building Systems for Florida's Public Educational Facilities."

**423.8.8. (h)Safe School Design.** ~~Recognizing that providing a safe, secure, orderly and peaceful learning environment is essential to the educational process and the general welfare of Florida's school population, including pre-K through 12, vocational and community colleges, safe school design strategies are available from DOE/Educational Facilities and the DOE Internet site.~~ School boards shall design educational facilities and sites including pre-K through 12, vocational and community colleges to enhance security and reduce vandalism through the use of "Safe School" design principles. Safe School design strategies are available from DOE/Educational Facilities and include, but are not limited to the following:

**423.8.8. 1.**Natural access and control of schools and campuses.

**423.8.8. 2.**Natural surveillance of schools and campuses both from within the facility and from adjacent streets by removing obstructions or trimming shrubbery.

**423.8.8. 3.**School and campus territorial integrity; securing courtyards, site lighting, building lighting.

**423.8.8. 4.**Audio and motion detection systems covering ground floor doors, stairwells, offices and areas where expensive equipment is stored.

**423.8.8. 5.**Designs which will promote the prevention of school crime and violence. Exterior architectural features which do not allow footholds or handholds on exterior walls, tamper-proof doors and locks, non-breakable glass or shelter window protection system; also landscaping and tree placement should be designed so they do not provide access to roofs by unauthorized persons. Sections of schools commonly used after hours should be separated by doors or other devices from adjacent areas to prevent unauthorized access. Install locks on roof hatches; apply slippery finishes to exterior pipes.



**423.8.8. 6.** Exterior stairs, balconies, ramps, and upper level corridors around the perimeter of buildings should have open-type handrails or other architectural features to allow surveillance.

**423.8.8. 7.** Open areas, such as plazas, the building's main entrance, parking lots, and bicycle compounds should be designed so they are visible by workers at work stations inside the buildings.

**423.9. (8) STRUCTURAL DESIGN.**

**(a) Load Importance Factor.** Structural design shall comply with code requirements and wind loads as stipulated by the Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal state minimum building code and life safety codes. Design shall be based on ASCE 7-98, with a wind load importance factor for educational facilities of 1.15.

**423.10. (9) SITE REQUIREMENTS.**

**423.10.1. (a) Fencing.** Fencing for school board educational plants shall be of a material which is non-flammable, safe, durable, and low maintenance, provides structural integrity, strength and aesthetics appropriate for the intended location. Fence heights shall be in compliance with local zoning regulations. Access shall be provided for maintenance machinery. Prohibited materials for non-agricultural educational plants include razor wire, barbed wire and electrically charged systems.

**423.10.1. 1. Required Locations.** Fencing is required to separate students from potential harm, and shall be provided in the following locations at school board kindergarten through grade 5 facilities:

~~423.10.1.1.1. Perimeter fencing at all school board kindergarten through grade 5 facilities.~~

~~423.10.1.1.1.2 1. a.~~ Exposed mechanical, plumbing, gas, or electrical equipment located on ground level.

~~423.10.1.1.2.3 2. b.~~ Special hazards as identified by the authority having jurisdiction including retention ponds whose permanent water depth or whose water depth over a 24 hour period exceeds 1 foot, deep drainage ditches, canals, highways, play fields adjacent to roadways.

~~423.10.1.1.3.4 3. c.~~ All child care and kindergarten play areas.

**423.10.2. (b) Walks, Roads, Drives, and Parking Areas.** Walks, roads, drives, and parking areas on educational and ancillary sites shall be paved. Roads, drives, and parking areas shall be in compliance with Department of Transportation (DOT) road specifications and striped in compliance with DOT paint specifications. All paved areas shall have positive drainage.

**423.10.2. 1. Covered Walks.** All buildings in K-12 educational facilities shall be connected by paved walks and accessible under continuous roof cover. New relocatable classroom buildings shall be connected to permanent buildings by paved covered walks where applicable. Roofs for covered walks shall extend 1 foot beyond each side of the walk. Gutters or other water funneling devices shall prevent storm water from pouring onto or draining across walks.

**423.10.2. 2. Accessible Walks and Bridges.** Accessible walks shall connect building entrance(s) to accessible parking, public transportation stops, public streets, sidewalks, loading and drop-off zones, and other facilities within the site as required by the accessibility standards. School board sites where educational plants are separated by highways shall be connected by overhead pedestrian bridges.

**423.10.2. 3. Drainage.** Soil, grass, and planting beds shall provide positive drainage away from sidewalks, but shall not fall away at more than a 3 percent gradient slope for a minimum distance of 5 feet from the edge. The location of all drains, grates, drop inlets, catch basins, other drainage elements and curb cuts shall be out of the main flow of pedestrian traffic.

**423.10.2. 4. Vertical Drops.** Walls, railings, or other physical barriers which are at least a minimum 12 inches in height, shall define and protect any vertical drop between joining or abutting surfaces of

more than 6 inches but less than 18 inches in height. Any vertical drop of 18 inches or more shall be protected by a wall or guardrail a minimum of 42 inches in height.

**423.10.2. 5.Roads and Streets.** Educational and ancillary site access shall consist of a primary road and another means of access to be used in the event the primary road is blocked. Stabilized wide shoulders of the primary road, unobstructed by landscaping, planters, light fixtures, poles, benches, etc., which allow a third lane of traffic, may satisfy the requirement for the other means of access. Driveways shall not completely encircle a school plant, to allow student access to play areas without crossing roads; vehicular and pedestrian traffic shall not cross each other on the site; bus driveways and parent pick-up areas shall be separated.

**423.10.2. 6.Bus Drives.** Bus drives on educational sites shall be designed so that buses do not have to back up. The minimum width shall be 24 feet for two-lane traffic. The turning radius on educational and ancillary sites and for turning off public access streets shall be as follows: one-way traffic, 60 feet minimum measured to the outside curb or edge of the traffic lane; two-way traffic, 60 feet minimum measured to the centerline of the road.

**423.10.2. 7.Vehicle Parking Areas.** Vehicle parking areas shall comply with minimum parking space requirements in this section. Except for parking space requirements to meet federal and state accessibility laws, where alternate transportation or parking arrangements are available the parking area requirements may be reduced from these standards if sufficient justification documentation is provided and if the review authority approves the reduction based on the justification. Overflow parking areas may utilize alternative parking surfaces which facilitate water absorption rather than runoff when approved for use by the review authority. This requirement usually applies to a percentage of the parking spaces, not all of them.

**Exception:** Accessible parking spaces shall be hard surface.

**423.10.2. 8.Minimum Parking Requirements.**

**423.10.2.8.1. a.**Faculty and staff—one space for each member.

**423.10.2.8.2. b.**Visitors—one space for every 100 students.

**423.10.2.8.3. c.**Community clinics where provided— 10 spaces, including one accessible space.

**423.10.2.8.4. d.**High schools—one space for every 10 students in grades 11 and 12.

**423.10.2.8.5. e.**Vocational schools—one space for every two students.

**423.10.2.8.6. f.**Community colleges—one space for every two students.

**423.10.2.8.7. g.**Accessible parking—Parking spaces designated for persons with disabilities the physically disabled shall comply with the ADA, chapter 11 of the Florida Building Code, Building the DCA Florida Americans With Disability Implementation Act, Florida Accessibility Code for Building Construction (FACBC); and Section 316.1955, F.S.

**423.10.3. (e)Site Lighting Required.** Design, construction, and installation of exterior security lighting for educational and ancillary facilities shall be provided for:

**423.10.3. 1.**Auto, bus, and service drives and loading areas.

**423.10.3. 2.**Parking areas.

**423.10.3. 3.**Building perimeter.

**423.10.3. 4.**Covered and connector walks between buildings and between buildings and parking.

**423.10.3. 5.Lighting for Parking Areas.** Parking area lighting standards shall be designed to withstand appropriate wind loads. Parking areas shall be illuminated to an average maintained horizontal footcandle, measured at the surface as follows:

**423.10.3.5.1. a.**Parking areas—1 footcandle

**423.10.3.5.2. b.**Covered and connector walks—1 footcandle

**423.10.3.5.3. c.**Entrances/Exits—2 footcandles

**423.10.3. 6. Building Exteriors.** Building exteriors, perimeters, and entrances may be illuminated to the minimum number of footcandles, measured at the surface with a suggested uniformity ratio of 2:1 as follows:

**423.10.3.6.1. a.** Entrances—5 footcandles

**423.10.3.6.2. b.** Building surrounds—1 footcandle

**423.10.3. 7. Shielding.** Exterior lighting shall be shielded from adjacent properties.

**423.10.4. (f) Building Setbacks.** Building Setbacks from the property line shall comply with local setback requirement minimums, but shall, at a minimum, be 25 feet where site size permits.

**423.10.5. (e) School Board Playgrounds, Equipment, and Athletic Fields.** Playgrounds, equipment, and athletic fields shall be accessible, compatible with the educational facility served and shall comply with the following:

**423.10.5. 1.** Kindergarten play areas shall be separated from other play areas, fenced, and shall be directly accessed from the kindergarten classrooms.

**423.10.5. 2.** Playgrounds and equipment shall be designed and installed using the “Handbook for Public Playground Safety” by the U. S. Consumer Product Safety Commission, and the ASTM/CPSC “Playground Audit Guide” as applicable, resulting in facilities which are safe, structurally sound, vermin proof, and do not have jagged or sharp projections.

**423.10.5. 3.** Direct access from the school buildings shall be provided to play areas and athletic fields without crossing public roads, on site traffic lanes, and parking lots.

**423.10.5. 4.** Related facilities such as toilets, concessions, storage, shower and locker rooms, bleachers, press boxes, observation platforms, scoreboards, and dugouts shall be designed to meet code requirements and the occupant capacity anticipated for the program.

**423.10.6. (f) Exterior Signage.** All permanent and free standing exterior signs shall be designed to withstand appropriate wind loads. Illuminated signs shall comply with the electrical and installation requirements of the Florida Building Code and Uniform Fire Safety Standards as adopted by the State Fire Marshal state minimum building code and life safety codes.

**423.10.6. 1.** Site signage shall not create visual barriers at entrances, sidewalks, roads, or road intersections.

**423.10.6. 2.** Accessible routes, including parking, building directories, building identification, and accessible entrances shall be marked by exterior signage in conformance with federal and state accessibility laws.

**423.10.7. (g) Landscaping.** Refer to Section 235.435(5), F.S., for school board and community college requirements. Xeriscaping is defined in Section 373.185, F.S.

**423.10.8. (h) Transmission Line Right-of-Way.** Buildings, play areas, and common use areas shall not be located within a high-voltage power transmission line right-of-way.

**423.10.9. (i) School Site Master Plan.** New schools planned after the effective date of these standards shall include, as applicable: facility design capacity; floodplain locations; covered accessible walks; infrastructure locations for, and extensions of, technology, telephone, electricity, fire alarm; and, where applicable, water and sewer utilities, and relocatables.

#### **423.11. (h) WOOD**

**(a) Fire-Retardant Treated Wood (FRTW).** Fire-retardant treated wood shall not be used in permanent educational facilities. Only FRTW which does not contain ammonium phosphates, sulfates, or halides, may be used in roof structures of non-combustible Type IV ancillary facilities as allowed by the Florida Building Code state minimum building code, but only under the following conditions:

**423.11.1.** After treatment, all fire-retardant treated lumber shall be kiln dried to a moisture content of nineteen 19 percent or less, and all plywood to 15 percent or less.

**423.11.2.** Fire-retardant treated plywood and lumber shall have design values and span ratings based on strength testing after exposure to elevated temperatures and moisture.

**423.11.3.** Inspection access panels shall be provided for annual inspection of the condition of the structure and the connectors.

**423.11.4.** Evidence of compliance shall be provided.

**423.11.5. Interior Applications.** Interior Type A FRTW shall be used in enclosed interior applications only, including roof sheathing. Interior FRTW shall not be used in damp or wet conditions or in contact with concrete slabs or soil and must be stored in a dry place during construction. Interior fire-retardant treated lumber and plywood shall have a flame spread of 25 or less when tested in accordance with ASTM E 84, "Standard Test Method for Surface Burning Characteristics of Building Materials."

**423.11.6. Exterior Applications.** All fire-retardant treated lumber and plywood intended for exterior use shall be pressure impregnated with an American Wood Preserver's Association (AWPA) product. Exterior type fire-retardant treatment. Exterior fire-retardant treated lumber and plywood shall have a flame spread of 25 or less when tested in accordance with ASTM E 84, "Standard Test Method for Surface Burning Characteristics of Building Materials."

**423.12. ~~(H)~~ ROOFING.**

**423.12.1. ~~(a)~~ Class A Materials.** All roofing materials shall be labeled Class A per ASTM E108 and shall be certified by a nationally recognized independent testing laboratory. All roofing systems shall be installed within the limitations of the test procedure for surfacing, deck cross slope, and combustibility.

**423.12.2. ~~(b)~~ Insulation and Moisture Protection.** Insulation, moisture protection, roofing, thermal requirements, fireproofing and firestopping shall be designed and constructed in compliance with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and life safety codes~~. Cellulose insulation may only be used if it is treated with fire-retardant borate based chemicals; the contractor shall retain bag labels on site for review by building inspector.

**423.12.3. ~~(c)~~ Phased Installation Prohibited.** All new installed materials shall be sealed from moisture penetration at the end of each day. The contractor shall provide the architect/engineer (A/E) of record a "final statement of compliance" for the board.

**423.12.4. ~~(d)~~ Manufacturer's One-Year Inspection.** The roof shall be inspected by the manufacturer's representative within one year of acceptance by the board.

**423.13. ~~(I)~~ DOORS AND WINDOWS.**

**423.13.1. ~~(a)~~ Doors.** All spaces with an occupant load of six or more students, regardless of use, shall have a door opening directly to the exterior, or as required in the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~NFPA~~, in building of three stories or less shall have a rescue window opening directly to the exterior, or shall be fully sprinklered. All doors and gates from spaces with an occupant load of six or more students, regardless of use or location, shall swing in the direction of exit travel, shall be of the side hinged type, and shall always be operable from the inside by a single operation and without a key.

**423.13.1.1.** Doors for steam rooms, locker rooms, shower rooms, individual and group toilet rooms shall swing in the direction of exit travel, and shall always be operable for exit from the inside.

**423.13.1.2.** No mirrors, draperies, curtains, equipment, furnishings, decorations, or other objects which may confuse, obstruct, or conceal the exit or the direction of exit shall be placed to obstruct a means of egress.

**423.13.2. ~~(b)~~ Recessed.** Doors when fully opened shall not extend into the required exit width of corridors, except for door thickness and required hardware. Doors may either be recessed and hinged to swing 90 degrees, or if flush with corridor wall shall contain a view panel and be hinged to swing 180 degrees.

**423.13.3. (c)Special Function Doors.** Special function doors, including balanced doors and overhead doors, shall not be used in a means of egress.

**423.13.4. (d)Overhead and Sliding Security Grilles.** Security grilles shall have an adjacent side-hinged door swinging in the direction of exit and readily opened from the inside.

**423.13.5. (e)Gates.** Gates used to secure buildings or used for egress shall be side-hinged and readily opened from the side from which egress is to be made without the use of a key or special tool, or shall have an adjacent side hinged door, or doors as required for occupant load, swinging in the direction of exit and readily opened from the inside without a key.

**423.13.6. (f)Hardware.** Doors and gates shall be equipped with hardware which will allow egress at all times without assistance. Projecting hardware on doors swinging into a means of egress is not considered an obstruction if the door opens flat against the wall. No padlock, chain, hasp, lock, deadbolt, or other device shall be installed at any time on any door used for exiting. ~~(For example, lockers and cabinets are not included; walk-in freezers and walk-in vaults are included.)~~ Doors which by code require closers and other doors subject to wind exposure shall be equipped with closers to prevent slamming and uncontrolled opening.

**423.13.7. (g)Safety Glazing: Panels and Storefronts.** Glazed panels within 48 inches of a door shall be tempered glass, safety glass, or in fire-rated assemblies impact-resistant fire-rated glass, excluding transoms or vertical panels above 6 ft 8 in.

**423.13.7. 1.**Storefronts shall use tempered or safety glass for all glazing below door head height.

**423.13.7. 2.**Large glass panels shall be subdivided by a built-in horizontal member or a permanent chair rail not less than 1½ inches in width, located between 24 and 36 inches above the floor.

**423.13.7. 3.**Glazed panels beginning 18 inches or less from the floor, greater than 9 square feet in area, with a walking surface within 36 inches of the panel, shall be tempered or safety glass.

**423.13.8. (h)Windows.** Natural light and ventilation requirements for new construction shall be satisfied by windows with operable glazing, providing a net free open area equivalent to five percent of the floor area, in all classrooms on the perimeter of buildings, where required by Chapter 235, F.S. Auxiliary spaces, music rooms, gyms, locker and shower facilities, laboratories requiring special climate control, and large group instructional spaces having a capacity of more than 100 persons need not have operable windows for the purpose of providing natural light and ventilation. Emergency access, emergency rescue, and secondary means of egress windows may be included in the calculation to comply with this requirement. Projecting and awning windows shall not be located below door head height if in, or adjacent to, a corridor or walkway. If a security/storm screen or grille is installed on the outside of an emergency access, rescue or egress window assembly shall be operable from the inside by a single operation without the use of tools to allow for exit under emergency conditions. The emergency rescue ~~Emergency Rescue~~ windows shall be identified by signage and the release device shall be readily identifiable.

#### **423.14. (i)SPECIAL SAFETY REQUIREMENTS.**

**423.14.1. (a)Master Control Switch.** In addition to the regular main supply cut-off, each laboratory type space (such as biology, industrial chemistry, physics, home economics, and electronics ~~lab~~ labs) equipped with unprotected gas cocks, compressed air valves, water or electric services which are easily accessible to students, shall have master control valves or switches with permanently attached handles, located and accessible within 15 feet of the instructor's station or adjacent to the door within that space to allow for emergency cut-off of services. The cut-offs shall be in a non-lockable place and the location and operation shall be clearly labeled. Valves shall completely shut off with a one-quarter turn. Computer labs are exempted from this requirement. (Also, see Emergency Shut Off Switches and Emergency Disconnects requirements under Electrical.)

**423.14.2. (b) Interior Signage.** Signage is required in educational and ancillary facilities. Design, construction, installation, and location of interior signage and graphics shall comply with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and life safety codes~~ and the following:

**423.14.2. 1.** Emergency Rescue windows: "EMERGENCY RESCUE - KEEP AREA CLEAR."

**423.14.2. 2.** ~~Maximum Capacity~~ capacity signs in each space with a capacity of 50 or more occupants. The signs shall be mounted adjacent to the main entrance door.

**423.14.2. 3.** Room name, room number and, if different, FISH inventory numbers (~~if different~~) shall be provided for each space.

**423.14.2. 4.** A graphic diagram of primary and emergency evacuation routes shall be posted adjacent to the primary exit door from each space occupied by six or more students. The diagram shall clearly indicate, by contrasting color and number, each route of evacuation.

**423.14.2. 5.** Signs necessary to meet accessibility requirements shall be provided.

**423.14.2. 6.** Hazardous work and storage areas shall be identified by appropriate caution signs.

**423.14.3. (c) Other Potential Hazards.** Uninsulated hot water pipes, window projections, protruding sharp corners, or other potential hazards shall not be installed below 6 ft 8 in. above finish floor (AFF). Audio/visual aids in classrooms may be mounted below 6 ft 8 in. provided they are marked and padded in accordance with accepted safety standards or have permanent cabinets installed below them.

**423.14.4. (d) Storage Shelving.** Shelving shall not have sharp corners, splinters, or any construction feature that would be hazardous to the occupants. Shelving shall be constructed to carry the loads imposed. Shelving in science, labs, and shop storage rooms, and other places which may contain hazardous materials shall have a  $\frac{1}{2}$  ½-inch lip on the front edge of each shelf and shall be constructed of non-corrosive material.

**423.14.5. (e) Vertical Platform Lifts and Inclined Wheelchair Lifts.** The following standards are in addition to the other requirements of the Florida Building Code ~~state minimum building code~~, Florida law, and federal requirements

**423.14.5. 1.** Lifts shall not reduce the width of required means of egress.

**423.14.5. 2.** Lifts shall have shielding devices to protect users from the machinery or other hazards and obstructions.

**423.14.5. 3.** Lifts shall be key operated for attendant operation in all facilities housing kindergarten to grade 8.

**423.14.5. 4.** Inclined wheelchair lifts may be installed in facilities provided:

**423.14.5.4.1. a.** The platform is equipped with bi-directional ramp sensing to stop travel if obstructions are encountered.

**423.14.5.4.2. b.** Guide rails are smooth and continuous with no sharp edges or obstructions, all drive system components contain safety features for protection of users, and cables and pulling devices are shielded.

**423.14.6. (f) Color Code Machinery.** Working machinery with component parts shall be color-coded per ANSI Z53.1, "American National Standard Safety Color Code for Marking Physical Hazards." Safety zone lines shall be marked on the floor areas surrounding working machinery.

**423.14.7. (g) Anchor Equipment.** All equipment designed to be permanently mounted shall be securely anchored to its supporting surface.

**423.14.8. (h) Provide Caution Signs.** Hazardous work and storage areas shall be identified by appropriate caution signs.

#### **423.15. (14) MECHANICAL.**

**423.15.1. (a) Conceal Piping.** Piping systems for flammable liquids or gases shall not be installed in or above interior corridors or stairwells. Piping (fluid system) shall not be run where students can access the pipes, or in areas such as on roofs where they can be damaged by routine or periodic maintenance activities. The main supply cut-offs for flammable liquids or gases shall shut down upon activation of the fire alarm system.

**423.15.2. (b)Return Air.** Corridors shall not be used as return air plenums.

**423.15.3. (c)Residential Equipment.** In home economics instructional spaces, faculty lounges, and similar areas where small residential-type ranges are installed, residential-type hoods mechanically exhausted to the outside shall ~~may~~ be used.

**423.15. (15)PLUMBING.**

**423.15.1. (a)Standards.** Educational and ancillary facilities shall be provided with toilets, hand washing facilities, and drinking fountains for all occupants, in ratios and accessible as required by the Florida Building Code state minimum building code, Florida law, and federal requirements.

**Exception:** A single unisex toilet room is allowed where provided in child care and pre-kindergarten through grade 3 classrooms.

**423.15.2. (b)Teacher Toilets.** In school board facilities, faculty and staff toilets shall be separate from student toilets.

**423.15.3. (c)Public Shelter.** Refer to the Public Shelter Design Criteria of 423.25. ~~If the facility includes a public shelter, a portion of the required group toilets shall be located within the shelter bounds.~~

**423.15.4. (d)Urinals.** Trough urinals shall not be installed in any location.

**423.15.5. (e)Floor Drains and Hose Bibbs.** All group toilet rooms shall be provided with at least one floor drain and one easily accessible hose bibb. The floor shall be sloped down to the drain. Stall urinals shall not serve as the required floor drains.

**423.15.6. (f)Shielding Device.** The entry to each group toilet room shall be provided with a door, partition, or other shielding device to block from view the occupants in the toilet room. If a door is provided, it shall have a closer and shall swing out in the direction of exit. Exterior entries to toilet rooms shall have outward swinging doors.

**423.15.7. (g)Hot Water.** When hot water is supplied to showers, handwash sinks, lavatories in toilet rooms, a mixing valve shall be installed to control the temperature which shall not exceed 110°F.

**423.15.8. (h)Delayed Closing Valves.** Water supply at toilet room lavatories shall be controlled by delayed-closing valves.

**423.15.9. (i)Shower Facilities.** ~~Shower facilities are optional:~~ Showers shall be provided only where required by the district's educational program and, where provided, shall utilize energy saving concepts for hot water as required by Section 235.212, F.S. When provided, shower areas shall comply with the following:

**423.15.9. 1.**Floor finish shall be slip resistant.

**423.15.9. 2.**Floors shall be drained in such a manner that waste water from any shower head will not pass over areas occupied by other bathers.

**423.15.9. 3.**Water shall be heated and the temperature at the shower head shall not exceed 110°F nor be less than 95°F.

**423.15.9. 4.**A master control valve shall be provided to control the shower heads. Showers shall be equipped with flow control devices to limit total flow to a maximum of 3 gpm per shower head.

**423.15.9. 5.**Shower heads shall be based on the peak load to be accommodated at one time and provided at the ratio of one shower head for each five students, located a minimum of 30 inches apart.

**423.15.10. (j)Kitchens.** Kitchens and food service areas shall be provided with toilet and hand washing facilities for employees as required by code, state rule and statute.

**423.15.10. 1.**Toilet rooms shall be completely enclosed, have self-closing doors, and shall open into a ~~vestibule~~ vestibules with self-closing doors. Toilet rooms shall not open directly into food preparation areas, serving areas, or dining areas. A minimum of one water closet and one lavatory, with hot and cold water, shall be provided in each staff toilet.

**423.15.10. 2.**Floor Drains. Floor drains shall be provided in the food serving area, kitchen area, scullery, garbage and rubbish rooms, and can wash area.

**423.15.11. (h) Dousing Shower and Eye-Wash.** Every science room, lab, or shop where students handle materials or chemicals potentially dangerous to human tissue shall be provided with a dousing shower and eye wash for emergency use, including a floor drain.

**423.17. (16) ELECTRICAL.**

**423.17.1. (a) Emergency Lighting.** Emergency lighting shall be provided at internal and external means of egress, in student-occupied areas, in group toilets, and main electrical rooms.

**423.17.2. (b) Electrical Rooms and Closets.** Main service panels and switches, electrical distribution panels, cabinets, and rooms shall be lockable and not readily accessible to teachers or students. ~~or for use in storing materials.~~

**423.17.3. (c) Spare Capacity.** Lighting and power panels shall be provided with a minimum of 20 percent spare breakers and a minimum of 10 percent spare capacity in all main panels and switchboards.

**423.17.4. (d) Emergency Shut-Off Switches.** Every laboratory space which has electrical receptacles at student work stations shall have an emergency shut-off switch within 15 feet of the instructor's work station. The emergency shut-off switch shall be operable by a single motion and shall interrupt power to all receptacles in the room.

**Exception:** Emergency shut-off switches are not required in computer laboratories.

**423.17. (e) Emergency Disconnect.** Each space equipped with electrically powered machinery accessible to students shall have a minimum of 2 master emergency disconnect switches at convenient locations within the space to shut off all power tool outlets, power to student accessible machines and receptacles in the shop. One emergency shut-off or disconnect switch shall be located near the machinery and one emergency shut-off or disconnect switch shall be located in the instructor's office if there is a clear view of the entire shop area, others may be required and located as determined by the authority having jurisdiction. The emergency disconnect or shut off switch shall be operable by a single motion.

**Exception:** Ordinary office machines, computers, sewing machines, potter's wheels, residential cooking equipment in home economics labs and other non-hazardous machines do not require emergency disconnect devices.

**423.17.6. (f) Steam Rooms.** A "panic" switch to deactivate power to heating equipment shall be provided inside sauna and steam rooms. The panic switch shall also be tied into an alarm or other approved warning device in a supervised space in the area of the sauna and/or steam room. The operation of the switch shall be labeled to indicate the intended function.

**423.17.7. (g) Lightning.** All facilities in high lightning risk areas shall be evaluated using the Risk Assessment Guide in NFPA 780 and other standards which address lightning protection, and shall be protected accordingly.

**423.18. (17) ASSEMBLY OCCUPANCIES IN PUBLIC EDUCATIONAL FACILITIES.**

~~(a) Assembly occupancies are buildings, portions of buildings, or spaces used for gatherings of 50 or more persons, such as auditoriums, gymnasiums, multipurpose rooms, classrooms and labs, cafeteria, stadiums, media centers, and interior courtyards.~~ Assembly occupancies shall include the adjacent and related spaces associated with the main seating area.

**423.18. 1.** Occupant capacity of an assembly occupancy shall be calculated as follows:

**423.18.1.1. a.** Auditorium—the number of fixed seats, including accessible seating, in the main seating area plus the stage at 13 net square feet per person, plus dressing rooms at 20 net square feet per person.

**423.18.1.2. b.** Gymnasium/gymnasium with stage—the number of fixed and telescopic bench-type bleacher seats at 18 linear inches per person, including accessible seating, plus the main court area at 15 gross square feet per person, plus locker rooms at 5 net square feet per person, plus stage at 13 net square feet per person, plus dressing rooms at 20 net square feet per person. Bleachers shall be accessible as required.



**423.18.1.3. c.** Dining rooms/cafetorium with stage/multipurpose rooms—the main floor area at 15 gross square feet per person, plus the stage at 13 net square feet per person, plus dressing rooms at 20 net square feet per person, plus the kitchen at 100 gross square feet per person.

**423.18.1.4. d.** Classrooms and labs—the main floor area of a single space at the design capacity. If spaces are combined through the use of folding partitions, the capacity and exiting shall be based on the capacity of all the spaces joined.

**423.18.1.5. e.** Stadiums—the number of fixed bench-type bleacher seats at 18 linear inches per person, plus accessible seating.

**423.18.1.6. f.** Media centers—the reading room and stacks floor area at 36 net square feet per person, plus small group room or area (view and preview) ~~group instruction rooms~~ at 5 net square feet per person.

**423.18.1.7. g.** Closed circuit television production, distribution, and control—the main floor area at 15 net square feet per person.

**423.18.1.8. h.** Interior courtyards—the interior courtyard area at 15 gross square feet per person. Raised, dedicated landscape areas may be deducted.

**423.19. (18) SHADE AND GREEN HOUSES.**

**423.19.1. (a) General.** Shade/green houses shall be of Type IV Construction (metal frame) capable of withstanding the appropriate wind load.

**423.19.2. (b) Unrestricted Exiting.** The location of the shade/green house shall not hinder exiting from new and/or existing structures.

**423.19.3. (c) Required Doors.** A minimum of two doors remotely located shall be provided. Doors shall be side hinged and shall swing in the direction of egress.

**423.19.4. (d) Accessibility.** Green houses shall meet accessibility requirements. The accessible walkway shall be connected to doors leading to an accessible route to the permanent structure.

**423.19.5. (e) Shade Cloth.** Shade cloth shall be tear-away fabric securely fastened to the structural frame.

**423.19.6. (f) Fire Extinguisher.** A minimum of one Type 2A-10B:C ~~2-A-10B:C~~ fire extinguisher shall be provided per shade/green house.

**423.19.7. (g) Fire Alarm.** Fire alarm pull stations shall be located within 200 feet of any shade or green house. Fire alarm horns mounted on a permanent building must be audible inside the shade/green house.

**423.19.8. (h) Space Heaters.** Space heaters, when provided, shall be mounted at least 6 ft 8 in AFF.

**423.20. (19) STORAGE.**

**423.20.1. (a) General Storage.** Storage rooms and closets shall not be located over or under exit stairs and ramps whether interior or exterior. General storage space(s) shall be included in every educational facility for the bulk storage of materials, supplies, equipment, and books. Storage rooms shall be separated from mechanical and electrical spaces. Storage spaces shall be mechanically ventilated and conditioned as appropriate for the type of materials to be stored. Sinks located in general storage rooms shall not be used for custodial services.

**423.20.2. (b) Custodial Work Areas and Storage.** Provide custodial work areas with well supported shelving for supplies, cleaning, and sanitation materials and an office area including male/female lockers and toilet facilities.

**423.20.3. (c) Custodial Closets and Storage.** Custodial closets shall be provided with storage shelving and a service sink supplied with both hot and cold water. They shall be conveniently located to serve each instructional floor and wing regardless of floor area, and other areas such as stage, kitchen, gym, auditorium, clinic, offices and shops.

**423.20.4. (d) Chemical and Hazardous Materials Storage.** In addition to the requirements of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal ~~state minimum building code and life safety codes~~ for separation and protection, chemical and hazardous storage facilities shall also include:

**423.20.4. 1. Chemical Storage.** Rooms ~~and/or cabinets~~ used for the storage, handling, and disposal of chemicals used in school and community college laboratories shall be vented to the exterior. The

ventilation system shall not be connected to the air-conditioning return air system, and the rooms shall be kept at moderate temperatures. Doors shall be lockable from the outside and operable at all times from the inside. Rooms shall be well illuminated. Cabinets shall have shelves with a ½ inch lip on the front and shall be constructed of non-corrosive material. When vented to the exterior, chemical storage cabinets shall be mechanically vented to in accordance with NFPA 30 and NFPA 91.

**423.20.4. 2.Hazardous Materials Storage.** Buildings and/or rooms used for the storage, handling, and disposal of flammable, poisonous, or hazardous materials or liquids, and equipment powered by internal combustion engines and their fuels shall be separated from adjacent spaces by 1-hour fire-rated assemblies. These requirements also apply to completely detached buildings within 60 feet of student-occupied facilities. Doors shall have a C Label and open directly to the exterior. Storage buildings and/or rooms shall be mechanically ventilated. Electrical fixtures, switches, heat detectors, and outlets installed in flammable storage rooms shall be explosion proof.

**423.21. ~~(20)~~CHILD CARE/DAY CARE/PRE-KINDERGARTEN FACILITIES.**

**423.21.1. ~~(a)~~** Child care/day care/pre-kindergarten facilities located on board-owned property shall comply with the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal state minimum building code, life safety codes, and the specific criteria in this section. Child care/day care/pre-K facilities requiring a license from another agency may also be required to comply with additional construction requirements imposed by that agency.

**423.21.2. ~~(b)~~** Toilet facilities shall meet accessibility requirements and should open into the instructional space. The toilet may be used by both sexes and shall contain a water closet, lavatory, and related accessories.

**423.21.3. ~~(c)~~** If child care facilities are provided with a bathing area, it shall be within or adjacent to the child care area and shall contain either a shower with hand-held sprayer or a tub. The water temperature shall be controlled by a mixing valve and shall not exceed 110°F.

**423.21.4. ~~(d)~~** Toilet facilities shall have a non-slip impervious floor and 6-foot impervious wainscot.

**423.21.5. ~~(e)~~** Drinking fountain(s) shall be provided for the children and be within close proximity of the child care facility.

**423.21.6. ~~(f)~~** A towel and soap dispenser shall be provided at each sink. Hand wash areas for adults shall be provided with warm water; the water temperature shall be controlled by a mixing valve and shall not exceed 110°F. All electrical receptacles shall be placed out of reach of the children.

**423.21.7. ~~(g)~~** When provided a residential-type kitchen shall include a non-slip floor, a refrigerator, a residential-type range hood mechanically exhausted to the outside, and a fire extinguisher located within 15 feet of the range within the same room.

**423.21.8. ~~(h)~~** Areas designated for children's sleeping mats, cots or cribs shall include a clearly marked exit passageway.

**423.21.9. ~~(i)~~** The child care facility shall not contain any storage of cleaning agents, chemicals, or other hazardous materials in student accessible areas.

**423.21.10. ~~(j)~~** Outdoor play areas shall be provided and shall be protected from access to streets or other dangers. The play area shall be fenced or walled to a minimum height of 4 feet and any latches on maintenance gates shall be secured or beyond the reach of the children.

**423.21.11. ~~(k)~~** Shade shall be provided in the play area (a covered play area may be provided).

**423.21.12. ~~(l)~~** Play equipment shall be firmly anchored, free of sharp corners or pointed surfaces, and shall have cushioning surfaces such as mats or sand beneath.

**423.21.13. ~~(m)~~** The grounds shall be free of undergrowth or harmful plant material.

**423.22. ~~(21)~~CLINICS.**

**423.22.1. ~~(a)~~** Clinics in kindergarten through grade twelve (K-12), Vocational-Technical Centers (VTC), and full service schools shall comply with the general criteria found in the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal state minimum building code and life safety codes, as well as the specific criteria found herein. Clinics shall be located and equipped to provide emergency aid to students. Closets and storage cabinets used for medications and bandages shall have locks, and shall be designed to be under constant supervision.

**423.22.2. ~~(b)~~** School clinics shall include locked storage, toilet room and shower, and bed space.

**423.22.3. ~~(c)~~** Sanitary facilities are required as follows:

**423.22.3.1.**Elementary school clinics, including Kindergarten, shall include at a minimum one accessible toilet room, to serve male and female students, complete with a water closet, lavatory, accessible shower, changing table, and accessories.

**423.22.3.2.**Secondary and VTC school clinics shall include two accessible toilet rooms complete with water closet, lavatory, and accessories, ~~Toilet rooms shall have an accessible and~~ shower.

**423.22.3.3.**Toilet rooms in clinics shall include both hot and cold water at the showers and all lavatories. The water temperature shall be controlled by a mixing valve and shall not exceed 110°F.

**423.22.3.4.**Toilet rooms shall have exhaust fans vented to the exterior.

**423.22.3.5.**A working counter top with lavatory/sink and hot water shall be provided.

**423.22.4. (d)**The bed area shall be designed to maintain constant visual supervision from the office. Space for student beds shall be provided in each clinic at fifty (50) square feet per bed. Space for beds in secondary and VTC schools shall be equally divided for male and female students. Beds shall be provided based on student capacity in the following ratios:

**423.22.4.1.**Up to 500 students—3 beds.

**423.22.4.2.**501 to 1,000 students—4 beds.

**423.22.4.3.**1,001 to 2,000 students—5 beds.

**423.22.4.4.**Over 2,000—6 beds.

**423.22.5. (e) Full Service School Health Clinics.**

**423.22.5.1.Location.** Clinics shall be located to provide a direct accessible route from the exterior and from the interior or by a connecting covered walk.

**423.22.5.2.Parking.** Clinics shall be provided with 10 designated parking spaces immediately adjacent to the clinic, one of which shall be accessible to persons with disabilities ~~the disabled~~.

**423.22.5.3.Sanitary Facilities.** Sanitary facilities are required as follows:

**423.22.5.3.1. a.**Full service school clinics shall include one accessible toilet room for males and one for females, complete with water closet, lavatory, and accessories and ~~Toilet rooms shall have an accessible~~ shower. Additional toilets may be required for a full service school clinic depending on occupant load and program.

**423.22.5.3.2. b.**Hot and cold water shall be provided at the showers and lavatories. The water temperature shall be controlled by a mixing valve and shall not exceed 110°F.

**423.22.5.3.3. c.**Toilet rooms shall have exhaust fans vented to the exterior.

**423.22.5.3.4. d.**A nurse's station shall be provided with a working counter with lavatory/sink and be located so as to maintain visual supervision of the bed area.

**423.22.5.4.**Locked storage rooms shall be provided for a refrigerator, files, equipment, and supplies.

**423.22.5.5.**Data outlets shall be provided for computer hook-ups and computer networking and additional electric outlets shall be provided for hearing and vision testing machines.

**423.23. (22)KILNS.** Kiln rooms and areas shall be provided with adequate exhaust to dispel emitted heat to the exterior, and they shall not be connected to any other exhaust system. Kilns shall not be located near or adjacent to paths of egress or exit and shall be placed in separate rooms when serving students through grade 3. Kiln rooms shall be provided with appropriate smoke/heat detectors connected to the fire alarm system.

**423.24. (23)OPEN PLAN SCHOOLS.** An open plan building or portion of a building may be subdivided into smaller areas by use of low partitions (maximum 5 feet high), movable partitions, or movable furnishing, which by location and type do not hinder or obstruct the ability of persons in one area of the plan to be immediately aware of an emergency condition in any other area of the plan. Corridors shall be identified with different color or type of flooring materials, by permanent low partitions or by other means to prevent blockage of the path of egress to exits by partitions or furniture. When open plan schools are partitioned, the work shall conform to the code requirements for new construction. Demountable or movable partitions in open plan classroom areas shall be a maximum of 5 feet in height and shall terminate a minimum of 5 feet from any permanent wall. All circulation openings in open plan areas shall be a minimum of 5 feet wide. Movable furnishings shall not exceed 5 feet in height and shall have a stable base.

**423.25. (24)PUBLIC SHELTER DESIGN CRITERIA.**

**423.25.1. (a)New Facilities.** New educational facilities for school boards and community college boards, unless specifically exempted by the board with the written concurrence of the applicable local emergency management agency or the Department of Community Affairs (DCA), shall have appropriate core facility areas designed as Enhanced Hurricane Protection Areas (EHPAs) in compliance with this section.

**Exception:** Facilities located, or proposed to be located, in a category 1, 2, or 3 evacuation zone shall not be subject to these requirements. ~~Also, if more than one facility is being constructed within any 3-mile radius, no more than one facility, which shall be selected on the basis of cost-effectiveness and greatest provision of shelter space, shall be required to incorporate the public shelter design criteria into its construction.~~

**423.25.1. 1.Enhanced Hurricane Protection Areas (EHPA).** The EHPA areas shall provide emergency shelter and protection for people for a period of up to 8 hours during a hurricane.

~~**423.25.1.1.1. a.**The EHPA shall be designed to withstand wind loads and missile impact from hurricanes.~~

**423.25.1.1.2. b**The EHPA criteria apply only to the specific portions of (K-12) and community college educational facilities that are designated as EHPAs.

**423.25.1. 2.**The EHPAs and related spaces shall serve the primary educational or auxiliary use during non- shelter occupancy.

**423.25.2. (b)Site.** Factors such as low evacuation demand, size, location, accessibility, and storm surge may be considered by the board, with written concurrence of the local emergency management agency or the DCA, in exempting a particular facility.

**423.25.2. 1.Emergency Access.** EHPAs shall have at least one route for emergency vehicle access. The emergency route shall be above the 100-year floodplain. This requirement may be waived by the board, with concurrence of the local emergency management agency or the DCA.

**423.25.2. 2.Landscaping.** Landscaping around the EHPA shall be designed to preserve safety and emergency access. Trees shall not conflict with the functioning of overhead or underground utility lines, or cause laydown or impact hazard to the building envelope.

**423.25.2. 3.Parking.** During an emergency condition, vehicle parking shall be prohibited within 50 feet of an EHPA. Designated EHPA parking areas may be unpaved.

**423.25.2. 4.Signage.** Floor plans of the facility, indicating EHPAs, shall be mounted in the emergency manager's office/area.

**423.25.3. (c)Design.** EHPAs may be above or below ground and may have more than one story, provided the design satisfies the wind load and missile impact criteria. Modular and open-plan buildings may serve as EHPAs provided the design satisfies the wind load and missile impact criteria.

**423.25.3. 1.Excluded Spaces.** Spaces such as mechanical and electrical rooms, storage rooms, open corridors, kitchens, science rooms and labs, vocational shop areas and labs, computer rooms, attic and crawl spaces, shall not be used as EHPAs.

**423.25.3. 2.Capacity.** Fifty percent of the net square feet of a designated educational facility shall be constructed as EHPAs. The net square feet shall be determined by subtracting from the gross square feet those spaces such as mechanical and electrical rooms, storage rooms, open corridors, kitchens, science rooms and labs, vocational shop areas and labs, computer rooms, attic and crawl spaces that shall not be used as EHPAs. The board, with concurrence of the applicable local emergency management agency or DCA, may adjust this requirement if it is determined to be in its best interest. The capacity of an EHPA shall be calculated at 20 square feet per occupant (adults and children five years or older). ~~for up to 8 hours during a hurricane.~~

**423.25.3. 3.Toilets.** Toilet and hand washing facilities should be located within the EHPAs and provided at one toilet and one sink per 40 occupants. These required toilet and hand washing facilities

are not in addition to those required for normal school occupancy and shall be included in the overall facility fixture count.

**423.25.3.3.1 a.** Support systems for the toilets, e.g., bladders, portable toilets, water storage tanks, etc., shall be capable of supplying water and containing waste, for the designed capacity of the EHPAs.

**423.25.3.3.2. b.** Plumbing and valve systems of “normal” toilets within the EHPAs may be designed for conversion to emergency operation to meet the required demand.

**423.25.3. 4.Food Service.** Where feasible, include counter tops for food distribution functions in the EHPAs.

**423.25.3. 5.Manager’s Office.** An administration office normally used by a school administrator shall be identified as the EHPA manager’s office and shall be located within the EHPA. The office shall have provisions for standby power, lighting, communications, main fire alarm control panel and storage for the manager’s equipment. ~~A fire alarm panel shall be located in the EHPA manager’s office.~~

**423.25.4. (d)Structural Standard for Wind Loads.** At a minimum, EHPAs shall be designed for wind loads in accordance with ASCE 7-98, “Minimum Design Loads for Buildings and Other Structures, Category III (Essential Buildings).” Openings shall withstand the impact of wind-borne debris missiles in accordance with the impact and cyclic loading criteria per SBC/SSTD 12-99. *Based on a research document, “Emergency Shelter Design Criteria for Educational Facilities,” 1993, by the University of Florida for the DOE, it is highly recommended by the Department that the shelter be designed using the map wind speed plus forty (40) mph, with an importance factor of 1.0.*

**423.25.4. 1.Missile Impact Criteria.** The building enclosure, including walls, roofs, glazed openings, louvers, and doors, shall not be perforated or penetrated by a flying object. For walls and roofs, the missile criteria is as provided in SBC/SSTD 12-99.

**423.25.4.1.1. a.** Materials used for walls, roofs, windows, louvers, and doors shall be certified for resistance to missile impact criteria.

**423.25.4.1.2. b.** The glazed openings or permanent protective systems over glazed openings shall be designed for cyclic loading.

**423.25.4. 2.Roofs.** Roof decks shall be cast-in-place 4-inch, or more, normal weight concrete. Concrete decks shall be waterproof. Systems other than cast-in-place concrete shall have adequate bearing, anchorage against wind uplift, diaphragm action, and resistance to rain that are equivalent to a cast-in-place system.

**Exception:** Structural pre-cast concrete roofs, composite metal decks with normal weight concrete roofs, or other systems and materials that meet the wind load and missile impact criteria may be used.

**423.25.4.2.1. a.** Light weight concrete or insulating concrete may be used on roof decks of EHPAs provided the roof decks are at least 4-inch cast-in-place normal weight concrete or other structural systems of equivalent strength.

**423.25.4.2.2. b.** Roof openings (e.g., HVAC fans, ducts, skylights) shall be designed to meet the wind load and missile impact criteria.

**423.25.4.2.3 c.** Roof coverings shall be specified and designed according to the latest ASTM and Factory Mutual Standards for materials and wind uplift forces. Roofs shall be inspected by a licensed engineer/architect and a representative of the roofing manufacturer.

**423.25.4.2.4. d.** Roofs shall have adequate slope and drains sized for normal use and shall have emergency overflow scuppers which will accommodate a 2 inch per hour rain for 6 hours.

**423.25.4.4.5. e.** Parapets shall satisfy the wind load and missile impact criteria; roof overhangs shall resist uplift forces.

**423.25.4. 3.Windows.** All unprotected window assemblies and their anchoring systems shall be designed and installed to meet the wind load and missile impact criteria.

**423.25.4.3.1. a**Windows may be provided with permanent protective systems provided the protective system is designed and installed to meet the wind load and missile impact criteria and completely covers the window assembly and anchoring system.

**423.25.4.3.2. b**EHPAs without windows shall have mechanical ventilation systems.

**423.25.4. 4.Doors.** All exterior and interior doors subject to possible wind exposure and/or missile impact shall have doors, frames, anchoring devices, and vision panels designed and installed to resist the wind load and missile impact criteria or such doors, frames, anchoring devices, and vision panels shall be covered with permanent protective systems designed and installed to resist the wind load and missile impact criteria.

**423.25.4. 5.Exterior Envelope.** The exterior envelope, louvers over air intakes and vents, and gooseneck type intakes and vents of EHPAs shall be designed and installed to meet the wind load and missile impact criteria.

**423.25.4.5.1. a**HVAC equipment mounted on roofs and anchoring systems shall be designed and installed to meet the wind load criteria.

**423.25.4.5.2. b**Roof mounted HVAC equipment shall have a 12 inch high curb around the roof opening and be designed to prevent the entry of rain water.

**423.25.4. 6.Foundations and Floor Slabs.** Foundations shall be designed to resist all appropriate loads and load combinations, including overturning moments due to wind. The floor elevation and necessary life safety and other emergency support systems of EHPAs shall be elevated above the maximum storm surge inundation elevation associated with a category 4 hurricane event. Storm surge elevations shall be identified by the most current edition of the regional Sea Lake and Overland Surges from Hurricanes (SLOSH) studies and atlases. ~~This information can be obtained from the Department of Community Affairs, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida, 32399-2100, or from the local government emergency management office.~~

**423.25.5. (e)Electrical and Emergency Power System.** The EHPA shall be provided with an emergency electrical power system which shall have an outlet for coupling a backup portable generator. Emergency power, per NFPA 70, Article 700, shall be provided for operation of emergency lights, exit signs, and fire alarm systems in the EHPA. The fire alarm panel shall be located in the EHPA manager's office. A remote annunciator panel shall be located in or adjacent to the school administrator's office. Where economically feasible, an equivalent photovoltaic system may be provided. When generators are installed, the facility shall include an enclosed area designed to protect the generators from winds and missile impact. Air intakes and exhausts shall be designed and installed to meet the wind load and missile impact criteria.

**423.25.5. 1.EHPA Lighting.** Standby lighting within the EHPAs, toilet rooms, and generator spaces should provide at least 10 footcandles of general illumination which can be reduced to ½ footcandle in the sleeping areas during the night.

**423.25.5. 2.Standby Circuits.** Selected ventilation fans, intercom system, and other standby circuits shall be connected to the standby power system per NFPA 70, Article 702 (optional standby circuits). The fire alarm, emergency lighting, and exit signs throughout the entire campus shall remain operational and shall receive first priority to the power provided by the facility's emergency power system per Article 700 of NFPA 70.

**423.25.5. 3.Receptacle Outlets.** A minimum of four electrical outlets, served with power from the standby circuits, shall be provided in the EHPA manager's office.

**423.25.6. (f)Inspections.** EHPAs shall be considered “threshold buildings” in accordance with Section 553.71(7), F.S., and shall comply with Sections 553.79(5), (7), and (8), F.S.

**423.25.6. 1.**Construction of EHPAs shall be inspected during the construction process by certified building code inspectors or the design architect/engineer(s) certified pursuant to Part XII Chapter 468 F.S. and threshold inspectors for compliance with applicable rules and laws.

**423.25.6. 2.**The emergency electrical systems shall be inspected during the construction process by certified electrical inspector or Florida registered professional engineers certified pursuant to Part XII Chapter 468 F.S., skilled in electrical design.

**423.25.6. 3.**EHPAs shall be inspected and recertified, for compliance with the structural requirements of this section, every 5 years by a Florida registered professional engineer skilled in structural design. If any structural system, as specified in this section, is damaged or replaced, the recertification shall be obtained prior to the beginning of the next hurricane season.

**423.25.6. 4.**All shutter systems, roofs, overflow scuppers, and structural systems of EHPAs shall be inspected and maintained annually prior to hurricane season and after a major event. All emergency generators shall be inspected under load conditions including activation of the fire alarms, emergency lights as per applicable equipment codes and NFPA standards, and including mechanical systems and receptacles connected to the emergency power.

#### **423.26. (25)TIME-OUT ROOMS.**

**423.26.1. (a)**Locking an individual inside a space without a means of opening the door from within that space is contrary to the exiting philosophy of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal building codes and fire safety codes for educational facilities. The educational program which requires containment of the out-of-control student can be accommodated within this context only if the following primary locking system requires full-time human contact and observation of the student while in confinement, and there are redundant systems for automatic release of the locks in case of power failure or fire. If the observer walks away from observation status, the lock shall release. Doors to time out rooms shall not be held closed by the placement of any object which prohibits free opening of the door upon release of the locking mechanism. If time-out rooms are used, they shall comply with the provisions of this section. Following requirements are met

**423.26.2. (b)Electro-Magnetic Locking Device.** When a time-out room is to be locked, an electro-magnetic locking device may be used and shall have the following features:

**423.26.2. 1.**The lock shall remain engaged only when a push button mounted outside the time-out room adjacent to the door frame, or other hand held device, is continuously depressed by hand. Upon release of pressure, the door shall unlock. The locking device shall be designed so that it cannot be engaged by leverage of an inanimate object or in any other manner except by constant human contact.

**423.26.2. 2.**The push button, or similar device, shall be recessed from the face of the unit housing, or in some other way designed to prevent taping or wedging the button in the engaged mode.

**423.26.2. 3.**The device shall have an interface relay with the fire alarm system and shall automatically release upon activation of the fire alarm.

**423.26.2. 4.**The locking device shall automatically disengage in the event of a power failure.

**423.26.2. 5.**Timers shall not be used on the locking device.

**423.26.3. (c)Door Requirements.** The door shall have only a push plate exposed on the interior of the room.

**423.26.3. 1.**The door shall swing out of the room and shall be equipped with a fully concealed track type closer.

**423.26.3. 2.**A vision panel shall be provided in the door, and it shall be no larger than 144 square inches. The view panel shall consist of a clear 1/4-inch-thick unbreakable plastic panel flush with the inside face of the door on the inside of the room. The panel shall be positioned in the door so that a staff member may continuously keep the student under surveillance.

**423.26.3. 3.**The door frame and jamb/head reveal on the inside shall be minimal. If provided, a flat metal

threshold shall be used.

**423.26.4. (d) Finishes.** The floor and walls shall be durable, vandal-resistant materials. The ceiling shall be of a solid and moisture-resistant material. There shall be no projections or protrusions from the walls, ceiling, or floor. All surfaces shall be smooth and no electrical outlets, switches, plumbing clean-outs or similar items shall be inside the room. The room shall not contain anything that can be set on fire, torn, shredded or otherwise used for self-harm.

**423.26.5. (e) Minimum Size.** The room shall be designed for a single occupant only and shall be a minimum of 6 feet by 6 feet.

**423.26.6. (f) Lighting.** The room shall have a recessed vandal-proof light fixture in the ceiling capable of being dimmed. The light switch shall be located outside the room adjacent to the door jamb.

**423.26.7. (g) HVAC Required.** Time-out rooms shall be mechanically heated and cooled. Registers shall be ceiling mounted and vandal proof.

#### **423.27. (26) NEW RELOCATABLE BUILDINGS**

**423.27.1. (a) Relocatables.** ~~This section applies to the construction of new relocatables after the effective date of these standards.~~ The terms relocatable and portable are interchangeable and both terms are used to describe buildings which are constructed to the same building codes as permanent public school buildings, except they are designed to be moved. These buildings may be manufactured in a plant, constructed on site, may be made of demountable components, and may be combined. All new relocatable or portable classrooms shall be designed and constructed in compliance with the Florida Building Code, and the Uniform Fire Safety Standards as adopted by the State Fire Marshal state minimum building code and life safety codes and Department of Community Affairs rules for factory-built school buildings (see 428). The requirements for new relocatables contained herein are in addition to the minimum requirements of the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal state minimum building code and the life safety codes. New relocatables which do not comply with the building codes, fire codes and these standards shall not be used as classrooms or for any other student occupancy. For code requirements and other standards applicable to relocatables constructed prior to this code, which may be Type V or Type type VI (wood) relocatables, see Existing Relocatables, Volume 1 Section 5(2), State Requirements for Educational Facilities as referenced in the Uniform Fire Safety Standards as adopted by the State Fire Marshal.

Factory-built school shelter means any site-assembled or factory-built school building that is designed to be portable, relocatable, demountable, or reconstructable and that complies with the provisions for enhanced hurricane protection areas, as required by the applicable code (see 423.25).

#### **423.27.2. (b) Design, Plan Approval, Construction.**

Regardless of cost or fund source, whether used for classroom, auxiliary or ancillary space, whether leased, purchased, contracted, or constructed by the school board or community college board, plans and documents for relocatables, portables and modular schools shall be prepared by Florida registered design professionals and submitted to the authority having jurisdiction for review and approval for compliance with Florida laws, rules, building and life safety codes. The buildings shall be constructed and inspected by personnel licensed, certified or trained as required by Florida construction industry licensing laws.

##### **423.27.2. 1. Districtwide Foundation Plans.**

Districtwide foundation plans for tie down and wind resistance for each type of relocatable and each type of known soil condition in the district, shall be prepared and reviewed at the time of the design and shall be required as a part of the approval of any relocatable. These documents shall be kept on file in the district, with an additional copy in each relocatable filed together with current annual local fire inspection reports, as required by law. The foundation plans shall be reviewed and updated when necessary for compliance with current code for subsequent installations of the relocatable. Relocatables which do not meet the requirements of code for tie down and wind resistance shall not be occupied.

##### **423.27.2. 2. DOT Requirements.** Relocatable units designed to be moved on state roads shall comply



with the maximum unit height, length and width requirements of the Department of Transportation (DOT).

**423.27.2. 3.Inventory/Construction Date Signage.** A FISH inventory room number and the date of construction shall be noted on an inventory sign permanently affixed outside, beside or above the door, on all relocatables owned or leased by a district.

**423.27.3. (c)Construction Type.** ~~After the effective date of these standards all~~ All new relocatables constructed, purchased or otherwise acquired by a board shall be non-combustible Type IV construction.

**423.27.4. (d)Accessibility.** All relocatables constructed, purchased or otherwise acquired by a board after the effective date of these standards shall comply with the Americans with Disabilities Act as modified by Chapter 553 F.S.; chapter 11 of the Florida Building Code, Building the Florida Accessibility Code for Building Construction. Relocatables intended for use at facilities housing up to grades 5 or 6, shall also conform to the Federal criteria “Accessibility Standards for Children’s Environments” which is available from the U.S. Architectural and Transportation Barriers Compliance Board.

**423.27.5. (e)Site Standards/Site Plan.** ~~After the effective date of these standards, relocatables~~ Relocatables placed on educational plant sites shall comply with federal and state laws and rules relating to the placement of structures on sites, as well as building code, fire code site requirements.

**423.27.5. 1.Floodplain.** Compliance with floodplain standards is required for the initial and subsequent installation of public educational relocatable units. The finished floor shall be 12 inches above base flood elevation, the structure shall be designed to meet the Florida Building Code state minimum building codes and anchored to resist buoyant forces.

**423.27.5. 2.Covered Walks and Technology.** New relocatables and “modular schools” acquired by a board which are intended for long term use, shall be connected from exit door to the core facilities by accessible covered walkways, and shall contain wiring and computer technologies which connect to the facility’s technology, communications and fire alarms infrastructure.

**Exception:** Covered walks and public address systems are not required in community college facilities.

**Exception:** Temporary relocatables. Temporary relocatables constructed after the date of this standard shall meet all construction requirements of this code, except that covered walks may be installed. The term “temporary relocatable” means relocatables which are used for less than 3 years to provide temporary housing while permanent replacement classrooms and related facilities are under construction, renovation or remodeling. The term “temporary relocatable” does not apply to relocatables which have been located on a school site for more than 2 years and used for classrooms or for student occupancy, where there is no identifiable permanent facility which is under construction, being remodeled, or renovated to house the students.

**423.27.5. 3.Minimum Setback.** The minimum setback from the property line for new relocatable units shall be as required by local zoning; ~~(See Existing Relocatables, Vol. I, Section 5(2), State Requirements for Educational Facilities, for requirements for owned or leased relocatables which were constructed before the effective date of this code.)~~

**423.27.5. 4.Separation of Units.** Type IV, (noncombustible) relocatable units shall be separated as required by the Florida state minimum Building Code and the school site plan; ~~(See Existing Relocatables, Vol. I, Section 5(2), State Requirements for Educational Facilities, for requirements for owned or leased relocatables which were constructed before the effective date of this code.)~~

**423.27.6. (f)Structure.** Relocatable structures shall be positively anchored and designed to comply with the Florida state minimum Building Code requirements.

**423.27.7. (g) Fire Retardant Treated Wood.** Only fire retardant treated wood (FRTW) which does not contain ammonium phosphates, sulfates, or halides may be used in the roof structure of Type IV construction, as authorized by other sections of the Florida Building Code ~~state minimum building code~~. FRTW shall comply with the specific requirements found elsewhere in these public educational facilities requirements. Contractors shall provide evidence of compliance to inspectors. Inspection access panels shall be provided to facilitate initial and annual inspections for general condition assessment of FRTW and connectors.

**423.27.8. (h) Doors.** Exit doors shall swing in the direction of exit travel.

**423.27.8. 1. Classroom Locksets.** Each door shall be equipped with a lockset, which is readily opened from the side from which egress is to be made at all times, a threshold, heavy duty hinges, and closer to control door closing. Each door shall have a view panel, with minimum dimensions of 8 inches by 42 inches and a maximum of 1,296 square inches, of 1/4 inch tempered or safety glass installed with the bottom edge of the panel at 30 inches AFF. Each exterior door shall be protected from the elements by a roof overhang.

**423.27.8. 2. Roofed Platform.** All exterior doors shall open onto a minimum 5 foot by 5 foot roofed platform with handrails, which is level with the interior floor.

**423.27.9. (i) Operable Windows.** Classrooms shall have operable windows ~~in at least one wall~~ equal to at least 5 percent of the floor area of the unit where required by Section 235.212 F.S. Exterior doors may be included in computing the required 5 percent. Awning, casement, or projecting windows shall not be placed in walls with adjacent walks, ramps, steps, or platforms.

**423.27.9. 1. Rescue.** Emergency rescue window shall comply with NFPA 101, and shall be labeled “EMERGENCY RESCUE - KEEP AREA CLEAR”.

**423.27.10. (j) Finishes.** Finishes in relocatable units shall comply with the following:

**423.27.10. 1. Interior Walls and Ceilings.** Interior wall and ceiling finishes in classrooms and other student use spaces shall be Class A or B as defined in NFPA 101. Corridor finishes shall be Class A. Formaldehyde levels shall not exceed the minimum HUD standards for manufactured housing.

**423.27.10. 2. Floors.** Floors shall be covered with resilient material, carpet, or other finished product. Carpet in classrooms shall be tested and certified by the manufacturer as passing the Radiant Panel Test Class II. Carpet in corridors shall be tested and certified by the manufacturer as passing the Radiant Panel Test Class I.

**423.27.10. 3. Toilet Rooms, Showers and Bathing Facilities.** Partitions and walls separating group toilet rooms shall be extended to the bottom of the roof deck.

**423.27.10.3.1. a** Toilet room floors and base shall be finished with impervious non-slip materials. Toilet room walls shall be finished with impervious materials which shall be extended to a minimum height of 6 feet.

**423.27.10.3.2. b** Ceilings shall be of solid type moisture resistant materials.

**423.27.11. (k) Fire Extinguishers.** At least one appropriate fire extinguisher shall be provided in each relocatable classroom unit and in each classroom of a multi-classroom building.

**423.27.12. (l) Document Storage.** Provision shall be made to secure foundation plans and to post the annual fire inspection report within each relocatable unit.

**423.27.13. (m) Time-out Rooms.** Time-out rooms, are not recommended, but when provided, shall comply with the specific requirements for time-out rooms found elsewhere in these public educational facilities code requirements.

**423.27.14. (n) Child Care/Day Care Units.** Standard classroom units intended to house birth to age 3 children, including Teenage Parent Programs (TAP), shall meet the additional criteria under the title of “Child Care/Day Care/Prekindergarten Facilities” for permanent buildings contained in these public educational facilities requirements, as well as the following:

**423.27.14. 1.** All TAP spaces where residential kitchens are provided shall have two doors exiting

directly to the outside and remotely located from each other. Areas designated for children's sleeping mats, cots or cribs, shall have a clearly marked exit passageway.

**423.27.15. (f) Illumination Required.** Illumination in classroom units shall be designed to provide an average maintained 50 footcandles at desk top.

**423.27.15. 1. Emergency Lighting.** Each classroom unit shall be equipped with emergency lighting.

**423.27.15. 2. Exterior Lighting.** Exterior Lighting shall be provided as required elsewhere in these public educational facilities code requirements.

**423.27.15. 3. Exit Lighting.** Exit lights shall be provided as required by the Uniform Fire Safety Standards as adopted by the State Fire Marshal life safety codes.

**423.27.16. (g) Air Conditioning, Heating and Ventilation.** Relocatable facilities shall meet Florida Building Code state building code requirements.

**423.27.17. (h) Technology.** Relocatables shall contain wiring and computer technology appropriate for the programs to be housed.

**423.27.18. (i) Fire Safety Requirements.** New relocatables shall be provided with fire alarm devices meeting the code requirements for permanent educational facilities and shall be connected to the facility's main fire alarm system as required by code.

**423.27.19. (j) Inspection of Units During Construction.** Boards shall provide for the inspection of relocatables during construction, as required by the Code state minimum building code, as authorized by statute.

**423.27.20. (k) Inspection of Units Prior to Occupancy.** Prior to occupancy new relocatables shall be inspected and approved for compliance to the Florida Building Code and the Uniform Fire Safety Standards as adopted by the State Fire Marshal building and life safety codes. New units shall have foundation plans provided and secured, in the relocatable along with the local fire inspector report. Certification of such inspection shall remain on file with the district. Inventory/date of construction signage shall be affixed to the relocatable. Where fire retardant wood is used inspection access panels shall be provided and within easy reach to facilitate inspection for general condition assessment of FRTW and connectors.

#### **423.28 Existing Relocatable Buildings and Factory Built Schools**

**423.28.1 Annual Inspection of Existing Property Required.** Additional inspectors and standards are required for existing "satisfactory" relocatable classroom units.

**423.28.1.1. Board Provided Inspections of Relocatables.** Existing relocatable buildings, whether owned, leased, or lease-purchased, shall be inspected for compliance with the standards for existing "satisfactory" buildings. Annual inspection reports for all relocatables designed as classrooms or spaces intended for student occupancy, shall be filed. Corrections shall be adopted by the board. The inspection report for each relocatable shall be posted therein.

**423.28.1.2. Inventory/Date of Construction.** After July 1, 2002, each relocatable, whether owned, leased, or lease-purchased, shall be identified by an inventory number, which links the unit to a date of construction. "Satisfactory" relocatables shall comply with these standards for existing relocatables. Where exact date cannot be determined, provide estimated date of construction of the facility. Owned and leased buildings shall be included in the inventory.

**423.28.2 Standards for Existing "Satisfactory" Relocatable Classroom Buildings and Factory Built Schools.** Existing relocatables, whether leased or owned, if constructed before the effective date of these rules, which meet the standards, shall be identified as "satisfactory" in the Florida Inventory of School Houses (FISH). After July 1, 2002, relocatables used as classrooms or spaces intended for student occupancy, which fail to meet the standards of this section shall not be reported as "satisfactory" and may not be used as classrooms. After July 1, 2002, relocatables which have been in use at a school site for more than two (2) years where there is no identifiable permanent replacement facility under construction to house the students, and which fail to meet the standards of this section,

shall not be reported as “satisfactory” and may not be used as classrooms. These buildings shall be included on a corrective action plan filed with the board and posted in each relocatable. The standards are as follows:

**423.28.2.1. Construction Type.** Relocatable units shall be of Type V or Type IV (non-combustible), or Type VI (wood frame) construction of the Code as follows:

**423.28.2.2. Non-combustible.** Type IV (non-combustible) construction shall be used where several relocatable units are joined under a single roof to create multi-classroom or other use spaces in excess of two thousand (2,000) square feet.

**423.28.2.3. Wood Frame.** Type V or Type VI (wood frame) construction shall be used only for a single classroom unit of one thousand (1,000) gross square feet or less. Two (2) classroom units of Type V or Type VI construction may be joined together, if for a single use such as exceptional education, TAP, or science, provided the single classroom does not exceed two thousand (2,000) gross square feet, is without interior partitions (not including office, storage, and toilet) and has at least two (2) remotely located exit doors.

**423.28.2.4. Accessibility.** Relocatables shall comply with the Americans with Disabilities Act as modified by chapter 553, F.S. in the Florida Building Code, Building chapter 11. These standards can be obtained from the Florida Department of Community Affairs, Building Codes and Standards Office. Where inspection reports identify otherwise satisfactory classroom relocatables not in compliance, the board shall develop a transition plan for achieving compliance, and post with the annual inspection report in 6th the documents compartment.

**423.28.2.5. Sites/Master Plan.** After July 1, 2002, for sites where relocatables have been in use for more than two (2) years where there is no identifiable permanent replacement facility under construction to house the students or programs, campus master plans shall be developed indicating: the maximum design capacity of core facilities, the locations of relocatables, the locations of covered accessible walks, and related structures.

**a. Covered Walks.** After July 1, 2002, relocatables used as classrooms or spaces intended for student occupancy, including “modular schools,” which have been in use at school sites for more than two (2) years shall be connected to the core facilities by covered accessible walkways. Where cost precludes compliance with this requirement within stipulated time limits, a transition plan shall be included in the board’s five (5) year workplan.

**Exception:** Temporary relocatables. The term “Temporary relocatable” means relocatables which are used for less than three years to provide temporary housing while permanent replacement classrooms and related facilities are under construction, renovation or remodeling. The term “temporary relocatable” does not apply to relocatables which have been located on a school site for more than two (2) years and used for classrooms or for student occupancy, where there is no identifiable permanent facility which is under construction, being remodeled, or renovated to house the students.

**b. Separation of Units.** Type V or Type VI (wood frame) relocatable units are separated from each other and any permanent buildings by sufficient distance, in each direction to prevent the spread of fire and located to allow access by emergency vehicles. The locations are determined jointly by the local fire fighting authority that services the site. Type IV (non-combustible) relocatables shall be separated as required by the Code.

**c. Minimum Setbacks.** The minimum setback for wood frame relocatable units is at least twenty-five (25) feet from a property line, unless a greater setback is required by local zoning. The minimum setback for Type IV (non-combustible) relocatables is as required by local zoning.

**d. Floodplain.** Relocatable units located in a one hundred (100) year floodplain shall have the finished floor at least twelve (12) inches above the base flood elevation and are anchored to resist buoyant forces, if applicable.

**423.28.2.6. Structure.** Structural integrity of relocatables is sound including roof, wall, foundation and floor systems.

**a. Wind Uplift.** Wind uplift forces are countered by providing anchors from the roof to the walls, from the walls to the floor structure, and from the floor structure to the foundation.

**b. Connections.** Connections are not damaged from movement, not rusted, and required nails or screw connectors are secure.

**c. Foundations.** Foundations for relocatables shall meet the Code for wind uplift and overturn conditions, and load requirements for soil conditions as sited.

**d. Foundation New Construction Standards Apply When Moved.** When relocatables are moved to a new location on a new site or on the same campus, new foundations shall comply with new construction requirements of the Code, and ASCE 7-98. Foundations and tie down or anchoring system plans shall be updated to meet wind uplift and overturn conditions, and soil conditions.

**e. Inspection.** The foundation and anchoring system have been inspected by a certified inspector and the inspection approval document is on file with the district.

**f. Tie-downs.** Tie-downs from the foundations to the relocatable structure are not damaged or rusted. Relocatable units located in floodplains are anchored to resist buoyant forces, if applicable.

**423.28.2.7. Fire Retardant Wood.** Inspections of relocatables with roof structures constructed of fire retardant treated wood products, as allowed in Type IV (non-combustible) construction, shall include the condition of metals, including structural connectors for the walls, roof, foundations; electrical equipment, mechanical equipment and fire alarms.

**423.28.2.8. Roofing/Moisture Protection.** Weatherproofing systems are intact; roofing, caulking/sealants at penetrations in walls, roofs, underside and sealers at windows/doors have not been damaged and remain watertight; holes and cracks have been sealed.

**423.28.2.9. Doors.** Doors in relocatable units shall be provided as follows:

**a. Two Doors.** Single classroom units of Type V or Type VI (wood) construction shall have two (2) remotely located doors opening directly to the outside.

**b. Door and Rescue Window.** Multi-classroom units of Type IV (non-combustible) construction have a primary exit door and an emergency rescue opening in each space occupied by ten (10) or more students, or by six (6) or more students for relocatables designed after October 18, 1994. (An emergency rescue opening is not required when there is a door opening directly to the outside.)

**c. Door Swing.** Exit doors swing in the direction of exit travel.

**d. Hardware.** Exist doors are equipped with a lockset, which is readily opened from the side from which egress is to be made; a threshold; heavy duty hinges; and closer which prevents slamming. Accessible hardware is provided on all doors in a standard classroom unit.

**423.28.2.10. Platform.** All exterior doors open onto a five (5) foot by five (5) foot platform which is level with the interior floor and connects with a accessible ramp or step equipped with handrails.

**423.28.2.11. Time-Out.** Time-out rooms, when provided, are equipped with doors which allow egress at all times in the even of an emergency. Locking devices on time-out rooms are discouraged, but if necessary, shall meet the requirements of new construction without exception.

**423.28.2.12. Operable Windows.** Classroom units have operable windows equal to at least 5 percent of the floor area of the classroom. Exterior doors may be included in computing the required 5 percent.

**a. Emergency Rescue.** Each multi-classroom unit of Type IV (non-combustible) construction has a single action operable window available for emergency rescue from each classroom or student occupied space.

**b. Projections.** Walks, ramps, steps, and platforms are free of any awning, casement, or projecting windows.

**423.28.2.13. Finishes.** Finishes in single classroom units and multi-classroom buildings, including “modular schools” comply with the following:

**a. Toilet Rooms.** Ceilings in toilet rooms are of moisture resistant materials. Walls in toilet rooms are finished with impervious materials to a minimum height of six (6) feet. Vinyl wall covering shall not be used in toilets. Floor and base in individual or group toilet rooms are impervious.

**b. Classrooms.** Single classroom units and auxiliary area floors are covered with resilient materials or carpet.

**c. Time-Out.** Walls and ceilings in time-out rooms are finished with durable, vandal-resistant materials and are free of any loose or potentially hazardous materials.

**423.28.2.14. Fire Extinguisher.** At least one (1) appropriate fire extinguisher is provided, inspected and maintained in accordance with NFPA 10, each relocatable classroom and in each classroom of multi-classroom units.

**423.28.2.15. Child Care/TAP.** Standard classroom units of Type VI (wood) construction housing birth to age three (3) children, including Teenage Parent Programs (TAP), are less than two thousand (2,000) gross square feet, and comply with additional safety requirements outlined in this section. If a residential-type kitchen is provided in these units, it shall include a residential range hood mechanically exhausted to the outside and a fire extinguisher located within ten (10) feet of the range.

**423.28.2.16. HVAC.** Heating/Ventilation/Air Conditioning system has been checked for: proper operation; maintains design temperatures of at least 78 degrees Fahrenheit in the summer and 68 degrees Fahrenheit in the winter; adequate humidity control is provided; filters have been cleaned; system provides fresh air; coils are clean; condensate line is clean; air flow and air distribution system functional; outdoor intake clear of pollutant sources; and outdoor damper operating properly. Adverse indoor air quality indicators are not in evidence. There are no signs of mold or mildew on carpet, walls, in or around HVAC system or toilet rooms.

**423.28.2.17. Plumbing.** Plumbing systems and toilet rooms, where included, meet code requirements for connections to water and sewer, do not leak or drip, and are clean and sanitary.

**423.28.2.18. Electrical.** Electrical systems have been checked for damage, and operate properly. Technology systems, communication systems, life safety and emergency systems have been tested and operate properly.

**a. Illumination.** Lighting fixtures shall be maintained in a safe, secure, and operational condition at all times.

**b. Emergency Lighting.** Each classroom and spaces used for student occupancy, is equipped with emergency lighting.

**c. Technology.** After July 1, 2001, relocatables used as classrooms or spaces intended for student occupancy, which have been in use at school sites for more than three (3) years where there is no identifiable permanent replacement facility under construction to house the students, shall contain wiring and computer technologies for teaching infrastructure in permanent classrooms.

**423.28.2.19. Firesafety Systems.** Firesafety systems and equipment have been inspected and certified as required by NFPA 72. These systems include fire alarms, fire extinguishers, smoke and heat detectors.

**a. Heat and Smoke Detectors in Wood Construction.** In Type V and Type VI (wood) construction, heat or smoke detectors are installed in every classroom, unsupervised spaces, storage spaced, and custodial closet, and can activate the fire alarm.

**b. Heat and Smoke Detectors in Non-Combustible Construction.** In Type IV (non-combustible) construction, heat or smoke detectors are installed in storage and custodial closets, and can activate the fire alarm.

**c. Fire Alarm.** Each relocatable classroom, other student use spaces, and each multi-classroom unit shall be provided with approved fire alarm devices meeting all requirements for existing educational buildings as required by the fire safety code. The fire alarm in the permanent facility shall be audible from inside any relocatable located within 200 feet of a permanent building. Relocatables shall be sited for access to a pull station within 200 feet.

**d. Local Agency Inspection Report.** An inspection report is provided from the local fire control authority indicating that they have inspected each relocatable and have found that no serious life safety hazards exist which would preclude continued occupancy. The letter shall identify each relocatable by district inventory identification nomenclature and shall be posted therein.

**423.28.2.20. Abandoned or Warehoused Facilities.** Board facilities no longer in use which are abandoned or in storage but still owned, shall be secured in such a manner as to prevent safety hazards, unlawful entry, and undue vandalism from occurring. Abandoned or stored facilities returned to use shall be inspected and certified as meeting the standards for existing “satisfactory” relocatables prior to occupancy.

Section 424 is amended to read as follows:

**SECTION 424  
SWIMMING POOLS AND BATHING PLACES  
(PUBLIC AND PRIVATE)**

**424.1 Public Swimming Pools and Bathing Places.** Public swimming pools and bathing places shall comply with the following design and construction standards of this section as described in Chapter 64E-9 Florida Administrative Code.

Note: Other administrative and programmatic provisions may apply. See Department of Health [DOH] Rule 64E-9, Florida Administrative Code and Chapter 514, Florida Statutes.

“Bathing Load” means the maximum number of persons allowed in the pool at one time.

“Collector Tank” means a reservoir, open to the atmosphere, from which the recirculation pump takes suction, which may receive the gravity flow from the main drain line and surface overflow system.

“Interactive Water Features” means a structure designed to allow for recreational activities with recirculated, filtered, and treated water; but having minimal standing water. Water from the interactive fountain type features is collected by gravity below grade in a collector tank or sump. The water is filtered, disinfected and then pumped to the feature spray discharge heads.

“Perimeter Overflow Gutter” means a level trough or ledge around the inside perimeter of the pool containing drains to clean the pool water surface.

“Plunge Pool” means the receiving body of water located at the terminus of a recreational water slide.

“Pool Floor” means the interior pool bottom surface which consists of that area from a horizontal plane

up to a maximum of a 45 degree slope.

“Pool Wall” means the interior pool side surfaces which consist of that area from a vertical plane to a 45 degree slope.

“Precoat Pot” means a container with a valved connection to the suction side of the recirculation pump of a pressure diatomaceous earth (D.E.) filter system used for coating the filter with D. E. powder.

A "public swimming pool" or "public pool" means a watertight structure of concrete, masonry, or other approved materials which is located either indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A public swimming pool or public pool shall mean a conventional pool, spa-type pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be gained with or without payment of a fee and includes, but is not limited to, pools operated by or serving camps, churches, cities, counties, day care centers, group home facilities for eight or more clients, health spas, institutions, parks, state agencies, schools, subdivisions, or the cooperative living-type projects of five or more living units, such as apartments, boardinghouses, hotels, mobile home parks, motels, recreational vehicle parks, and townhouses. The term does not include a swimming pool located on the grounds of a private residence.

“Recirculation System” means the system of piping and mechanics designed to remove the water from the pool then filter, disinfect and return it to the pool.

“Slip Resistant” means having a textured surface which is not conducive to slipping under contact of bare feet unlike glazed tile or masonry terrazzo and non-textured plastic materials. Manufactured surface products shall be designated by the manufacturer as suitable for walking surfaces in wet areas.

“Spa Pool” means a pool used in conjunction with high velocity air or water.

“Special Purpose Pool” means a public pool used exclusively for a specific, supervised purpose, including springboard or platform diving training, SCUBA diving instruction, and aquatic programs for persons with disabilities, pre-school or kindergarten children.

“Wading Pool” means a shallow pool designed to be used by children.

“Water Recreation Attraction” means a facility with design and operational features that provide patron recreational activity and purposefully involves immersion of the body partially or totally in the water. Water recreation attractions include water slides, lazy river rides, water course rides, water activity pools, and wave pools.

“Lazy River Ride” means a water recreation attraction designed to convey bathers around a relatively flat course using an artificially created current.

“Wade Pool” means a water recreation attraction ride which is characterized by having trough-like or tubular flumes or chutes.

“Wet Deck Area” means the four foot wide unobstructed pool deck area around the outside of the pool water perimeter, curb, ladders, handrails, diving boards, diving towers, or pool slides.

“Zero Depth Entry Pool” means a pool where the pool floor continues to slope upward to a point where it meets the surface of the water and the pool deck.

**Exceptions:**

~~A. Private pools and water therapy facilities connected with facilities connected with hospitals, medical doctors' offices, and licensed physical therapy establishments shall be exempt from supervision under this chapter.~~

~~B. (a) Pools serving no more than 32 condominium or cooperative units which are not operated as a public lodging establishment shall be exempt from supervision under this chapter, except for water quality.~~

~~—(b) Pools serving condominium or cooperative associations of more than 32 units and whose recorded documents prohibit the rental or sublease of the units for periods of less than 60 days are exempt from supervision under this chapter except that the condominium or cooperative owner or association must file applications with the department and obtain construction plans approval and receive an initial operating permit. The department shall inspect the swimming pools at such places annually, at the fee set forth in s. 514.033(3), or upon request by a unit owner, to determine compliance with department rules relating to water~~



quality and lifesaving equipment. The department may not require compliance with rules relating to swimming pool lifeguard standards.

- C. A private pool used for instructional purposes in swimming shall not be regulated as a public pool.
- D. Any pool serving a residential child care agency registered and exempt from licensure pursuant to s. 409.176 shall be exempt from supervision or regulation under this chapter related to construction standards if the pool is used exclusively by the facility's residents and if admission may not be gained by the public.
- E. The department may grant variances from any rule adopted under this chapter pursuant to procedures adopted by department rule.

**424.1.1 Sizing.** The bathing load for conventional swimming pools and special purpose pools shall be computed on the basis of one person per 5 gpm of recirculation flow. The bathing load for wading pools and interactive water features shall be established by averaging one person per 10 square feet of pool area and one person per 5 gallons per minute of filter rate. The bathing load for spa type pools shall be based on one person per each 10 square feet of surface area. The filtration system shall be capable of meeting all other requirements of these rules while providing a flowrate of at least 1 gallon per minute for each living unit at transient facilities and 3/4 gallon per minute at non-transient facilities. All other types of projects shall be sized according to the anticipated bathing load and proposed uses. For the purpose of determining minimum pool size only, the pool turnover period used cannot be less than 3 hours.

**64E-9.001—General:**

- (2) This chapter prescribes minimum design, construction, and operation requirements:
  - (a) The department will accept dimensional standards for competition type pools as published by the National Collegiate Athletic Association, 1998; Federation Internationale de Natation Amateur (FINA), 1998-2000 Handbook; 1998-1999 Official Rules of Diving & Code of Regulation of United States Diving Inc.; 1998 United States Swimming Rules and Regulation, and National Federation of State High School Associations, 1997-1998, which are incorporated by reference in these rules.
  - (b) Where adequate standards do not exist and these rules do not provide sufficient guidance for consideration of innovations in design, construction, and operation of proposed swimming pools or water recreation attractions, the department will establish requirements necessary to protect the health and safety of the pool patrons.
- (3) All pools which do not meet the definition of private pools are public pools.
- (4) The Americans with Disabilities Act of 1990 may relate to public pools and should be reviewed by the design engineer and the pool owner.

**64E-9.013(3)**

- (j) Sanitary facilities shall be provided and shall be as near to the bathing area as prudent to ensure patron use:
  - 1. Women's restrooms shall have a fixture set including a water closet and a lavatory.
  - 2. Men's restrooms shall have a fixture set including a urinal, a water closet and a lavatory.
  - 3. Additional restroom fixtures shall be provided based on stated usage. A second water closet, urinal and lavatory shall be provided in the men's restroom if the stated usage exceeds 50 patrons, but is less than 150 patrons. Another urinal, water closet and lavatory shall be provided for each additional 100 patrons. The number of water closets in the women's restroom shall be based on a three to two ratio with three water closets being provided in the women's restroom for every two fixtures in the men's restroom. For

this purpose of establishing the men's restroom fixture count, both water closets and urinals shall be included. The number of lavatories in the women's restroom shall match the number in the men's restroom.

4. Restroom floors shall be impervious, slip resistant and slope to floor drains.

#### **64E-9.004(1)**

- (a) Cross-connection prevention—An atmospheric break or approved back flow prevention device shall be provided in each pool water supply line that is connected to a public water supply. Vacuum breakers shall be installed on all hose bibbs.

#### **424.1.2 64E-9.006 — Swimming Pool Construction Standards.**

**424.1.2.1 (+) Pool Structure** — Pools shall be constructed of concrete or other impervious and structurally rigid material. All pools shall be watertight, free from structural cracks and shall have a nontoxic smooth and slip resistant finish. Tile used in less than 5 feet of water must be slip resistant except for bull-nose tile when utilized as step, bench or swimout markings.

- (a) ~~Floors and walls shall be white or light pastel in color and shall have the characteristic of reflecting rather than absorbing light. A minimum 4-inch tile line shall be installed at the water line, but shall not exceed 12 inches in height if a dark color is used. Gutter type pools may substitute 2-inch tile along the pool wall edge of the gutter lip.~~

1. Any design or logo on the pool floor or walls shall be such that it will not hinder the detection of a human in distress, algae, sediment, or other objects in the pool and written approval must be obtained from the department prior to installation.

2. ~~Pools that are not intended to be utilized for officially sanctioned competition may install lap lane markings provided they meet the following criteria: The markings must be four inches wide, they must terminate five feet from the end wall in a "T" with the "T" bar at least 18 inches long, they must be placed at 7 foot intervals on center and be no closer than 4 feet from any side wall, steps or other obstructions. Up to 4 inch wide 18 inch x 18 inch target (+) may be installed on the pool wall. Tile used in less than 5 feet of water must be slip resistant except for bullnose tile when utilized as step, bench or swimout markings. Floating rope lines associated with lap lanes must not obstruct the entrance or exit from the pool and are prohibited when the pool is open for general use.~~

- (b) Sizing—The bathing load for conventional swimming pools and special purpose pools shall be computed on the basis of one person per 5 gpm of recirculation flow. The bathing load for wading pools and interactive water features shall be established by averaging one person per 10 square feet of pool area and one person per 5 gallons per minute of filter rate. The bathing load for spa type pools shall be based on one person per each 10 square feet of surface area. The filtration system shall be capable of meeting all other requirements of these rules while providing a flowrate of at least 1 gallon per minute for each living unit at transient facilities and 3/4 gallon per minute at non-transient facilities. All other types of projects shall be sized according to the anticipated bathing load and proposed uses. For the purpose of determining minimum pool size only, the pool turnover period used cannot be less than 3 hours.

#### **424.1.2.2 (c) Dimensions**

**424.1.2.2.1 Dimensional standards.** Dimensional standards for competition type pools shall be those published by the National Collegiate Athletic Association, 1990; Federation Internationale de Natation Amateru (FINA), 1998-2000 Handbook; 1998-1999 Official Rules of Diving & Code Regulation of United States Diving Inc.; 1998 United States Swimming Rules and Regulations, and National Federation of State High School Associations, 1997-1998, which are incorporated by

reference in this code.

**424.1.2.2.2 †. Walls and corners**—All pool walls shall have a clearance of 15 feet perpendicular to the wall. Offset steps and spa coves are exempt from this clearance requirement. The upper part of pool walls in areas 5 feet deep or less shall be within 5 degrees of vertical for a minimum depth of 2½ feet from which point the wall may join the floor with a maximum radius equal to the difference between the pool depth and 2½ feet. The upper part of pool walls in areas over 5 feet deep shall be within 5 degrees of vertical for a minimum depth equal to the pool water depth minus 2½ feet from which point the wall may join the floor with a maximum radius of 2½ feet. Corners shall be a minimum 90 degree angle. The corner intersections of walls which protrude or angle into the pool water area shall be rounded with a minimum radius of 2 inches.

**424.1.2.2.3 2. Pool Floor Slope and Slope Transition**— The radius of curvature between the floor and walls is excluded from these requirements. Multiple floor levels in pools are prohibited.

**424.1.2.2.3.1 a.** Floor slope shall be uniform. The floor slope shall be a maximum 1 foot vertical in 10 feet horizontal and a minimum of 1 foot vertical in 40 feet horizontal in areas 5 feet deep or less. The floor slope shall be a maximum 1 foot vertical in 3 feet horizontal in areas more than 5 feet deep.

**424.1.2.2.3.2 b.** Any transition in floor slope shall occur at a minimum of 5 feet of water depth. A slope transition shall ~~must~~ have a 2-inch-wide dark contrasting marking across the bottom and must extend up both sides of the pool at the transition point. A slope transition shall ~~must~~ have a safety line mounted by use of cup anchors, 2 feet before the contrasting marking, toward the shallow end. The safety line shall have visible floats at maximum 7 foot intervals.

**424.1.2.2.4 3. Pool Depths and Markings**—The minimum water depth shall be 3 feet in shallow areas and 4 feet in deep areas.

#### **424.1.2.3 Markings**

**424.1.2.3.1 Depth Markings.** Depth markings shall meet the following criteria:

- 1 a. Permanent depth markings followed by the appropriate full or abbreviated words “FEET” or “INCHES” shall be installed in minimum four inch high numbers and letters on a contrasting background. Depth markers shall indicate the actual pool depth, within three inches, at normal operating water level when measured three feet from the pool wall. Symmetrical pool designs with the deep point at the center may be allowed provided a dual marking system is used which indicates the depth at the wall and at the deep point.
- 2 b. The markings shall be located on both sides of the pool at the shallow end, slope break, deep end wall and deep point (if located more than five feet from the deep end wall) with a maximum perimeter distance between depth markings of 25 feet and shall be legible from inside the pool and also from the pool deck.
3. When a curb is provided, the depth markings shall be installed on the inside and outside or top of the pool curb. When a pool curb is not provided, the depth markings shall be located on the inside vertical wall at or above the water level and on the edge of the deck within two feet of the pool water. When open type gutter designs are utilized, depth markers shall be located on the back of the gutter wall.
- 4 e. When deck level perimeter overflow systems are utilized, additional depth markers shall be placed on adjacent fencing or walls and the size shall be increased so they are recognizable from inside the swimming pool. Depth markers on the pool deck shall be within three feet of the water.
- 5 f. Those areas of the pool that are not part of an approved diving bowl shall have dark contrasting, permanent, four inch high “NO DIVING” markings installed on the top of the pool curb or deck within two feet of the pool water on each side of the pool with a maximum distance of 25 feet between markings. A 6-inch tile with a 4-inch or larger red, international “NO DIVING” symbol may be substituted for the “NO DIVING” markings.

6e. All depth markings shall be tile, except that pools constructed of fiberglass, thermoplastic or stainless steel may substitute other type markings when it can be shown that said markings are permanent and will not fade over time. This exemption does not extend to concrete pools that are coated with fiberglass. All depth and "NO DIVING" markings installed on horizontal surfaces shall must have a slip resistant finish.

**424.1.2.3.2 Designs or logos.** Any design or logo on the pool floor or walls shall be such that it will not hinder the detection of a human in distress, algae, sediment, or other objects in the pool.

**424.1.2.3.3 Lane markings.** Pools that are not intended to be utilized for officially sanctioned competition may install lap lane markings provided they meet the following criteria: the markings must be four inches wide, they must terminate five feet from the end wall in a "T" with the "T" bar at least 18 inches long, they must be placed at 7 foot intervals on center and be no closer than 4 feet from any side wall, steps or other obstructions.

**424.1.2.3.4 Targets.** Pools that are not intended for officially sanctioned competition may have up to 4 inch wide 18 inch x 18 inch targets (+) installed on the pool wall.

**424.1.2.4 Color.** Pool floors and walls shall be white or light pastel in color and shall have the characteristic of reflecting rather than absorbing light.

**Exception:** A dark color may be used if 1) a tile line (minimum 4 inches, maximum 12 inches) is installed at the water line or 2) if 2-inch tile is installed along the pool wall edge of the gutter lip for gutter type pools.

**424.1.2.5 (±) Access**—All pools shall have a means of access every 75 feet of pool perimeter with a minimum of two, located so as to serve both ends of the pool. When the deep portion of the pool is over 30 feet wide both sides of this area shall have a means of access. Access shall consist of ladders, stairs, recessed treads or swimouts and may be used in combination. All treads shall have a slip resistant surface.

**424.1.2.5.1. Ladders**—Ladders shall be of the cross-braced type and shall be constructed of corrosion resistant materials and be securely anchored into the pool deck. Clearance between the ladder and pool wall shall be between three to six inches. Ladders shall extend at least 28 inches above the pool deck.

**424.1.2.5.2. Recessed Treads**—Recessed treads shall be installed flush with the wall and shall be a minimum five inches wide, 10 inches long, with a maximum vertical distance of 12 inches between treads.

**424.1.2.5.3. Stairs**—Stairs shall have a minimum tread width of 10 inches for a minimum tread length of 24 inches and a maximum riser height of 10 inches. Treads and risers between the top and bottom treads shall be uniform in width and height. The front three-fourths to two inches of the tread and the top two inches of the riser shall be tile, dark in color, contrasting with the interior of the pool. Tile shall be slip resistant, except when three-fourths inch by 2 inch bullnose tile is used and the 3/4 inch segment is placed on the tread and the two inch segment is on the riser. All markings shall be tile, except that pools constructed of fiberglass, thermoplastic or stainless steel may substitute other type markings when it can be shown that said markings are permanent and will not fade over time. This exception does not extend to concrete pools that are coated with fiberglass.

**424.1.2.5.4. Swimouts**—Swimouts shall extend 18 to 24 inches back from the pool wall, shall be 4 to 5 feet wide, shall be a maximum of 12 inches below the deck, unless stairs are provided in the swimout, and shall be located only in areas of the pool greater than 5 feet deep. Pools that do not utilize a continuous perimeter overflow system must provide a wall return inlet in the swimout for circulation. A permanent dark contrasting colored band of tile shall be installed at the intersection of the pool wall and the swimout and must extend 2 inches on the horizontal and vertical surfaces. Tile must be slip resistant, except that bullnose tile may be substituted and installed in accordance with section ~~424.1.2.5.3~~ ~~64E-9.006(1)(d)3~~ above.

**424.1.2.5.5. Handrails and Grabrails**—Handrails shall be provided for all stairs, shall be anchored in the bottom step and the deck. Where "figure 4" deck mounted type handrails are used, they shall be anchored in the deck and extend laterally to any point vertically above the bottom step. A grabrail shall be provided for all swimouts and shall not protrude more than 6 inches over the water

surface. Grabrails must be mounted in the pool deck at each side of recessed steps. Handrails and grabrails shall extend at least 28 inches above the step edge and deck.

**424.1.2.5.6. Disabled Access.** Permanent or portable steps, ramps, handrails, lifts, or other devices designed to accommodate persons with disabilities ~~handicapped individuals~~ in swimming pools may be provided. Lifts mounted into the pool deck shall have a minimum 4-foot-wide deck behind the lift mount.

**424.1.2.6. (e) Obstructions.** The pool water area shall be unobstructed by any type structure unless justified by engineering design as a part of the recirculation system. Engineering design and material specifications shall show that such structures will not endanger the pool patron, can be maintained in a sanitary condition and will not create a problem for sanitary maintenance of any part of the pool, pool water, or pool facilities. Structures in accord with the above shall not be located in a diving bowl area or within 15 feet of any pool wall.

**Exceptions:**

1. Stairs, ladders and ramps, necessary for entrance/exit from the pool are not considered obstructions.
2. Underwater seat benches may be installed in areas less than 5 feet deep. Bench seats must be 14 to 18 inches wide and must have a dark contrasting marking on the seat edge extending 2 inches on the horizontal and vertical surface. If tile is used it must be slip resistant, except that bullnose tile may be substituted and installed in accordance with section 424.1.2.5.3 ~~64E-9.006(1)(d)3~~.

~~(f) The vertical clearance above the pool deck shall be at least 7 feet.~~

**424.1.2.7 (g) Diving Areas**—Diving facilities shall meet the minimum requirements of the FINA dimensions for diving facilities in accordance with the 1998-2000 FINA Handbook and include the following:

1. Diving boards or platforms with heights of less than the established standard shall meet the dimensional requirements of the next greater height.
2. Diving boards, platforms and ladders shall have a nonabsorbent, slip resistant finish and be of sufficient strength to safely carry the anticipated loads. Diving equipment one meter and greater shall have guard rails which are at least 36 inches above the diving board and extend to the edge of the pool wall. All diving boards over 21 inches from the deck shall be provided with a ladder. Diving boards or platforms shall not be installed on curved walls where the wall enters into the defined rectangular diving area specified in this section. Adjacent platform and diving boards shall be parallel.
3. The location of pool ladders shall be such that the distance from the ladder to any point on a diving board or platform centerline is not less than the plummet to side wall dimension (b) indicated in the FINA standards. Trampoline type diving facilities are prohibited.
4. Diving targets may be installed in accordance with FINA standards.

**424.1.3 (2) Pool Appurtenances**

**424.1.3.1 (a) Decks and Walkways—**

**424.1.3.1.1** Pool wet decks shall be constructed of concrete or other nonabsorbent material having a smooth slip resistant finish. Wet deck area finishes shall be designed for such use and shall be installed in accordance with the manufacturer's specifications. Wooden decks and walkways are prohibited.

**424.1.3.1.2** Pool wet decks shall be uniformly sloped at a minimum of 2 percent to a maximum of 4 percent away from the pool or to deck drains to prevent standing water. When a curb is provided, the deck shall not be more than 10 inches below the top of the curb.

**424.1.3.1.3 †.** Pool wet decks shall have a minimum unobstructed width of 4 feet around the perimeter of the pool, pool curb, ladders, handrails, diving boards, diving towers, and slides; ~~shall be constructed of concrete or other nonabsorbent material having a smooth slip resistant finish~~

and shall be uniformly sloped at a minimum of 2 percent to a maximum of 4 percent away from the pool or to deck drains to prevent standing water. When a curb is provided, the deck shall not be more than 10 inches below the top of the curb. Wet deck area finishes shall be designed for such use and shall be installed in accordance with the manufacturer's specifications.

**424.1.3.1.4** Traffic barriers shall be provided as needed so that parked vehicles do not extend over the deck area.

**424.1.3.1.5** Walkways shall be provided between the pool and the sanitary facilities, and shall be constructed of concrete or other nonabsorbent material having a smooth slip resistant finish for the first 15 feet of the walkway measured from the nearest pool water's edge. A hose bibb with a vacuum breaker shall be provided to allow the deck to be washed down with potable water.

**424.1.3.1.6** 2. Ten percent of the deck along the pool perimeter may be obstructed. Obstructions shall have a wet deck area behind or through them, with the near edge of the walk within 15 feet of the water. These obstructions ~~shall~~ **must** be protected by a barrier or ~~shall~~ **must** be designed to discourage patron access. When an obstruction exists in multiple areas around the pool the minimum distance between obstructions shall be 4 feet.

**424.1.3.1.7** 3. Food or drink service facilities shall not be located within 12 feet of the water's edge.

**424.1.3.1.8** The vertical clearance above the pool deck shall be at least 7 feet.

**424.1.3.2 (b) Bridges and Overhead Obstructions.** Bridges and overhead obstructions over the pool shall be designed so they will not introduce any contamination to the pool water. The minimum height of the bridge or obstruction shall be at least 8 feet from the bottom of the pool and at least four feet above the surface of the pool. Minimum 42-inch-high handrails shall be provided along each side of the bridge. The walking surfaces shall be constructed of concrete or other nonabsorbent material having a smooth slip resistant finish.

#### **424.1.4 Electrical Systems**

**424.1.4.1 Electrical Equipment and Wiring.** Electrical equipment wiring and installation, including the grounding of pool components shall conform with Chapter 27 of the Florida Building Code, Building.

**424.1.4.2 (c) Lighting**—Artificial lighting shall be provided at all swimming pools which are to be used at night or which do not have adequate natural lighting so that all portions of the pool, including the bottom, may be readily seen without glare.

**424.1.4.2.1. Outdoor pool lighting**—Overhead lighting shall provide a minimum of 3 foot candles of illumination at the pool water surface and the pool deck surface. Underwater lighting shall be a minimum of one half ( $1/2$ ) watt per square foot of pool water surface area.

**424.1.4.2. Indoor pool lighting**—Overhead lighting shall provide a minimum of 10 foot candles of illumination at the pool water surface and the pool deck surface. Underwater lighting shall be a minimum of eight tenths ( $8/10$ ) watt per square foot of pool surface area.

**424.1.4.2.3. Underwater lighting**—Underwater lighting shall utilize transformers and low voltage circuits with each underwater light being grounded. The maximum voltage for each light shall be 15 volts and the maximum incandescent lamp size shall be 300 watts. The location of the underwater lights shall be such that the underwater illumination is as uniform as possible and shall not be less than 18 inches below the normal operating water level. All underwater lights which depend upon submersion for safe operation shall have protection from overheating when not submerged. Underwater lighting requirements can be waived when the overhead lighting provides at least 15 footcandles of illumination at the pool water surface and pool deck surface. Alternative lighting systems which do not utilize electricity in the pool or on the pool deck, such as fiber optic systems, may be utilized if the applicant demonstrates to reasonable certainty that the system development has advanced to the point ~~where the department is convinced~~ that the pool illumination is equal to the requirements in sections 424.1.4.2.1 and 424.1.4.2.2 ~~subparagraph 1. and 2.~~ above.

**424.1.4.2.4. Overhead wiring**—Overhead service wiring shall not pass within an area extending a distance of 10 feet

horizontally away from the inside edge of the pool walls, diving structures, observation stands, towers, or platforms.

~~(d) Electrical Equipment and Wiring~~

- ~~1. Electrical equipment wiring and installation including the grounding of pool components shall conform with the *National Electrical Code*<sup>®</sup>, 1996 Edition, which is incorporated by reference in these rules and shall comply with applicable local codes. Written evidence shall be provided from the electrical contractor or the electrical inspector of compliance with the *National Electrical Code*<sup>®</sup>.~~

**424.1.5 (e) Equipment Area or Rooms.**

**424.1.5.1 Outdoor Equipment**—Equipment designated by the manufacturer for outdoor use may be located in an equipment area; ~~all other equipment must be located in an equipment room.~~ Plastic pipe subject to a period of prolonged sunlight exposure ~~must be coated to protect it from ultraviolet-light degradation.~~ An equipment area shall be enclosed by 4-sided fencing that provided it is at least 4 feet high with a self-closing and self-latching gate and has with a permanent locking device. An equipment room shall be protected on at least 3 sides and overhead. The fourth side may be a gate, fence, or open if otherwise protected from unauthorized entrance. The equipment area or room floor shall be of concrete or other nonabsorbent material having a smooth slip resistant finish and shall have positive drainage, including a sump pump if necessary.

**424.1.5.2 Indoor Equipment.** Equipment not designated by the manufacturer for outdoor use shall be located in an equipment room. An equipment room shall be protected on at least 3 sides and overhead. The fourth side may be a gate, fence, or open if otherwise protected from unauthorized entrance.

**424.1.5.3 Materials.** The equipment area or room floor shall be of concrete or other nonabsorbent material having a smooth slip resistant finish and shall have positive drainage, including a sump pump if necessary.

**424.1.5.4†. Ventilation and Access**—Equipment rooms shall have either forced draft or cross ventilation. All below grade equipment rooms shall have a stairway access with forced draft ventilation or a fully louvered door and louvered vent on at least one other side.

**424.1.5.5 Access.** The opening to an equipment room or area shall be a minimum 3 feet by 6 feet and shall provide easy access to the equipment. ~~A hose bibb with vacuum breaker shall be located in the equipment room or area.~~

**424.1.5.6 2. Size and Lighting**—The size of the equipment room or area shall provide working space to perform routine operations. Clearance shall be provided for all equipment as prescribed by the manufacturer to allow normal maintenance operation and removal without disturbing other piping or equipment. ~~Equipment rooms or areas shall not be used for storage of chemicals emitting corrosive fumes or for storage of other items to the extent that entrance to the room for inspection or operation of the equipment is impaired.~~ In rooms with fixed ceilings, the minimum height shall be 7 feet.

**424.1.5.7 Lighting.** Equipment rooms or areas shall be lighted to provide 30 footcandles of illumination at floor level.

**424.1.5.8 Storage.** Equipment rooms or areas shall not be used for storage of chemicals emitting corrosive fumes or for storage of other items to the extent that entrance to the room for inspection or operation of the equipment is impaired.

**424.1.5.9 Hose Bibbs.** A hose bibb with vacuum breaker shall be located in the equipment room or area.

**424.1.6 Plumbing Systems**

**424.1.6.1 (†) Sanitary Facilities**—Separate sanitary facilities shall be provided and labeled for each sex and shall ~~must~~ be located within a 200 foot radius of the nearest water's edge of each pool served by the facilities.

**Exception:** where a swimming pool serves only a designated group of residential dwelling units and not the general public, poolside sanitary facilities are not required if all living units are within a 20 foot radius of the nearest water's edge, are not over three stories in height and are each equipped with private sanitary facilities.

**424.1.6.1.1. Required Fixtures.** Fixtures shall be provided as indicated on Table 424.1.6.1 the following chart:

Table 424.1.6.1  
Public Swimming Pool Fixtures Required

Size of Pool	Men's Restrooms			Women's Restrooms		
	Urinals	WC	Lavatory	Urinals	WC	Lavatory
0 - 2500 sf	1	1	1	0	1	1
2501-5000sf	2	2	2	0	2	2
5001-7500sf	3	3	3	0	3	3
7501-10,000sf	4	4	4	0	4	4

An additional set of fixtures shall be provided in the men's restroom for every 5,000 square feet or major fraction thereof for pools greater than 10,000 square feet. Women's restrooms ~~shall~~ **must** have a ratio of 3 to 2 water closets provided for women to the combined total of water closets and urinals provided for men.

**424.1.6.1.2. Outside Access.**

Outside access to facilities shall be provided for bathers at outdoor pools, ~~and if~~ if they are not visible from any portion of the pool deck, signs shall be posted showing directions to the facilities. ~~These D~~ Directions shall be legible from any portion of the pool deck; ~~and the~~ letters shall be a minimum of 1 inch high.

**424.1.6.1.3. Sanitary Facility Floors.**

Floors of ~~s~~Sanitary facility floors shall be constructed of concrete or other nonabsorbent materials, ~~and~~ shall have a smooth slip resistant finish and shall slope to floor drains. Carpets, duckboards and footbaths are prohibited. The intersection between the floor and walls ~~shall~~ **must** be covered.

4.

Poolside sanitary facilities are not required if all living units are within a 200 foot radius of the nearest water's edge, are not over 3 stories in height and are each equipped with private sanitary facilities.

**424.1.6.1.4. Hose Bibb. 5:**

A hose bibb with vacuum breaker shall be provided near each restroom to allow for ease of cleaning.

**424.1.6.2 (g)**

**Rinse shower**—A minimum of one rinse shower shall be provided on the pool deck of all outdoor pools within 20 feet of the nearest pool water's edge.

**424.1.6.3 Cross-connection Prevention.** An atmospheric break or approved back flow prevention device shall be provided in each pool water supply line that is connected to a public water supply. Vacuum breakers shall be installed on all hose bibbs.

**424.1.6.4 Plastic Pipes.** Plastic pipe subject to a period of prolonged sunlight exposure shall be coated to protect it from ultraviolet light degradation.

**424.1.6.5 64E-9.007—Recirculation and Treatment Systems Requirements.**

**424.1.6.5.1 Equipment Testing. (†)**

Recirculation and treatment equipment such as filters, recessed automatic surface skimmers, ionizers, ozone generators, disinfection feeders and chlorine generators ~~shall~~ **must** be tested and approved using the



ANSI/NSF International Standard 50-1996, Circulation System Components and Related Materials for Swimming Pool, Spas/Hot Tubs, dated October 28, 1996, which is incorporated by reference in these rules. If standards do not exist for a specific product, the manufacturer must work with NSF or other American National Standards Institute (ANSI) approved agency to develop such standards.

**424.1.6.5.2 Volume** (2)

The recirculation system shall be designed to provide a minimum of four turnovers of the pool volume per day. Pools that are less than 1000 square feet at health clubs shall be required to provide eight turnovers per day.

**424.1.6.5.3 System Design** (3)

The design pattern of recirculation flow shall be 100 percent through the main drain piping and 100 percent through the perimeter overflow system or 60 percent through the skimmer system.

**424.1.6.5.3.1** (a)

**Perimeter overflow gutters.** —The lip of the gutter shall be uniformly level with a maximum tolerance of 1/4 inch between the high and low areas. The bottom of the gutter shall be level or slope to the drains. The spacing between drains shall not exceed 10 feet for 2-inch drains or 15 feet for 2 1/2-inch drains, unless hydraulically justified by the design engineer. ~~The gutter lip shall be tiled with a minimum of 2 inch tile on the pool wall, except that stainless steel gutters are exempt from this requirement.~~

**424.1.6.5.3.1.1.**

Either recessed type or open type gutters shall be used. Special designs can be approved provided they are within limits of sound engineering practice. Recessed type gutters shall be at least 4 inches deep and 4 inches wide, ~~and n~~ No part of the recessed gutter shall be visible from a position directly above the gutter sighting vertically down the edge of the deck or curb. Open type gutters shall be at least 6 inches deep and 12 inches wide. ~~The back vertical wall of the gutter shall be tiled with glazed tile.~~ The gutter shall slope 2 inches, ± 1/4 inch, from the lip to the drains. The gutter drains shall be located at the deepest part of the gutter.

**424.1.6.5.3.1.2.**

All gutter systems shall discharge into a collector tank.

**424.1.6.5.3.1.3.**

~~The gutter lip shall be tiled with a minimum of 2 inch tile on the pool wall. The back vertical wall of the gutter shall be tiled with glazed tile. The department shall waive the requirements of tile on~~

**Exception:** Stainless steel gutter systems when it can be shown that the surfaces at the waterline and back of the gutter are easily cleanable.

**424.1.6.5.3.2** (b)

**Recessed Automatic Surface Skimmers**— Recessed automatic surface skimmers may be utilized when the pool water surface area is 1,000 square feet or less excluding offset stairs and swimouts and the width of the pool is not over 20 feet.

**424.1.5.3.2.1.1. Volume.**

The recessed automatic surface skimmer piping system shall be designed to carry 60 percent of the pool total design flow rate with each skimmer carrying a minimum 30 gallons per minute. One skimmer for every 400 square feet or fraction thereof of pool water surface area shall be provided.

**424.1.6.5.3.2.2. Location.**

Prevailing wind direction and the pool outline shall be considered in the selection of skimmer locations, ~~and t~~ The location of skimmers shall be such that the interference of adjacent inlets and skimmers is minimized. Recessed automatic surface skimmers shall be installed so that there is no protrusion into the pool water area. The deck or curb shall provide for a handhold around the entire pool perimeter and shall not be located more than 9 inches above the mid point of the opening of the skimmer.

**424.1.6.5.3.2.3. Equalizers.**

Recessed automatic surface skimmers shall be installed with an equalizer valve and an equalizer line when the skimmer piping system is connected directly to pump suction. The equalizer valve shall be a spring loaded vertical check valve which will not allow direct suction on the equalizer line. The equalizer line inlet shall be installed at least 1 foot below the normal pool water level and the equalizer line inlet shall be protected by a grate. The equalizer line shall be sized to handle the expected flow with a 2 inch minimum line size.

**424.1.6.5.3.2.4. Wall Inlet Fitting.**

A wall inlet fitting shall be provided directly across from each skimmer.

**424.1.6.5.3.2.5. Waterline Tile.**

A minimum 6 inch water line tile shall be provided on all pools with automatic skimmer systems. Glazed tile shall be utilized.

**424.1.6.5.(4)**

**Pumps**—If the pump or suction piping is located above the water level of the pool, the pump shall be self-priming. Pumps that take suction prior to filtration shall be equipped with a hair and lint strainer. The recirculation pump shall be selected to provide the required recirculation flow against a minimum total dynamic head of 60 feet unless hydraulically justified by the design engineer. Vacuum D.E. filter systems pumps shall provide at least 50 feet of total dynamic head. Should the total dynamic head required not be appropriate for a given project, the design engineer shall provide an alternative.

**424.1.6.5.(5)**

**Filters**—Filters sized to handle the required recirculation flow shall be provided.

**424.1.6.5.5.1. (a)**

**Filter capacities**—The maximum filtration rate in gallons per minute per square foot of filter area shall be: 15 (20 if so approved using the procedure stated in section 424.1.6.5.1 64E-9.007(1)) for high rate sand filters, 3 for rapid sand filters, 0.075 for pleated cartridge filters and 2 for D.E. filters.

**424.1.6.5.5.2 (b)**

**Filter Appurtenances.**

**424.1.6.5.5.2.1. Pressure Filter Systems.**

Pressure filter systems shall be equipped with an air relief valve, influent and effluent pressure gauges with minimum face size of 2 inches reading 0-60 psi, and a sight glass when a backwash line is required.

**424.1.6.5.5.2.2. Vacuum Filter Systems.**

Vacuum filter systems shall be equipped with a vacuum gauge which has a 2 inch face and reads from 0-30 inches of mercury.

**424.1.6.5.5.2.3. DE Systems.**

**Precoat**—A precoat pot or collector tank shall be provided for D.E. systems.

**424.1.6.5.5.3. (c)**

**Filter tanks and elements**—The filter area shall be determined on the basis of effective filtering surfaces with no allowance given for areas of impaired filtration, such as broad supports, folds, or portions which may bridge. Filter elements shall have a minimum 1 inch clear spacing between elements up to a 4 square foot effective area. The spacing between filter elements shall increase 1/8 inch for each additional square foot of filter area or fraction thereof above an effective filter area of 4 square feet. All cartridges used in public pool filters shall be permanently marked with the manufacturer's name, pore size and area in square feet of filter material. All cartridges with end caps shall have the permanent markings on one end cap. Vacuum filter tanks shall have covered intersections between the wall and the floor and the tank floor shall slope to the filter tank drain. The filter tank and elements shall be installed such that the recirculation flow draw down does not expose the elements to the atmosphere whenever only the main drain valve is open or only the surface overflow gutter system valve is open.

**424.1.6.5. (6)**

**Piping**—All plastic pipe used in the recirculation system shall be imprinted with the manufacturer's name and the NSF-pw logo for potable water applications. Size, schedule, and type of pipe shall be included on the drawings. Plastic pipe subject to a period of prolonged sunlight exposure shall be coated to protect it from ultraviolet light degradation.

**424.1.6.5. (7)**

**Valves**—Return lines, main drain lines, and surface overflow system lines, shall each have proportioning valves.

**424.1.6.5.(8)**

**Flow Velocity**—Pressure piping shall not exceed 8 feet per second, except that precoat lines with higher velocities may be used when necessary for agitation purposes. The flow velocity in suction piping shall not exceed 6 feet per second except that flow velocities up to 10 feet per second in filter assembly headers will be acceptable. Main drain systems and surface overflow systems which discharge to collector tanks shall be sized with a maximum flow velocity of 3 feet per second. The filter and vacuuming system shall have the necessary valves and piping to allow filtering to pool, vacuuming to waste, vacuuming to filter, complete drainage of the filter tank, backwashing for sand and pressure D.E. filters and precoat recirculation for D.E. filters.

**424.1.6.5.9 (9)**

**Inlets**—All inlets shall be adjustable with wall type inlets being directionally adjustable and floor type inlets having a means of flow adjustment.

**424.1.6.5.9.1 (a)**

Pools 30 feet in width or less, with wall inlets only shall have enough inlets such that the inlet spacing does not exceed 20 feet based on the pool water perimeter.

**424.1.6.5.9.2 (b)**

Pools 30 feet in width or less with floor inlets only shall have a number of inlets provided such that the spacing between adjacent inlets does not exceed 20 feet and the spacing between inlets and adjacent walls does not exceed 10 feet.

**424.1.6.5.9.3 (c)**

A combination of wall and floor inlets may be used in pools 30 feet in width or less only if requirements of sections 424.1.6.5.9.1 or 424.1.6.5.9.2 (a) or (b) are fully met.

**424.1.6.5.9.4 (d)**

Pools greater than 30 feet in width with floor inlets only shall have a number of floor inlets provided such that the spacing between adjacent inlets does not exceed 20 feet and the spacing between inlets and an adjacent wall does not exceed 10 feet.

**424.1.6.5.9.5 (e)**

Pools greater than 30 feet in width may have a combination of wall and floor inlets provided the number of wall inlets is such that the maximum spacing between wall inlets is 20 feet and floor inlets are provided for the pool water area beyond a 15 feet perpendicular distance from all walls. The number of floor inlets shall be such that the spacing between adjacent inlets does not exceed 20 feet and the distance from a floor inlet and an adjacent wall does not exceed 25 feet. Floor inlets shall be designed and installed such that they do not protrude more than  $\frac{3}{8}$  inch above the pool floor and all inlets shall be designed and installed so as not to constitute sharp edges or protrusions hazardous to pool bathers.

**424.1.6.5.9.6 (f)**

The flow rate through each inlet shall not exceed 15 gpm.

**424.1.6.5.10 (10)**

**Main Drain Outlets**—All pools shall be provided with an outlet at the deepest point.

**424.1.6.5.10.1 (a)**

The depth at the outlet shall must not deviate more than 3 inches from the side wall.

**424.1.6.5.10.2 (b)**

Outlets shall must be covered by a secured grating which requires the use of a tool to remove and whose open area is such that the maximum velocity of water passing through the openings does not exceed  $1\frac{1}{2}$

feet per second at 100 percent of the design recirculation flow.

**424.1.6.5.10.3** (c)

Multiple outlets, equally spaced from the pool side walls and from each other, shall be installed in pools where the deep portion of the pool is greater than 30 feet in width.

**424.1.6.5.10.4** (d)

If the area is subject to high ground water, the pool shall be designed to withstand hydraulic uplift or shall be provided with hydrostatic relief devices.

**424.1.6.5.10.5** (e)

The main drain outlet shall be connected to a collector tank. The capacity of the collector tank shall be at least 1 minute of the recirculated flow unless justified by the design engineer. Vacuum filter tanks are considered collector tanks.

**424.1.6.5.11** (H) **Water Makeup Control.**

An automatic and manual water makeup control shall must be provided to maintain the water level at the lip of the overflow gutter or at the mouth of the recessed automatic surface skimmers and shall must discharge through an air gap into a fill pipe or collector tank. Over the rim fill spouts are prohibited.

**424.1.6.5.12** (I)

**Cleaning system**—A portable or plumbed in vacuum cleaning system shall be provided. All vacuum pumps shall be equipped with hair and lint strainers. When the system is plumbed in, the vacuum fittings shall be located to allow cleaning the pool with a 50 foot maximum length of hose. Vacuum fittings shall be mounted approximately 12 inches below the water level, flush with the pool walls, and shall be provided with a spring loaded safety cover or flush plug cover which shall be in place at all times when the pool is not being vacuumed. Bag type cleaners which operate as ejectors on potable water supply pressure shall must be protected by a vacuum breaker. Cleaning devices shall not be used while the pool is open to bathers.

**424.1.6.5.13** (J)

**Rate of flow indicators**—A rate of flow indicator, reading in gpm, shall be installed on the return line. The rate of flow indicator shall be properly sized for the design flow rate and shall be capable of measuring from 1/2 to at least 1 1/2 times the design flow rate. The clearances upstream and downstream from the rate of flow indicator shall comply with manufacturer's installation specifications.

**424.1.6.5.14** (K)

**Heaters**—Pool heaters shall comply with nationally recognized standards acceptable to the department and to the design engineer. Pools equipped with heaters shall have a fixed thermometer mounted in the pool recirculation line downstream from the heater outlet. Thermometers mounted on heater outlets do not meet this requirement. A sketch of any proposed heater installation including valves, thermometer, pipe sizes, and material specifications shall be included in the application for submitted to the department and permitted prior to installation. Piping and influent, effluent and bypass valves which allow isolation or removal of the heater from the system shall be provided. Materials used in solar and other heaters shall be non-toxic and acceptable for use with potable water. Heaters shall not prevent the attainment of the required turnover rate.

**424.1.6.5.15** (L)

**Pool waste water disposal**—Pool waste water shall be discharged through an air gap; disposal shall be to sanitary sewers, storm sewers, drainfields, or by other means, in accordance with local requirements including obtaining all necessary permits. Disposal of water from pools using D.E. powder shall be accomplished through separation tanks which are equipped with air bleed valves, bottom drain lines, and isolation valves, or through a settling tank with final disposal being acceptable to local authorities. D.E. separator tanks shall have a capacity as rated by the manufacturer, equal to the square footage of the filter system. All lines shall be sized to handle the expected flow. There shall not be a direct physical connection between any drain from a pool or recirculation system and a sewer line.

**424.1.6.5.16** (M) **Addition of Chemicals.**

Disinfection and pH adjustment shall be added to the pool recirculation flow using automatic feeders meeting the requirement of NSF Standard 50-1996. All chemicals shall be fed into the return line after the pump, heater and filters unless the feeder was designed by the manufacturer and approved by the NSF to feed to the collector tank or to the suction side of the pump.

**424.1.6.5.16.1 (a)**

**Gas chlorination**—When gas chlorination is utilized, the chlorinator shall be capable of continuously feeding a chlorine dosage of 4 mg/L to the recirculated flow of the filtration system. The application point for chlorine shall be located in the return line downstream of the filter, recirculation pump, heater, and flow meter, and as far as possible from the pool.

**424.1.6.5.16.1.1.**

Gas chlorinators shall be located in above grade rooms and in areas which are inaccessible to unauthorized persons.

**424.1.6.5.16.1.1.1 a:**

Chlorine rooms shall have: continuous forced draft ventilation capable of a minimum of 1 air change per minute with an exhaust at floor level to the outside, a minimum of 30 foot-candles of illumination with the switch located outside and the door shall open out and shall not be located adjacent to the filter room entrance or the pool deck. A shatter-proof gas tight inspection window shall be provided.

**424.1.6.5.16.1.1.2 b:**

Chlorine areas shall have a roof and shall be enclosed by a chain-link type fence at least 6 feet high to allow ventilation and prevent vandalism.

**424.1.6.5.16.1.2.**

~~A gas mask, or a self-contained breathing apparatus, approved for use in chlorine gas contaminated air, shall be provided and shall be located out of the area of possible contamination.~~

**424.1.6.5.16.1.3:**

When booster pumps are used with the chlorinator, the pump shall use recirculated pool water supplied via the recirculation filtration system. The booster pump shall be electrically interlocked with the recirculation pump to prevent the feeding of chlorine when the recirculation pump is not operating.

**424.1.6.5.16.1.3 4.**

A means of weighing chlorine containers shall be provided. When 150 pound cylinders are used, platform type scales shall be provided and shall be capable of weighing a minimum of 2 full cylinders at 1 time. The elevation of the scale platform shall be within 2 inches of the adjacent floor level, and the facilities shall be constructed to allow easy placement of full cylinders on the scales.

**5:**

~~Each cylinder shall be secured at all times, with 150 pound cylinders maintained in an upright position. A protective cap shall be in place at all times when the cylinder is not connected to the chlorinator.~~

**424.1.6.5.16.2 (b)**

**Hypohalogenation and Electrolytic chlorine generators**—The hypohalogenation type feeder and electrolytic chlorine generators shall be adjustable from 0 to full range. A rate of flow indicator is required on erosion type feeders. The feeders shall be capable of continuously feeding a dosage of 6 mg/L to the minimum required turnover flow rate of the filtration systems. Solution feeders shall be capable of feeding the above dosage using a 10 percent sodium hypochlorite solution, or 5 percent calcium hypochlorite solution, whichever disinfectant is to be utilized at this facility. To prevent the disinfectant from siphoning or feeding directly into the pool or pool piping under any type failure of the recirculation equipment, an electrical interlock with the recirculation pump shall be incorporated into the system for electrically operated feeders. The minimum size of the solution reservoirs shall be at least 50

percent of the maximum daily capacity of the feeder. The solution reservoirs shall be marked to indicate contents.

**424.1.6.5.16.3** (e)

**Feeders for pH adjustment**—Feeders for pH adjustment shall be provided on all pools, except spa pools of less than 100 square feet of pool water surface area and pools utilizing erosion type chlorinators feeding chlorinated isocyanurates. pH adjustment feeders shall be positive displacement type, shall be adjustable from 0 to full range, and shall have an electrical interlock with the circulation pump to prevent discharge when the recirculation pump is not operating. When soda ash is used for pH adjustment, the maximum concentration of soda ash solution to be fed shall not exceed 1/2 pound soda ash per gallon of water. Feeders for soda ash shall be capable of feeding a minimum of 3 gallons of the above soda ash solution per pound of gas chlorination capacity. The minimum size of the solution reservoirs shall not be less than 50 percent of the maximum daily capacity of the feeder. The solution reservoirs shall be marked to indicate the type of contents.

**424.1.6.5.16.4** (f) **Ozone Generating Equipment.**

Ozone generating equipment may be used for supplemental water treatment on public swimming pools subject to the conditions of this section.

**424.1.6.5.16.4.1.**

Ozone generating equipment electrical components and wiring shall comply with the requirements of Chapter 27 of the Florida Building Code, Building the National Electrical Code® and the manufacturer shall provide a certificate of conformance. The process equipment shall be provided with an effective means to alert the user when a component of this equipment is not operating.

**424.1.6.5.16.4.2.**

Ozone generating equipment shall meet the NSF's Standard Number 50-1996.

**424.1.6.5.16.4.3.**

The concentration of ozone in the return line to the pool shall not exceed 0.1 mg/L.

**424.1.6.5.16.4.4.**

The injection point for ozone generating equipment shall be located in the pool return line after the filtration and heating equipment, prior to the halogen injection point, and as far as possible from the nearest pool return inlet with a minimum distance of 4 feet. Injection methods shall include a mixer, contact chamber, or other means of efficiently mixing the ozone with the recirculated water. The injection and mixing equipment shall not prevent the attainment of the required turnover rate of the recirculation system. Ozone generating equipment shall be equipped with a check valve between the generator and the injection point. Ozone generating equipment shall be equipped with an air flow meter and a means to control the flow.

**424.1.6.5.16.4.5.**

**Ventilation requirements**—Ozone generating equipment shall be installed in equipment rooms with either forced draft or cross draft ventilation. Below grade equipment rooms with ozone generators shall have forced draft ventilation and all equipment rooms with forced draft ventilation shall have the fan control switch located outside the equipment room door. The exhaust fan intake for forced draft ventilation and at least one vent grille for cross draft ventilation shall be located at floor level.

**424.1.6.5.16.4.6.**

A self-contained breathing apparatus designed and rated by its manufacturer for use in ozone contaminated air shall be provided when ozone generator installations are capable of exceeding the maximum pool water ozone contact concentration of 0.1 milligram per liter. The self-contained breathing apparatus shall be available at all times and shall be used at times when the maintenance or service personnel have determined that the equipment room ozone concentration exceeds 10 mg/L. Ozone generator installations which require the self-contained breathing apparatus shall also be provided with Draeger type detector tube equipment which is capable of detecting ozone

levels of 10 mg/L and greater.

Exception: 7.

In lieu of the ~~above~~ self contained breathing apparatus an ozone detector capable of detecting 1 mg/L may be used. Said detector shall ~~must~~ be capable of stopping the production of ozone, venting the room and sounding an alarm once ozone is detected.

**424.1.6.5.16.5** (e)

Ionization units may be used as supplemental water treatment on public pools subject to the condition of this section ~~paragraph~~.

**424.1.6.5.16.5.1.**

Ionization equipment and electrical components and wiring shall comply with the requirements of Chapter 27 of the Florida Building Code, Building the *National Electrical Code*<sup>®</sup> and the manufacturer shall provide a certification of conformance.

**424.1.6.5.16.5.2.**

Ionization equipment shall meet the NSF's Standard 50-1992, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs, or equivalent, shall meet UL standards and shall be electrically interlocked with recirculation pump.

**424.1.7** ~~64E-9.009~~—Wading Pools.

**424.1.7.1** (†) **General.**

Wading pools shall meet the requirements of sections ~~424.1.1~~ ~~64E-9.001~~ through ~~424.1.6.5~~ ~~64E-9.008~~, unless otherwise indicated. Wading pools and associated piping shall not be physically connected to any other swimming pools and have no minimum width dimensions requirements.

**424.1.7.2** (⊖)

**Depths**—Wading pools shall have a maximum of 2 feet. The depth at the perimeter of the pool shall be uniform and shall not exceed 12 inches. Where recessed automatic surface skimmers are used, the pool floor shall not be more than 12 inches below the deck unless steps and handrails are provided. Depth and NO DIVING markers are not required on wading pools.

**424.1.7.3** (⊕)

**Recirculation**—Wading pools shall have a minimum of one turnover every hour. Lines from main drains shall discharge into a collector tank.

**424.1.7.3.1** (a)

Skimmer equalizer lines when required shall be installed in the pool floor with a grate covering.

**424.1.7.3.2** (b)

The grate cover shall be sized so as not to allow the flow to exceed 1½ feet per second when the equalizer line is operating.

**424.1.7.4** (⊕)

**Inlets**—Wading pools with 20 feet or less of perimeter shall have a minimum of two equally spaced adjustable inlets.

**424.1.7.5** (⊕)

**Emergency drainage**—All wading pools shall have drainage to waste without a cross-connection through a quick opening valve to facilitate emptying the wading pool should accidental bowel or other discharge occur.

**424.1.7.6** (⊕)

**Vacuums**—Wading pools with 200 square feet or more of pool water surface area shall have provisions for vacuuming.

**424.1.7.7** (⊕)

**Wading pool decks**—When adjacent to swimming pools, wading pools shall be separated from the swimming pool by a fence or other similar type barrier. Wading pools shall have a minimum 10 foot wide deck around at

least 50 percent of their perimeter with the remainder of the perimeter deck being at least 4 feet wide. There shall be at least 10 feet between adjacent swimming pools and wading pools.

**424.1.7.8 (8) Lighting.**

Wading pools are exempt from underwater lighting requirements but shall have ~~do require~~ overhead lighting installed for night use.

**424.1.8 ~~64E-9.010~~ Spa Pools.**

**424.1.8.1 (1) General.**

Spa pools shall meet the requirements of sections 424.1.1 ~~64E-9.001~~ through 424.1.6.5 ~~64E-9.008~~, unless specifically indicated otherwise.

**424.1.8.2 (2) Color, Pattern, Finish.**

The color, pattern or finish of the pool interior shall not obscure the existence or presence of objects or surfaces within the pool.

**424.1.8.3 (3)**

**Water depths**—Spa type pools shall have a minimum water depth of 2½ feet and a maximum water depth of 4 feet, except that swim spa pools may have a maximum water depth of 5 feet. Depth markers and NO DIVING markers are not required on spa type pools with 200 or less square feet of water surface area.

**424.1.8.4 (4)**

**Steps and handrails**—Steps or ladders shall be provided and shall be located to provide adequate entrance to and exit from the pool. The number of sets of steps or ladders required shall be on the basis of 1 for each 75 feet, or major fraction thereof, of pool perimeter. Step sets for spa type pools with more than 200 square feet of pool water surface area shall comply with section 424.1.2.5 ~~64E-9.006(1)(d)3~~. Step sets for spa type pools with 200 square feet or less of pool water surface area shall comply with the following: Step treads shall have a minimum width of 10 inches for a minimum continuous tread length of 12 inches. Step riser heights shall not exceed 12 inches except when the bottom step is used for a bench or seat, the bottom riser may be a maximum of 14 inches. Intermediate treads and risers between the top and bottom treads and risers shall be uniform in width and height, respectively. Contrasting markings on the leading edges of the submerged benches and the intersections of the treads and risers are required to be installed in accordance with 424.1.2.5 ~~64E-9.006(1)(d)3~~.

**424.1.8.4.1 (a)**

Handrails shall be provided for all sets of steps and shall be anchored in the bottom step and in the deck. Handrails shall be located to provide maximum access to the steps and handrails shall extend 28 inches above the pool deck.

**424.1.8.4.2 (b)**

Where “figure 4” handrails are used, they shall be anchored in the deck and shall extend laterally to any point vertically above the bottom step. Handrails shall be located to provide maximum access to the steps and handrails shall extend 28 inches above the pool deck.

**424.1.8.5 (5)**

**Decks**—Decks shall have a minimum 4 foot wide unobstructed width around the entire pool perimeter except that pools of less than 120 square feet of pool water surface area shall have a minimum 4 foot wide unobstructed continuous deck around a minimum of 50 percent of the pool perimeter. Decks less than 4 feet wide shall have barriers to prevent their use. Decks shall not be more than 10 inches below the top of the pool.

**424.1.8.6 (6)**

**Therapy or jet systems**

**424.1.8.6.1 (a)**

The return lines of spa type therapy or jet systems shall be independent of the recirculation-filtration and heating systems.

**424.1.8.6.2 (b)**

Therapy or jet pumps shall take suction from the collector tank. Collector tank sizing shall take this



additional gallonage into consideration.

**424.1.8.7 (7)**

**Filtration system inlets**—Spa type pools with less than 20 feet of perimeter shall have a minimum of 2 equally spaced adjustable inlets.

**424.1.8.8 (8)**

**Filtration recirculation**—Spa type pools shall have a minimum of one turnover every 30 minutes. The piping, fittings, and hydraulic requirements shall be in accordance with section 424.1.6.5 ~~64E-9.007~~. All recirculation lines to and from the pool shall be individually valved with proportional flow type valves in order to control the recirculation flow.

**424.1.8.9 (9)**

**Vacuumping**—Spa type pools of over 200 square feet of pool water surface area shall have provisions for vacuuming.

**424.1.8.10 (10) Combination Spas/ Pools.**

When spa pools are part of a conventional swimming pool, the spa pool area shall be offset from the main pool area with the same water depth as the main pool area. The spa pool shall meet all the spa pool requirements of this chapter, and the deck area at the spa shall be protected by connected 30 inch high stanchions. The deck perimeter at the offset spa area shall not exceed 15 percent of the entire swimming pool perimeter. All benches shall have contrasting markings on the leading edges of the intersection of the bench seats. If tile is used, it shall be slip resistant.

**424.1.8.11. (11) Portable and Wooden Spa Pools.**

Portable and wooden type spa pools are prohibited.

**424.1.9 ~~64E-9.011~~—Water Recreation Attractions and Specialized Pools.**

**424.1.9.1 (1)**

**General**—Water recreation attraction projects shall be designed and constructed within the limits of sound engineering practice. ~~Design engineers may consult with the department in reference to concepts of design variations and to areas where potential problems may exist.~~ In addition to the requirements of this section, compliance is required with sections 424.1.1 ~~64E-9.001~~ through 424.1.6.5 ~~64E-9.008~~ and ~~64E-9.017~~ of this chapter depending upon the pool design and function. Additionally, all pools listed in this section shall have a 3 hour turnover rate unless otherwise noted.

**424.1.9.2 (2) Water slides.**

**424.1.9.2.1 (a)**

**Water slide plunge pool**—Plunge pools shall be constructed of concrete or other structurally rigid impervious materials with a non-toxic, smooth and slip resistant finish. The plunge pool design shall ~~meet the criteria of sections 424.1.5.2.1 through 424.1.5.2.1.7~~ be as follows:

**424.1.9.2.1.1**

**Plunge pool water depth**—The minimum plunge pool operating water depth at the slide flume terminus shall be 3 feet. This depth shall be maintained for a minimum distance of 10 feet in front of the slide terminus from which point the plunge pool floor may have a constant upward slope to allow a minimum water depth of 2 feet at the base of the steps. The floor slope shall not exceed 1 foot in 10 feet. The plunge pool water depth shall be commensurate with safety and the ease of exit from the plunge pool.

**424.1.9.2.1.2.**

**Plunge pool dimension**—The plunge pool dimension between any slide flume exit or terminus and the opposite side of the plunge pool shall be a minimum of 20 feet excluding steps.

**424.1.9.2.1.3**

**Slide flume terminus.**

**424.1.9.2.1.3.1 a:**

The slide flume terminus shall be designed by the design engineer who can demonstrate to the department's satisfaction that riders will be adequately slowed prior to discharge so as to prevent injury or harm to the rider upon impact with the plunge pool water.

**424.1.9.2.1.3.2 b:**

The minimum distance between any plunge pool side wall and the outer edge of any slide terminus shall be 5 feet. The minimum distance between adjacent slide flumes shall be 6 feet.

**424.1.9.2.1.3.3 c:**

A minimum length of slide flume of 10 feet shall be perpendicular to the plunge pool wall at the exit end of the flumes.

**424.1.9.2.1.4.**

**Plunge pool main drains**—The plunge pool shall have a minimum of one main drain with separate piping and valve to the filtration system collector tank. The velocity through the openings of the main drain grate shall not exceed 1 1/2 feet per second at the design flow rate of the recirculation pump. The main drain piping shall be sized to handle 100 percent of the design flow rate of the filtration system with a maximum flow velocity of 3 feet per second.

**424.1.9.2.1.5.**

**Plunge pool floor slope**—The plunge pool floor shall slope to the main drains and the slope shall not exceed 1 foot in 10 feet.

**424.1.9.2.1.6.**

**Plunge pool decks.**

**424.1.9.2.1.6.1 a:**

**Width**—The minimum width of plunge pool decks along the exit side shall be 10 feet there shall be a pool deck along the side opposite the plunge pool weir, and this deck shall have a minimum width of 4 feet.

**424.1.9.2.1.6.2 b:**

**Curbs**—All plunge pool decks shall have a minimum 6 inch high curb or adequate freeboard to contain the water surge generated by the person entering the water via the slide.

**424.1.9.2.1.6.3 c:**

**Slopes**—All plunge pool decks shall slope away from the plunge pool unless the curb is located at the outside perimeter of the deck. If the curb is located at the outside perimeter of the deck, the plunge pool deck shall slope to the plunge pool or pump reservoir or to deck drains which discharge to waste. All slopes shall be between 2 and 4 percent grade.

**424.1.9.2.1.7 Hand Holds.**

Hand holds shall be provided along the sides of the plunge pool in areas where the water depth exceeds 3 feet, except that no hand holds shall be required along the wall where the slide enters the pool nor shall they be required at the pool exit.

**424.1.9.2.2. (b)**

**Run out lanes —**

**424.1.9.2.2.1.**

Run out lanes may be utilized in lieu of a plunge pool system provided they are constructed to the slide manufacturers specifications and are approved by the design engineer of record.

**424.1.9.2.2.2.**

Eight foot wide walkways shall be provided adjacent to run out lanes.

**424.1.9.2.2.3.**

Minimum water level indicator markings shall be provided on both sides of the run out trough to insure adequate water for the safe slowing of pool patrons.

**424.1.9.2.2.4.**

Water park personnel shall be provided at the top of the slides and at the run out.

**424.1.9.2.3. (c)**

**Pump reservoirs**—Pump reservoirs shall be made of concrete or other impervious material with a smooth slip resistant finish and shall be connected to the plunge pool by a weir. Pump reservoirs shall be for the slide pump intakes. Pump reservoir designs shall meet the criteria of sections 424.1.5.3.1 through 424.1.5.3.5 be as follows:

**424.1.9.2.3.1.**

**Pump reservoir volume**—The minimum reservoir volume shall be equal to 2 minutes of the combined flow rate in gpm of all filter and slide pumps.

**424.1.9.2.3.2.**

**Pump reservoir security**—Pump reservoirs shall be accessible only to authorized individuals.

**424.1.9.2.3.3.**

**Pump reservoir maintenance accessibility**—Access decks shall be provided for the reservoir such that all areas are accessible for vacuuming, skimming, and maintenance. The decks shall have a minimum width of 3 feet and shall have a minimum slope of 3 inches in 10 feet away from the reservoir.

**424.1.9.2.3.4.**

**Pump reservoir slide pump intakes**—The slide pump intakes shall be located in the pump reservoir and shall be designed to allow cleaning without danger of operator entrapment.

**424.1.9.2.3.5.**

**Pump reservoir main drains**—The pump reservoir shall have a minimum of one main drain with separate piping and valve to the filtration system collector tank and the velocity through the openings of the main drain grates shall not exceed 1½ feet per second at the design flow rate of the filtration system pump. The main drain piping shall be sized to handle 100 percent of design flow rate of the filtration system pump with a maximum flow velocity of 3 feet per second.

**424.1.9.2.4. (d) Slide pump check valves**—Slide pumps shall have check valves on all discharge lines.

**424.1.9.2.5. (e)**

**Perimeter overflow gutters or skimmers**—Plunge pools and pump reservoirs shall have perimeter overflow gutter system or skimmer which shall be an integral part of the filtration system.

**424.1.9.2.5.1.**

**Perimeter overflow gutter systems**—Perimeter overflow gutter systems shall meet the requirements of Section 424.1.6.5.3.1 ~~64E-9-007(3)(a)~~ except that gutters are not required directly under slide flumes or along the weirs which separate plunge pools and pump reservoirs.

**424.1.9.2.5.2.**

**Surface skimmers**—Surface skimmers may be used in lieu of perimeter overflow gutters and shall be appropriately spaced and located according to the structural design. Unless an overflow gutter system is used, surface skimmers shall be provided in the plunge pool and in the pump reservoir and the skimmer system shall be designed to carry 60 percent of the filtration system design flow rate with each skimmer carrying a minimum 30 gallons per minute. All surface skimmers shall meet the requirements for NSF commercial approval as set forth in NSF Standard 50-1996, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs, which is incorporated by reference in these rules, including an equalizer valve in the skimmer and an equalizer line to the pool wall on systems with direct connection to pump suction.

**424.1.9.2.6. (f)**

**Water slide recirculation—filtration equipment.**

**424.1.9.2.6.1.**

**Recirculation rate**—The recirculation-filtration system of water slides shall recirculate and filter a

water volume equal to the total water volume of the facility in a period of 3 hours or less.

**424.1.9.2.6.2.**

**Filter areas**—Minimum filter area requirements shall be twice the filter areas specified for the recirculation rates stipulated in section ~~424.1.6.5.1~~ ~~64E-9.007(5)(a)~~. The filtration system shall be capable of returning the pool water turbidity to  $5/10$  NTU within 8 hours or less after peak bather load.

**424.1.9.2.6.3.**

**Hair and lint strainer**—Any filtration system pump which takes suction directly from the plunge pool and reservoir shall have a minimum 8 inch diameter hair and lint strainer on the suction side of the pump.

**424.1.9.2.7. (g)**

**Disinfection**—The disinfection equipment shall be capable of feeding 12 mg/L of halogen to the continuous recirculation flow of the filtration system.

**424.1.9.3. (h)**

**Water activity pools.**

**424.1.9.3.1 (a)**

Water activity pools shall be designed and constructed within the limits of sound engineering practice. The design engineer may consult with the department prior to preparation and submission of engineering plans and specifications for water activity pools.

**424.1.9.3.2. (b)**

Water activity pools shall be constructed of concrete or other structurally rigid impervious materials with a non-toxic, smooth and slip resistant finish. These pools shall be of such shape and design as to be operated and maintained in a safe and sanitary manner.

**424.1.9.3.3. (c)**

The recirculation-filtration system of water activity pools shall be capable of a minimum of one turnover every 3 hours.

**424.1.9.4. (i)**

**Wave pools.**

**424.1.9.4.1. (a)**

Wave pools shall be designed and constructed within the limits of sound engineering practice. ~~The design engineer may consult with the department prior to preparation and submission of engineering plans and specifications for wave pools.~~

**424.1.9.4.2. (b)**

Wave pools shall be constructed of concrete or other impervious materials with a smooth slip resistant finish. These pools shall be of such shape and design as to be operated and maintained in a safe and sanitary manner.

**424.1.9.4.3. (c)**

The recirculation-filtration system of wave pools shall be capable of a minimum of one turnover every 3 hours.

**424.1.9.5. (j)**

**Lazy River Rides.**

**424.1.9.5.1. (a)**

Lazy River Rides shall be constructed within the limits of sound engineering practice. ~~The design engineer may consult with the department prior to preparation and submission of engineering plans and specifications for Lazy River Rides.~~

**424.1.9.5.2. (b)**

Lazy River Rides shall be constructed on concrete or other impervious materials with a non-toxic, smooth and slip resistant finish. These rides shall be of such shape and design as to be operated in a safe and sanitary manner.

**424.1.9.5.3.** (c)

The recirculation-filtration system of the Lazy River Ride shall be capable of a minimum of one turnover every 3 hours.

**424.1.9.5.4.** (d)

The maximum water depth of the Lazy River Ride shall not exceed 3 feet unless justified to the department's satisfaction by the design engineer.

**424.1.9.5.5.** (e)

Decking shall be provided at the entrance and exit points as necessary to provide safe patron access but shall not be smaller than 10 feet in width and length. Additional decking along the ride course is not required except that decking shall be required at lifeguard locations and emergency exit points.

**424.1.9.5.6.** (f)

Access and exit shall be provided at the start and end of the ride only, except that emergency exit locations shall be located along the ride course as necessary to provide for the safety of the patrons.

**424.1.9.6.** (g)

**Zero Depth Entry Pools.**

**424.1.9.6.1.** (a)

Zero depth entry pools shall have a continuous floor slope from the water edge to the deep end.

**424.1.9.6.2.** (b)

The deck level perimeter overflow system with grate shall be provided at the water edge across the entire zero depth portion of the pool.

**424.1.9.6.3.** (c)

The pool deck may slope toward the pool for no more than 5 feet, as measured from the overflow system grate outward. Beyond this area the deck shall slope away from the pool in accordance with section ~~424.1.2.2.3 64E-9.006(2)(a)1.~~

**424.1.9.6.4.** (d)

Barriers and No-entry signs shall be provided along the pool wall edge where the water depth is less than 3 feet deep. No-entry signs shall be slip-resistant, shall have 4 inch high letters, shall be located within 2 feet of the pool edge and shall be spaced no more than 15 feet apart.

**424.1.9.6.5.** (e)

Additional inlets shall be provided in areas of less than 18 inches deep. The numbers and location shall be such as to double the flow rate into this area.

**424.1.9.7.** (h)

**Special Purpose Pools.**

**424.1.9.7.1.** (a)

**General**—Special purpose pool projects may deviate from the requirements of other sections of these rules provided the design and construction are within the limits of sound engineering practice. Only those deviations necessary to accommodate the special usage shall be allowed and all other aspects of the pool shall comply with the requirements of this section and with section ~~424.1.2 64E-9.001 through 64E-9.008.~~ The design engineer may consult with the department prior to preparation and submission of engineering plans for special purpose pools.

**424.1.9.7.2.** (b)

A special purpose pool may incorporate ledges which do not overhang into the pool.

(c)

~~The operating permit shall state the purpose for which the pool is to be used.~~

**424.1.9.8.** (i)

## Interactive Water Features.

### 424.1.9.8.1. (a)

Waters discharged from all fountain or spray features shall not pond on the feature floor but shall flow by gravity through a main drain fitting to a below grade sump or collection system which discharges to a collector tank. The minimum size of the sump or collector tank shall be equal to the volume of 2 minutes of the combined flow of all feature pumps and the filter pump. Smaller tanks may be utilized if hydraulically justified by the design engineer. Adequate access shall be provided to the sump or collector tank. Stairs or a ladder shall be provided as needed to ensure safe entry into the tank.

### 424.1.9.8.2. (b)

When an underground sump is utilized, an automatic skimmer system shall be provided. A variable height skimmer may be used or a custom surface skimmer device may be substituted if deemed appropriate by both the design engineer and the department.

### 424.1.9.8.3. (c)

Chemical feeders shall be provided in accordance with section ~~424.1.6.5~~ ~~64E-9.007~~; except that the disinfection feeder shall be capable of feeding 12 ppm of free chlorine to the filter return piping.

### 424.1.9.8.4. (d)

If night operation is proposed, 6 footcandles of light shall be provided on the pool deck and the water feature area. Lighting that may be exposed to the feature pool water shall not exceed 15 volts, shall be installed in accordance with manufacturer's specifications and be approved for such use by UL or NSF.

### 424.1.9.8.5. (e)

All electrical work shall comply with Chapter 27 of the Florida Building Code, Building the NFPA 70; National Electrical Code<sup>®</sup>, 1996 Edition that is incorporated by reference.

### 424.1.9.8.6. (f)

#### Hydraulics.

#### 424.1.9.8.6.1.

The filter system shall be capable of filtering and treating the entire water volume of the water feature within 30 minutes. The filter system shall draft from the collector tank and return filtered and treated water to the tank via equally spaced inlet fittings. The flow rate through these fittings shall not exceed 20 gpm.

#### 424.1.9.8.6.2.

The water feature pump shall draft from the collector tank.

#### 424.1.9.8.6.3.

An automatic water level controller shall be provided.

#### 424.1.9.8.6.4.

The flow rate through the feature nozzles of the water features shall be such as not to harm the patrons and shall not exceed 20 feet per second unless justified by the design engineer and by the fountain system manufacturer.

## 424.2 Private Swimming Pools

### 424.2.1 - Definitions - General

**424.2.1.1 Tense, Gender and Number.** For the purpose of this code, certain abbreviations, terms, phrases, words, and their derivatives shall be construed as set forth in this section. Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. Words in the feminine and neuter gender include the masculine. The singular number includes the plural and the plural number includes the singular.

**424.2.1.2 Words Not Defined.** Words not defined herein shall have the meanings stated in the Florida Standard Building Code, Building; Florida Building Code, Standard Mechanical Code; Florida Building Code, Standard Plumbing Code; Florida Building Code, Standard Fuel Gas Code or Florida Standard Fire Prevention Code. Words not defined in the Florida Building Standard Code shall have the meanings stated in the Webster's Ninth New Collegiate Dictionary, as revised.

#### 424.2.2 Definitions

**ABOVEGROUND/ONGROUND POOL.** (See Swimming Pool.)

**ADMINISTRATIVE AUTHORITY.** The individual official, board, department or agency established and authorized by a state, county, city or other political subdivision created by law to administer and enforce the provisions of the swimming pool code as adopted or amended.

**APPROVED.** Accepted or acceptable under an applicable specification stated or cited in this code, or accepted as suitable for the proposed use under procedures and power of the administrative authority.

**APPROVED SAFETY COVER.** A manually or power-applied safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM) in compliance with standard F1346-91.

**APPROVED TESTING AGENCY.** An organization primarily established for the purpose of testing to approved standards and approved by the administrative authority.

**BACKWASH PIPING.** See Filter Waste Discharge Piping.

**BARRIER.** A fence, dwelling wall, building or non-dwelling wall or a any combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool, especially access from the residence or from the yard outside the barrier.

**BODY FEED.** Filter aid fed into a diatomite-type filter throughout the filtering cycle.

**CARTRIDGE FILTER.** A filter using cartridge type filter elements.

**CHEMICAL PIPING.** Piping which conveys concentrated chemical solutions from a feeding apparatus to the circulation piping.

**CIRCULATION PIPING SYSTEM.** Piping between the pool structure and the mechanical equipment. Usually includes suction piping, face piping and return piping.

**COMBINATION VALVE.** A multipart valve intended to perform more than one function.

**DESIGN HEAD.** Total head requirement of the circulation system at the design rate of flow.

**DIATOMITE (DIATOMACEOUS EARTH).** A type of filter aid.

**DIATOMITE TYPE FILTER.** A filter designed to be used with filter aid.

**DIRECT ACCESS FROM THE HOME.** Means any opening which discharges into the “perimeter” of the pool or any opening in an exterior dwelling wall, or interior wall (for indoor pools) which faces the pool.

**EXIT ALARM.** A devise that makes audible, continuous alarm sounds when any door or window which permits access from the residence to any pool that is without an intervening enclosure is opened or left ajar.

**FACE PIPING.** Piping, with all valves and fittings, which is used to connect the filter system together as a unit.

**FILTER.** Any apparatus by which water is clarified.

**FILTER AID.** A non-permanent type of filter medium or aid such as diatomite, alum, etc.

**FILTER CARTRIDGE.** A disposable or renewable filter element which generally employs no filter aid.

**FILTER ELEMENT.** That part of a filter which retains the filter medium.

**FILTER MEDIUM.** Fine material which entraps the suspended particles and removes them from the water.

**FILTER RATE.** Average rate of flow per square foot of filter area.

**FILTER ROCK.** Specially graded rock and gravel used to support filter sand.

**FILTER SAND.** A specially graded type of permanent filter medium.

**FILTER SEPTUM.** That part of the filter element in a diatomite type filter upon which a cake of diatomite or other non-permanent filter aid may be deposited.

**FILTER WASTE DISCHARGE PIPING.** Piping that conducts waste water from a filter to a drainage system. Connection to drainage system is made through an air gap or other approved methods.

**FRESH WATER.** Those waters having a specific conductivity less than a solution containing 6000 ppm of sodium chloride.

**HIGH RATE SAND FILTER.** A sand filter designed for flows in excess of 5 gpm per sq ft.

**HOT TUB.** (See Swimming Pool.)

**INGROUND POOL.** (See Swimming Pool.)

**INLET FITTING.** Fitting or fixture through which circulated water enters the pool.

**MAIN OUTLET.** Outlet at the deep portion of the pool through which the main flow of water leaves the pool when being drained or circulated.

**MEDICALLY FRAIL ELDERLY PERSON.** Means any person who is at least 65 years of age and has a medical problem that affects balance, vision, or judgment, including, but not limited to, a heart condition, diabetes, or Alzheimer's disease or any related disorder.

**POOL PERIMETER.** A pool perimeter is defined by the limits of the pool deck and any dwelling or non-dwelling wall or any combination thereof which completely surrounds the pool.

**POOL.** (See Swimming Pool.)

**POOL DEPTHS.** The distance between the floor of pool and the maximum operating water level.

**POOL PLUMBING.** All chemical, circulation, filter waste discharge piping, deck drainage and water filling system.

**PORTABLE POOL.** A prefabricated pool which may be erected at the point of intended use and which may be subsequently disassembled and re-erected at a new location. Generally installed on the surface of the ground and without excavation.

**PRECOAT.** In a diatomite-type filter, the initial coating or filter aid placed on the filter septum at the start of the filter cycle.

**RAPID SAND FILTER.** A filter designed to be used with sand as the filter medium and for flows not to exceed 5 gpm per sq ft.

**RECEPTOR.** An approved plumbing fixture or device of such material, shape and capacity as to adequately receive the discharge from indirect waste piping, so constructed and located as to be readily cleaned.

**RESIDENTIAL.** Means situated on the premises of a detached one-family or two-family dwelling or a one-family townhouse not more than three stories high.

**RETURN PIPING.** That portion of the circulation piping which extends from the outlet side of the filters to the pool.

**SALINE WATER.** Those waters having a specific conductivity in excess of a solution containing 6000 ppm of sodium chloride.

**SEPARATION TANK.** A device used to clarify filter rinse or waste water. Sometimes called a reclamation tank.

**SKIM FILTER.** A surface skimmer combined with a vacuum diatomite filter.

**SPA, NON-PORTABLE.** (See Swimming Pool.)

**SPA, PORTABLE.** Non-permanent structure intended for recreational bathing, in which all controls; and water heating and water circulating equipment are an integral part of the product and which is cord-connected (and not permanently electrically wired).



**SUCTION PIPING.** That portion of the circulation piping located between the pool structure and the inlet side of the pump and usually includes main outlet piping, skimmer piping, vacuum piping and surge tank piping.

**SURFACE SKIMMER.** A device generally located in the pool wall which skims the pool surface by drawing pool water over a self adjusting weir.

**SWIMMING POOL, PRIVATE.** Any structure located in a residential area, that is intended for swimming or recreational bathing ~~that and~~ contains water over 24 inches deep. ~~This includes~~ ing, but not limited to, in-ground, aboveground, and on-ground swimming pools, hot tubs, and non-portable spas.

**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four (4) sides by walls of said structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

**PUBLIC SWIMMING POOL, or PUBLIC POOL.** A watertight structure of concrete, masonry, fiberglass, stainless steel or plastic which is located either indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances and equipment used in connection therewith. A public swimming pool or public pool shall mean a conventional pool, spa-type pool, wading pool, special purpose pool or water recreation attraction, to which admission may be gained with or without payment of a fee and includes, pools operated by or serving camps, churches, cities, counties, day care centers, group home facilities for 8 or more clients, health spas, institutions, parks, state agencies, schools, subdivisions; or the cooperative living-type projects of 5 or more living units, such as apartments, boarding houses, hotels, mobile home parks, motels, recreational vehicle parks and townhouses.

**SWIMMING POOL, RESIDENTIAL.** See Swimming Pool, Private. ~~That which is intended for noncommercial use.~~

**TURNOVER TIME.** The time in hours required for the circulation system to filter and recirculate a volume of water equal to the pool volume.

**VACUUM FITTING.** A fitting in the pool which is used as a convenient outlet for connecting the underwater suction cleaning equipment.

**VACUUM PIPING.** The piping from the suction side of a pump connected to a vacuum fitting located at the pool and below the water level.

**WASTE PIPING.** See Filter Waste Discharge Piping.

**WIDTH AND/OR LENGTH.** Actual water dimension taken from wall to wall at the maximum operating water level.

**YOUNG CHILD.** Means any person under the age of 6 years.

**424.2.3 Mechanical Requirements.** Unless otherwise specified in this code, all piping, equipment and materials used in the plumbing system of swimming pools that are built in place shall conform to the *Florida Building Code, Plumbing*.

#### **424.2.4 Approvals**

**424.2.4.1 Compliance.** All materials, piping, valves, equipment or appliances entering into the construction of swimming pools or portions thereof shall be of a type complying with this code or of a type recommended and approved by a nationally recognized testing agency or conforming to other recognized standards acceptable to the administrative authority.

**424.2.4.2 Items not covered.** For any items not specifically covered in these requirements, the administrative authority is hereby authorized to require that all equipment, materials, methods of construction and design features shall be proven to function adequately, effectively and without excessive maintenance and operational difficulties.

**424.2.4.3 Applicant responsibility.** It shall be the responsibility of the applicant to provide such data, tests or other adequate proof that the device, material or product will satisfactorily perform the function for which it is intended, before such item shall be approved or accepted for tests.

#### **424.2.5 Alternate Materials and Methods of Construction**

**424.2.5.1 Approval and authorization.** The provisions of this code are not intended to prevent the use of any alternate material, method of construction, appliance or equipment, provided any such alternate has been first approved and its use authorized by the administrative authority.

**424.2.5.2 Required tests.** When there is insufficient evidence to substantiate claims for alternates, the administrative authority may require tests, as proof of compliance, to be made by an approved agency at the expense of the applicant.

#### **424.2.6 Engineering Design.**

**424.2.6.1 Conformance standard.** Design, construction and workmanship shall be in conformity with ANSI/NSPI-4 ~~1999~~ 1992, "Standard for Aboveground/Onground Residential Swimming Pools; and ANSI/NSPI-5 1995," Standard for Residential Swimming Pools; published by the National Spa and Pool Institute, or other accepted engineering practice.

**424.2.6.2 Required equipment.** Every swimming pool shall be equipped complete with approved mechanical equipment consisting of filter, pump, piping valves and component parts.

**Exception:** Pools with a supply of fresh water equivalent to the volume of the pool in the specified turnover time will be allowed.

**424.2.6.3 Water velocity.** Pool piping shall be designed so the water velocity will not exceed 10 ft/s, except that the water velocity shall not exceed 8 ft/s in copper tubing.

**Exception:** Jet inlet fittings shall not be deemed subject to this requirement.

**424.2.6.4 Piping to heater.** Water flow through the heater, any bypass plumbing installed, any back-siphoning protection, and the use of heat sinks shall be done in accordance with the manufacturer's recommendations.

**424.2.6.5 Piping installation.** All piping materials shall be installed in strict accordance with the manufacturer's installation standards.

#### **424.2.6.6 Entrapment Protection for Suction Inlets.**

**424.2.6.6.1 Location.** Suction inlets shall be provided and arranged to produce circulation throughout the pool or spa.

**424.2.6.6.2 Testing and Certification.** All pool and spa suction inlets shall be provided with a cover that has been tested and accepted by a recognized testing facility and comply with ANSI/ASME A112.19.8M, "Suction Fittings for Use in Swimming Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances."

**Exception:** Surface skimmers.

**IMPORTANT SAFETY NOTE:** Do not use or operate pool or spa if the suction inlet fitting is missing, broken, or loose.

**424.2.6.6.3 Entrapment Avoidance.** If the suction inlet system, such as an automatic cleaning system, is a vacuum cleaner system which has a single suction inlet, or multiple suction inlets which can be isolated by valves, then each suction inlet shall protect against user entrapment by either an approved antivortex cover, 12"x12" grate or larger, or other approved means.

In addition, all pools and spas shall be required to have a backup system which shall provide vacuum relief should grate covers be missing. Alternative vacuum relief devices shall include either:

1. Approved Vacuum Release system
2. Approved Vent piping

3. Other approved devices or means

**424.2.6.6.4 Suction Inlets Per Pump.** A minimum of two suction inlets shall be provided for each pump in the suction inlet system, separated by a minimum of 3 feet or located on two different planes; i.e., one on the bottom and one on the vertical wall, or one each on two separate vertical walls. These suction inlets shall be plumbed such that water is drawn through them simultaneously through a common line to the pump.

**424.2.6.6.5 Cleaner Fittings.** Where provided, the vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches and not greater than 12 inches below the minimum operating water level or as an attachment to the skimmer(s).

**424.2.7 Pumps**

**424.2.7.1 Strainer.** Pool circulating pumps shall be equipped on the inlet side with an approved type hair and lint strainer when used with a pressure filter.

**424.2.7.2 Mounting.** Pumps shall be mounted on a substantial base in a manner that will eliminate strain on piping.

**424.2.7.3 Capacity.** Pumps shall have design capacity at the following heads.

1. Pressure Diatomaceous Earth—At least 60 ft.
2. Vacuum Diatomaceous Earth—20 inch vacuum on the suction side and 40 ft total head.
3. Rapid Sand—At least 45 ft
4. High Rate Sand—At least 60 ft.

**424.2.7.4 Materials.** Pump impellers, shafts, wear rings and other working parts shall be of corrosion-resistant materials.

**424.2.8 Valves.**

**424.2.8.1 General.** Valves shall be made of materials that are approved in the *Florida Building Code, Plumbing*. Valves located under concrete slabs shall be set in a pit having a least dimension of five pipe diameters with a minimum of at least 10 inches and fitted with a suitable cover. All valves shall be located where they will be readily accessible for maintenance and removal.

**424.2.8.2 Full-Way (gate) valves.** Full-way valves shall be installed to insure proper functioning of the filtration and piping system. When the pump is located below the overflow rim of the pool, a valve shall be installed on the discharge outlet and the suction line.

**424.2.8.3 Check valves.** Where check valves are installed they shall be of the swing or vertical check patterns.

**424.2.8.4 Combination valves.** Combination valves shall require approval of the administrative authority prior to their installation.

**424.2.9 Water supply.** Unless an approved type of filling system is installed, any water supply which in the judgment of the administrative authority may be used to fill the pool, shall be equipped with backflow protection. No over the rim fill spout shall be accepted unless located under a diving board, or properly guarded.

**424.2.10 Waste water disposal.**

**424.2.10.1 Connection limitations.** Direct or indirect connections shall not be made between any storm drain, sewer, drainage system, seepage pit underground leaching pit, or sub-soil drainage line, and any line connected to a swimming pool unless approved by the administrative authority.

**424.2.10.2 Disposal through public sewer.** When the waste water from a swimming pool is to be disposed of through a public sewer, a 3 inch P-trap shall be installed on the lower terminus of the building drain and the tall piece from the trap shall extend a minimum of 3 inches above finished grade and below finished floor grade. This trap need not be vented. The connection between the filter waste discharge piping and the P-trap shall be

made by means of an indirect connection.

**424.2.10.3 Deviations.** Plans and specifications for any deviation from the above manner of installation shall first be approved by the administrative authority before any portion of any such system is installed. When waste water disposal is to seepage pit installation, it shall be installed in accordance with the approval granted by the administrative authority.

**424.2.11 Separation tank.** A separation tank of an approved type may be used in lieu of the aforementioned means of waste water disposal when connected as a reclamation system.

#### **424.2.12 Tests**

**424.2.12.1 Pressure test.** All pool piping shall be inspected and approved before being covered or concealed. It shall be tested and proved tight to the satisfaction of the administrative authority, under a static water or air pressure test of not less than 35 psi for 15 minutes.

**Exception:** Circulating pumps need not be tested as required in this section.

**424.2.12.2 Drain and waste piping.** All drain and waste piping shall be tested by filling with water to the point of overflow and all joints shall be tight.

#### **424.2.13 Drain Piping**

**424.2.13.1 Slope to discharge.** Drain piping serving gravity overflow gutter drains and deck drains shall be installed to provide continuous grade to point of discharge.

**424.2.13.2 Joints and connections.** Joints and connections shall be made as required by the *Florida Building Code, Plumbing*.

#### **424.2.14 Water Heating Equipment**

**424.2.14.1 Labels.** Swimming pool water heating equipment shall conform to the design, construction and installation requirements in accordance with accepted engineering practices and shall bear the label of a recognized testing agency, and shall include a consideration of combustion air, venting and gas supply requirements for water heaters.

**424.2.14.2 Water retention.** If a heater is not equipped or designed for an approved permanent by-pass or anti-siphon device, an approved permanent by-pass or anti-siphon device shall be installed to provide a positive means of retaining water in the heater when the pump is not in operation.

**424.2.14.3 Pit Drainage.** When the heater is installed in a pit, the pit shall be provided with approved drainage facilities.

**424.2.14.4 Connections.** All water heating equipment shall be installed with flanges or union connection adjacent to the heater.

**424.2.14.5 Relief valve.** When water heating equipment which is installed in a closed system has a valve between the appliance and the pool, a pressure relief valve shall be installed on the discharge side of the water heating equipment. For units up to and including 200,000 Btu/hour input, the relief valve shall be rated by the American Gas Association.

**424.2.15 Gas Piping.** Gas piping shall comply with the *Florida Building Code, Fuel Gas*.

**424.2.16 Electrical.** Electrical wiring and equipment shall comply with Chapter 27 of the Florida Building Code ~~the~~ *National Electrical Code*®.

**424.2.17 Residential Swimming Pool Enclosure barrier requirement.** Residential swimming pools shall comply with 424.2.17.1 through 424.2.17.3.

**Exception:**

A swimming pool with a ~~power~~ an approved safety pool cover, or a spa with a safety cover complying with

**424.2.17.1 Outdoor Swimming Pools.** Outdoor swimming pools shall be provided with a barrier complying with 424.2.17.1.1 through 424.2.17.1.10~~14~~.

**424.2.17.1.1** The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade the barrier may be at ground level or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

**424.2.17.1.2** The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier as herein described below. One end of the barrier shall not be removable without the aid of tools. Openings in the barrier shall not allow passage of a 4-inch diameter sphere.

**424.2.17.1.3** Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

**424.2.17.1.4** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1<sup>3</sup>/<sub>4</sub> inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1<sup>3</sup>/<sub>4</sub> inches in width.

**424.2.17.1.5** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1<sup>3</sup>/<sub>4</sub> inches in width.

**424.2.17.1.6** Maximum mesh size for chain link fences shall be a 2<sup>1</sup>/<sub>4</sub> inch square unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than 1<sup>3</sup>/<sub>4</sub> inches.

**424.2.17.1.7** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 1<sup>3</sup>/<sub>4</sub> inches.

**424.2.17.1.8** Access gates, when provided, shall comply with the requirements of 424.2.17.1.1 through 424.2.17.1.7 and shall be equipped ~~to accommodate a~~ with a self-latching locking device located no less than 54 inches from the bottom of the gate. The device release mechanism shall be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap. Pedestrian Gates that provide access to the swimming pool gates shall must open outward away from the pool. ~~and shall be self-closing and have a self-latching device. The gates, other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate, and the gate and barrier shall have no opening greater than 1/2 inch within 18 inches of the release mechanism.~~

**424.2.17.1.9** Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. All doors and windows providing ~~with~~ direct access from the home to the pool ~~through that wall~~ shall be equipped with an exit alarm complying with UL 2017 that has a minimum sound pressure rating of 85 dB A at 10 feet and is either hard-wired or of the plug-in type. The exit alarm shall ~~and~~ which produces an a continuous audible warning when the door and its screen are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. ~~The alarm shall~~

~~automatically reset under all conditions.~~ The alarm shall be equipped with a manual means to temporarily deactivate the alarm for a single opening. Such deactivation shall last no more than 15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door.

Exceptions:

a. Screened or protected windows having a bottom sill height of 48 inches or more measured from the interior finished floor at the pool access level.

b. Windows facing the pool on floor above the first story.

c. Screened or protected pass-through kitchen windows 42 inches or higher with a counter beneath.

~~2. Other means of protection, such as~~ All doors providing direct access from the home to the pool must be equipped with a self-closing, doors with self-latching devices or doors with positive mechanical latching/locking devices installed a minimum of 54 inches above the threshold, which is are approved by the administrative authority having jurisdiction, shall be accepted.

**424.2.17.1.10** Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of 424.2.17.1.1 through 424.2.17.1.9 and 424.2.17.1.12 through 424.2.17.1.14. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4 inch diameter sphere.

**424.2.17.1.11** Standard screen enclosures which meet the requirements of section 424.2.17 may be utilized as part of or all of the “barrier” and shall be considered a “non-dwelling” wall. One end of the barrier shall not be removable without the aid of tools.

**424.2.17.1.12** The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.

**424.2.17.1.13** The barrier must be placed sufficiently away from the water’s edge to prevent a young child or medically frail elderly person who may manage to penetrate the barrier from immediately falling into the water. Sufficiently away from the water’s edge shall mean no less than 20 inches from the barrier to the water’s edge. Dwelling or non-dwelling walls, when used as part or all of the “barrier” and meeting the other barrier requirements, may be as close to the water’s edge as permitted by this code.

**424.2.17.1.14** A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide direct access from the home to the swimming pool.

**424.2.17.2 Indoor swimming pools.** All walls surrounding indoor swimming pools shall comply with 424.2.17.1.9.

**424.2.17.3 Prohibited locations.** ~~Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.~~ A barrier may not be located in a way that allows any permanent structure, equipment, or window that opens to provide access from the home to the swimming pool.

**424.2.18 Ladders and Steps.** All pools whether public or private shall be provided with a ladder or steps in the shallow end where water depth exceeds 24 inches.

In private pools where water depth exceeds 5 ft, there shall be ladders, stairs or underwater benches/swimouts in the deep end. Where manufactured diving equipment is to be used, benches or swimouts shall be recessed or

located in a corner.

**424.2.19 Final Inspection.** All swimming pool installations must be completed. The pool shall be completely filled with water and in operation before final inspection.

**424.2.20 Filters.** The entire design of matched components shall have sufficient capacity to provide a complete turnover of pool water in 12 hours or less.

**424.2.20.1 Sand Filters.**

**424.2.20.1.1 Approved types.** Rapid sand filters (flow up to 5 gpm/sq ft) shall be constructed in accordance with approved standards. Where high rate sand filters (flow in excess of 5 gpm/sq ft) are used, they shall be of an approved type. The circulation system and backwash piping shall be adequate for proper backwashing of said filter and shall provide backwash flow rates of at least 12 gpm/sq ft for rapid sand filters or 15 gpm/sq ft for high rate sand filters.

**424.2.20.1.2 Instructions.** Every filter system shall be provided with written operating instructions.

**424.2.20.1.3 Filter system equipment.** On pressure type filters, a means shall be provided to permit the release of internal pressure. A filter incorporating an automatic internal air release as its principal means of air release shall have lids which provide a slow and safe release of pressure as part of its design. A separation tank used in conjunction with a filter tank shall have as part of its design a manual means of air release or a lid which provides a slow and safe release of pressure as it is opened.

**424.2.20.2 Diatomite Type Filters**

**424.2.20.2.1 Design.** Diatomite-type filters shall be designed for operation under either pressure or vacuum.

The design capacity for both pressure and vacuum filters shall not exceed 2 gpm/sq ft of effective filter area.

**424.2.20.2.2 Filter aid.** Provision shall be made to introduce filter aid into the filter in such a way as to evenly precoat the filter septum.

**424.2.21 Pool Fittings**

**424.2.21.1 Approved type.** Pool fittings shall be of an approved type and design as to be appropriate for the specific application.

**424.2.21.2 Skimmers.** Approved surface skimmers are required and shall be installed in strict accordance with the manufacturer's installation instructions. Skimmers shall be installed on the basis of one per 1000 sq ft of surface area or fraction thereof, and shall be designed for a flow rate of at least 25 gpm per skimmer.

**424.2.21.3 Main outlet.** An approved main outlet shall be provided at the deepest point in every pool for emptying or circulation, or both, of the water in the pool.

**424.2.21.4 Hydrostatic relief device.** In areas of anticipated water table an approved hydrostatic relief device shall be installed.

**Exception:** Plastic liner pools (where there is no structural bottom to the pool).

**424.2.21.5 Inlet fittings.** Approved manufactured inlet fittings for the return of recirculated pool water shall be provided on the basis of at least one per 15,000 gal of pool capacity. Such inlet fittings shall be designed and constructed to insure an adequate seal to the pool structure and shall incorporate a convenient means of sealing for pressure testing of the pool circulation piping. Where more than one inlet is required, the shortest distance between any two required inlets shall be at least 10 ft.

**424.2.22 Equipment Foundations And Enclosures.** All mechanical equipment shall be set on a single concrete base or slab. All heating and electrical equipment, unless approved for outdoor installation, shall be adequately protected against the weather or installed within a building.

**424.2.23 Accessibility and Clearances.** Equipment shall be so installed as to provide ready accessibility for cleaning, operating, maintenance and servicing.

Section 425 is amended to read as follows:

**SECTION 425**  
**PUBLIC LODGING ESTABLISHMENTS**

**425.1 Scope.** Public lodging establishments shall comply with the following design and construction standards; as described in Chapter 61C-1 and Chapter 61C-3 Florida Administrative Code.

Note: Other administrative and programmatic provisions may apply. See Department of Business and Professional [DBPR] Regulations Rules 61C-1 and 61C-3, Florida Administrative Code and Chapter 509, Florida Statutes.

**425.2 ~~61C-1.001~~ Definitions.**

~~(1) Division: the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.~~  
Public lodging establishment. See section 509.013, Florida Statutes.

~~(2) Balcony~~

~~(17) Hot water- Hot water means a water temperature of 110°F or above.~~

~~(22) Potable water- Water satisfactory for drinking, culinary, and domestic purposes meeting quality standards of sections 62-550 and 62-555, FAC.~~

~~(25) Railway- Either a railing, a guardrail system or building components located near the open sides of elevated walking surfaces.~~

~~(27) Sewage- Any liquid waste containing animal, mineral, or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution. Included in this definition is liquid waste from sinks, toilet facilities, grinders, garbage containers, dishwashing machines, floor drains, floor washing, or handwashing facilities.~~

~~(29) Stairway- One or more flights of stairs or steps, either interior or exterior, and the landings, platforms, or other supporting structures necessary to connect separate levels in order to form a continuous passage from one level to another in a building structure.~~

Specific 509.032(6) FS:

Law Implemented 509.032 FS:

History ~~Amended 9-20-63, 3-21-64, 1-7-70, Revised 2-4-71, Amended 10-18-71, 11-17-73, 12-18-74, 12-5-82, Formerly 7C-1.01, Amended 9-10-89, 12-31-90, 2-27-92, 11-4-92, Formerly 7C-1.001, Amended 3-31-94, 10-9-95, 9-25-96, 1-1-98.~~

**425.3. ~~61C-1.004~~ General Sanitation and Safety Requirements.**

The following general requirements and standards shall be met by all public lodging ~~and public food service~~ establishments:

425.3.1. (H) Water, plumbing and waste -Except as specifically provided in this Code ~~and rules~~, standards for water, plumbing and waste shall be governed by Chapter 5, of 1999 Food Code, and Chapter 509 Part I Florida Statutes, as referenced in s. 426 herein adopted by reference. For the purposes of this section, the term food establishment as referenced in the Food Code shall apply to all public lodging ~~and public food~~ establishments as defined in Chapter 509, FS.

~~(a) The water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555, FAC, herein adopted by reference, where applicable.~~

~~(d) Sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, FAC, herein adopted by reference, whichever is applicable. Grease interceptors shall be designed and installed in accordance with provisions of Chapter 64E-6, FAC, herein adopted by reference, or the plumbing authority having jurisdiction.~~



425.3.2. ~~(2)~~Public bathrooms.

425.3.2.1. ~~(a)~~Each public lodging and food service establishment shall be provided with adequate and conveniently located bathroom facilities for its employees and guests in accordance with provisions of ~~this section~~ ~~and rules~~ and the Florida Building Code, Plumbing authority having jurisdiction. Public access to toilet facilities shall not be permitted through food preparation, storage, or warewashing areas. Bathroom fixtures shall be of readily cleanable sanitary design. ~~Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. Bathrooms shall provide at least 20 footcandles of light. The walls, ceilings and floors of all bathrooms shall be kept in good condition~~

425.3.2.2. ~~(b)~~ Public bathrooms shall be completely enclosed and shall have tight-fitting, self closing doors or, ~~in public lodging establishments or bathrooms located outside a public food service establishment,~~ have entrances and exits constructed in such a manner as to ensure privacy of occupants. Such doors shall not be left open except during cleaning or maintenance.

~~(d)~~For the purposes of this section, the term toilet shall mean a flush toilet properly plumbed, connected and discharging to an approved sewage disposal system. ~~In a bathroom where more than one toilet is provided, each toilet shall be separated by a partition from adjoining fixtures and a door shall be provided which will partially conceal the occupant from outside view.~~

425.3.2.3. ~~(c)~~Resort condominiums, nontransient establishments and resort dwellings are exempt from the provisions of this section.

~~(3)~~Vermin control-Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed; ~~free of rodents and maintained in a rodent-proof and rodent-free condition.~~ All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks. ~~Insecticides or rodenticides, when used, shall be used in compliance with Chapter 5E-14, FAC, herein adopted by reference.~~

425.3.2.4. ~~(5)~~All fire safety, protection and prevention equipment must be installed, approved, maintained and used in accordance with Chapter 509, FS, Chapter 4A-3, FAC, and the Florida Fire Prevention Code National Fire Protection Association Life Safety Code Chapter 101, as adopted by the Division of State Fire Marshal in Chapter 4A-3, FAC.

~~(6)~~All building structural components, attachments and fixtures shall be kept in good repair, clean and free of obstructions:

~~(7)~~Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

~~(e)~~Specialized Smoke Detectors-Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in transient public lodging establishments without charge. Failure of the operator to inform any employee charged with registering guests of the location of such detector constitutes failure to make such detectors available.

425.3.2.7. ~~(10)~~Means of access must permit unobstructed travel at all times and be maintained free of obstructions and fire hazards. Halls, entrances and stairways shall be clean, ventilated and well-lighted day and night. Hall and stair runners shall be kept in good condition. Handrails shall be installed on all stairways and guard rails around all porches and steps. ~~Adequate means of exit shall be provided pursuant to the Florida Fire Prevention Code NFPA 101. Exits shall be clearly marked with approved illuminated exit signs.~~

425.3.2.8. ~~(11)~~Electrical wiring-To prevent fire or injury, defective electrical wiring shall be replaced and wiring shall be kept in good repair. ~~No extension cords shall be used except during cleaning, maintenance and other temporary activities.~~ Only a wall switch or approved pull cord shall be permitted in bathrooms. Electrical wiring shall be in accordance with the provisions of Chapter 27 of the Florida Building Code, Building NFPA 70, the National Electrical Code, as adopted by the Division of State Fire Marshal in Chapter 4A-3, FAC, Uniform Fire Safety Rules and Standards, sufficient electrical outlets shall be provided.

425.3.2.9. ~~(12)~~ Heating and ventilation-The heating and ventilation system shall be kept in good repair or be installed to maintain a minimum of sixty eight (68) degrees Fahrenheit throughout the building. ~~The insurance inspector's boiler report is required annually for power boilers and high pressure/high temperature boilers and~~

biannually for low pressure steam or vapor heating boilers and shall be posted in the boiler room. The provisions of this section do not apply to the common areas of resort condominiums.

425.3.2.10. ~~(13)~~ Gas appliances-All appliances, including water heaters using gas, shall be kept in good repair and properly vented as required by the Florida Building Code, Fuel Gas when manufacturers' instructions require venting of the appliance and shall meet the following requirements:

(a) All appliances shall have a nationally recognized testing laboratory seal such as AGA or UL seal.

(b) Heating appliances shall be properly sized in BTU input for room air space. Proper sizing of heating appliances shall be determined in accordance with the provisions of NFPA 54, the National Fuel Gas Code, as adopted by the Division of State Fire Marshal in Chapters 4A-43 and 4A-55, FAC, for public lodging establishments and public food service establishments, respectively.

Specific 509.032(2)(d), 509.032(3), 509.032(6) FS.

Law Implemented 509.032(2)(d), (3)(a), (b), (c), 509.215, 509.221 FS.

History C Amended 2-20-64, 7-14-67, 2-8-69, Revised 2-4-71, Amended 2-17-73, Repromulgated 12-18-74, Amended 9-19-84, Formerly 7C-1.04, Amended 12-31-90, 2-11-92, 2-27-92, 6-15-92, Formerly 7C-1.004, Amended 3-31-94, 10-9-95, 9-25-96, 5-11-98, 7-2-98.

425.4. ~~61C-3.001~~ Sanitation and Safety Requirements.

425.4.1. ~~(1)~~ Guest Bathrooms.

425.4.1.1. (a) Connecting bathrooms shall provide toilets with open-front seats. Guest and private bathrooms shall provide toilets. Guest, private, and connecting bathrooms shall provide lavatories and shower enclosures with hot and cold running water under pressure.

425.4.1.2. (b) Each transient public lodging establishment shall maintain one public bathroom with a minimum of a toilet, lavatory, and shower enclosure for each sex on every floor for every 15 guests rooming on that floor not having access to private or connecting bathrooms.

425.4.1.3 Ice Storage Bins.

Ice storage bins shall be drained through an air gap in accordance with the provisions of the Florida Building Code, Plumbing ~~plumbing authority having jurisdiction.~~

425.4.2. ~~(10)~~ Locks- An approved locking device shall be provided in accordance with the Florida for the purposes of section 509.211, FS, is a locking device that meets the requirements of National Fire Prevention Code Protection Association 101 (NFPA 101), *Life Safety Code*. Public lodging establishments as defined in rule 61C-1.002(4)(a), FAC, shall have at least one approved locking device which does not include a sliding chain or hook and eye type device, on all outside and connecting doors which cannot be opened by a non-master guest room key.

~~(11)~~ Balcony Inspection.

(a) As provided in section 509.2112, FS, every public lodging establishment which is three or more stories in height, or which has a vertical distance of 17 feet or more from the lowest grade level to any balcony must submit to the division a certificate stating that any and all balconies, stairways, and railways have been inspected by a person who, through education and experience, is competent to inspect multi-story buildings and found by such person to be safe, secure, and free of defects. The term A balcony is defined as a landing or porch that is accessible to or used by the public and shall include those portions of a building which are unenclosed, except by a railing, guardrail system, balustrade, or parapet. It shall also include those portions of a building which are enclosed by screening or other non-permanent building material.

(b) It is the responsibility of the operator to verify the facts and credentials establishing the competency of the multi-story balcony inspector. Such verification shall be clearly stated on the applicable form.

(c) Certification of inspection shall be submitted on BPR form 22-030, CERTIFICATE OF BALCONY INSPECTION, incorporated herein by reference and effective 9-25-96. Copies of this form may be obtained from any division office.

(d) The certificate shall be received by the division and the applicable local governmental agency or office from hotels and motels on or before January 1 of every third year and from other public lodging establishments on or before October 1 of every third year.

(e) The operator shall keep a copy of the Certificate of Balcony Inspection, stamped with the date it was received by the district, available for inspection upon request.

(f) Upon change of ownership, a new certificate of balcony inspection shall be filed.

(12) Resort condominiums, nontransient apartments and resort dwellings are exempt from sections (1), (2) and (3) of this rule. Establishments opting to provide any of the services listed in sections (2) and (3) of this rule shall comply with the requirements described herein.

~~509.211 Safety regulations.~~

(1) Each bedroom or apartment in each public lodging establishment shall be equipped with an approved locking device on each door opening to the outside, to an adjoining room or apartment, or to a hallway.

(4) Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired. The division may impose administrative sanctions for violations of this section pursuant to s. 509.261.

~~509.2112 Public lodging establishments three stories or more in height; inspection rules.~~

The Division of Hotels and Restaurants of the Department of Business and Professional Regulation is directed to provide rules to require that:

(1) Every public lodging establishment that is three stories or more in height in the state file a certificate stating that any and all balconies, platforms, stairways, and railings have been inspected by a person competent to conduct such inspections and are safe, secure, and free of defects.

(2) The information required under section (1) be filed commencing January 1, 1991, and every 3 years thereafter, with the Division of Hotels and Restaurants and the applicable county or municipal authority responsible for building and zoning permits.

(3) If a public lodging establishment that is three or more stories in height fails to file the information required in section (1), the Division of Hotels and Restaurants shall impose administrative sanctions pursuant to s. 509.261.

~~509.221 Sanitary regulations.~~

(1) Each public lodging establishment and each public food service establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with applicable state and local plumbing codes. Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system.

(2)

(a) Each public lodging establishment and each public food service establishment shall maintain not less than one public bathroom for each sex, properly designated, unless otherwise provided by rule. The division shall establish by rule categories of establishments not subject to the bathroom requirement of this paragraph.

(c) Each transient establishment that does not provide private or connecting bathrooms shall maintain one public bathroom on each floor for every 15 guests, or major fraction of that number, rooming on that floor.

(3) Each establishment licensed under this chapter shall be properly lighted, heated, cooled, and ventilated and shall be operated with strict regard to the health, comfort, and safety of the guests. Such proper lighting shall be construed to apply to both daylight and artificial illumination.

(4)Each bedroom in a public lodging establishment shall have an opening to the outside of the building, air shafts, or courts sufficient to provide adequate ventilation. Where ventilation is provided mechanically, the system shall be capable of providing at least two air changes per hour in all areas served. Where ventilation is provided by windows, each room shall have at least one window opening directly to the outside.

(7)The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

Specific 509.032(6) FS:

Law Implemented 509.211, 509.2112, 509.221 FS:

History C Amended 1-20-63, Revised 2-4-71, Amended 9-19-84, Formerly 7C-3.01, Amended 12-31-90, Formerly 7C-3.001, Amended 3-31-94, 9-25-96, 1-18-98.

Section 426 is amended to read as follows:

## SECTION 426 PUBLIC FOOD SERVICE ESTABLISHMENTS

426.1 Scope. Public food service establishments shall comply with and the following design and construction standards as described in the 1999 Food Code, and Chapter 509 Part I Florida Statutes, and Chapter 61C-4 Florida Administrative Code.

Note: Other administrative and programmatic provisions may apply. See Department of Business and Professional Regulation [DBPR] Rule 61C-4, Florida Administrative Code and Chapter 509, Florida Statutes.

1999 FOOD CODE

CHAPTER 1 PURPOSE AND DEFINITIONS

1-2 DEFINITIONS

1-201 Applicability and Terms Defined

(58) A Plumbing fixture@ means a receptacle or device that:

(a) is permanently or temporarily connected to the water distribution system of the PREMISES and demands a supply of water from the system; or

(b) Discharges used water, waste materials, or SEWAGE directly or indirectly to the drainage system of the PREMISES.

(59) A Plumbing system@ means the water supply and distribution pipes; PLUMBING FIXTURES and traps; soil, waste, and vent pipes; sanitary and storm sewers and building drains, including their respective connections, devices, and appurtenances within the PREMISES; and water-treating EQUIPMENT.

(76) A Sewage@ means liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.

426.2. 61C-1.001 Definitions.

(1) Division For the purpose of this section division shall mean the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

Public Food Service Establishments. See section 509.013, Florida Statutes.

For other definitions, see Chapter 2.

(3) ~~Air curtain~~—A mechanical device which produces a controlled plane of moving air at a minimum velocity of 500 feet per minute across the opening protected and directed so as to prevent the entrance of flying insects and other airborne contaminants.

(17) ~~Hot water~~—Hot water means a water temperature of 110 degrees Fahrenheit or above.

(22) ~~Potable water~~—Water satisfactory for drinking, culinary, and domestic purposes meeting quality standards of sections 62-550 and 62-555, FAC.

(27) ~~Sewage~~—Any liquid waste containing animal, mineral, or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution. Included in this definition is liquid wastes from sinks, toilet facilities, grinders, garbage containers, dishwashing machines, floor drains, floor washing, or handwashing facilities.

#### ~~1999 FOOD CODE~~

##### ~~CHAPTER 4 EQUIPMENT, UTENSILS, AND LINENS~~

##### ~~4-2 DESIGN AND CONSTRUCTION~~

##### ~~4-202 Cleanability~~

##### ~~4-202.16 Nonfood-Contact Surfaces:~~

~~NONFOOD-CONTACT SURFACES shall be free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance.~~

##### ~~4-204 Functionality~~

##### ~~4-204.17 Ice Units, Separation of Drains:~~

~~Liquid waste drain lines may not pass through an ice machine or ice storage bin.~~

##### ~~4-3 NUMBERS AND CAPACITIES~~

##### ~~4-301 Equipment~~

##### ~~4-301.14 Ventilation Hood Systems, Adequacy:~~

~~Ventilation hood systems and devices shall be sufficient in number and capacity to prevent grease or condensation from collecting on walls and ceilings.~~

#### ~~1999 FOOD CODE~~

##### ~~CHAPTER 5 WATER, PLUMBING, AND WASTE~~

##### ~~5-1 WATER~~

##### ~~5-101 Source~~

##### ~~5-101.11 Approved System:~~

~~DRINKING WATER shall be obtained from an APPROVED source that is:~~

~~(A) A PUBLIC WATER SYSTEM; or~~

~~(B) A NONPUBLIC WATER SYSTEM that is constructed, maintained, and operated according to LAW.~~

##### ~~5-101.12 System Flushing and Disinfection:~~

~~A DRINKING WATER system shall be flushed and disinfected before being placed in service after construction, repair, or modification and after an emergency situation, such as a flood, that may introduce contaminants to the system.~~

##### ~~5-102 Quality~~

##### ~~5-102.11 Standards:~~

~~Except as specified under 5-102.12:~~

~~(A) Water from a PUBLIC WATER SYSTEM shall meet 40 CFR 141-National Primary Drinking Water Regulations and state DRINKING WATER quality standards; and~~

~~(B) Water from a NONPUBLIC WATER SYSTEM shall meet state DRINKING WATER quality standards.~~

~~5-102.12 Nondrinking Water:~~

~~(A) A NONDRINKING WATER supply shall be used only if its use is APPROVED.~~

~~(B) NONDRINKING WATER shall be used only for nonculinary purposes such as air conditioning, NONFOOD EQUIPMENT cooling, fire protection, and irrigation.~~

~~5-102.13 Sampling:~~

~~Except when used as specified under 5-102.12, water from a NONPUBLIC WATER SYSTEM shall be sampled and tested at least annually and as required by state water quality regulations.~~

~~5-102.14 Sample Report:~~

~~The most recent sample report for the NONPUBLIC WATER SYSTEM shall be retained on file in the FOOD ESTABLISHMENT or the report shall be maintained as specified by state water quality regulations.~~

~~5-103 Quantity and Availability~~

~~5-103.11 Capacity:~~

~~(A) The water source and system shall be of sufficient capacity to meet the peak water demands of the FOOD ESTABLISHMENT.~~

~~(B) Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the FOOD ESTABLISHMENT.~~

~~5-103.12 Pressure:~~

~~Water under pressure shall be provided to all fixtures, EQUIPMENT, and NONFOOD EQUIPMENT that are required to use water except that water supplied as specified under 5-104.12(A) and (B) to a TEMPORARY FOOD ESTABLISHMENT or in response to a temporary interruption of a water supply need not be under pressure.~~

~~5-104 Distribution, Delivery, and Retention~~

~~5-104.11 System:~~

~~Water shall be received from the source through the use of:~~

~~(A) An APPROVED public water main; or~~

~~(B) One or more of the following that shall be constructed, maintained, and operated according to LAW:~~

~~(1) Nonpublic water main, water pumps, pipes, hoses, connections, and other appurtenances.~~

~~(2) Water transport vehicles, and~~

~~(3) Water containers.~~

~~5-2 PLUMBING SYSTEM~~

~~5-201 Materials~~

~~5-201.11 Approved:~~

~~(A) A PLUMBING SYSTEM and hoses conveying water shall be constructed and repaired with APPROVED materials according to LAW.~~

~~(B) A water filter shall be made of SAFE MATERIALS.~~

## 5-202 Design, Construction, and Installation

### 5-202.11 Approved System and Cleanable Fixtures:

(A) A PLUMBING SYSTEM shall be designed, constructed, and installed according to LAW.

(B) A PLUMBING FIXTURE such as a handwashing facility, toilet, or urinal shall be EASILY CLEANABLE:

### 5-202.12 Handwashing Facility, Installation:

(A) A handwashing lavatory shall be equipped to provide water at a temperature of at least 43°C (110°F) through a mixing valve or combination faucet.

(B) A steam mixing valve may not be used at a handwashing lavatory.

(C) A self-closing, slow-closing, or metering faucet shall provide a flow of water for at least 15 seconds without the need to reactivate the faucet.

(D) An automatic handwashing facility shall be installed in accordance with manufacturer's instructions.

### 5-202.13 Backflow Prevention, Air Gap:

An air gap between the water supply inlet and the flood level rim of the PLUMBING FIXTURE, EQUIPMENT, or NONFOOD EQUIPMENT shall be at least twice the diameter of the water supply inlet and may not be less than 25 mm (1 inch):

### 5-202.14 Backflow Prevention Device, Design Standard:

A backflow or backsiphonage prevention device installed on a water supply system shall meet American Society of Sanitary Engineering (A.S.S.E.) standards for construction, installation, maintenance, inspection, and testing for that specific application and type of device.

### 5-202.15 Conditioning Device, Design:

A water filter, screen and other water conditioning device installed on water lines shall be designed to facilitate disassembly for periodic servicing and cleaning. A water filter element shall be of the replaceable type.

## 5-203 Numbers and Capacities

### 5-203.11 Handwashing Facilities:

(A) Except as specified in (B) and (C) of this section, at least one handwashing lavatory, a number of handwashing lavatories necessary for their convenient use by EMPLOYEES in areas specified under 5-204.11, and not fewer than the number of handwashing lavatories required by LAW shall be provided.

(B) If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, automatic handwashing facilities may be substituted for handwashing lavatories in a FOOD ESTABLISHMENT that has at least one handwashing lavatory.

(C) If APPROVED, when FOOD exposure is limited and handwashing lavatories are not conveniently available, such as in some mobile or TEMPORARY FOOD ESTABLISHMENTS or at some VENDING MACHINE LOCATIONS, EMPLOYEES may use chemically treated towelettes for handwashing.

### 5-203.12 Toilets and Urinals:

At least one toilet and not fewer than the toilets required by LAW shall be provided. If authorized by LAW and urinals are substituted for toilets, the substitution shall be done as specified in LAW.

### 5-203.13 Service Sink:

At least one service sink or one curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.

~~5-203.14 Backflow Prevention Device, When Required:~~

~~A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention is required by LAW, by:~~

~~(A) Providing an air gap as specified under ~~5-202.13~~; or~~

~~(B) Installing an APPROVED backflow prevention device as specified under ~~5-202.14~~.~~

~~5-203.15 Backflow Prevention Device, Carbonator:~~

~~Reserved:~~

~~5-204 Location and Placement~~

~~5-204.11 Handwashing Facilities:~~

~~A handwashing facility shall be located:~~

~~(A) To allow convenient use by EMPLOYEES in FOOD preparation, FOOD dispensing, and WAREWASHING areas; and~~

~~(B) In, or immediately adjacent to, toilet rooms.~~

~~5-204.12 Backflow Prevention Device, Location:~~

~~A backflow prevention device shall be located so that it may be serviced and maintained.~~

~~5-204.13 Conditioning Device, Location:~~

~~A water filter, screen, and other water conditioning device installed on water lines shall be located to facilitate disassembly for periodic servicing and cleaning.~~

~~5-205 Operation and Maintenance~~

~~5-205.12 Prohibiting a Cross Connection:~~

~~(A) Except as specified in 9 CFR 308.3(d) for firefighting, a PERSON may not create a cross connection by connecting a pipe or conduit between the DRINKING WATER system and a NONDRINKING WATER SYSTEM or a water system of unknown quality.~~

~~(B) The piping of a NONDRINKING WATER SYSTEM shall be durably identified so that it is readily distinguishable from piping that carries DRINKING WATER.~~

~~5-205.15 System Maintained in Good Repair:~~

~~A PLUMBING SYSTEM shall be:~~

~~(A) Repaired according to LAW, and~~

~~(B) Maintained in good repair.~~

~~5-402 Retention, Drainage, and Delivery~~

~~5-402.10 Establishment Drainage System:~~

~~FOOD ESTABLISHMENT drainage systems, including grease traps, that convey SEWAGE shall be designed and installed as specified under ~~5-202.11(A)~~.~~

~~5-402.11 Backflow Prevention:~~



(A) Except as specified in (B) and (C) of this section, a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD, portable EQUIPMENT, or UTENSILS are placed.

(B) If allowed by LAW, a WAREWASHING machine may have a direct connection between its waste outlet and a floor drain when the machine is located within 1.5 m (5 feet) of a trapped floor drain and the machine outlet is connected to the inlet side of a properly vented floor drain trap.

(C) If allowed by LAW, a WAREWASHING or culinary sink may have a direct connection.

#### ~~5-402.12 Grease Trap~~

If used, a grease trap shall be located to be easily accessible for cleaning.

#### ~~5-402.13 Conveying Sewage:~~

SEWAGE shall be conveyed to the point of disposal through an APPROVED sanitary SEWAGE system or other system, including use of SEWAGE transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to LAW.

#### ~~5-403 Disposal Facility~~

##### ~~5-403.11 Approved Sewage Disposal System:~~

SEWAGE shall be disposed through an APPROVED facility that is:

(A) A public SEWAGE treatment plant; or

(B) An individual SEWAGE disposal system that is sized, constructed, maintained, and operated according to LAW.

#### ~~5-403.12 Other Liquid Wastes and Rainwater:~~

Condensate drainage and other NONSEWAGE liquids and rainwater shall be drained from point of discharge to disposal according to LAW.

### ~~1999 FOOD CODE~~

## ~~CHAPTER 6 PHYSICAL FACILITIES~~

### ~~6-1 MATERIALS FOR CONSTRUCTION AND REPAIR~~

#### ~~6-101 Indoor Areas~~

##### ~~6-101.11 Surface Characteristics:~~

(A) Except as specified in (B) of this section, materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be:

(1) SMOOTH, durable, and EASILY CLEANABLE for areas where FOOD ESTABLISHMENT operations are conducted;

(2) Closely woven and EASILY CLEANABLE carpet for carpeted areas; and

(3) Nonabsorbent for areas subject to moisture such as FOOD preparation areas, walk-in refrigerators, WAREWASHING areas, toilet rooms, mobile FOOD ESTABLISHMENT SERVICING AREAS, and areas subject to flushing or spray cleaning methods.

(B) In a TEMPORARY FOOD ESTABLISHMENT:

(1) If graded to drain, a floor may be concrete, machine-laid asphalt, or dirt or gravel if it is covered with mats, removable platforms, duckboards, or other suitable APPROVED materials that are effectively treated to control dust and mud; and

(2) Walls and ceilings may be constructed of a material that protect the interior from the weather and windblown dust and debris:

~~6-102 Outdoor Areas~~

~~6-102.11 Surface Characteristics:~~

~~(A) The outdoor walking and driving areas shall be surfaced with concrete, asphalt, or gravel or other materials that have been effectively treated to minimize dust, facilitate maintenance, and prevent muddy conditions.~~

~~(B) Exterior surfaces of buildings and mobile FOOD ESTABLISHMENTS shall be of weather-resistant materials and shall comply with LAW.~~

~~(C) Outdoor storage areas for REFUSE, recyclables, or returnables shall be of materials specified under §§ 5-501.11 and 5-501.12.~~

~~6-2 DESIGN, CONSTRUCTION, AND INSTALLATION~~

~~6-201 Cleanability~~

~~6-201.11 Floors, Walls, and Ceilings:~~

~~Except as specified under § 6-201.14, the floors, floor coverings, walls, wall coverings, and ceilings shall be designed, constructed, and installed so they are SMOOTH and EASILY CLEANABLE, except that antislip floor coverings or applications may be used for safety reasons.~~

~~6-201.12 Floors, Walls, and Ceilings, Utility Lines:~~

~~(A) Utility service lines and pipes may not be unnecessarily exposed.~~

~~(B) Exposed utility service lines and pipes shall be installed so they do not obstruct or prevent cleaning of the floors, walls, or ceilings.~~

~~(C) Exposed horizontal utility service lines and pipes may not be installed on the floor.~~

~~6-201.13 Floor and Wall Junctures, Covered, and Enclosed or Sealed:~~

~~(A) In FOOD ESTABLISHMENTS in which cleaning methods other than water flushing are used for cleaning floors, the floor and wall junctures shall be covered and closed to no larger than one (1) mm (one thirty-second inch):~~

~~(B) The floors in FOOD ESTABLISHMENTS in which water flush cleaning methods are used shall be provided with drains and be graded to drain, and the floor and wall junctures shall be covered and SEALED:~~

~~6-201.14 Floor Carpeting, Restrictions and Installation:~~

~~(A) A floor covering such as carpeting or similar material may not be installed as a floor covering in FOOD preparation areas, walk-in refrigerators, WAREWASHING areas, toilet room areas where handwashing lavatories, toilets, and urinals are located, REFUSE storage rooms, or other areas where the floor is subject to moisture, flushing, or spray cleaning methods:~~

~~(B) If carpeting is installed as a floor covering in areas other than those specified under & (A) of this section, it shall be:~~

~~(1) Securely attached to the floor with a durable mastic, by using a stretch and tack method, or by another method; and~~

~~(2) Installed tightly against the wall under the covering or installed away from the wall with a space between the carpet and the wall and with the edges of the carpet secured by metal stripping or some other means.~~

~~6-201.15 Floor Covering, Mats and Duckboards:~~

~~Mats and duckboards shall be designed to be removable and EASILY CLEANABLE.~~

~~6-201.16 Wall and Ceiling Coverings and Coatings:~~

~~(A) Wall and ceiling covering materials shall be attached so that they are EASILY CLEANABLE.~~

(B) Except in areas used only for dry storage, concrete, porous blocks, or bricks used for indoor wall construction shall be finished and SEALED to provide a SMOOTH, nonabsorbent, EASILY CLEANABLE surface.

6-201.17 Walls and Ceilings, Attachments:

(A) Except as specified in & (B) of this section, attachments to walls and ceilings such as light fixtures, mechanical room ventilation system components, vent covers, wall mounted fans, decorative items, and other attachments shall be EASILY CLEANABLE.

(B) In a CONSUMER area, wall and ceiling surfaces and decorative items and attachments that are provided for ambiance need not meet this requirement if they are kept clean.

6-201.18 Walls and Ceilings, Studs, Joists, and Rafters:

Studs, joists, and rafters may not be exposed in areas subject to moisture. This requirement does not apply to TEMPORARY FOOD ESTABLISHMENTS:

6-202 Functionality

6-202.11 Light Bulbs, Protective Shielding:

(A) Except as specified in & (B) of this section, light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS, or unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(B) Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing FOOD in unopened packages, if:

(1) The integrity of the packages cannot be affected by broken glass falling onto them; and

(2) The packages are capable of being cleaned of debris from broken bulbs before the packages are opened.

(C) An infrared or other heat lamp shall be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed.

6-202.12 Heating, Ventilating, Air Conditioning System Vents:

Heating, ventilating, and air conditioning systems shall be designed and installed so that make-up air intake and exhaust vents do not cause contamination of FOOD, FOOD-CONTACT SURFACES, EQUIPMENT, or UTENSILS.

6-202.13 Insect Control Devices, Design and Installation:

(A) Insect control devices that are used to electrocute or stun flying insects shall be designed to retain the insect within the device:

(B) Insect control devices shall be installed so that:

(1) The devices are not located over a FOOD preparation area; and

(2) Dead insects and insect fragments are prevented from being impelled onto or falling on exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

6-202.14 Toilet Rooms, Enclosed:

A toilet room located on the PREMISES shall be completely enclosed and provided with a tight-fitting and self-closing door except that this requirement does not apply to a toilet room that is located outside a FOOD ESTABLISHMENT and does not open directly into the FOOD ESTABLISHMENT such as a toilet room that is provided by the management of a shopping mall.

6-202.15 Outer Openings, Protected:

(A) Except as specified in & (B), (C), and (E) and under & (D) of this section, outer openings of a FOOD ESTABLISHMENT shall be protected against the entry of insects and rodents by:

(1) Filling or closing holes and other gaps along floors, walls, and ceilings;

(2) Closed, tight-fitting windows; and

(3) Solid, self-closing, tight-fitting doors.

(B) Paragraph (A) of this section does not apply if a FOOD ESTABLISHMENT opens into a larger structure, such as a mall, airport, or office building, or into an attached structure, such as a porch, and the outer openings from the larger or attached structure are protected against the entry of insects and rodents.

(C) Exterior doors used as exits need not be self-closing if they are:

(1) Solid and tight-fittings;

(2) Designated for use only when an emergency exists, by the fire protection authority that has jurisdiction over the FOOD ESTABLISHMENT, and

(3) Restricted so they are not used for entrance or exit from the building for purposes other than the designated emergency exit use:

(D) Except as specified in (B) and (E) of this section, if the windows or doors of a FOOD ESTABLISHMENT, or a larger structure within which a FOOD ESTABLISHMENT, or of a larger structure within which a FOOD ESTABLISHMENT is located, are kept open for ventilation or other purposes or a TEMPORARY FOOD ESTABLISHMENT is not provided with windows and doors as specified under (A) of this section, the openings shall be protected against the entry of insects and rodents by:

(1) 16 mesh to 25.4mm (16 mesh to 1 inch) screens;

(2) Properly designed and installed air curtains; or

(3) Other effective means.

(E) Paragraph (D) of this section does not apply if flying insects and other pests are absent due to the location of the ESTABLISHMENT, the weather, or other limiting condition:

6-202.16 Exterior Walls and Roofs, Protective Barrier:

Perimeter walls and roofs of a FOOD ESTABLISHMENT shall effectively protect the establishment from the weather and the entry of insects, rodents, and other animals.

#### 6-3 NUMBERS AND CAPACITIES

##### 6-301 Handwashing Facilities

###### 6-301.10 Minimum Number:

Handwashing facilities shall be provided as specified under 5-203.11.

###### 6-301.13 Handwashing Aids and Devices, Use Restrictions:

A sink used for FOOD preparation or UTENSIL washing, or a service sink or curbed cleaning facility used for the disposal of mop water or similar wastes, may not be provided with the handwashing aids and devices required for a handwashing lavatory as specified under 6-301.11 and 6-301.12 and 5-501.16(C).

##### 6-302 Toilets and Urinals

###### 6-302.10 Minimum Number:

Toilets and urinals shall be provided as specified under 5-203.12.

##### 6-303 Lighting

###### 6-303.11 Intensity:

The light intensity shall be:

(A) At least 110 lux (10 foot candles) at a distance of 75 cm (30 inches) above the floor, in walk-in refrigeration units and dry FOOD storage areas and in other areas and rooms during periods of cleaning;

(B) At least 220 lux (20 foot candles):

(1) At a surface where FOOD is provided for CONSUMER self-service such as buffets and salad bars or where fresh produce or PACKAGED FOODS are sold or offered for consumption;

(2) Inside EQUIPMENT such as reach-in and under-counter refrigerators;

(3) At a distance of 75 cm (30 inches) above the floor in areas used for handwashing, WAREWASHING, and EQUIPMENT and UTENSIL storage, and in toilet rooms; and

~~(C) At least 540 lux (50 foot candles) at a surface where a FOOD EMPLOYEE is working with FOOD or working with UTENSILS or EQUIPMENT such as knives, slicers, grinders, or saws where EMPLOYEE safety is a factor.~~

~~6-304 Ventilation~~

~~6-304.11 Mechanical:~~

~~If necessary to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes, mechanical ventilation of sufficient capacity shall be provided.~~

#### ~~6-4 LOCATION AND PLACEMENT~~

~~6-401 Handwashing Facilities~~

~~6-401.10 Conveniently Located:~~

~~Handwashing facilities shall be conveniently located as specified under 5-204.11.~~

~~6-402.11 Convenience and Accessibility:~~

~~Toilet rooms shall be conveniently located and accessible to EMPLOYEES during all hours of operation.~~

~~History: Cs. 1, ch. 90-242; s. 7, ch. 91-40; s. 15, ch. 91-201; s. 4, ch. 91-429; s. 203, ch. 94-218.~~

~~509.221 Sanitary regulations.~~

~~(1) Each public lodging establishment and each public food service establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with applicable state and local plumbing codes. Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system.~~

~~(2)(a) Each public lodging establishment and each public food service establishment shall maintain not less than one public bathroom for each sex, properly designated, unless otherwise provided by rule. The division shall establish by rule categories of establishments not subject to the bathroom requirement of this paragraph.~~

~~(3) Each establishment licensed under this chapter shall be properly lighted, heated, cooled, and ventilated and shall be operated with strict regard to the health, comfort, and safety of the guests. Such proper lighting shall be construed to apply to both daylight and artificial illumination.~~

~~(7) The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.~~

~~61C-1.002 Licensing and inspection requirements.~~

~~(c) Plan Reviews and Variances:~~

~~(1) The operator of each public food service establishment to be newly constructed, remodeled, converted, or reopened shall submit properly prepared facility plans and specifications to the division for review and approval in accordance with the provisions of Chapter 509, FS, and rule chapters 61C-1 and 61C-4, FAC. Such plans must be approved prior to construction, remodeling, conversion, scheduling, of an opening inspection and licensing. For remodeling, plan review submittal shall not be required if the division can otherwise determine that the intended remodeling will not have an impact on the Florida Clean Indoor Air Act, fire safety, bathroom requirements or any other sanitation and safety requirements provided in the law or rule. Applications for change of ownership shall not require plan review when no interruption in operation, construction, remodeling, or conversion occurs. Plan reviews for vending machines and theme park carts shall not be required if such units have been previously reviewed and approved and have no modifications from the originally approved model.~~

- (2) The plans and specifications shall indicate the general operation of the establishment, the intended cuisine concept, proposed layout, arrangement, mechanical plans, and construction materials of work areas, and equipment design and installation including the type and model of proposed fixed equipment and facilities. Plans may be submitted by the owner, perspective operator or their designated representative along with BPR Form 21-010, APPLICATION FOR PLAN REVIEW, or, for mobile food dispensing vehicles, BPR Form 21-017, MOBILE FOOD DISPENSING VEHICLES PLAN REVIEW APPLICATION, incorporated herein by reference and effective 9-25-96. Copies of these forms may be obtained from any division office. The division shall review plans in the order in which they were received and shall grant or deny approval of the plans in writing pursuant to the provisions of Chapter 120, FS.
- (3) In accordance with section 509.032(2)(e), FS, the division shall grant variances from construction standards described by this rule in hardship cases. Hardship cases include circumstances when physical or structural limitations of the premises preclude compliance with the division's requirements or when the establishment conforms to classification as a historic property as described in section 509.215(6)(a), FS. It is the responsibility of the applicant to demonstrate the hardship to the division prior to approval of the variance request.
- (a) Each variance request shall be accompanied by the appropriate fee as described in rule 61C-1.008, FAC, supportive materials and documents such as a copy of the establishment's license, construction plans and specifications for new or extensively remodeled establishments, and any other information necessary for rendering a decision. The burden of presenting pertinent and supportive facts shall be the responsibility of the applicant.
- (b) Emergency variance requests must be acted upon within 30 days of receipt by the division of all information necessary for the Advisory Council to determine the existence of a hardship.
- (c) All routine variance requests shall be acted upon at the next regularly scheduled Advisory Council meeting. A completed variance request form must be received by the division at least 10 days prior to any scheduled Advisory Council meeting. The division shall make available to the public, through the division's district offices, a schedule of all Advisory Council meetings.
- (d) The Advisory Council shall review variance requests and recommended agency action to the director. Upon consideration of the merits of each variance request and the recommendation of the Advisory Council, the director or his designee shall either grant a variance, as requested, or deny the variance request. The division shall enforce variance provisions and shall take administrative action to ensure compliance with the terms of a variance.
- (4) Whenever plans are disapproved or a variance request is denied, the division shall notify the applicant of their right to request a hearing on the matter. Notification shall be in writing and shall indicate that a hearing must be requested within 30 days of the applicant's receipt of notice. The division shall grant or deny a hearing request within 10 days of receipt. All hearings shall be conducted in accordance with the provisions of Chapter 120, FS.

426.5. 61C-1.004 General Sanitation and Safety Requirements. The following general requirements and standards shall be met by all public lodging and food service establishments:

426.5.1. (H) Water, plumbing and waste-Except as specifically provided in this section ~~ese rules~~, standards for water, plumbing and waste shall be governed by Chapter 509 FS., Food Code, herein adopted by reference. For the purposes of this section, the term food establishment as referenced in the Food Code shall apply to all public lodging establishments as defined in Chapter 509, FS:

(a) The water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555, FAC, herein adopted by reference where applicable.

426.5.1.2. (b) Sewage shall be disposed of in a public sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, FAC, herein adopted by reference, whichever is applicable. Grease interceptors

shall be designed and installed in accordance with the Florida Building Code, Plumbing provisions of Chapter 64E-6, FAC, herein adopted by reference, or the plumbing authority having jurisdiction.

426.5.2. (3) Public bathrooms.

~~(a) Each public lodging and food service establishment shall be provided with adequate and conveniently located bathroom facilities for its employees and guests in accordance with provisions of these rules and the Florida Building Code, Plumbing authority having jurisdiction. Public access to toilet facilities shall not be permitted through food preparation, storage, or warewashing areas. Bathroom fixtures shall be of readily cleanable sanitary design. Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. Bathrooms shall provide at least 20 foot candles of light. The walls, ceilings and floors of all bathrooms shall be kept in good condition.~~

(b) Public bathrooms shall be completely enclosed and shall have tight-fitting, self closing doors or, in public lodging establishments or bathrooms located outside a public food service, have entrances and exits constructed in such a manner as to ensure privacy of occupants. ~~Such doors shall not be left open except during cleaning or maintenance.~~

~~(d) For the purpose of this section, the term toilet shall mean a flush toilet properly plumbed, connected and discharging to an approved sewage disposal system. In a bathroom where more than one toilet is provided, each toilet shall be separated by a partition from adjoining fixtures and a door shall be provided which will partially conceal the occupant from outside view.~~

(4) Vermin control - Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed; ~~free of rodents and maintained in a rodent-proof and rodent-free condition.~~ All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks. ~~Insecticides, when used, shall be used in compliance with Chapter 5E-14, FAC, herein adopted by reference.~~

426.5.3. (5) All fire safety, protection and prevention equipment must be installed, approved, maintained and used in accordance with Chapter 509, FS, Chapter 4A-55, FAC, and the Uniform Fire Safety Standards as adopted by the State Fire Marshal National Fire Protection Association Life Safety Code Chapter 101, as adopted by the Division of State Fire Marshal in Chapter 4A-3, FAC.

426.5.4. (H) Electrical wiring- To prevent fire or injury, defective electrical wiring shall be replaced and wiring shall be kept in good repair. ~~No extension cords shall be used except during cleaning, maintenance and other temporary activities.~~ Only a wall switch or approved pull cord shall be permitted in bathrooms. Electrical wiring shall be in accordance with the provisions of Florida Building Code, Building, Chapter 27 NFPA 70, the National Electrical Code, as adopted by the Division of State Fire Marshal in Chapter 4A-3, FAC, Uniform Fire Safety Rules and Standards, sufficient electrical outlets shall be provided.

426.5.4.12 (I3) Gas appliances- All appliances, including water heaters using gas, shall be ~~kept in good repair and properly vented in accordance with the Florida Building Code, Fuel Gas~~ ~~when manufacturers = instructions require venting of the appliance and shall meet the following requirements:~~

~~(a) All appliances shall have a nationally recognized testing laboratory seal such as AGA or UL seal.~~

(b) Heating appliances shall be properly sized in Btu input for room air space. Proper sizing of heating appliances shall be determined in accordance with the provisions of the Florida Building Code, Fuel Gas, NFPA 54, the National Fuel Gas Code, as adopted by the Division of State Fire Marshal in Chapters 4A-43 and 4A-55, FAC, for public lodging establishments and public food service establishments, respectively.

426.6 61C-4.010 Sanitation and Safety Requirements.

426.6.1 (7) Bathroom facilities All bathrooms shall be of easy and convenient access to both patrons and employees and shall be located on the same floor of the premises served. For the purpose of this section rule, the same floor includes any intermediate levels between the floor and ceiling of any room or space not to exceed a vertical height of 8 feet. Public food service establishments whose occupancy is incidental to another occupancy may utilize public restrooms provided on the same floor. The travel

distance may vary where adequate directional signs are provided and the number of fixtures is deemed satisfactory by the applicable plumbing authority. Each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated, except as provided herein:

426.6.1.1 ~~(b)~~ Places serving food or drink on a take-out, carry-out or delivery basis only which provide no seating shall be required to provide a minimum of one bathroom accessible to the public.

426.6.1.2 ~~(c)~~ Arcades, malls, or flea markets containing public food service establishments which offer no seating within the public food service establishment may have centrally located bathroom facilities accessible to patrons of the establishments in the arcade, mall, or flea market provided such bathroom facilities are within 300 feet of each establishment.

426.6.1.3 ~~(d)~~ Public food service establishments located within theme parks and entertainment complexes may utilize centrally located bathroom facilities accessible to patrons of the establishments in the theme park or entertainment complex provided such bathroom facilities are reasonably accessible. For purposes of this section, reasonably accessible means within 300 feet of each establishment.

426.6.1.4 ~~(e)~~ Public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public.

426.6.1.5 ~~(f)~~ Public food service establishments located within a public lodging establishment shall be permitted to utilize public bathrooms located within the public lodging establishment provided such bathrooms are available for use by the patrons of the public food service establishment during all hours of operation, are within 300 feet of the public food service establishment, and are located on the same floor as the public food service establishment. For purposes of this section rule, the same floor includes any intermediate levels between the floor and ceiling of any room or space without restriction as to vertical height.

Specific 509.032(2)(d), 509.032(6) FS.

Law Implemented 509.032(2)(d), (3)(a), (b), (c), 509.035, 509.221 FS.

History C New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Formerly 10D-13.023, 7C-4.010, Amended 3-31-94, 9-25-96, 1-1-98, 7-2-98.

Section 427 is amended to read as follows:

## **SECTION 427** **MENTAL HEALTH PROGRAMS**

### **427.1 Public Mental Health Crisis Stabilization Units and Short-Term Residential Treatment Programs**

**427.1.1 Scope.** Crisis stabilization units and short-term residential treatment units shall comply with the ~~following~~ design and construction standards ~~as described in this section Chapter 65E-12 Florida Administrative Code.~~

Note: Other administrative and programmatic provisions may apply. See Department of Children and Family Services Health [DCFS DOH] Rule 65E-12, Florida Administrative Code, and Chapter 394, Florida Statutes.

#### **427.1.2 Definitions**

**CRISIS STABILIZATION UNIT (CSU).** A state-supported mental health service or program and is a short-term alternative to inpatient psychiatric hospitalization and an integrated part of a designated public receiving facility under the authority of Chapter 394, F.S. A CSU provides brief intensive services for individuals who are presented as



acutely mentally ill on a 24-hour-a-day 7-day-a-week basis, under the licensing authority of the department of Children and Families and the Agency for Health Care Administration. The purpose of a CSU is emergency psychiatric reception, psychiatric examination, to stabilize and redirect people to the most appropriate and least restrictive treatment settings consistent with their needs.

**SHORT-TERM RESIDENTIAL TREATMENT PROGRAM (SRT).** A state-supported acute care 24-hour-a-day, 7-day-a-week residential alternative service, generally of 90 days or less, and which is an integrated part of a designated public receiving facility and receives state mental health funds under the authority of chapter 394, F.S. The purpose of an SRT is to provide less acute intensive short-term treatment to individuals who have previously been admitted to either a hospital or CSU and have been transferred to the SRT as being temporarily in need of a 24-hour-a-day structured therapeutic setting in a less restrictive, but longer-stay alternative to hospitalization.

**65E-12.106 Common Minimum Program Standards.**

- (1) **Advisory or Governing Board.** The CSU or SRT shall have either a formally constituted advisory or governing board for the CSU or SRT or operate under the agency board which has ultimate authority for establishing policy and overseeing the operation of the CSU or SRT. The board shall operate under a mission statement and a set of bylaws governing its operation.
  - (a) **Selection and Terms of Office.** If an advisory or governing board exists, the method of selection of members and terms shall be specified in the corporate bylaws of the corporation. The membership of such an advisory or governing board shall include broad representation from the professional disciplines and the community, including a consumer and a consumer's family member, and shall meet quarterly.
  - (b) **Records.** Records of the agency with an advisory or governing board shall include the name, address, and terms of office of members; written minutes of meetings; attendance; and specific recommendations or decisions of the board.
- (2) **Personnel Policies.** Personnel policies shall be made available in writing to all personnel. Policies shall include rules governing the ethical conduct of staff and volunteers, rights and confidentiality of information regarding persons receiving services.
  - (a) **Performance Evaluation of Staff.** An annual performance evaluation of all personnel shall be conducted. The program shall provide for the signature of the employee or volunteer acknowledging receipt of the evaluation.
  - (b) **Personnel Records.** Records on all employees and volunteers shall be maintained by the agency. Each employee record, available for employee review shall contain:
    - 1. The individual's current job description with minimum qualifications for the position;
    - 2. The employment application or resume with evidence that references were checked prior to employment;

3. The employee's annual evaluations;
4. A receipt indicating that the employee has been trained and understands program policies and procedures, patient rights as stated in Section 394.459, F.S., ethical conduct, and confidentiality of information regarding persons receiving services;
5. Documentation that the employee has been trained and understands the legal mandate under section 415.103, F.S., to report suspected abuse and neglect as well as the use of the Florida Abuse Registry; and
6. Documentation that the individual has been fingerprinted and screened, if appropriate, in accordance with Section 394.4572, F.S.
7. Documentation of training as required by Section 381.0035, F.S., for all non-licensed staff.

(c) **Fingerprint Screening.** All mental health personnel, as defined in Section 394.4572, F.S., who have direct contact with unmarried persons under the age of 18 years shall be screened in accordance with Section 394.4572, F.S. Each CSU and SRT shall maintain fingerprint screening records as follows:

1. A current list which identifies, by position title, all positions which require fingerprint screening;
2. A continuously updated record of all active personnel which identifies for each person his position title and indication if the position requires fingerprint screening. If fingerprint screening is required the record shall indicate the date of employment or transfer to the position, date of fingerprint card and information submission to the department, and receipt date of the individual's written assurance of compliance from the department.

(3) **Staff Development and Training.** Each CSU and SRT shall provide staff development and training for facility staff, part-time and temporary personnel, and volunteers, and shall develop policies and procedures for implementing these activities. Policies and procedures shall be reviewed annually. There shall be a qualified and experienced staff person responsible for staff development and training who is, under the supervision of, or receives consultation from, a mental health professional or a mental health counselor licensed under Chapter 491, F.S. All staff development and training activities shall be documented and shall include activity or course title, number of contact hours, instructor's name, position and credentials, and date. The participation of each employee shall be documented in accordance with systemic procedures either in the employee's personnel file or staff development and training file.

(4) **Financial Records.** Financial records that identify all income by source, and report all expenditures by category, shall be maintained in a manner consistent with Chapter 65E-14, F.A.C.

(5) **Confidentiality and Clinical Records.** Every CSU and SRT shall maintain a record on each person receiving services, assuring that records and identifying information are maintained in a confidential manner, and securing valid lawful consent prior to the release of information in accordance with Sections 394.459(3) and 394.4615, F.S. All staff shall receive training as part of staff orientation, with periodic update on file, regarding the effective maintenance of confidentiality of clinical records. It shall be emphasized that confidentiality includes oral discussions regarding persons receiving services inside and outside the CSU or SRT and shall be discussed as part of employee training.

(a)

Clinical Record System. Each CSU and SRT shall have policies and procedures, in accordance with section 394.459(9), F.S., for a clinical record system. The clinical record is the focal point of treatment documentation and is a legal document. Entries placed in the clinical record to document the individual's progress or facility's actions must be objective, legible, accurate, dated, timed when appropriate, and authenticated with the writer's legal signature, title and discipline. The clinical record shall be organized and maintained for easy access. Clinical record services shall be the responsibility of an individual who has demonstrated competence and training or experience in clinical record management. Adequate space shall be provided for the storage and retrieval of the records. The records shall be kept secure from unauthorized access, and each program shall adopt policies and procedures which regulate and control access to and use of clinical records.

(b)

Record Retention and Disposition. A person's complete clinical record shall be retained for a minimum period of 7 years following discharge, as provided by Section 95.11(4)(b), F.S.

(c)

Content of Clinical Records. The required signature of treatment personnel shall be original as opposed to the facsimile. Policies and procedures shall require the clinical record to clearly document the extent of progress toward short-term objectives and long-term view. Clinical record documentation for each order or treatment decision shall include its respective basis or justification, actions taken, description of behaviors or response, and staff evaluation of the impact of the treatment on the individual's progress. Clinical records shall contain:

1. The individual's name and address;
2. Name, address, and telephone number of guardian, or representatives in accordance with Chapter 65E-5, F.A.C.;
3. The source of referral and relevant referral information;
4. Intake interview and initial physical assessment;
5. The signed and dated informed consent for treatment as mandated under Sections 394.459(3) and 394.4615, F.S.;
6. Documentation of orientation to program and program rules;
7. The medical history and physical examination report with diagnosis;
8. The report of the mental status examination and other mental health assessments as appropriate, such as psychosocial, psychological, nursing, rehabilitation and nutritional;
9. The original service implementation plan, dated and signed, by the person receiving services and treatment staff, which contains short-term treatment objectives that relate to the long-term view in the comprehensive service plan, if the person has one, and description and frequency of services to be provided;
10. The signed and dated service implementation plan reassessments and reviews;

11. Examination, diagnosis and progress notes by physician, nurses, mental health treatment staff and other mental health professionals that relate to the service implementation plan objectives;
12. Laboratory and radiology results, if applicable;
13. Documentation of seclusion or restraint observations, if utilized;
14. A record of all contacts with medical and other services;
15. A record of medical treatment and administration of medication, if administered;
16. An original or original copy of all physician medication and treatment orders;
17. Signed consent for the release of information, if information is released;
18. An individualized discharge plan;
19. All appropriate forms mandated under Chapter 65E-5, F.A.C.; and
20. A current, originally authorized HRS-MH Form 3084, October 1984, "Public Baker Act Service Eligibility," which is herein incorporated by reference for all persons receiving services; and
21. Documentation of case manager contacts if the person receiving services has a case manager.

(6) ~~Consent to Treatment. Any CSU or SRT rendering treatment for mental illness to any individual pursuant to Chapter 394, F.S., and Chapter 65E-5, F.A.C., shall have on file a valid and signed informed consent for treatment HRS-MH Form 3042, to be rendered by the program, and as mandated by section 65E-5.050, F.A.C., or an emergency treatment order initiated pursuant to section 394.459(3), F.S.~~

(7) ~~Admission and Discharge Criteria. Each CSU and SRT shall develop and utilize policies and procedures pursuant to chapter 394, F.S., for the intake, screening, admission, referral, disposition, and notification of guardians or representatives of individuals seeking treatment. There shall be adequate intake procedures to ensure that individuals being received from an emergency room, agency, facility, or other referral source shall have all the required paperwork and documentation for admission. If an individual has a case manager, he shall be notified and shall provide appropriate information and participate in the development of the discharge plan. Persons receiving services, or significant others, shall be informed of their eligibility or ineligibility status for publicly paid CSU or SRT services, either at admission or shortly thereafter, pursuant to chapters 65E-5 and 65E-14, F.A.C.~~

(a) ~~Mental Illness Criteria. All individuals admitted shall meet the criteria defined under Section 394.455(18), 394.4625, or 394.463, F.S.~~

(b) ~~Supervisory Clinical Review. The program policies and procedures shall specify administrative procedures for the ongoing review of clinical decisions regarding admission, treatment, and disposition. This shall include staffings, individual supervision, and record reviews.~~

(e) Orientation to Program and Abuse Reporting. Each CSU and SRT shall conduct and document an orientation session with each person receiving services and significant others, if applicable, regarding admission and discharge standards, rules, procedures, activities and concepts of the program. A written copy of the above shall be provided to persons receiving services and their guardians. Persons receiving services shall be informed in writing of protection standards, possible searches and seizures, in-house grievance protocol, function of the human rights advocacy committee and current procedures for reporting abuse, neglect, or exploitation to the central abuse registry as required by Section 415.1034, F.S. Programs shall not discourage or prevent anyone from contacting the central abuse registry.

(8) Protection of Persons Receiving Services. Unless abridged by a court of law, the rights of individuals who are admitted to CSU and SRT programs shall be assured as mandated under Chapter 394, part I, F.S., and Chapter 65E-5, F.A.C. Each CSU and SRT shall be operated in a manner that protects the individual's rights, life, and physical safety while under evaluation and treatment. In addition to all rights granted under Chapter 394, part I, F.S., individuals shall be:

(a) Assigned a primary therapist or counselor; and

(b) Assured that any search or seizure is carried out in a manner consistent with program policies and procedures and only to insure safety and security and is consistent with therapeutic practices:

1. Searches and Seizures. Whenever there is a reason to believe that the security of a facility or the health of anyone is endangered or that contraband or objects which are illegal to possess are present on the premises, a search of an individual's person, room, locker, or possessions shall be conducted if authorized by the program director or designee, as defined in program policies and standards.
2. Presence of Client. Whenever feasible, the individual shall be present during a search.
3. Absence of Client. When it is impossible to obtain the individual's physical presence, the individual shall be given prompt written notice of the search and of any article taken.
4. Documentation. Written reports of all searches shall be placed in the individual's clinical record. A written inventory of items confiscated shall be forwarded to the program director or designee.

(9) Quality Assurance Program. Every CSU and SRT shall comply with the requirements of Section 394.907, F.S.

(a) Inclusions. Every CSU and SRT shall have, or be an active part of, an established multidisciplinary quality assurance program and develop a written plan which addresses the minimum guidelines to ensure a comprehensive integrated review of all programs, practices, and facility services, including the following: facilities safety and maintenance; care and treatment practices; resource utilization review; peer review; infection control; records review; maintenance of clinical records; pharmaceutical review;

professional and clinical practices; curriculum, training and staff development; and incidents with appropriate policies and procedures. The quality assurance program must include:

1. Composition of quality assurance review committees and subcommittees, purpose, scope, and objectives of the quality assurance committee and each subcommittee, frequency of meetings, minutes of meetings, and documentation of meetings;
2. Procedures to ensure selection of both difficult and randomly selected cases for review;
3. Procedures to be followed in reviewing cases and incident reports;
4. Criteria and standards used in the review process and procedures for their development;
5. Procedures to be followed to assure dissemination of the results and verification of corrective action;
6. Tracking capability of incident reports, pertinent issues and actions; and
7. Procedures for measuring and documenting progress and outcome of persons served.

(b)

Process. The quality assurance program shall conduct two separate complementary review processes on a monthly basis to include peer review and utilization review. The effects of the peer and utilization reviews shall ensure the following:

1. The admission is necessary and appropriate.
2. The services are the least restrictive means of intervention.
3. Individual rights are being protected.
4. Family or significant others are involved in the treatment and discharge planning process as much as feasible with the consent of the person receiving services.
5. The service implementation plan is comprehensive, relative to the full range of the needs of the person receiving services at the CSU or SRT.
6. Minimal standards for clinical records are being met as required by Section 65E-12.106(5), (6), of this rule.
7. Medication is prescribed and administered appropriately. All medication errors shall be reported under the agency's incident reporting system and subject to internal review by the agency's quality assurance program.
8. There has been appropriate handling of medical emergencies.
9. Special treatment procedures, for example, seclusion and restraints, emergency treatment orders, and medical emergencies, are conducted according to facility policy.

- 10: High risk situations and special cases are reviewed within 24 hours. These shall include suicides, death, serious injury, violence, and abuse of any person.
- 11: All incident reports are reviewed by the facility director within 2 working days.
- 12: The length of stay is supported by clinical documentation.
- 13: Supportive services are ordered and obtained as needed.
- 14: Continuity of care is provided for priority clients through case management.
- 15: Delay in receiving services is minimal.

(c) The quality assurance committee shall submit a quarterly report to the agency director and board of directors for their review and appropriate action.

(10) ~~Event Reporting. Every CSU and SRT shall report events according to HRS Regulation No. 215-6, "Comprehensive Client Risk Management," June 1, 1990, which is incorporated herein by reference.~~

(a) ~~Every CSU and SRT shall develop policies and procedures for reporting to the department major events within 1 hour of their discovery or in accordance with the reporting provisions of an applicable district operating procedure.~~

(b) ~~Only major types of events shall be reported. Every CSU and SRT shall develop a list, subject to district alcohol, drug abuse and mental health program office approval, that shall include the following: any death, serious injury or illness, any event involving recent non-admission or discharge, a felony crime, fire, natural or other disaster, epidemic, escape, riot, elopement, sexual harassment, sexual battery, or any situation which may evoke public reaction or media coverage.~~

(11) ~~Data. Every CSU and SRT shall participate in reporting data as mandated under sections 394.77 and 20.19(13), F.S.~~

**427.1.3** (12) ~~Facility Standards for Facilities Licensed Prior to or on July 14, 1993, February 1986.~~

**427.1.3.1**, (a) **Building Construction Requirements.**

**427.1.3.1.1**. Construction, additions, refurbishing, renovations, and alterations to existing facilities shall comply with the following codes and standards:

~~1.a.~~

~~The building codes described in the Florida Building Code, Section 9B-3.047, F.A.C.;~~

~~2.b.~~

~~The fire codes contained in Chapter 4A-443, F.A.C., as described in the National Fire Protection Association (N.F.P.A.) 101, Chapters 12 and 13, Special Definitions, as applicable to limited health care facilities., which is included by reference in Chapter 59A-3, F.A.C.;~~

~~c.~~

~~The accessibility by handicapped persons standards in Chapter 553, part V, F.S.; and~~

~~d. The federal Americans with Disabilities Act as referenced in Chapter 59A-3, F.A.C.~~

2.

**Modernization or Renovation.** Any alterations, or any installations of new equipment, shall be accomplished as nearly as practical in conformance with the requirements for new construction and accessibility. Alterations shall not diminish the level of safety or usable client space below that which exists prior to the alteration. Life safety features which do not meet the requirements for new buildings but exceed the requirements for existing buildings shall not be further diminished. Life safety features in excess of those required for new construction are not required to be maintained. In no case shall the resulting life safety be less than that required for existing buildings.

~~3.~~

~~Sewage, including liquid wastes from cleaning operations, shall be disposed of in a public sewage system or other approved sewage system in accordance with 381, F.S., 64E-6, F.A.C., Standards for Individual Sewage Disposal Facilities or Chapter 62-600, F.A.C., Domestic Wastewater Facilities.~~

~~4.~~

~~All sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.~~

~~5.~~

~~All plumbing shall comply with the requirements of Chapter 9B-51, F.A.C., Plumbing, or with the plumbing code legally applicable to the area where the facility is located.~~

~~6.~~

~~The water supply must be adequate, of safe and sanitary quality and from an approved source in accordance with Chapters 381, F.S., and 64E-8, F.A.C., Drinking Water Systems.~~

~~7. Heat:~~

~~Heat shall be supplied from a central heating plant or by an approved heating system in accordance with Chapter 59A-3, F.A.C.~~

(b)

**Minimum Physical Plant Requirements for Existing CSU and SRT Facilities That Were Licensed Prior To February 1986.**

**427.1.3.2** †

**Minimum Physical Plant Requirements.** Each CSU and SRT shall conform to the following requirements of sections 427.1.3.2.1 through 427.1.3.2.12 no later than March 1987.

**427.1.3.2.1** †

In multiple occupancy bedrooms or sleeping areas there shall be a minimum of 60 square feet per bed and no less than a 30-inch separation between beds. Bedrooms shall be limited to a maximum of four occupants.



**427.1.3.2.2. b:**

The minimum size of a single occupant bedroom shall be 55 square feet.

**427.1.3.2.3. c:**

Each CSU shall have at least one seclusion room and another room which may be used as a seclusion room. ~~as provided for in Section 65E-12.106(19)(c)2. of this rule.~~ Each SRT shall have a seclusion room. Seclusion rooms shall be a minimum of 55 square feet. If a restraint bed is utilized it shall have access around it and be bolted to the floor. Seclusion rooms shall minimally include a mattress. Ceilings shall be solid, and all lighting fixtures shall be tamper-proof, and power receptacles are not permitted in the room.

**427.1.3.2.4. d:**

The facility shall have at least one water fountain readily accessible for the use of persons receiving services.

**427.1.3.2.5. e:**

The facility shall have a minimum ratio of one shower for each eight individuals and one toilet and lavatory for each six individuals. Individual shower stalls and dressing areas shall be provided. The use of gang showers is prohibited. Access to a bathroom shall not be through another person's room.

**427.1.3.2.6. f:**

The facility shall have a locked area for personal possessions being held for safekeeping. Individual shelves or other similar dividers shall be provided in the locked area for the storage of personal possessions. The facility shall have written policies and procedures to ensure reasonable access to personal possessions.

**427.1.3.2.7. g:**

Each facility shall have a fenced outside recreation area with a minimum fence height of no less than 6 feet suitable for impeding elopements.

**427.1.3.2.8. h:**

External windows shall have security screens or equivalent protection.

**427.1.3.2.9. i:**

The facility shall provide an appropriate separate non-treatment area to serve as a general reception area with accommodations for such activities as receiving visitors. This reception area shall be separated from the treatment area by a locked doorway.

**427.1.3.2.10. j:**

When a CSU is collocated with another program, as provided for in Section 65E- 12.106(23), ~~FAC, of this rule~~ these following minimum facility requirements shall be met. Collocation means the operation of CSU and SRT, or CSU and substance abuse detoxification services from a common nurses' station without treatment system integration. It may result in the administration of those services by the same organization and the sharing of common services, such as housekeeping, maintenance and professional services. 1 A CSU shall be separated and secured by locked doors, used by persons receiving services, from the SRT and detoxification units.

2 Whenever a CSU is collocated with an SRT or substance abuse detoxification unit there shall be no compromise in CSU standards. In all instances, whenever there is a conflict between CSU rules and SRT, alcohol or drug abuse rules, the more restrictive rules shall apply.

**427.1.3.2.11. k:**

All CSUs shall be locked facilities and, to the maximum extent practical, provide a locked perimeter around a living unit and fenced exercise area within which individuals can reside 24-hours-a-day in an environment designed to minimize potential for injury. Where this is

not possible, operational compensation shall be made as follows; ~~specified in section 65E-12.107(7), of this rule.~~

1. Each person receiving services shall be provided a minimum of 175 square feet of usable client space within the CSU. Useable client space is the sum, in gross square feet, of all rooms, interior wall to interior wall, that are part of a CSU and SRT facility. Mechanical and electrical rooms, administrative and staff offices, screening areas, nurses' stations, visitor and reception areas, crawl space and attic space are excluded. Bedrooms shall be spacious and attractive, and activity rooms or space shall be provided.

2. CSU facilities shall be locked to provide reasonable control over access to and egress from the unit, recreational area, and emergency reception areas. When individuals are moved to other areas, the pathways shall also be locked or have adequate control provisions to prevent elopement. Such controlled passageways shall include access to the emergency reception area, unit proper, off unit doorways, and recreational areas.

3. All unit door locks shall employ a common key for rapid access in emergency situations with quick releasing or single-turn mechanisms.

**427.1.3.2.12. †**

Food preparation areas for 13 or more persons shall comply with the provisions of Chapter 64E-11, F.A.C., Food Hygiene.

(c)

Health and Safety:

†:

Disaster Preparedness:

a:

Each CSU and SRT shall have, or operate under, a safety committee with a safety director or officer who is familiar with the applicable Local, State, Federal and National Fire Protection Association safety standards. The committee's functions may be performed by an already existing committee with related interests and responsibilities.

b:

Each CSU and SRT shall have, or be a part of, a written internal and external disaster plan, developed with the assistance of qualified fire, safety and other experts.

(†)

The plan and fire safety manual shall identify the availability of fire protection services and provide for the following:

(A)

Use of the fire alarm;

(B)

Transmission of the alarm to the fire department;

(C)

Response to the alarm;

(D)

Isolation of the fire;

(E)

Evacuation of the fire area or facility utilizing posted evacuation routes;

(F)

Preparation of the residents and building for evacuation;

(G)

Fire extinguishment;

(H)

Descriptive procedures for the operation and maintenance of fire equipment;

- (I) ~~Procedures for staff training and the provision of monthly fire drills rotated so that all shifts have at least one fire drill quarterly;~~
- (J) ~~Documentation of monthly and periodic professional inspections of equipment; and~~
- (K) ~~Provision for annual review and revision of the fire safety manual and plan.~~

(II) ~~The plan shall be made available to all facility staff and posted in appropriate areas within the facility.~~

(III) ~~There shall be records indicating the nature of disaster training and orientation programs offered to staff.~~

- 2. ~~Fire Safety. CSUs and SRTs shall comply with Chapter 4A-3, F.A.C., all federal and local fire safety standards. Local fire codes which are more stringent standards, or add additional requirements, shall take precedent over the minimum requirements set forth in this rule.~~
- 3. ~~Personal Safety. The grounds and all buildings on the grounds shall be maintained in a safe and sanitary condition, as required in Section 386.041, F.S., Nuisances Injurious to Health.~~

~~427.1.3.34.~~

~~Health and Sanitation.~~

~~427.1.3.3.1 a.~~

~~Appropriate health and sanitation inspections shall be obtained before occupying any new physical facility or addition. A report of the most recent inspections must be on file and accessible to authorized individuals.~~

~~427.1.3.3.2 b.~~

~~Hot and cold running water under pressure shall be readily available in all washing, bathing and food preparation areas. Hot water in areas used by persons being served shall be at least 100EF but not exceed 120EF.~~

~~c.~~

~~Garbage, Trash and Rubbish Disposal:~~

(I) ~~All garbage, trash, and rubbish from residential areas shall be collected daily and taken to storage facilities. Garbage shall be removed from storage facilities frequently enough to prevent a potential health hazard or at least twice per week. Wet garbage shall be collected and stored in impervious, leak proof, fly tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin and shall comply with the provisions of Section 386.041, F.S.~~

(II) ~~If public or contract garbage collection service is available, the facility shall subscribe to these services unless the volume makes on-site disposal feasible. If garbage and trash are disposed of on premises, the method of disposal shall not create sanitary nuisance conditions and shall comply with provisions of Chapter 17-7, F.A.C.~~

(I3) ~~Food Services:~~

- (a) ~~At least three nutritious meals per day and nutritional snacks, shall be provided each individual. No more than 14 hours may elapse between the end of an evening meal and the beginning of a morning meal. Special diets shall be provided when an individual requires it. Under no circumstance may food be withheld for~~

disciplinary reasons. Menus shall be reviewed and approved in advance at least quarterly by a Florida registered dietitian.

(b) For food service areas with a capacity of 13 or more persons, all matters pertaining to food service shall comply with the provisions of Chapter 64E-11, F.A.C.

(c) Third-Party Food Service. When food service is provided by a third party, the provider shall meet all conditions stated in this section, and shall comply with Chapter 64E-11, F.A.C. There shall be a formal contract between the facility and provider containing assurances that the provider will meet all food service and dietary standards imposed by this rule. Sanitation reports and food service establishment inspection reports shall be on file in the facility.

(14) Housekeeping and Maintenance. Every CSU and SRT shall have housekeeping and maintenance standards. Assurance of the following must be provided:

(a) Facilities shall be clean, in good repair, and free of hazards such as cracks in floors, walls, or ceilings; warped or loose boards, tile, linoleum, hand rails or railings; broken window panes; and any similar type hazard.

(b) The interior and exterior of the building shall be painted, stained, or maintained so as to keep it reasonably attractive. Loose, cracked or peeling wallpaper or paint shall be promptly replaced or repaired to provide a satisfactory finish.

(c) All furniture and furnishings shall be attractive, clean and in good repair, and contribute to creating a therapeutic environment.

(d) An adequate supply of linen shall be maintained to provide clean and sanitary conditions for each person at all times.

(e) Mattresses and pillows shall have fire retardant covers or similar protection for fire safety and sanitation purposes.

(15) Compliance with Statutes and Rules. The program director or administrator shall ensure that the program complies with Chapter 394, F.S., and Chapters 65E-5 and 65E-14, F.A.C., and these rules.

(16) Client Register and Census. An admission and discharge logbook shall be maintained which lists persons admitted sequentially by name with identifying information about each including age, race, sex, county of residence, disposition, and the actual location to which the individual was discharged or transferred. A daily census record shall be maintained which includes the name of individuals on the unit and on authorized pass.

(17) Pharmaceutical Services.

Every CSU and SRT shall handle, dispense or administer drugs in accordance with Chapters 465, 499, and 893, F.S.

(b) The professional services of a consultant pharmacist shall be used in the delivery of pharmaceutical services. Standards, policies and procedures shall be established by the consultant pharmacist for the control and accountability of all drugs kept at the program.

(c) Medication Orders. All orders for medications shall be issued by a Florida licensed physician.

(18)

Emergency Medical Services. Every CSU or SRT shall have written policies and procedures for handling medical emergency cases which may arise subsequent to a person's admission. All staff shall be familiar with the policies and procedures:

(a)

Emergency Treatment Orders. Policies and procedures shall be written to address the use of emergency treatment orders as specified in Chapter 394, part I, F.S. They shall address the following:

1:

Emergency treatment orders shall be initiated only upon direct order of a physician or psychiatrist;

2:

The clinical justification shall be documented in the clinical record; and

3:

The use of standing or routine orders for emergency treatment orders is prohibited.

(b)

Cardiopulmonary Resuscitation and Choke Relief. All nurses and mental health treatment staff shall be trained to practice basic cardiopulmonary resuscitation (CPR) and choke relief technique at employment or within 6 months of employment and have a refresher course at least every 2 years. There shall be one person on the premises at all times who is CPR-certified and proficient in choke relief techniques. Training shall be documented in the personnel record of the employee. Consent for referral and the disclosure of vital information is not required in life-threatening situations.

(c)

Medical Kit and Emergency Information. A physician, psychiatrist, consultant pharmacist and registered nurse, designated by the program director or administrator, shall select drugs and ancillary equipment to be included in an emergency medical kit. The kit shall be maintained at the program and safeguarded in accordance with laws and regulations pertaining to the specific items included. A list of emergency programs and poison centers shall be maintained near a telephone for easy access by all staff.

(19)

Client Protection:

(a)

Unauthorized Entry or Exit. Each CSU and SRT shall have policies and procedures regarding unauthorized entry to or exit from the unit.

(b)

Control of Potentially Injurious Items:

1:

Policies and procedures shall prohibit the transmittal onto or carrying onto the unit sharps, flammables, toxins, weapons, caustic chemicals, rope or other items potentially injurious to persons on the unit.

2:

Therapeutic activities materials shall also exclude similar potentially hazardous items such as bats, paddles, mallets, knives, ropes, cords, wire clothes hangers, wire, sharp pointed scissors, luggage straps and sticks.

3:

Housekeeping supplies and chemicals shall, whenever practical, be non-toxic or non-caustic. The unit shall implement procedures to avoid access by persons receiving services during use or storage.

4:

Nursing and medical supplies including drugs, sharps and breakables shall be safeguarded from access by persons receiving services through storage, use and disposal processes.

(e)

Use of Restraint or Seclusion:

1:

The use of restraint or seclusion shall require documented clinical justification, including the failure of less restrictive means, and shall be employed only after less restrictive means have been attempted without success and to prevent a person from injuring himself or others, or to prevent serious disruption of the therapeutic environment. Restraint or seclusion shall not be employed as punishment or for the convenience of staff. Persons placed in seclusion or restraints shall be informed of the specific reason for seclusion or restraints and precondition for release.

**427.1.3.4 2:**

**Seclusion Room.** Each CSU shall have at least one seclusion room located in the CSU facility. Additional space shall be available that can be used either as a seclusion room or bedroom, as need dictates. Policies and procedures shall be developed on handling emergency situations that require seclusion. Each SRT shall have a seclusion room.

3:

~~Transfer.~~ A person who is in restraint or seclusion may be considered for transfer to an inpatient unit.

4:

~~Training.~~ Staff who implement written orders for seclusion or restraints shall have documented performance based training, at least annually, in the proper use of the procedures, including verbal and physical aggression control techniques.

5:

~~Policies and Procedures.~~ The CSU and SRT shall develop and maintain detailed, written policies and procedures for the use of restraints or seclusion which shall include the following provisions:

a:

~~Policies and Procedures Availability.~~ Such policies and procedures shall be made available to the appropriate staff and to the persons served and their significant others.

b:

~~Restraint.~~ Protective restraint shall consist of any apparatus or condition which interferes with free movement.

c:

~~Physical Holding.~~ Only in an emergency shall physical holding be employed unless there is a physician's or psychiatrist's order for a restraint.

d:

~~Client Protection.~~ Physical holding or restraints, such as canvas jackets or cuffs, shall be used only when necessary to protect individuals from injury to themselves or others. All persons placed in protective restraints shall be physically isolated from other persons receiving services.

e:

~~Restraint Order.~~ Use of restraints reflect a psychiatric emergency and shall be ordered by a physician, or psychiatrist, be administered by trained staff and be documented in the clinical records. An order for a restraint shall designate the type of restraint to be used, the circumstance under which it is to be used and the duration of its use. Each written order shall be time-limited according to the clinical need. The order shall not exceed 24 hours and shall be reordered if further restraint is required. Orders by a physician or psychiatrist over the telephone must be given to a registered nurse. Telephone orders shall be reviewed and signed within 24 hours by a physician or psychiatrist. When a person is in imminent danger, a registered nurse may initiate use of restraint prior to obtaining a physician's or psychiatrist's order. In all instances an order must be obtained within 1 hour of initiating the restraints. The issuance of a standing or PRN order for the use of restraints is prohibited.

f:

~~Documentation.~~ Justification of need for the type of restraint ordered and used, the length of

time employed, conditions for release, and condition of the individual restrained shall be recorded in the clinical record. Fifteen minute observations must be face-to-face and must be recorded at the time they are made. Documentation must include name of observer and time of the observation. Documentation must reflect unit policies and procedures for circulation and respiration checks, opportunity for fluids, meals, bathing, toileting, comfort and safety, and motion or exercise. The observation flow sheet must have a key to correctly identify symbols used for the person's behavior and activities, and a key to identify staff initials.

g.

Seclusion Order. Each written order for seclusion shall be limited to 24 hours and must be rewritten if further seclusion is required. Orders given by a physician or psychiatrist over the telephone must be given directly to a registered nurse. Telephone orders shall be reviewed and signed within 24 hours by a physician or psychiatrist. When a person is deemed in imminent danger, a registered nurse may initiate seclusion prior to obtaining a physician's or psychiatrist's order. In all instances an order must be obtained within 1 hour of initiating the seclusion. The issuance of a standing or PRN order for seclusion is prohibited.

h.

Documentation. Justification of need, the length of time in seclusion, conditions for release, and the condition of the person secluded shall be recorded in the clinical record. Fifteen minute observations must be face-to-face and must be recorded at the time they are made. Documentation must include name of observer and time of the observation. Documentation must reflect unit procedures for opportunity for fluids, comfort and safety, meals, bathing and toileting. The observation flow sheet must have a key to correctly identify symbols used for the persons behavior and activities, and a key to identify staff initials.

i.

Observation. A person in restraint or seclusion shall be visually observed by a staff member every 15 minutes, and provisions made for regular meals, bathing, and use of the toilet and continuously monitored in these situations. When restraints are used, the observer must check for comfort and safety, making sure there is no impairment of circulation or respiration. As long as it does not endanger anyone, an opportunity for motion and exercise must be provided for a period of no less than 10 minutes during each waking hour in which the restraint is employed. The observation shall be documented on the observation flow sheet, including the time of the observation, and shall describe the person's condition. The documentation shall be included in the clinical record.

j.

Logbook of Restraints and Seclusion. A logbook shall be maintained by each CSU and SRT that will sequentially indicate the individuals placed in seclusion or restraint by name, date, time, specified reason for seclusion or restraint, time removed, and length of time in seclusion or restraint and condition upon release.

(d)

#### Suicide Precaution:

1.

Suicide precaution is for the protection of persons who have been assessed to be potentially suicidal and require a higher level of supervision.

2.

The modification or removal of suicide precautions shall require clinical justification determined by an assessment and shall be specified by the attending physician and documented in the clinical record. A registered nurse, clinical psychologist or other mental health professional may initiate suicide precautions prior to obtaining a physician's or psychiatrist's order, but in all instances must obtain an order within 1 hour of initiating the precautions. Telephone orders shall be reviewed and signed by a physician within 24 hours of their initiation.

3:

Each CSU shall develop policies and procedures for implementing suicide precautions addressing: assessment, staffing, levels of observation and documentation. Policies and procedures shall require constant visual observation of persons clinically determined to be actively suicidal.

(e)

Other high risk behaviors, such as elopement and assaultive behavior, shall be addressed in the CSU and SRT policies and procedures.

(20)

Nursing Services:

(a)

Medical Prescription. Registered nurses shall ensure that each physician's or psychiatrist's orders are followed. When a determination is made that the orders have not been followed or were refused by the person being served pursuant to Section 394.459(3), F.S., the physician or psychiatrist shall be notified within 24 hours. The registered nurse or nursing service shall substantiate this action through documentation in the individual's clinical record.

(b)

Nursing Standards. Each CSU and SRT shall develop and maintain a standard manual of nursing services which shall address medications, treatments, diet, personal hygiene care and grooming, clean bed linens and environment, and protection from infection.

(21)

Continuity of Care Services. Upon admission, all priority clients as defined in Chapter 65E-15, F.A.C., in both a CSU and SRT shall be assigned a case manager who will function pursuant to Chapter 65E-15, F.A.C.

(22)

Children. Every program which serves persons under 18 years of age shall define, in local program standards, the services and supervision to be provided to the children. Minors under the age of 14 years shall not be admitted to a bed in a room or ward with an adult. They may share common areas with an adult only when under direct visual observation by unit staff. Minors who are 14 years of age and older may be admitted to a bed in a room or ward in the mental health unit with an adult, if the clinical record contains documentation by a physician that such placement is medically indicated or for reasons of safety. This shall be reviewed and documented on a daily basis.

(23)

Collocation:

(a)

Collocation means the operation of CSU and SRT, or CSU and substance abuse detoxification services from a common nurses' station without treatment system integration. It may result in the administration of those services by the same organization and the sharing of common services, such as housekeeping, maintenance and professional services. A CSU shall be separated and secured by locked doors, used by persons receiving services, from the SRT and detoxification units.

(b)

Whenever a CSU is collocated with an SRT or substance abuse detoxification unit there shall be no compromise in CSU standards. In all instances, whenever there is a conflict between CSU rules and SRT, alcohol or drug abuse rules, the more restrictive rules shall apply.

(c)

Persons receiving services on the CSU, SRT, and detoxification units shall not commingle or share a common space at the same time unless individually authorized by a physician's or psychiatrist's written order to participate in specific treatment and evaluation activities on other units as specified in the individual's service implementation plan. Service implementation plan documentation shall include: type of activity, supervision, frequency of activity, and duration of each activity session.

(d)

Collocation Staffing Requirements. CSU and SRT, or CSU and detoxification staff may be shared if the



client-staff ratio is not violated and the health, safety and welfare of the individual is not jeopardized. When services are collocated and staff resources are shared, the staffing pattern shall be the more restrictive as required by this rule, based on the combined total number of beds. When the combined number of beds exceeds 30, nursing and mental health treatment staff shall not be shared.

(24)

Passes:

(a)

A physician's written order shall be written in accordance with unit policies and procedures specifying each occasion that a person receiving services is permitted off unit and consistent with the service implementation plan.

(b)

Each written order shall specify: the clinical basis for the order; the necessity and purpose of the order; the level of supervision while off the unit; the individual designated responsible for the person receiving services; and the authorized time of departure and return deadline which cannot exceed 24 hours for CSUs and 48 hours for SRTs.

(25)

Smoking. Each CSU and SRT shall designate smoking areas or declare the facility non-smoking and shall post signs to so indicate. Areas frequented by non-smokers, such as the only room with a television set, or activity or dining room, shall not be designated a smoking area. If the facility is non-smoking, a sheltered outside area shall be designated as a smoking area. The facility shall ensure the operation of adequate smoke evacuation mechanisms to maintain a healthful air quality throughout.

(26)

Personal Items. Persons residing in CSUs and SRTs are entitled to wear their own clothing except when this right is restricted for safety. This restriction must be fully justified in the clinical record. Policies and procedures shall be developed which describe the utilization of special clothing, or describe unit restrictions concerning other potentially hazardous personal articles, such as sharps and ingestibles.

(27)

Universal Infection Control. Each CSU and SRT shall develop and implement policies and procedures for universal infection control and prevention to protect people from blood and body fluid borne disease. Specific procedures shall include management of persons who potentially have infectious diseases, such as Hepatitis B, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), or other infectious diseases. These procedures shall include: isolation, specific infection control techniques, availability of proper equipment, proper disposal of potentially infected waste, transfer, and the release of confidential information to select unit medical and direct care staff on a need-to-know basis. Any testing for AIDS shall be done in accordance with Chapter 381, F.S., and 64D-2, F.A.C. Policies and procedures shall be regularly updated to include information provided by the department and the Center for Disease Control. All biohazardous waste shall be handled and disposed in accordance with Chapter 381, F.S., and 64E-16, F.A.C.

(28)

Human Immunodeficiency Virus (HIV) and AIDS Education Requirements for Employees and Persons Receiving Services. Each CSU and SRT shall meet the educational requirements for HIV and AIDS pursuant to Section 381.0035, F.S.

(a)

For persons receiving services the following criteria must be considered in determining course content, frequency and length of course:

1:

The emotional, cognitive and functioning level of the person;

2:

The time spent in the CSU or SRT;

3. The physical health of the person;
4. The educational level of the person;
5. The socioeconomic, cultural and ethnic background of the person; and
6. The high risk and drug use behaviors of the person.

(b)

Employees shall receive 4 contact hours of education within 30 days of any face-to-face contact with persons receiving services and 2 hours biennially thereafter. Each professional who completes his respective board education requirement shall be considered as having met this requirement.

(29)

Unit operating policy and procedure manuals shall be organized and maintained for easy access and reference and available to all facility staff at all times. The CSU and SRT shall have a copy of Chapter 394, F.S., Chapter 65E-5, F.A.C., Chapter 65E-12, F.A.C., and Chapter 65E-15, F.A.C., on the unit available to all staff and persons receiving services at all times.

(30)

CSUs and SRTs shall ensure that the unit's licensed professionals, as defined in Sections 394.455(2), (21), (23), and (24), F.S., and other unit staff function together under a set of written reciprocal unit protocols. These protocols shall establish the sequence of activities to be performed, designate authorized or responsible personnel, and establish standards for the accuracy, completion, and comprehensiveness of activities.

Specific 394.879(1), (2) FS:

Law Implemented 20.19, 95.11, 381.0035, 386.041, 394.455, 394.457, 394.459, 394.463, 394.465, 394.66, 394.77, 394.875, 394.907, 415.103 FS.

History—New 2-27-86, Amended 7-14-92, Formerly 10E-12.106, Amended 9-1-98.

**427.1.4 65E-12.109 Minimum Construction Standards for New CSU and SRT Facilities Initially Licensed After July 14, 1993, March 1987.**

(†)

General Provisions:

**427.1.4.1 (†)**

**Construction Requirements.**

**427.1.4.1.1 New Facility Construction.**

New facility construction and additions, refurbishing, renovations and alterations to existing facilities shall comply with the following codes and standards:

**1.** ~~a:~~ The building codes described in the Florida Building Code, Section 9B-3.047, F.A.C.;

**2.** ~~b:~~

The fire codes contained in Chapter 4A-~~443~~, F.A.C., as described in the National Fire Protection Association (N.F.P.A.) 101, Chapters 12 and 13, Special Definitions, as applicable to limited health care facilities, which is included by reference in Chapter 59A-3, F.A.C.;

**3.** ~~c:~~

The accessibility requirements of Chapter 11 of the Florida Building Code, Building by handicapped persons standards in Chapter 553, part V, F.S.; and

~~d:~~

The federal Americans with Disabilities Act as referenced in Chapter 59A-3, F.A.C.

2:

**Modernization or Renovation.** Any alteration, or any installation of new equipment, shall be accomplished, as nearly as practical, in conformance with the requirements for new construction. Alterations shall not diminish the level of safety or usable client space below that which exists prior to the alteration. Life safety features which do not meet the requirements for existing buildings shall not be further diminished. Life safety features in excess of those required for new construction are not required to be maintained. In no case shall the resulting life safety be less than that required for existing buildings.

3:

Sewage, including liquid wastes from cleaning operations, shall be disposed of in a public sewage system or other approved sewage system in accordance with Chapters 381, F.S., and 403, F.S.

~~4. All sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.~~

**427.1.4.1.3-5.**

**Plumbing.** All plumbing shall comply with the requirements of ~~Chapter 9B-51, F.A.C.~~ the Florida Building Code, Plumbing, ~~or with the plumbing code legally applicable to the area where the facility is located.~~

6:

The water supply must be adequate, of safe and sanitary quality and from an approved source in accordance with Chapter 381, F.S., and 64E-4, F.A.C.

**427.1.4.1.5 7. Inspections and Certificate of Occupancy.**

Appropriate health and sanitation inspections and a Certificate of Occupancy shall be obtained before occupying any new facility or addition. A report of the most recent inspections must be on file and accessible to authorized individuals.

**427.1.4.1.6 8. Sprinklers.**

No unsprinklered building classification as defined in the Florida Building Code, Building 1985 Standard Building Code, as incorporated by reference in Chapter 59A-3, F.A.C., is allowed.

9:

All facilities shall be protected throughout by an approved automatic sprinkler and smoke detection system to include a smoke detector in every bedroom. Provision ~~shall~~ **must** be made for automatic emergency forces notification.

**427.1.4.1.7 10. Surge Protection.**

Surge protection in compliance with the *National Electric Code*® Article 280, as incorporated by reference in Chapter 27 of the Florida Building Code, Building, ~~Chapter 59A-3, F.A.C.~~, shall be installed to protect each service entrance equipment and have integral visual indication of surge protector failure. Additional surge protection shall be provided for all low voltage and power connections to all electronic equipment and conductors entering or exiting the building and other life safety systems equipment such as fire alarm, telephone, and nurse call. Protection shall be in accordance with appropriate IEEE standards for the type of equipment being protected.

**427.1.4.2 (b)**

**Overall Functional Design.**

**427.1.4.2.1.**

The CSU or SRT shall be designed to provide a locked perimeter around a living unit and fenced exercise

area within which individuals can reside 24 hours a day in an environment designed to minimize potential for injury. The CSU or SRT structure shall be single story ground level facility. These facilities shall have separate off-unit reception and administration areas which may also be locked. Service corridors and pathways to other non-unit activities shall not be through the locked CSU or SRT unit.

**427.1.4.2.2.**

The walls throughout all client areas of the CSU or SRT shall either be concrete block or a double layer of gypsum wallboard or 3/4 inch thick plaster on metal lath to minimize maintenance of the facility. The general architecture of the unit shall provide for optimal line-of-sight observation from the nurses' station throughout the unit, minimizing hidden spots and blind corners.

**427.1.4.2.3.**

The CSU or SRT shall be designed to create a pleasant functional therapeutic environment throughout, by the use of sunlight, colors, designs, textures, and furnishings. The design shall achieve a secure unit which looks more residential than institutional in its construction and furnishings, while incorporating substantial safety considerations throughout.

**427.1.4.2.4.**

The CSU or SRT shall be designed in order that the general unit be divided into a close observation area and a general observation area based upon the need for frequent physical proximity, singular observation of individuals, and lowered stimulation levels. These areas do not need physical separation; for example, they may be the left and right sides of the unit.

**427.1.4.2.4.1. a.**

Close Observation Area. This area shall include persons brought onto the CSU or SRT needing initial observation or restraints, individualized observation, and lowered stimulation levels, all of which require the frequent physical proximity of nurses. This area shall be directly adjacent to the primary unit doorway and nurses' station. The immediately adjacent rooms shall be used for single occupancy and restraint or seclusion. These rooms shall be remote from routine high activity areas and corridors.

**427.1.4.2.4.2. b.**

General Observation Area. This shall include areas where persons routinely congregate or walk through such as multi-occupant bedrooms, activity rooms, smoking areas, dining room and routine traffic corridors, or pathways. The dining and activity areas shall be directly observable, or under constant staff supervision, but may be a greater distance from the nurses' station.

**427.1.4.2.5.**

All areas of CSUs and SRTs shall be ventilated by central, ducted supply and return forced air systems. Toilets, bathrooms and soiled function rooms shall be mechanically exhausted to the outside. Ventilation units shall distribute tempered heated or cooled air to all spaces and shall supply outside air in the quantity of either the sum of all exhausts or 20 cfm per person whichever is greater. The quality of all exhausts must match the intake volume of all outside air. Supply, exhaust, and return fans shall run continuously while the building is occupied. Areas in which smoking is permitted shall be well vented by at least 35 cfm per person to the outside in order to minimize smoke diffusion throughout the unit.

**427.1.4.2.6.**

All doors opening directly onto the unit from non-client rooms or office areas shall be equipped with locksets which are key released to leave the client area and permit unobstructed return to the client area. Door closures are required to deny persons receiving services accidental unsupervised access to the contents of staff offices, janitorial closets, and mechanical areas.

**427.1.4.2.7.**

Corridors shall ensure maximum clear distances by recessing water fountains and fire extinguishers, or placing them in alcoves. Corridors in client areas must be at least a 6 foot clear width; non-client areas must be at least 44 inches minimum clear width. Corridor ceilings shall be a minimum height of 7 feet 6 inches.

**427.1.4.2.8.**

Hot and cold running water under pressure shall be readily available in all washing, bathing, food preparation, and food handling areas. Hot water in client areas shall be at least 100EF, but not exceed 120EF.

**427.1.4.2.9.**

The minimum size for doors shall be no less than 3 feet wide and 6 feet 8 inches high. Areas accessible to persons with physical disabilities shall comply with applicable codes and standards.

**427.1.4.2.10.**

Since glass fragments are a safety hazard throughout the unit, the use of glass shall be minimal.

**427.1.4.2.11.**

All television sets must be securely fastened.

**427.1.4.2.12.**

Door closures shall not be utilized in unobserved client areas.

**427.1.4.2.13.**

All CSUs and SRTs equipped with electronic locks on internal doors or egress doors shall ensure that such locks have manual common key mechanical override that will operate in the event of a power failure or fire. Egress pathways and doors shall be locked as provided for in the *Life Safety Code*, National Fire Protection Association (N.F.P.A.) 101, Chapter 12, as incorporated by reference in Chapter 59A-3, F.A.C.

**427.1.4.2.14.**

CSUs and SRTs with electronic or magnetic door locks or other fundamental operational components which are electric shall have either: a battery back-up system rated for facility emergency power draw and capable of sustaining door locks and emergency operations for a minimum period of 6 hours; or an emergency generator with transfer switch with a battery pack back-up system capable of operating for 2 hours at facility emergency power draw level.

**427.1.4.2.15.**

The use of door vision panels and windows shall minimize the opportunity for isolation of staff or persons served in unobserved areas. This does not include privacy provisions such as bathrooms and bedrooms.

**427.1.4.3 (z)**

**Uniform Specifications.**

**427.1.4.3.1. (a)**

Design shall ensure that each person receiving services in a CSU or SRT is provided a minimum of 175 square feet of usable client space.

**427.1.4.3.2. (b)**

Tamper-resistant screws shall be used to protect electrical switches and outlets throughout the facility in all areas accessible to persons receiving services. Lighting fixtures shall be tamper-proof type throughout the facility in all areas accessible to persons receiving services.

**427.1.4.3.3. (c)**

All electrical switches and outlets in wet areas shall be ground-fault protected with a remote breaker switch. Tamper-proof, safety type duplex outlets shall be used in all areas accessible to persons receiving services.

**427.1.4.3.4. (d)**

Air ducts shall be covered with a perforated type metal grill, not residential louvered grills, throughout the unit in all areas accessible to persons receiving services.

**427.1.4.3.5. (e)**

All hose bibs shall be equipped with a vacuum breaker device.

**427.1.4.3.6.** (f)

The unit shall have a minimum of one drinking fountain.

**427.1.4.3.7.** (g) Ceiling height in bedrooms, activity areas, and bathrooms shall be at least 9 feet.

**427.1.4.3.8.** (h) The operation of all perimeter locks shall ensure reasonable control over both access and egress.

**427.1.4.4** (i)

**Administration and Public Areas.**

**427.1.4.4.1.** (a)

Waiting rooms shall have an adjacent rest room which is designed to accommodate persons with physical disabilities in accordance with Chapter 11 of the Florida Building Code, Buildings.

**427.1.4.4.2.** (b)

The entrance shall be grade-level, sheltered from inclement weather and accessible to persons with physical disabilities in accordance with Chapter 11 of the Florida Building Code, Buildings.

**427.1.4.4.3.** (c)

The lobby shall include a drinking fountain and space for clerical personnel. Private interview space for emergency screening of voluntary persons shall be adjacent to the lobby.

**427.1.4.5** (j)

**Emergency Screening Area for CSUs.**

**427.1.4.5.1.** (a)

This shall be a locked area in which law enforcement admissions may be received. This area shall not be wholly isolated visually from the CSU to provide safety for emergency screening personnel who may become isolated in this area. This area shall provide for medical clearance, emergency screening, bathroom facilities, and other activities which may be necessary.

**427.1.4.5.2.** (b)

A separate entrance shall be provided directly to emergency screening areas and examination rooms for law enforcement personnel. It shall have a driveway where a law enforcement vehicle can pull immediately adjacent to the building before transferring a person through the separate entrance to the emergency screening area. The law enforcement entrance shall also have a lock box where the law enforcement officer can lock his weapons during such time as he is in the facility.

**427.1.4.5.3.** (c)

A separate bathroom with supervised shower area shall be located so that all persons being admitted may be showered before being admitted to the residential section of the unit.

**427.1.4.6.** (k)

**Seclusion Rooms .**

**427.1.4.6. 1** (a)

Each CSU shall have a minimum of two seclusion rooms that shall share a common vestibule with a bathroom off the vestibule area. Each SRT shall have at least one seclusion room. Seclusion rooms shall be free of sharp edges or corners and be strongly constructed to withstand repeated physical assaults. Walls shall be either concrete block or double layered to provide resistance and be smooth. The ceilings shall be 9 feet in clear height, hard-coated, and lighting fixtures recessed and tamper-proof. Lighting fixtures shall be nonbreakable, preferably Lexan, and shall be installed with tamper-proof screws, as shall any other items in

the seclusion rooms. The seclusion room door shall be heavy wood or metal at least 36 inches in width and shall open outward. The door frame shall be heavy steel and shall be thoroughly bolted into the wall and cemented in.

**427.1.4.6.2** (b)

At least one seclusion room in the CSU shall have a sturdily constructed bed, without sharp edges and bolted to the floor. A bed in the SRT seclusion room is optional; however, if present, the bed shall meet the same requirements as specified for the CSU. Its placement in the room shall provide adequate space for staff to apply restraints and not assist individuals in tampering with the lights, smoke detectors, cameras, or other items that may be in the ceiling of the room. There shall be a rheostat control mechanism outside the room to adjust the illumination of the light in the seclusion room.

**427.1.4.6.3** (c)

The floor and walls, up to a height of 3 feet, shall be coated with an impermeable finish to resist penetration of body fluids. One seclusion room shall have a floor drain. A hose bib shall be in a readily adjacent area such as a bathroom.

**427.1.4.6.4** (d)

There shall be a vision panel in the door of the seclusion room, no larger than 8 inches by 8 inches, which provides a view of the entire room. This vision panel shall be Lexan or other suitably strong material and it shall be securely mounted in the door. Provisions shall be made to ensure privacy from the public and other persons receiving services while providing easy access for staff observation.

**427.1.4.6.5** (e)

Seclusion rooms shall be a minimum of 70 square feet and a minimum room dimension of 9 feet.

**427.1.4.6.6** (f)

Fire sprinkler heads shall be ceiling mounted and either recessed or flush mounted type without a looped spray dispersal head.

**427.1.4.6.7** (g)

A voice activated and switchable emergency calling system for monitoring persons receiving services shall be provided in each seclusion room.

**427.1.4.6.8** (h)

Each seclusion room shall have an electronic visual monitoring system capable of viewing the entire room and be monitored from the nurses' station.

**427.1.4.7** (i)

**Janitor's Closet.**

**427.1.4.7.1** (a)

A janitor's closet shall be on the unit. It shall contain a floor receptor for mop water and provide space for mop bucket, brooms, and other minimal items. Caustic and other dangerous chemicals shall not be stored in this closet.

**427.1.4.7.2** (b)

This closet shall have an automatic door closer and have automatic relocking type lock.

**427.1.4.8** (j)

**Bathrooms.**

**427.1.4.8.1** (a)

Access to a bathroom shall not be through another person's bedroom. Bathrooms shall provide space, in addition to bathing, for dry clothes and changing of clothes and for observation staff. The shower head shall be recessed or have a smooth curve from which items cannot be hung. There shall be no overhead rod, privacy stall supports, protrusions, or fixtures capable of carrying more than 40 pounds of weight. The ceiling shall be hard coated. Sprinkler heads shall be either recessed or a flush mounted type dispersal head. The toilet shall be a flushometer-type, not residential with water tank and cover. Toilets shall be of heavy duty construction securely fastened to the floor and have seats with locking nuts. Secure cleanout access shall be provided for the toilet to clean out plugs and pipes. Floor drains in bathroom areas shall be of sufficient size that they cannot be plugged by standing on them.

**427.1.4.8.2** (b)

Mirrors shall not be common glass. A polycarbonate mirror, fully secured, and flat-mounted to the wall is required. Polished metal mirrors shall not be permitted.

**427.1.4.8.3** (c)

Lighting fixtures shall be recessed and tamper-proof with Lexan or other strong translucent material.

**427.1.4.8.4** (d)

Bathroom fixtures, shower, lavatory, and toilet shall be readily accessible from a common area. If not accessible from a common area, they will be deemed to be available only to the occupants of directly adjoining bedroom or bedrooms.

**427.1.4.8.5** (e)

Each CSU and SRT shall have a bathroom of sufficient size for use by persons with physical disabilities. It shall include toilet, lavatory, shower, and safety grab bars for shower and toilet.

**427.1.4.8.6** (f)

The facility shall have a minimum ratio of one shower for each eight persons receiving services and one toilet and lavatory for each six persons receiving services. Individual shower stalls and dressing areas shall be provided. The use of gang showers is prohibited.

**427.1.4.9** (g)

**Nurses' Station.**

**427.1.4.9.1** (a)

The nurses' station shall be positioned so that the unit may be under constant direct visual surveillance. Charting and records areas shall be located in the rear of the nurses' station, and not in a separate area, so that staff on duty can readily observe the client areas. A bathroom shall be nearby for staff use. The nurses' station, if separated from client areas, shall utilize either Lexan or safety wire glass for enclosure to above counter top level. If not enclosed the counter top shall be at least 18 inches in width.

**427.1.4.9.2** (b)

Thirty is the maximum number of beds which may be served by a common nurses' station in collocated units, as described in Section 65E-12.106(23), FAC. of this rule.

**427.1.4.9.3** (c)

The nurses' station, which functions as the primary control center, shall have necessary electronic assistance such as camera monitors and intercoms in more remote areas where persons may become isolated. Areas warranting visual and auditory monitoring include remote entrance or egress doors, isolated hallways, after hours law enforcement entrance, emergency screening area, and fenced recreational yard.



**427.1.4.10** (⊕)

**Medication Room.** The medication room shall be located near the nurses' station. The medication room shall have a sink, refrigerator, locked storage, and facilities for dispensing medication. Security against unauthorized access shall must be assured. The refrigerator shall store medications and clean materials only.

**427.1.4.11** (⊕⊕)

**Examination Room.** A suitable examination room shall be provided for physical examinations, nursing assessments, and other related medical activities. It shall include a sink for handwashing.

**427.1.4.12** (⊕⊕)

**Bedrooms.**

**427.1.4.12.1** (⊕)

Ceilings shall be non-accessible to prohibit persons receiving services from entering attic spaces or having access to overhead pipes and beams. Light switches and electrical outlets shall be secured with non-tamper type screws. When feasible each bedroom shall have a window, operable by staff, with an exterior view. Window sills shall not exceed a height of 36 inches above floor level and should incorporate protective screens or Lexan type material to prevent direct access to glass surfaces. There should be no overhead protrusions available for hanging in excess of 40 pounds weight.

**427.1.4.12.2** (⊕)

Beds and other heavy furniture suitable for barricading the door shall be secured to the floor or walls.

**427.1.4.12.3** (⊕)

Multiple occupant bedrooms shall be limited to a maximum of four occupants and shall be a minimum size of 60 square feet per bed with no less than a 30-inch separation between beds. Single occupant bedrooms shall be a minimum of 80 square feet.

**427.1.4.12.4** (⊕)

Bedroom doors shall be a minimum of 36 inches wide.

**427.1.4.13** (⊕⊕)

**Kitchen and Nourishment Preparation Area.**

**427.1.4.13.1** (⊕)

Preparation or food handling areas shall have water and plumbing fixtures suitable for cleaning dining utensils. The requirements for nourishment preparation areas are less than that of kitchens due to the minimal scale of operations for these areas. If these areas are accessible to persons receiving services, they should include appropriate safety considerations for sharp and other dangerous instruments and the elimination of hot surfaces. Space shall be provided for disposal of wet garbage. Refrigeration and freezer space shall be provided in these areas for the carry-over of a minimum amount of perishable food.

**427.1.4.13.2** (⊕)

Kitchens shall comply with Chapter 64E-11, F.A.C., Food Preparation and Sanitation Requirements, as well as the 1985 National Fire Protection Association, Section 101, Chapters 12 and 13, Fire Safety Requirements as incorporated by reference in chapter 59A-3, F.A.C. Kitchens shall be designed with flow-through type operation where food arriving is immediately placed into dry storage or freezer units without walking through food preparation areas. The flow-through type system would provide for the preparation of food, serving and dishes returned with garbage and waste going out to an adjacent dumpster and can-wash with

water collection curbing and drain. A concrete pad shall be provided for the trash dumpster and garbage truck entrance.

**427.1.4.13.3** (e)

Kitchens shall be equipped with fire-suppression hoods and through-wall grease laden air evacuation and ventilation systems. All electrical outlets shall be ground-faulted. If meals are to be served via an open area, directly from the kitchen, this area shall have a fire-rated steel retractable overhead door type mechanism to continue the firewall protection around the kitchen area. Kitchens shall have heat detectors rather than smoke sensors.

**427.1.4.13.4** (d)

External to the kitchen, and outside the waste exit door, there shall be a curbed slop sink for mops and dirty kitchen water with an immediately accessible hose bib and drain. This area shall be external to the kitchen area, but immediately adjacent to it, to provide ready disposal of waste water as well as for the removal of cleaning items from the kitchen when they are not in use.

**427.1.4.13.5** (e)

There shall be a large food storage pantry in or adjacent to the kitchen.

**427.1.4.13.6** (f) Facilities using off-site kitchens for food preparation shall have an on-site food reception, warming, and holding area of sufficient size and with sufficient equipment to warm and hold food for each meal served. Required space shall include provision for proper disposal or holding of used implements and disposal of wet garbage in accordance with Chapter 64E-11, F.A.C.

**427.1.4.14** (t)

**Dining Area.** Each CSU or SRT shall have an attractive dining area on the unit. Seating capacity shall reflect the licensed capacity of the entire CSU or SRT, although residents may eat or be served in shifts during daily operations. Individual, rather than bench seating, shall be used for easy floor cleaning.

**427.1.4.15** (t)

**Unit Laundry Facilities.**

**427.1.4.15.1** (a)

Provision shall be made for the storage of soiled laundry in an adjacent, isolated, fire-resistant area.

**427.1.4.15.2** (b)

Each CSU or SRT shall have a personal laundry room which shall incorporate a flow-through design in which dirty laundry enters, is sorted, placed in the washer, dried, folded, and moved out without crossing clean laundry with dirty laundry. CSUs and SRTs shall have a small washer and dryer for immediate unit needs and to wash clothes. These washing and drying units shall be equipped to sanitize clothes as a preventive measure of infection control.

**427.1.4.15.3** (c) The soiled laundry room shall have a locked door equipped with automatic door closer to restrict access to cleaning chemicals. The soiled laundry room air shall be exhausted outside the facility.

**427.1.4.16** (t)

**Clean Laundry Room.**

**427.1.4.16.1** (a)

A separate space shall be provided for clean laundry capable of storing an adequate supply of laundry for

the size of the CSU or SRT. The laundry closet shall have a locked door to prevent access to these items by persons receiving services.

**427.1.4.16.2.** (b) Items stored on the top shelf shall provide an 18 inch clear space from sprinkler heads so as to not block dispersal of water.

**427.1.4.17** (16)

**Fenced Recreational Area.**

**427.1.4.17.1.** (a)

CSUs and SRTs shall have a no less than 6 foot high fenced, out-of-doors area where persons receiving services may have access to fresh air and exercise. It must provide privacy for persons receiving services otherwise exposed to public view. This area shall be constructed to retain persons inside the area and minimize elopements from the area, although it is not a secure area.

**427.1.4.17.2.** (b)

The fenced area shall provide some shaded area where persons receiving services may be out of doors without being in direct sunlight or may receive sunlight as they desire. The enclosing fences shall have an exit gate which is located away from the building as a secondary egress from the fenced area, for use in fire situations, or access by lawn maintenance equipment. The gate shall be provided with a lock which is readily accessible from both sides. The area of this fenced enclosure shall be at least 1,100 square feet including an activity area having dimensions of not less than 20 feet by 40 feet.

**427.1.4.17.3.** (c)

Objects shall not be placed near the fence to provide a ready step ladder over the fence and, if fabric fencing is used, the horizontal bracing used for corners shall be outside the fabric to preclude its use as an escape ladder step. The fenced area shall be designed, without blind corners, to be readily visible by one staff member standing in a central location. If desired, the fence may be topped with a 45 degree inward slanting restraining type wire. The use of barbed wire and other sharp injurious materials, however, is prohibited.

**427.1.4.17.4.** (d)

This area, as all other primary fire exit routes, shall have egress lighting which is connected to the power side of the facility electrical panel so that in the event of a fire and electrical panel disconnect, the exit and congregation areas would still have lighting.

**427.1.4.18** (17)

**Multi-Purpose Room.** In addition to open, on-unit floor space, each CSU and SRT shall have an accessible multipurpose room for group activities of at least 180 square feet. This area may be the dining area.

(18) **Furnishings:**

(a)

~~CSU and SRT furniture shall be durably constructed for heavy wear and use. Furniture shall not be readily throwable. Furnishings shall have a flame resistant rating.~~

(b)

~~Hollow-based type furniture shall not be used, as they provide ready concealment of contraband items such as medications, sharps, wires, or cords.~~

(c)

~~Furnishings shall have finishes which are readily cleanable.~~

- (d) Bedroom furniture shall provide limited storage space since individuals stay a short period of time and personal supplies are limited.
- (e) Within the above constraints, furniture shall contribute to the appearance of a residential rather than institutional environment.

#### **427.1.4.19 (19)**

##### **Off Unit Storage Areas.**

#### **427.1.4.19.1 (a)**

Each CSU and SRT shall have appropriate storage, in non-client areas, for operating supplies and materials.

#### **427.1.4.19.2 (b)**

Adjacent non-client area storage for personal belongings shall ~~must~~ be a minimum of 8 cubic feet for each person receiving services.

Specific 394.879(1), (2) FS:

Law Implemented 394.875 FS:

History—New 7-14-92, Formerly 10E-12.109, Amended 9-1-98.

**427.2 Community Mental Health Regulation.** Adult Residential Treatment Facilities (RTFs) shall be limited to adults and comply with the regulations in sections 427.2.1 through 427.2.4.

Note: Other administrative and programmatic provisions may apply. See Department of Children and Family Services [DCFS] Rule 65E-4.016, Florida Administrative Code, and Chapter 394, Florida Statutes.

#### **427.2.1 Facility Standards.**

**427.2.1.1 Building Construction Requirements.** The construction and renovation of a facility shall comply with the provisions of the Florida Building Code.

**427.2.2 Health and Safety.** Facilities and additions shall be constructed to allow full compliance with the provisions of this section.

#### **427.2.2.1 Fire Safety.**

**427.2.2.1.1** Residential Treatment Facilities shall comply with all applicable federal, state and local fire safety standards as follows:

1. Level IA licensed facilities shall comply with the fire codes contained in Chapter 4A-3, F.A.C., as described in the National Fire Prevention Code Protection Association (N.F.P.A.) 101, Chapters 12 and 13, Special Definitions, as applicable to limited health care facilities.;

2. For facility Level IB, which may have no more than three residents incapable of self-preservation, and for facility Levels II, III, IV, and V, which may have no residents incapable of self-preservation, each resident record shall have a signed statement by a physician or licensed psychologist regarding the resident's capability of self-preservation.

3. Facility Levels IB, II, III, IV, and V shall have a prompt evacuation capability.

**427.2.2.1.2** Level IV and V facilities shall have a written policy on the safe use of extension cords and adapters. The use of extension cords and adapters is prohibited in Level I, II and III facilities.

**427.2.2.1.3** Electrical cords and appliances shall be maintained in a safe condition.

427.2.2.1.4 Portable heating devices shall be used only in emergency situations as defined in agency procedures approved by the governing board.

427.2.2.1.5 Flammable liquids or gas cylinders shall not be positioned near flame or heat sources, nor stored with combustible materials.

427.2.2.1.6 Emergency Power. The facility shall provide egress lighting that will operate in the event of a power failure.

427.2.2.1.7 Smoking. The program shall have a written policy governing smoking in the facilities. Smoking shall be prohibited in any area of the facility where combustible supplies, materials, liquids or gases will be used or stored.

427.2.2.1.8 Fire Safety Inspections. A fire safety inspection shall be obtained before occupying any new physical facility or addition.

#### **427.2.2.2 Personal Safety.**

427.2.2.2.1 The building shall be free of hazards such as cracks in the floors, walls, or ceiling; warped or loose boards, tile, linoleum, handrails or railings; and broken window panes or missing window screens.

427.2.2.2.2 Protection shall be provided from sharp or jagged projections, "invisible" glass, moving parts, heated surfaces, heavy objects that could fall, or any other potentially hazardous condition.

427.2.2.2.3 Grab bars shall be non-removable.

427.2.2.2.4 The temperature of the hot water supply shall be regulated and shall be between 105°-115° at the outlet.

427.2.2.2.5 Any electrical fans, except ceiling paddle fans, shall be screened. All electrical fans, including paddle fans, shall be placed in a safe location.

427.2.2.2.6 Indoor and outdoor recreational areas shall be provided with safeguards designed for the needs of the residents.

427.2.2.2.7 Outdoor recreational areas shall be well drained

#### **427.2.2.3 Health and Sanitation.**

427.2.2.3.1 Appropriate health and sanitation inspection certificates shall be obtained before occupying any new physical facility or addition, and at least yearly or as required by statute, thereafter. A report of the most recent inspection must be on file and accessible to authorized individuals.

427.2.2.3.2 Hot and cold running water under pressure shall be readily available in all washing, bathing and food preparation areas.

427.2.2.3.3 The kitchen and food preparation area shall be well-lighted, ventilated and located apart from areas which could cause food contamination. All doors and windows in the kitchen and food preparation areas that open to the outside shall be screened.

### **427.2.3 Food Service.**

**427.2.3.1.** For food service areas with a capacity of 13 or more residents, all matters pertaining to food service shall comply with the provisions of Chapter 64E-11, F.A.C.

#### **427.2.3.2 Food Preparation, Sanitation and Storage.**

**427.2.3.2.1.** Each refrigerator or freezer used for storage of perishable foods shall be provided with an accurate indicating thermometer located in the warmest part toward the front side of the refrigerator or freezer so that the temperature can be easily and readily observed.

**427.2.3.2.2** Freezers should be kept at or below 0° F.

#### **427.2.3.3 Dining.**

**427.2.3.3.1** Dining tables shall seat small groups of residents unless other arrangements are justified on the basis of resident needs.

**427.2.3.3.2** The dining area shall be suitably lighted, ventilated and furnished.

### **427.2.4 Environment.**

**427.2.4.1** Residential facilities shall not be identified by an exterior sign or vehicle sign that labels the residents or special functions of the facility. Vehicle traffic and parking relating to the facility shall be similar to that of surrounding structures or residences.

**427.2.4.2.** The grounds of the facility shall have adequate space for resident activities.

**427.2.4.3.** The facility shall be accessible to persons with disabilities or the facility shall have written policies and procedures that describe how disabled individuals can gain access to the facility for necessary services.

**427.2.4.4.** Areas that accommodate the following shall be available:

- 1. A full range of social activities;**
- 2. Private conversations;**
- 3. Group activities; and**
- 4. Resident privacy, when appropriate.**

**427.2.4.5.** All areas of the facility occupied by residents shall be climatically controlled in a manner conducive to the comfort and privacy of the residents and shall include the following:.

- 1. A design temperature of at least 72° F and not to exceed 85° F shall be used for waking hours in all areas used by residents. During sleeping hours, a temperature of at least 68° F shall be used. These temperature requirements apply unless otherwise mandated by federal or state authorities.**
- 2. When cooling devices are used, they shall be placed or adjusted in a manner which minimizes drafts.**

**427.2.4.6.** Drinking water shall be readily available and easily accessible to residents.

**427.2.4.7.** Mirrors reasonably free of distortion shall be placed in appropriate places to aid in grooming and to enhance self-awareness.

**427.2.4.8.** Clocks shall be provided to promote awareness of time and day.

427.2.4.9. The use of door locks or closed sections of the building shall comply with all applicable safety standards.

427.2.4.10. Clean, well-lighted and ventilated laundering facilities for resident use shall be available on the premises or in the immediate neighborhood.

427.2.4.11. A telephone which allows private conversations shall be available and easily accessible within the facility.

427.2.4.12. Facility lighting shall promote clear perceptions of people and functions. When and where appropriate, lighting shall be controlled by residents.

427.2.4.13. Whenever feasible, the environment shall provide views of the outdoors.

427.2.4.14 Bedrooms. Bedrooms shall be designed to meet the following criteria:

1. All resident bedrooms shall be ventilated, well-lighted and located convenient to a bathroom.
2. Resident bedrooms designated for single occupancy shall provide a minimum inside measurement of 80 square feet of usable floor space.
3. Resident bedrooms designated for multiple occupancy shall provide a minimum inside measurement of 60 square feet of usable floor space per bed and be limited to four occupants.
4. All resident bedrooms shall open directly into a corridor, a common use area or the outside, except in those facilities comprised of apartments.
5. Each resident bedroom where furnishings are supplied by the facility shall be furnished with personal storage space and adequate space for hanging clothes
6. Bedroom doors shall not have vision panels.

427.2.4.15 Bathrooms. Bathrooms shall be designed to meet the following criteria:

1. A toilet and lavatory facility shall be provided for every six residents, and toilets shall be equipped with seats.
2. A minimum of one tub or shower facility, equipped with non-slip devices, shall be provided for every eight residents.
3. Bathrooms shall be ventilated, adequately lighted and have clearly labeled hot and cold running water.
4. Each bathroom shall have a door in working order to assure privacy.
5. When there is more than one toilet or bathing facility in a bathroom, provisions are required for privacy.
6. Bathrooms used by residents with disabilities shall be equipped to ensure safety and independent mobility.
7. Sole access to toilet or bathing facilities shall not be through another resident's sleeping room, except in facilities comprised of apartments.

427.2.4.16 Common Living Areas. Common living areas shall be designed to meet the following criteria:

1. A room, separate from sleeping areas, shall be provided where residents may read or engage in socialization or other leisure time activities.
2. A minimum of 35 square feet of living and dining space per resident shall be provided by all facilities except those comprised of apartments. This space shall include living, recreational and other space designated accessible to residents, but shall not include bathrooms, corridors, storage space, or screened porches which cannot be adapted for year round use. Facilities with bedrooms which include living space may count the square footage that is in excess of the bedroom square footage requirements as part of the 35 square footage living and dining space requirements.

Section 428 is amended to read as follows:

## **Section 428 Manufactured Buildings**

**428.1 General:** The following administrative requirements for inspection and plan review apply to manufactured buildings including factory-built schools. Additional technical requirements for factory built schools can be found in Section 423.

Note: See Department of Community Affairs [DCA] Rule 9B-1, Florida Administrative Code and Chapter 553, Florida Statutes.

### **428.2 Definitions:**

**428.2.1** Third Party Agency means an individual or entity authorized to perform inspections of or review plans for manufactured buildings as provided by Rule 9B-1, F.A.C.

**428.2.2** Factory-Built School means any building designed or intended for use as a school building which is manufactured in whole or in part at an off site facility, including prefabricated educational facilities, factory-built educational facilities and modular built educational facilities that are designed to be portable, relocatable, demountable, or reconstructible, are used primarily as classrooms or the components of an entire school and do not fall under the provisions of ss. 320.822-320.862, F.S.

**428.2.3** Department means Department of Community Affairs

**428.3** Inspections. Inspection of installation of manufactured buildings and construction activities conducted at the site of the installation shall be conducted pursuant to Chapter 1 hereof. Inspections during the manufacturing process shall be conducted by those Third Party Agencies as follows:

**428.3.1** Inspections shall be conducted at the manufacturing facility by an appropriately licensed representative of a Third Party Agency selected by the manufacturer. The inspections shall be to ensure that the buildings are being manufactured in compliance with the applicable codes and the approved plans. Once a Third Party Agency has inspected a manufactured building, the manufacturer shall not seek to have the building inspected by another agency, nor shall any agency inspect a building that has already been inspected by another unless the subsequent inspection is at the direction of the Department or unless the building or modification thereto is being inspected for recertification by the Department.

**428.3.2** At a minimum, a certified Third Party Agency shall:

**428.3.2.1** With regard to manufactured buildings, observe the manufacture of the first building built subsequent to the plan approval or the selection of the agency, whichever occurs last, from start to finish, inspecting all subsystems thereof. Continual observation and inspection shall continue until the third party agency determines that the implementation of the manufacturer's quality control program in conjunction with application of the approved plans and specifications and the manufacturer's capabilities result in a building that meets or exceeds the standards adopted herein. Thereafter, the agency shall inspect each module produced during at least one point during the manufacturing process and shall inspect the entire production line during each plant inspection, so that a minimum of seventy-five percent (75%) of the modules inspected will have a minimum of one of the subsystems (electrical, plumbing, structural, mechanical or thermal) exposed for inspection.

**428.3.2.2** With regard to components, observe the manufacture of the first unit assembled subsequent to the plan approval or the selection of the agency, whichever occurs last, from start to finish, inspecting all subsystems thereof. Continual observation and inspection shall continue until the third party agency determines that the implementation of the manufacturer's quality control program in conjunction with application of the approved plans and specifications and the manufacturer's capabilities result in a component that meets or exceeds the codes and standards adopted herein. Thereafter, the Third Party Agency shall inspect not less than fifty percent (50%) of the manufactured building components or twenty percent (20%) of storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less manufactured pursuant to the approved plan.

**428.3.2.3** During each inspection, the agency shall verify that the manufacturer's in-plant quality-control program is working as set forth in the approved quality-control manual.



428.3.2.4 Should work stop on a particular module or component for a period of two months, reinspection shall be required.

428.3.3 When a Third Party Agency discovers a deviation from the Code or the approved plans which creates or threatens an imminent life safety hazard, all buildings or components which have progressed through that stage of production since the agency's previous inspection shall be inspected to ensure the absence of that deviation, and the agency shall immediately notify the manufacturer and the Department in writing. Any building or component exhibiting the deviation shall be brought into conformance with the applicable code or the approved plans by the manufacturer within thirty days of notification of the deviation by the third party agency. The corrective action must be left available for reinspection by the Third Party Agency.

428.3.4 The Third Party Agency shall note all inspections, deviations and corrective actions in a written inspection report and shall complete the Inspection Report portion of the Building Code Information System available via the Internet.

428.3.5 The agency shall give a copy of the inspection report(s) to the manufacturer for record and shall retain another copy. The agency or the manufacturer shall provide a copy of an inspection report to the department when requested.

428.4 Design Plan and Systems Approval. Plan review pertaining to installation of manufactured buildings and construction activities conducted at the site of the installation shall be conducted pursuant to Chapter 1 hereof. Plan review pertaining to construction activities occurring within the manufacturing process shall be conducted by those Third Party Agencies as follows: Third party agencies shall review plans in conformity with Chapter 1 hereof and the following additional requirements: If the plans are for a residential manufactured building, certification from the design professional responsible for the plans that the structure has been designed only for erection or installation on a site-built permanent foundation and is not designed to be moved once so erected or installed. If the residential manufactured building is transportable in one or more sections and is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, the manufacturer shall certify that the manufactured building has been excluded from regulation by the United States Department of Housing and Urban Development.

428.4.1 Plan Approval Expiration -- Upon revision of the Florida Building Code plan approvals shall expire upon the latter of the effective date of that revision or ninety (90) days from adoption of that revision by the Florida Building Commission unless the manufacturer files with the department a sworn statement by a Third Party Agency that the plans have been reviewed and that they are in compliance with the revisions to the Florida Building Code.

428.4.2 Evidence of Third Party Agency approval. Approved plans and specifications shall be evidenced by a letter certificate from the Agency. Approved copies of the design plans and specifications shall be returned to the manufacturer with an agency approval letter indicating the limitations, if any, of such approval. An approved copy of the plans shall be available at each place of manufacture which shall be made available for inspection and monitoring. Upon approval of the plans, the Third Party Agency shall submit a copy of the plans bearing the approval stamp to the Department together with a list of any limitations of that plan approval and a separate copy of the plans and limitations on compact disk in a readable format.

428.5 Alterations.

428.5.1 On-site Modifications. On-site modification to manufactured buildings must be inspected by either a third party agency or by the authority having jurisdiction and must comply with the Florida Building Code. The authority having jurisdiction has superseding authority over any on-site modifications to a manufactured building or may delegate this authority to the Department in writing on a case-by-case basis. Upon issuance of a certificate of occupancy for the modified manufactured building, the old insignia shall be removed and returned to the Department.

428.5.2 In order to recertify a used manufactured building that is being relocated and not otherwise altered, the owner must provide the approved inspection agency with a set of the original approved plans for the building and any modification of the building. As built plans shall be acceptable as an alternative to approved plans for factory-built schools manufactured prior to July 1, 2001. Once the agency has evaluated the continued compliance of the

building with those plans and certifies to the Department that the building is in compliance with the applicable codes, the approved inspection agency shall affix a recertification insignia to the building. If a building complied with the code in effect on the date of the original plan approval, the applicable code as set forth above shall be that which was in effect on the date of the original plan approval. The relocation of a manufactured building does not constitute an alteration.

**428.6** Factory-built Schools, Plan Review (also see Section 423 Public Education Occupancy). Plan review of plans for newly constructed factory-built schools shall be performed by the Third Party Agency selected by the Department. An applicant for plan approval shall submit complete plans to an agency in the manner and format agreed to by the agency and the applicant. Plan submittals shall include a schedule of inspections which shall be performed periodically as necessary to assure that the building complies with applicable standards. Upon determination by the agency that the plans submitted comply with all applicable standards, the agency shall certify such determination by affixing an approval stamp on each page of the plans, and shall return one copy to the applicant, maintain an original set, and submit one copy electronically to the Department. The agency shall be compensated for the actual cost of the plan review by the applicant. No manufacturing activity shall commence until plan approval has been obtained from the Third Party Agency. Plan review at a minimum shall include those items identified in Chapter 1 hereof. Plans for modification of factory-built schools shall be reviewed by an approved Third Party Agency selected by the manufacturer as set forth in 9B-1.009, F.A.C.

**428.7** Factory-built Schools, Inspections and Work Progress Reports. ( also see Section 423 Public Education Occupancy )

**428.7.1** Inspectors. The school board or community college (educational entity) which is to utilize the factory-built school shall be responsible for compliance with inspection requirements.

**428.7.2** Existing Buildings. Factory-built schools designated as existing buildings shall be inspected to determine compliance with the standards adopted in Section 423 hereof. All deficiencies shall be noted in an inspection report provided to the educational entity upon completion of the inspection. Activities performed to rehabilitate a non-compliant building shall be subject to plan review and reinspection. Upon an inspector's determination that the building complies with the applicable standards, the inspector shall provide to the Department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the Building Code Information System when that system becomes available on the Internet.

**428.7.3** New Construction. All buildings other than existing buildings shall be subject to inspection during the manufacturing process. The educational entity shall ensure that factory inspections are performed periodically and are sufficient to ensure that the building and its systems comply with the applicable standards. The inspector shall require the correction of all deficiencies found during the manufacturing process. Upon an inspector's determination that the building complies with the applicable standards, the inspector shall provide to the Department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the Building Code Information System when that system becomes available on the Internet.

## **SECTION 428**

### **MANUFACTURED BUILDINGS**

**428.1 Scope.** Manufactured buildings shall comply with the following design and construction standards as described in Chapter 9B-1, Florida Administrative Code.the Florida Building Code.

**428.2 9B-1.002 Definitions.**

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

- (1) ~~Approved Inspection Agency—An organization determined by the Department pursuant to Rule 9B-1.006 to be especially qualified by reason of facilities, personnel, experience, and demonstrated reliability, to investigate, test, and evaluate manufactured building units, systems, or the component parts thereof together with the plans, specifications, and quality control procedures to ensure that such units, systems, or component parts are in full compliance with the standards adopted by the Department pursuant to this part and to label such units complying with those standards.~~
- (2) ~~Approved—Conforming to the requirements of the Department of Community Affairs.~~
- (3) ~~Building System—The plans, specifications and documentation for a system of manufactured buildings or for a type or a system of building components, which may include structural, electrical, mechanical, plumbing and fire protection systems and other building systems affecting life safety.~~
- (4) ~~Closed Construction—A building, component, assembly, subassembly, or system manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly or destruction thereof.~~
- (5) ~~Component—Any assembly, subassembly, or combination of elements for use as a part of a building, which may include structural, electrical, mechanical, plumbing and fire protection systems, and other building systems affecting life safety.~~
- (6) ~~Damage—Damage or breakage occurring to a manufactured building or any part thereof causing it not to comply with the applicable quality control manuals or the requirements of this chapter.~~
- (7) ~~Dealer—Any person, corporation or business engaged in buying, leasing, and selling manufactured buildings.~~
- (8) ~~Department—The Florida Department of Community Affairs.~~
- (9) ~~Equipment—All equipment, material, appliances, devices, fixtures, fittings or accessories installed in or used in the manufacture and assembly of a manufactured building.~~
- (10) ~~Field Technical Service—Interpretation and clarification in the field by the Department of technical data relating to the application of this chapter.~~
- (11) ~~Insignia—An approved device or seal issued by the Department to indicate compliance with the provisions of this chapter. The term “insignia” includes recertification insignias.~~

- (12) ~~Installation~~—The assembly of a manufactured building component or system on site and the process of affixing a manufactured building component or system to land, a foundation, or an existing building, or service connections which are part thereof.
- (13) ~~Labeled~~—Equipment bearing an inspection label of an approved testing or listing agency.
- (14) ~~Listed~~—Equipment or materials or structures included in a list published by an approved listing agency.
- (15) ~~Listing Agency~~—An agency under contract with the Department which is in the business of listing or labeling products that have been tested to approved standards and found safe for use in a specific manner.
- (16) ~~Local Building Official~~—The officer or other designated authority or their duly authorized representative charged with the administration of the local government technical codes.
- (17) ~~Local Government~~—Any municipality, county, district or combination thereof comprising one or more governmental units.
- (18) ~~Manufacture~~—The process of making, modifying, fabricating, constructing, forming or assembling or reassembling a product from raw, unfinished, semifinished, or finished materials.
- (19) ~~Manufactured Building~~—A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured for installation or erection, with or without other specified components, as a finished building or as part of a finished building, which shall include but not be limited to residential, commercial, institutional, storage and industrial structures.
- (20) ~~Manufacture Certification~~—Conforming to the recognized codes and regulatory requirements adopted by the Department of Community Affairs.
- (21) ~~Manufacturer~~—Any person who, or entity which, produces and/or modifies a manufactured building.
- (22) ~~Model~~—A specific design of manufactured buildings, which is based on size, room arrangement, method of construction, location, arrangement or size of plumbing, mechanical or electric equipment and systems therein in accordance with plans submitted to the Department.
- (23) ~~Model Codes~~—All of the Standard Codes listed in the above paragraphs are those published by the Southern Building Code Congress International, Inc.
- (24) ~~Modification~~—Any change to a manufactured building, which affects the structural, electrical, thermal, mechanical, plumbing systems, life safety, means of egress, material flammability/ flame spread or handicap accessibility.

- (25) **Occupancy Classification**—The purpose for which a building, or part thereof, is used or intended to be used.
- (26) **Open Construction**—Any manufactured building, building component, assembly or system manufactured in such a manner that all parts or processes of manufacture can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.
- (27) **Quality Control Manual**—A Manual prepared by each manufacturer for its manufacturing plants which contains all aspects of quality control procedures outlined in Rule 9B-1.010.
- (28) **Recertified Building**—A manufactured building which has been modified from the originally approved plans. The portion of the building being modified must comply with the applicable codes. Each building must be used for the occupancy classification for which it was certified by the Department.
- (29) **Recertification Insignia**—An approved device or seal issued by the Department to indicate that a manufactured building has been modified in compliance and accordance with the provisions of this chapter.
- (30) **Recognized Testing Organization**—An organization which tests and labels equipment and materials for compliance with relevant standard or standards. Recognized organizations shall comply with qualification criteria of Rule 9B-1.003(5).
- (31) **Residential Building**—Any structure in which families or households live or in which sleeping and accessory accommodations are provided, including but not limited to dwellings, multiple-family dwellings, hotels, motels, dormitories, and lodging houses or as defined by the *Standard Building Code*.
- (32) **Site**—The location on which a manufactured building is modified, manufactured, installed or is to be installed.
- (33) **Standard Design**—Any building system, model, series, or component intended for duplication or repetitive manufacture.
- (34) **System**—The structural, plumbing, electrical, mechanical, thermal efficiency and life safety elements, materials, or components of a building.
- (35) **System Prototype**—A specific design of manufactured building designated by the manufacturer to be the standard for reproduction. A system prototype may include options that do not affect the performance function of any system.
- (36) **Temporary Building at Construction Site**—Any building or shed which is temporary, and used for the storage of materials, equipment or other functions which are exclusively for construction purposes.

Specific 553.37(1) FS.

Law Implemented 553.36 FS:

History—New 1-17-72, Amended 2-23-75, 12-8-75, 3-1-80, 9-29-82, Formerly 9B-1.02, Amended 1-1-87, 3-1-92, 3-1-95.

**428.3. 9B-1.004 Adoption of Model Codes.**

**428.3.1. (1)**

~~Building Code~~—The design and fabrication of manufactured buildings shall comply with the requirements of the ~~Florida Building Code Standard Building Code~~, referenced in Rule 9B-3.047, Florida Administrative Code, including Appendix M, except as follows:

- (a) Chapters 1 and 32 shall be deleted.
- (2) ~~Life Safety Code (NFPA 101)~~—Buildings designed and manufactured by these rules shall conform to the requirements of the ~~Life Safety Code~~, referenced in Section 633.022 and 633.025, Florida Statutes.
- (3) ~~Electrical Code~~—The design, fabrication and installation of electrical systems and equipment in or on manufactured buildings shall comply with the requirements of Chapter 553, Part II, F.S.
- (4) ~~Gas Code~~—The design, fabrication and installation of gas piping systems and equipment in or on manufactured buildings shall comply with the requirements of the ~~Standard Gas Code~~, referenced in Rule 9B-3.047, Florida Administrative Code, except as follows:
  - (a) Chapter 1 shall be deleted.
  - (b) See paragraph (7) below.
- (5) ~~Plumbing Code~~—The design, fabrication and installation of plumbing systems and equipment, in or on manufactured buildings shall comply with the requirements of the ~~Standard Plumbing Code~~, referenced in Rule 9B-3.047, Florida Administrative Code, except as follows:
  - (a) Chapter 1 shall be deleted.
- (6) ~~Mechanical Code~~—The design, fabrication and installation of mechanical systems and equipment, in or on manufactured buildings shall comply with the requirements of the ~~Standard Mechanical Code~~, referenced in Rule 9B-3.047, Florida Administrative Code, except as follows:
  - (a) Chapter 1 shall be deleted.
- (7) ~~Liquefied Petroleum Gas~~—The design, fabrication, and installation of gas piping systems and equipment for Liquefied Petroleum Gas in or on all manufactured buildings shall comply with the requirements of Chapter 527 of the Florida Statutes (NFPA 54):

(8) Model Codes—All of the Standard Codes listed in the above paragraphs are those published by the Southern Building Code Congress International, Inc.

(9) Energy Code—The thermal performance of manufactured buildings shall comply with the Florida Energy Efficiency Code for Building Construction referenced in Rule 9B-13, Florida Administrative Code.

(10) Accessibility Standards—Manufactured buildings shall comply with Chapter 553, Part V, Florida Statutes.

(11) Glass Standard—The design and installation of glass in or on a manufactured building must comply with the *Standard Building Code* referenced in Rule 9B-3.047, Florida Administrative Code, and Chapter 553, Part III, Florida Statutes.

**428.3.2.** (12)

Building Official—For purpose of this chapter, where reference is made in any of the above mentioned codes in 9B-1.004 to the building official, the plumbing or mechanical official, to the administrative authority or enforcement official, or to any such authoritative person, it shall mean the Manufactured Buildings Program Administrator.

**428.3.3.** (13)

A copy of each of the above referenced codes has been filed with the Secretary of State. Such codes are also available for reference and inspection at the Department of Community Affairs, Manufactured Buildings Program.

(14)

The above shall not apply to any building exempted pursuant to Section 553.73, Part VII, Florida Statutes.

**428.3.4.** (15)

Notwithstanding the above, service connections and foundations prepared at the installation site shall be regulated by the local building official according to standards adopted by that local government or state department having jurisdiction over building installation.

**428.3.5.** (16)

Relocatable Factory Buildings Schools used in the public school system, being manufactured and/or built away from the installation site, may be inspected by an inspection/plans review agency under contract with the Department of Community Affairs. The buildings must comply with ~~SREF 7~~ the Uniform Building Codes adopted by the Department of Education and bear the Department of Community Affairs insignia of approval.

Specific 320.01(2)(a), 553.37(1) FS.

Law Implemented 553.37(8), 553.38(1) FS.

History—New 1-17-72, Amended 6-19-74, 2-23-75, 12-21-76, 3-20-79, 3-1-80, 6-24-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.04, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95.

**428.4. 9B-1.009 Design Plan and Systems Approval.**

**428.4.1.** (1)

General. A final design plan approval shall be contingent upon compliance with these rules and the Florida Building Codes specified in Rule 9B-1.004. All submittals to the Department shall be in triplicate and shall be made through the manufacturer's approved inspection agency. The Department shall have final approval of all plans and systems.

**428.4.2.** (2)

Design Plan Approval Application. Initial application to the Department for design plan approval shall include:

**428.4.2.1.**(a)

Completed application forms, attached hereto and incorporated by reference in 9B-1.003(6), effective January 1, 1987.

**428.4.2.2.**(b)

Three completed sets of design plans and specifications, prepared by an architect or engineer licensed to practice in the State of Florida, except as exempted by Section 481.229, F.S., or Section 471.003, F.S. Materials that are required to be approved by the codes adopted in 9B-1.004, such as legible quality control manuals, backup calculations and any required test results for each system and prototype plans, shall be enclosed. Based on compliance with the codes in 9B-1.004, the approved inspection agency's certified plans examiner shall approve or disapprove the manufacturer's submittal and, if the submittal is approved, shall affix a stamp authorized by the Department, on each print, the cover of the quality control manual and supporting data in manual form. Plans drawn to a scale less than 7/8 inch to the foot are not acceptable. For microfiche purposes, plans shall be legible.

**428.4.2.3.**(c)

Design plan filing fees as required by the fee schedule in Rule 9B-1.020.

**428.4.3.**(3)

System Approval. The manufacturer may submit through the inspection agency for Department approval a system of construction which may include any or all elements of building systems such as structural, mechanical, plumbing, and electrical elements or components. Such submission shall include all documents and data providing complete information necessary for evaluation of the system's performance and capabilities for its intended use. The local government is responsible for inspecting the assembly of the components to assure compliance with the locally adopted code.

**428.4.4.**(4)

Calculations and Test Procedures:

**428.4.4.1.**(a)

Where it is necessary to substantiate any structural design or method of construction, calculations and supporting data, signed by a Florida Licensed Architect or Professional Engineer, where required by law or the department shall be submitted to the department.

**428.4.4.2.**(b)

The load-bearing capacity of elements or assemblies shall be, in accordance with the Florida building applicable code, established either by calculations in accordance with generally established principles of engineering design, or by physical tests allowed by the code. When the composition or configuration of elements, assemblies, or details of structural members are such that calculations of their safe load-carrying capacity, basic structural integrity or fire resistance cannot be accurately determined in accordance with generally established principles of engineering design, such structural properties or fire resistance of such members or assemblies must comply with the Florida Standard Building Code referenced in 9B-1.004. Tests shall be performed by a recognized testing organization that can demonstrate compliance with 9B-1.003(5). Tests shall be directed, witnessed and evaluated by a licensed architect or professional engineer. Test procedures and results shall be reviewed and evaluated by the Department.

**428.4.5.**(5)

Manufacturer's Plan Approval Revoked:

**428.4.5.**(a)

The manufacturer's plan approval shall terminate within ninety (90) days if he fails to update his submittal to the latest editions of the State adopted codes. Revocation of plans approval may also occur if the manufacturer is without inspection agency services, or upon the failure of the manufacturer to comply with any of the provisions of this chapter.



**428.4.5.(b)**

Upon revocation of plan approval, assigned insignias not used prior to the date of a manufacturer's revocation are void and shall be returned to the Department. The Department shall reimburse the amount paid for the insignias to the manufacturer.

**428.4.5.(c)**

The manufacturer's state certification shall terminate when the manufacturer files a petition for a declaration of bankruptcy.

**428.4.6.(6)**

Non-conforming Application. Should the application or subsequent plans submittal not conform to the requirements of these rules, the applicant shall be notified in writing. If corrections have not been received by the Department within 60 days of such notice, the application will be deemed abandoned and all fees submitted shall apply towards departmental cost incurred with any excess returned. Subsequent resubmission shall be the same as for a new application.

**428.4.7.(7)**

Evidence of department approval. Approved plans and specifications shall be evidenced by a letter certificate from the department. Approved copies of the design plans and specifications shall be returned to the manufacturer with a state approval letter indicating the limitations, if any, of such approval. An approved copy shall be available for inspection use at each place of manufacture.

**428.4.8.(8)**

Manufacturer's Component Data Plate. Each component or package of like components shall contain a manufacturer's data plate which indicates the limiting characteristics and design criteria of such components for determining how they are to be installed and utilized within their capabilities. Such data plate information shall be approved by the agency and the department.

**428.4.9.(9)**

Manufacturer's Modular Data Plate. The manufacturer shall install on all industrialized buildings prior to leaving the manufacturing plant a data plate which shall be permanently mounted on or about the electrical panel and which shall contain, but not be limited to the following design information when applicable:

- (a) number of modules;
- (b) plan number;
- (c) serial number;
- (d) insignia number;
- (e) occupancy classification;
- (f) fire rating of exterior walls;
- (g) construction classification;
- (h) maximum floor live load;
- (i) maximum snow load (roof live load);
- (j) maximum wind load (velocity);

- (k) seismic zone (0, 1, 2, 3);
- (l) thermal transmittance value (Uo) of: walls, roof/ceiling and floors; and
- (m) date the building was constructed.

**428.4.10.** (10)

A professional engineer or architect registered by the State is authorized to prepare modifications to a manufacturer's typical model which has received prior approval by the Department. Any modifications shall bear the appropriate seal required by Section 481.221, F.S., or 471, F.S., as appropriate. Such modifications shall be approved by the inspection agency prior to submission to the Department. The manufacturer has the option of beginning construction of the building after receiving the inspection agency approval at his own risk or delaying construction until the Department has approved the modifications. If the Department determines that the designer has erred or made modifications which do not conform to the codes adopted herein, no insignias will be released until the deficiencies have been corrected.

**428.4.11.** (11)

All material submitted by the manufacturer to the department in the form of design plans, engineering data, test results, quality control manual and other design information relating to their application will be considered as confidential information of the applicant until such time as approval has been issued by the department.

Specific 553.37(1) FS:

Law Implemented 553.38(1) FS:

History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.09, Amended 1-1-87, 3-1-92, 3-1-95.

Section 429 is amended to read as follows:

**SECTION 429  
BOOT CAMPS FOR CHILDREN**

Boot camps for children shall comply with the design and construction standards as described herein in Chapter 63E-2.020 Florida Administrative Code. Enforcement and interpretation of these provisions shall be by the entities authorized by Chapter 553.80, Florida Statutes.

Note: Other administrative and programmatic provisions may apply. See Department of Juvenile Justice Rule 63E-2, Florida Administrative Code and Chapter 39, Florida Statutes.

429.1 Facility Structural and Operational Standards.

(1) The facility shall conform with the Florida Fire Prevention Code. All new construction and building renovations shall comply with the Florida Building Code.

(2) All juvenile justice residential treatment program facilities shall conform to the Florida Building Code.

(3) All juvenile justice residential treatment program facilities shall comply with the sanitation, health and fire codes set forth in the Florida Building Code and in the Florida Fire Prevention Code.

Section 433 is added to read as follows:

**Section 433**  
**ADULT DAY CARE**

**433.1 General.** Adult day care facilities shall comply with the following design and construction standards.

Note: See Agency for Health Care Administration [AHCA] Rule 58A-6, Florida Administrative Code and Chapter 400, Part V, Florida Statutes.

**433.2. Definitions.** “Adult day care center” or “center” means any building, buildings, or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for a part of a day, basic services to three or more persons who are 18 years of age or older, who are not related to the owner or operator by blood or marriage, and who require such services. The following are exempt from this part:

a. Any facility, institution, or other place that is operated by the Federal Government or any agency thereof.

b. Any freestanding inpatient hospice facility that is licensed by the state and which provides day care services to hospice patients only.

c. A licensed assisted living facility, a licensed hospital, or a licensed nursing home facility that provides services during the day which include, but are not limited to, social, health, therapeutic, recreational, nutritional, and respite services, to adults who are not residents, so long as the facility does not hold itself out as an adult day care center.

(e) Capacity shall mean the number of participants for which a center has been licensed to provide care at any given time and shall be based upon required net floor space.

(l) Net Floor Space shall mean the actual climatically controlled occupied area, not including accessory unoccupied areas such as hallways, stairs, closets, storage areas, bathrooms, kitchen or thickness of walls, set aside for the use of the day care center participants.

(p) Participant Space shall mean the required net floor space per participant. Maximum participant capacity shall refer to the licensed capacity.

**433.3** The following minimum conditions shall be met:

1. The floor surfaces in kitchens, all rooms and areas in which food is stored or prepared and in which utensils are washed or stored shall be of smooth nonabsorbent material and constructed so it can be easily cleaned and shall be washable up to the highest level reached by splash or spray.

2. The walls and ceilings of all food preparation, utensil washing and hand washing rooms or areas shall have smooth, easily cleanable surfaces. Walls shall be washable up to the highest level reached by splash or spray.

3. Hot and cold running water under pressure shall be easily accessible to all rooms where food is prepared or utensils are washed.

4. Hand washing facilities, provided with hot and cold running water, shall be located within the food preparation area in new adult day care facilities and adult day care facilities which are extensively altered.

5. Multi-use equipment and utensils shall be constructed and repaired with materials that are non-toxic, corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use; and shall not impart odors, color or taste nor contribute to the contamination of food.

6. A three compartment sink or a two compartment sink and a dishwasher with an effective, automatic sanitizing cycle, shall be provided.

7. Refrigeration units and hot food storage units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units and of such type and so situated that the temperature can be easily and readily observed.

**433.4** Participant and Program Data, Emergency Procedures.

Fire safety protection shall be governed in accordance with the Florida Fire Prevention Code.

**433.5** Physical Plant, Sanitary Conditions, Housekeeping Standards and Maintenance.

(1) The participant capacity shall be determined by the total amount of net floor space available for all of the participants. Centers shall provide not less than 45 square feet of net floor area per participant. Centers shall be required to provide additional floor space for special target populations to accommodate activities required by participant care plans.

(2) Facilities exempt pursuant to 400.553, F.S., shall utilize separate space over and above the minimum requirement needed to meet their own licensure certification approval requirements. Only congregate space shall be included in

determining minimum space. For purposes of this section, congregate space shall mean climatically controlled living room, dining room, specialized activity rooms, or other rooms to be commonly used by all participants.

(3) Center facilities shall consist of, but not be limited to, the following:

(a) bathrooms

(b) dining areas

(c) kitchen areas

(d) rest areas

(e) recreation and leisure time areas

(4) A private area shall be available for the provision of first aid, special care and counseling services when provided, or as necessary for other services required by participants. This area shall be appropriately furnished and equipped.

(5) Bathrooms shall be ventilated and have hot and cold running water, supplying hot water at a minimum of 105 degrees Fahrenheit and a maximum of 115 degrees Fahrenheit.

(6) Recreation and leisure time areas shall be provided where a participant may read, engage in socialization or other leisure time activities. The recreation areas also may be utilized for dining areas.

(7) All areas used by participants shall be suitably lighted and ventilated and maintained at a minimal inside temperature of 72 degrees F. when outside temperatures are 65 degrees F. or below, and all areas used by participants must not exceed 90 degrees F. Mechanical cooling devices must be provided when indoor temperatures exceed 84 degrees F. The facility shall have a thermometer which accurately identifies the temperature.

Section 434 is added to read as follows:

#### **Section 434** **Assisted Living Facilities**

434.1 Scope. Assisted living facilities shall comply with the following design and construction standards as described herein.

Note: Other administrative and programmatic provisions may apply. See Agency of Health Care Administration (AHCA) Rule 58A-5, Florida Administrative Code and Chapter 400 Part III, Florida Statutes.

#### 434.2 Definition

(1) "Agency" means the Agency for Health Care Administration.

(2) "Assisted living facility" means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. The following are exempted from this definition:

(a) Any facility, institution, or other place operated by the Federal Government or any agency of the Federal Government.

(b) Any facility or part of a facility licensed under chapter 393F.S. or chapter 394 F.S..

(c) Any facility licensed as an adult family-care home under part VII Chapter 400, F.S.

(d) Any person who provides housing, meals, and one or more personal services on a 24-hour basis in the person's own home to not more than two adults who do not receive optional state supplementation. The person who provides the housing, meals, and personal services must own or rent the home and reside therein.

(e) Any home or facility approved by the United States Department of Veterans Affairs as a residential care home wherein care is provided exclusively to three or fewer veterans.

(f) Any facility that has been incorporated in this state for 50 years or more on or before July 1, 1983, and the board of directors of which is nominated or elected by the residents, until the facility is sold or its ownership is transferred; or any facility, with improvements or additions thereto, which has existed and operated continuously in this state for

60 years or more on or before July 1, 1989, is directly or indirectly owned and operated by a nationally recognized fraternal organization, is not open to the public, and accepts only its own members and their spouses as residents.

(g) Any facility certified under chapter 651 F.S., or a retirement community, may provide services authorized under this section or part IV of chapter 400, F.S. to its residents who live in single-family homes, duplexes, quadruplexes, or apartments located on the campus without obtaining a license to operate an assisted living facility if residential units within such buildings are used by residents who do not require staff supervision for that portion of the day when personal services are not being delivered and the owner obtains a home health license to provide such services. However, any building or distinct part of a building on the campus that is designated for persons who receive personal services and require supervision beyond that which is available while such services are being rendered must be licensed in accordance with this section. If a facility provides personal services to residents who do not otherwise require supervision and the owner is not licensed as a home health agency, the buildings or distinct parts of buildings where such services are rendered must be licensed under this section. A resident of a facility that obtains a home health license may contract with a home health agency of his or her choice, provided that the home health agency provides liability insurance and workers' compensation coverage for its employees. Facilities covered by this exemption may establish policies that give residents the option of contracting for services and care beyond that which is provided by the facility to enable them to age in place. For purposes of this section, a retirement community consists of a facility licensed under this section or under part II of Chapter 400, F.S., and apartments designed for independent living located on the same campus.

(h) Any residential unit for independent living which is located within a facility certified under chapter 651 F.S., or any residential unit which is colocated with a nursing home licensed under part II of Chapter 400 F.S. or colocated with a facility licensed under this section in which services are provided through an outpatient clinic or a nursing home on an outpatient basis.

(3) "Department" means the Department of Elderly Affairs.

(4) "Extended congregate care" means acts beyond those authorized in subsection (5) that may be performed pursuant to part I of chapter 464 F. S. by persons licensed thereunder while carrying out their professional duties. The purpose of such services is to enable residents to age in place in a residential environment despite mental or physical limitations that might otherwise disqualify them from residency in a facility licensed under this part.

(5) "Personal services" means direct physical assistance with or supervision of the activities of daily living and the self-administration of medication and other similar services which the department may define by rule. "Personal services" shall not be construed to mean the provision of medical, nursing, dental, or mental health services.

(6) "Relative" means an individual who is the father, mother, stepfather, stepmother, son, daughter, brother, sister, grandmother, grandfather, great-grandmother, great-grandfather, grandson, granddaughter, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister of an owner or administrator.

(7) "Resident" means a person 18 years of age or older, residing in and receiving care from a facility.

(8) "Resident's representative or designee" means a person other than the owner, or an agent or employee of the facility, designated in writing by the resident, if legally competent, to receive notice of changes in the contract executed pursuant to ss. 400.424 F.S.; to receive notice of and to participate in meetings between the resident and the facility owner, administrator, or staff concerning the rights of the resident; to assist the resident in contacting the ombudsman council if the resident has a complaint against the facility; or to bring legal action on behalf of the resident pursuant to ss. 400.429 F.S.

(9) "AHCA central office" means the Assisted Living Unit, Agency for Health Care Administration.

(10) "Capacity" means the number of residents for which a facility has been licensed to provide residential care.

(11) "Distinct part" means designated bedrooms or apartments, bathrooms and a living area; or a separately identified wing, floor, or building which includes bedrooms or apartments, bathrooms and a living area. The distinct part may include a separate dining area, or meals may be served in another part of the facility.

(12) "DOEA Assisted Living Program" means the Assisted Living Program, Department of Elder Affairs.

(13) "Food service" means the storage, preparation, serving, and cleaning up of food intended for consumption in a facility or a formal agreement that meals will be regularly catered by a third party.

(14) "Renovation" means additions, repairs, restorations, or other improvements to the physical plant of the facility within a 5 year period that costs in excess of 50 percent of the value of the building as reported on the tax rolls, excluding land, before the renovation.

#### 434.4 Physical Plant Standards.

##### 434.4.1 GENERAL REQUIREMENTS.

(a) The ALF shall be located, designed, equipped, and maintained to promote a residential, non-medical environment, and provide for safe care.

(b) The facility's physical structure, including the interior and exterior walls, floors, roof and ceilings shall be structurally sound and in good repair.

(c) Indoor radon testing as mandated by s. 404.056(5), F.S., shall be completed by all facilities.

##### 434.4.2 HEATING AND COOLING.

(a) When outside temperatures are 65 degrees Fahrenheit or below, an indoor temperature of at least 72 degrees Fahrenheit shall be maintained in all areas used by residents during hours when residents are normally awake. During night hours when residents are asleep, an indoor temperature of at least 68 degrees Fahrenheit shall be maintained.

(b) During hours when residents are normally awake, mechanical cooling devices, such as electric fans, must be used in those areas of buildings used by residents when inside temperatures exceed 85 degrees Fahrenheit provided outside temperatures remain below 90 degrees Fahrenheit. No residents shall be in any inside area that exceeds 90 degrees Fahrenheit. However, during daytime hours when outside temperatures exceed 90 degrees, and at night, an indoor temperature of no more than 81 degrees Fahrenheit must be maintained in all areas used by residents.

(c) Residents who have individually controlled thermostats in their bedrooms or apartments shall be permitted to control temperatures in those areas.

##### 434.4.3 COMMON AREAS.

(a) A minimum of 35 square feet of living and dining space per resident, live-in staff, and live-in family member shall be provided except in facilities comprised of apartments. This space shall include living, dining, recreational, or other space designated accessible to all residents, and shall not include bathrooms, corridors, storage space, or screened porches which cannot be adapted for year round use. Facilities with apartments may count the apartment's living space square footage as part of the 35 square footage living and dining space requirement.

Those facilities also serving as adult day care centers must provide an additional 35 square feet of living and dining space per adult day care client. Excess floor space in residents' bedrooms or apartments cannot be counted toward meeting the requirement of 35 square feet of living and dining space requirements for adult day care participants. Day care participants may not use residents' bedrooms for resting unless the room is currently vacant.

(b) A room, separate from resident bedrooms, shall be provided where residents may read, engage in socialization or other leisure time activities. Comfortable chairs or sofas shall be provided in this communal area.

(c) The dining area shall be furnished to accommodate communal dining.

##### 434.4.4 BEDROOMS

(a) Resident sleeping rooms designated for single occupancy shall provide a minimum inside measurement of 80 square feet of usable floor space. Usable floor space does not include closet space or bathrooms.

(b) Resident bedrooms designated for multiple occupancy shall provide a minimum inside measurement of 60 square feet of usable floor space per room occupant.

(c) Resident bedrooms designated for multiple occupancy in facilities newly licensed or renovated 6 months after October 17, 1999, shall have a maximum occupancy of two persons.

(d) All resident bedrooms shall open directly into a corridor, common use area or to the outside. A resident must be able to exit his bedroom without having to pass through another bedroom unless the 2 rooms have been licensed as one bedroom.

(e) All resident bedrooms shall be for the exclusive use of residents. Live-in staff and their family members shall be provided with sleeping space separate from the sleeping and congregate space required for residents.

##### 434.4.5 BATHROOMS

(a) There shall be at least one bathroom with one toilet and sink per six persons, and one bathtub or shower per eight persons. All residents, all live-in staff and family members, and respite care participants must be included when calculating the required number of toilets, sinks, bathtubs and showers. All adult day care participants shall be included when calculating the required number of toilets and sinks.

(b) Each bathroom shall have a door in working order to assure privacy. The entry door to bathrooms with a single toilet shall have a lock which is operable from the inside by the resident with no key needed. A non-locking door shall be permitted if the resident's safety would otherwise be jeopardized.

(c) There shall be non-slip safety devices such as bath mats or peel off stickers in the showers and bathtubs of all facilities. Showers and bathtubs with a non-skid surface require a separate non-skid device only if the surface is worn. Grab bars shall be required in showers and bathtubs. Grab bars, whether portable or permanent, must be securely affixed to the floor or adjoining walls. Facilities newly licensed or renovated 6 months after October 17, 1999 must have grab bars next to the commode.

(d) Sole access to a toilet or bathtub or shower shall not be through another resident's bedroom, except in apartments within a facility.

434.4.6 SECURITY. External boundaries of a facility or a distinct part of a facility, including outside areas, may be secured using egress control or perimeter control devices if the following conditions are met.

(a) The use of the device complies with all life-safety requirements.

(b) Residents residing within a secured area are able to move freely throughout the area, including the resident's bedroom or apartment, bathrooms and all common areas, and have access to outdoor areas on a regular basis and as requested by each resident.

(c) Residents capable of entering and exiting without supervision have keys, codes, or other mechanisms to exit the secured area without requiring staff assistance.

(d) Staff who provide direct care or who have regular contact with residents residing in secured areas complete Level 1 Alzheimer's training as described in Rule 58A-5.0191.

(8) Pursuant to s. 400.441, F.S., facilities with 16 or fewer residents shall not be required to maintain an accessible telephone in each building where residents reside, maintain written staff job descriptions, have awake night staff, or maintain standardized recipes as provided in Rules 58A-5.0182(6)(g), 58A-5.019(2)(e), 58A-5.019(4)(a), and 58A-5.020(2)(b) respectively.

#### 434.5 Extended Congregate Care

PHYSICAL SITE REQUIREMENTS. Each extended congregate care facility shall provide a homelike physical environment which promotes resident privacy and independence including:

(a) A private room or apartment, or a semi-private room or apartment shared with roommate of the resident's choice. The entry door to the room or apartment shall have a lock which is operable from the inside by the resident with no key needed. The resident shall be provided with a key to the entry door on request. The resident's service plan may allow for a non-locking entry door if the resident's safety would otherwise be jeopardized.

(b) A bathroom, with a toilet, sink, and bathtub or shower, which is shared by a maximum of 4 residents. A centrally located hydro-massage bathtub may substitute for the bathtub or shower in two of the bathrooms. The entry door to the bathroom shall have a lock which is operable from the inside by the resident with no key needed. The resident's service plan may allow for a non-locking bathroom door if the resident's safety would otherwise be jeopardized.

Section 435 is added to read as follows:

### **Section 435** **Control of Radiation Hazards**

**435.1 Scope.** Control of radiation hazards shall comply with the following design and construction standards as described herein.

Note: Other administrative and programmatic provisions may apply. See Department of Health [DOH] Rule 64E-5, Florida Administrative Code and Chapter 404, Florida Statutes.

#### **435.2 Control of Access to High Radiation Areas.**

“High radiation area” means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving a dose equivalent in excess of 1 mSv (0.1 rem) in 1 hour at 30 centimeters from any source of radiation or from any surface that the radiation penetrates. For purposes of this section, rooms or areas in which diagnostic x-ray systems are used for healing arts purposes are not considered high radiation areas.

“Very high radiation area” means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving an absorbed dose in excess to 500 rad (5 gray) in 1 hour at 1 meter from a source of radiation or from any surface that the radiation penetrates. At very high doses received at high dose rates, units of absorbed dose, gray and rad, are appropriate, rather than units of dose equivalent, sievert and rem.

**435.2.1** The licensee or registrant shall ensure that each entrance or access point to a high radiation area has one or more of the following features:

**435.2.1.1** A control device that upon entry into the area causes the level of radiation to be reduced below that level at which an individual might receive a deep dose equivalent of 0.1 rem (1 millisievert) in 1 hour at 30 centimeters from the source of radiation from any surface that the radiation penetrates;

**435.2.1.2** A control device that energizes a conspicuous visible or audible signal so that the individual entering the high radiation area and the supervisor of the activity are made aware of the entry; or

**435.2.1.3** Entryways that are locked except during periods when access to the areas is required with positive control over each individual entry.

### **435.3 Caution Signs.**

**435.3.1** Standard Radiation Symbol. Unless otherwise authorized by the department, the symbol prescribed in this section shall use the colors magenta or purple or black on yellow background. The symbol prescribed is the three-bladed design as follows:

#### **RADIATION SYMBOL**

**(a)** Cross-hatched area is to be magenta or purple or black, and

**(b)** The background is to be yellow.

**435.3.2** Exception to Color Requirements for Standard Radiation Symbol. In spite of the requirements of section 435.8.1, licensees or registrants are authorized to label sources, source holders, or device components containing sources of radiation that are subjected to high temperatures, with conspicuously etched or stamped radiation caution symbols and without a color requirement.

**435.3.3** Additional Information on Signs and Labels. In addition to contents of signs and labels prescribed in this part, the licensee or registrant shall provide on or near the required signs and labels additional information to make individuals aware of potential radiation exposures and to minimize the exposures.

### **435.4 Posting Requirements.**

**435.4.1** Posting of Radiation Areas. The licensee or registrant shall post each radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIATION AREA."

**435.4.2** Posting of High Radiation Areas. The licensee or registrant shall post each high radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, HIGH RADIATION AREA" or "DANGER, HIGH RADIATION AREA."

**435.4.3** Posting of Very High Radiation Areas. The licensee or registrant shall post each very high radiation area with a conspicuous sign or signs bearing the radiation symbol and words "GRAVE DANGER, VERY HIGH RADIATION AREA."

**435.4.4** Posting of Airborne Radioactivity Areas. The licensee shall post each airborne radioactivity area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, AIRBORNE RADIOACTIVITY AREA" or "DANGER, AIRBORNE RADIOACTIVITY AREA."

**435.4.5** Posting of Areas or Rooms in which Licensed Material is Used or Stored. The licensee shall post each area or room in which there is used or stored an amount of licensed material exceeding 10 times the quantity of such material specified in State of Florida Office of Radiation Control Radioactive Material Requiring Labeling, May 2000, which is herein incorporated by reference and which is available from the department, with a conspicuous sign or



signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

435.4.6 A licensee or registrant is not required to post caution signs in areas or rooms containing sources of radiation for periods of less than 8 hours if each of the following conditions is met.

435.4.6.1 The sources of radiation are constantly attended during these periods by an individual who takes the precautions necessary to prevent the exposure of individuals to sources of radiation in excess of the limits established in this section, and

435.4.6.2 The area or room is subject to the licensee's or registrant's control.

435.4.7 Rooms or other areas in hospitals that are occupied by patients are not required to be posted with caution signs as specified in 64E-5.323 if the patient could be released from confinement as specified in 64E-5.622.

435.4.8 A room or area is not required to be posted with a caution sign because of the presence of a sealed source provided the radiation level at 30 centimeters from the surface of the sealed source container or housing does not exceed 0.005 rem (0.05 millisievert) per hour.

435.4.9 A room or area is not required to be posted with a caution sign because of the presence of radiation machines used solely for diagnosis in the healing arts.

### **435.5 General Requirements.**

#### **435.5.1 Shielding.**

Each x-ray facility shall have primary and secondary protective barriers as needed to assure that an individual will not receive a radiation dose in excess of the limits specified in Part III of Chapter 64E-5, F.A.C.

435.5.1.1 Structural shielding in walls and other vertical barriers required for personnel protection shall extend without breach from the floor to a height of at least 7 feet (2.1 m).

435.5.1.2 Doors, door frames, windows and window frames shall have the same lead equivalent shielding as that required in the wall or other barrier in which they are installed.

435.5.1.3 Prior to construction, the floor plans and equipment arrangement of all new installations, or modifications of existing installations, utilizing x-ray energies of 200 keV and above for diagnostic or therapeutic purposes shall be submitted to the Department of Health for review and approval. In computation of protective barrier requirements, the maximum anticipated workload, use factors, occupancy factors and the potential for radiation exposure from other sources shall be taken into consideration.

435.5.1.3.1. The plans shall show, as a minimum, the following:

a. The normal location of the x-ray system's radiation port; the port's travel and traverse limits; general direction of the useful beam; locations of any windows and doors; the location of the operator's booth; and the location of the x-ray control panel.

b. The structural composition and thickness or lead equivalent of all walls, doors, partitions, floor and ceiling of the room concerned.

c. The dimensions of the room concerned.

d. The type of occupancy of all adjacent areas inclusive of space above and below the room concerned. If there is an exterior wall, the distance to the closest area where it is likely that individuals may be present.

e. The make and model of the x-ray equipment and the maximum technique factors.

f. The type of examinations or treatments which will be performed with the equipment.

435.5.1.3.2. Information on the anticipated maximum workload of the x-ray system.

435.5.1.3.3. If the services of a qualified person have been utilized to determine the shielding requirements, a copy of the report, including all basic assumptions used, shall be submitted with the plans.

#### **435.5.2 X-ray Film Processing Facilities**

435.5.2.1 Processing Facilities. Each installation using a radiographic x-ray system shall provide suitable equipment for handling and processing radiographic film in accordance with the following provisions:

435.5.2.1.1. The area in which undeveloped films are handled for processing shall be devoid of light with the exception of light in the wave lengths having no significant effect on the radiographic film.

435.5.2.1.2. Film pass boxes, if provided, shall be so constructed as to exclude light when film is placed in or removed from the boxes, and shall incorporate adequate shielding to prevent exposure of undeveloped film to stray radiation.

435.5.2.1.3. Darkrooms used by more than one individual shall be provided a positive method to prevent accidental entry while undeveloped films are being handled or processed.

435.5.2.1.4. Where film is developed manually,

a. At least one tri-sectional tank made of mechanically rigid, corrosion resistant material shall be utilized; and

b. The temperature of each solution shall be maintained within the range of 600 F to 800 F (160 C to 270 C). Film shall be developed in accordance with the time-temperature relationships specified by the film manufacturer, or, in the absence of such recommendations by the film manufacturer, with the following time-temperature chart:

Time-Temperature Chart

Thermometer Reading    Minimum Developing  
(Degrees)                    Time (Minutes)

<u>C</u>	<u>F</u>	<u>Time (Minutes)</u>
<u>26.7</u>	<u>80</u>	<u>2</u>
<u>26.1</u>	<u>79</u>	<u>2</u>
<u>25.6</u>	<u>78</u>	<u>2 1/2</u>
<u>25.0</u>	<u>77</u>	<u>2 1/2</u>
<u>24.4</u>	<u>76</u>	<u>3</u>
<u>23.9</u>	<u>75</u>	<u>3</u>
<u>23.3</u>	<u>74</u>	<u>3 1/2</u>
<u>22.8</u>	<u>73</u>	<u>3 1/2</u>
<u>22.2</u>	<u>72</u>	<u>4</u>
<u>21.7</u>	<u>71</u>	<u>4</u>
<u>21.1</u>	<u>70</u>	<u>4 1/2</u>
<u>20.6</u>	<u>69</u>	<u>4 1/2</u>
<u>20.0</u>	<u>68</u>	<u>5</u>
<u>19.4</u>	<u>67</u>	<u>5 1/2</u>
<u>18.9</u>	<u>66</u>	<u>5 1/2</u>
<u>18.3</u>	<u>65</u>	<u>6</u>
<u>17.8</u>	<u>64</u>	<u>6 1/2</u>
<u>17.2</u>	<u>63</u>	<u>7</u>
<u>16.7</u>	<u>62</u>	<u>8</u>
<u>16.1</u>	<u>61</u>	<u>8 1/2</u>
<u>15.6</u>	<u>60</u>	<u>9 1/2</u>

c. Devices shall be utilized which will:

(I) Indicate the actual temperature of the developer; and

(II) Signal the passage of a preset time as short as 2 minutes.

**435.6 Doors, Interlocks, and Warning Systems.**

435.6.1 A licensee shall control access to the teletherapy room by a door at each entrance.

435.6.2 A licensee shall equip each entrance to the teletherapy room with an electrical interlock system that shall:

(a) Prevent the operator from turning on the primary beam of radiation unless each treatment room entrance door is closed;

(b) Turn off the beam of radiation immediately when an entrance door is opened; and

(c) Prevent the primary beam of radiation from being turned on following an interlock interruption until all treatment room entrance doors are closed and the beam on-off control is reset at the console.

435.6.3 A licensee shall equip each entrance to the teletherapy room with a conspicuously visible beam condition indicator light.

**435.7 Radiation Monitoring Devices.**

435.7.1 A licensee shall have a permanent radiation monitor in each teletherapy room capable of continuously monitoring beam status.

435.7.2 Each radiation monitor shall be capable of providing visible notice of a teletherapy unit malfunction that results in an exposed or partially exposed source. The visible indicator of high radiation levels shall be observable by an individual entering the teletherapy room.

435.7.3 Each radiation monitor shall be equipped with a backup power supply separate from the power supply to the teletherapy unit. This backup power supply may be a battery system.

#### **435.8 Viewing Systems.**

A licensee shall construct or equip each teletherapy room to permit continuous observation of the patient from the teletherapy unit console during irradiation.

#### **435.9 Warning Devices.**

435.9.1 All locations designated as high radiation areas, and all entrances to such locations shall be equipped with easily observable warning lights that operate when and only when radiation is being produced.

435.9.2 Except in facilities designed for human exposure, each high radiation area shall have an audible warning device which shall be activated for 15 seconds prior to the possible creation of such high radiation area. Such warning device shall be clearly discernible in all high radiation areas and in any adjacent radiation areas.

435.9.3 Barriers, temporary or otherwise, and pathways leading to high radiation areas shall be identified in accordance with the Department of Health

#### **435.10 Design Requirements for Radiation Rooms.**

Panoramic irradiators shall not be operated unless the following are met:

435.10.1 Each entrance to a radiation room must have a door or other physical barrier to prevent inadvertent entry of personnel while the sources are exposed. Product conveyor systems can serve as barriers as long as they reliably and consistently function as a barrier. It must not be possible to move the sources out of their shielded position if any door or barrier to the radiation room is open. Opening the door or barrier while the sources are exposed must cause the sources to return promptly to their shielded position. The primary entry door must have a lock which is operated by the same key used to control source movement. The doors and barriers must not prevent any individual in the radiation room from leaving.

435.10.2 Each entrance to a radiation room must have an independent backup access control to detect personnel entry while the sources are exposed if the primary access control fails. Entry while the sources are exposed must cause the sources to return to their fully shielded position and also must activate a visible and audible alarm to make the individual entering the room aware of the hazard. The alarm also must alert at least one other individual of the entry who is on site and who is trained to render or summon assistance promptly.

435.10.3 A radiation monitor must be provided to detect the presence of high radiation levels in the radiation room before personnel entry. The monitor must be integrated with personnel access door locks to prevent room access when the monitor detects high radiation levels. The monitor must generate audible and visible alarms if high radiation levels are detected when personnel entry is attempted. The monitor can be located in the entrance or maze but not in the direct radiation beam.

435.10.4 Before sources move from their shielded position, the source control automatically must activate conspicuous visible and audible alarms to alert people in the radiation room that the sources will be moved from their shielded position. The alarms must give individuals enough time to leave the room before the sources leave the shielded position.

435.10.5 Each radiation room must have a clearly visible and readily accessible control which will allow an individual in the room to return the sources to their fully shielded position.

435.10.6 Each radiation room must contain a control which allows the sources to move from the shielded position only if the control has been activated and the door or barrier to the radiation room subsequently has been closed within a preset time.

435.10.7 Each entrance to the radiation room and each entrance to the area within the personnel access barrier of an underwater irradiator must be posted as required by this section Panoramic irradiators also must be posted as

required by this section The sign can be removed, covered, or otherwise made inoperative when the sources are shielded fully.

**435.10.8** If the radiation room has roof plugs or other movable shielding, it must not be possible to operate the irradiator unless the shielding is in its proper location. This requirement can be met by interlocks which prevent operation if shielding is not placed properly or by an operating procedure requiring inspection of shielding before operating.

**435.10.9** Underwater irradiators must have a personnel access barrier around the pool which must be locked to prevent access when the irradiator is not attended. Only operators and facility management shall have access to keys to the personnel access barrier. There must be an intrusion alarm to detect unauthorized entry when the personnel access barrier is locked. Activation of the intrusion alarm must alert an individual, not necessarily on site, who is prepared to respond or summon assistance.

### **435.11 Fire Protection.**

**435.11.1** The radiation room at a panoramic irradiator must have heat and smoke detectors. The detectors must activate an audible alarm. The alarm must be capable of alerting a person who is prepared to summon assistance promptly. The sources must become fully shielded automatically and the air handling systems within the radiation room must be disabled automatically if a fire is detected.

**435.11.2** The radiation room at a panoramic irradiator must be equipped with a fire suppression or extinguishing system capable of extinguishing a fire without the entry of personnel into the room. The system for the radiation room must have a shut-off valve to control flooding into unrestricted areas.

### **435.12 Irradiator Pools.**

**435.12.1** Irradiator pools must possess a watertight stainless steel liner or a liner metallurgically compatible with other components in the pool or be constructed so that there is a low likelihood of substantial leakage and have a surface designed to facilitate decontamination and must include a means of safely storing sources during repairs of the pool.

**435.12.2** Irradiator pools must have no penetration more than 0.5 meter below the normal low water level which could allow water to drain out of the pool. Pipes which have intakes more than 0.5 meter below the normal low water level must have siphon breakers to prevent the siphoning of the pool.

**435.12.3** A means must be provided to replenish water losses from the pool.

**435.12.4** An audible and visible indicator must be provided to indicate if the pool water level is below the normal low water level or above the normal high water level.

**435.12.5** Irradiator pools must be equipped with a purification system designed to maintain the water during normal operation at a level of conductance not exceeding 20 microsiemens per centimeter and with a clarity so the sources can be seen clearly.

**435.12.6** A physical barrier such as a railing or cover must be used around irradiator pools during normal operation to prevent personnel from accidentally falling into the pool. The barrier can be removed during maintenance, inspection, and service operations.

**435.12.7** If long-handled tools or poles are used in irradiator pools, the radiation dose rate on the handling areas of the tools must not exceed 2 millirem (0.02 millisievert) per hour.

### **435.13 Design Requirements.**

**435.13.1** Panoramic irradiators shall meet the following design requirements:

**435.13.1.1 Shielding.** The shielding walls shall be designed to meet generally accepted building code requirements for reinforced concrete and shall design the walls, wall penetrations, and entrance ways to meet the radiation shielding requirements of 64E-5.1407. If the irradiator will use more than 2 X 10<sup>17</sup> becquerels (5 million curies) of activity, the licensee shall evaluate the effects of heating of the shielding walls by the irradiator sources.

**435.13.1.2 Foundations.** The foundation shall be designed with consideration given to soil characteristics to ensure it is adequate to support the weight of the facility.

**435.13.1.3 Fire Protection.** The number, design, locations and spacing of the smoke and heat detectors and extinguishing system shall be appropriate to detect fires and that the detectors are protected from mechanical and radiation damage. The fire extinguishing system shall be designed to provide the necessary discharge patterns,

densities, and flow characteristics for complete coverage of the radiation room and that the system is protected from mechanical and radiation damage.

**435.13.1.4 Wiring.** The electrical wiring and electrical equipment in the radiation room shall be selected to minimize failures due to prolonged exposure to radiation.

**435.13.2** Pool irradiators shall meet the following design requirements:

**435.13.2.1 Pool Integrity.** The pool shall be designed to assure that it is leak-resistant, that it is strong enough to bear the weight of the pool water and shipping casks, that a dropped cask would not fall on sealed sources, that all penetrations meet the requirements of 435.12.2, and that metal components are metallurgically compatible with other components in the pool.

**435.13.2.2 Water Handling System.** The water purification system shall be designed to meet the requirements of 435.12.5. The system must be designed so that water leaking from the system does not drain to unrestricted areas without being monitored. The licensee shall design the water chiller system so that it shall compensate adequately for the amount of heat generated by the sealed sources. The water handling system must have remote controls capable of safely operating a contaminated system.

**435.13.3 Floor Penetrations.** No floor penetrations, including expansion joints, floor joints and drains, shall allow the uncontrolled release of water from the radiation room that has not been analyzed for its radioactive content.

#### **435.14 Construction Control.**

The requirements of this section must be met before loading sources. Panoramic irradiators shall meet the following construction requirements:

**435.14.1 Shielding.** The construction of the shielding shall be monitored to verify that it meets design specifications and generally accepted building code requirements for reinforced concrete.

**435.14.2 Foundations.** The construction of the foundations shall be monitored to verify that they meet design specifications.

**435.14.3 Fire Protection.** The ability of the heat and smoke detectors shall be verified to detect a fire, to activate alarms, and to cause the source rack to become fully shielded automatically. The operability of the fire suppression or extinguishing system shall also be verified.

**435.14.4 Wiring.** The electrical wiring and electrical equipment that were installed shall be verified to meet the design specifications.

**435.15** Pool irradiators shall meet the following construction requirements:

**435.15.1 Pool Integrity.** The integrity of the pool shall be tested to verify that the pool meets the design specifications. The penetrations and water intakes shall be verified to meet the requirements of 435.12.2

Chapter 7, Fire Resistant Materials and Construction:

Table 704.2.4 is revised to remove reference to “Note 4” from the “Occupant Load” Column.

Chapter 9, Fire Protection Systems:

Section 903.7.5, Group R1-Residential Occupancy (Exception), is deleted as follows:

~~An automatic sprinkler system shall not be required when exterior exitway stairs complying with 1006.2 are provided for the guest rooms:~~

Section 903.8.1 is amended to read as follows:

Any building which is of three stories or more in height shall be equipped with an approved automatic sprinkler system installed in accordance with 903.1.

Exceptions:

1. Single-family and two-family dwellings.
2. A stand-alone parking garage constructed with noncombustible materials, the design of which is such that all levels of the garage are uniformly open to the atmosphere on all sides with the percentages of opening equal to or greater than those specified at 411. 3. Such garages shall be separated from any other structures by not less than 20 ft.
3. Telecommunication spaces located within telecommunication buildings, if the spaces are equipped to meet an equivalent fire-prevention standard approved by both the Florida Building Commission and the State Fire Marshal.

Section 904.3.5 is added to read as follows:

In a building less than 75 feet in height which is protected throughout with an approved and maintained fire sprinkler system, a manual wet standpipe, as defined in the National Fire Protection Association Standard 14, Standard for the Installation of Standpipe Private Hydrant, and Hose Systems, shall be allowed.

Chapter 10, Means of Egress:

Section 1003.2.7 is amended to read as follows:

Change in level in means of egress shall be either by a ramp or a stair where the elevation difference is more than 21 inches (53.3 cm). Change in level of means of egress not exceeding 21 inches (53.3 cm) shall be achieved by a ramp or a stair. The presence and location of ramped walkways shall be readily apparent. Where a change in level means of egress not exceeding 21 in. (53.3 cm) is achieved by a stair tThe minimum tread depth of such stair shall be 13 in. and the presence and location of each step shall be readily apparent. Ramps complying with 1013 shall be used for changes in elevation of 12 in. (305 mm) or less in exit access corridors, exits and exit discharge.

Table 1004 is amended to read as follows:

**TABLE 1004  
TRAVEL DISTANCE, DEAD-END LENGTH, EXIT AND MEANS OF EGRESS WIDTH**

OCCUPANCY CLASSIFICATION	MAXIMUM TRAVEL DIST. TO EXIT (ft)		MAXIMUM DEAD END CORRIDOR LENGTH (ft)	EGRESS WIDTH PER PERSON SERVED (in)		MINIMUM CORRIDOR/ AISLE WIDTH (in)	MINIMUM CLEAR OP'G OF EXIT DOORS (in)	MINIMUM STAIR WIDTH <sup>10</sup> (in)
	UNSPRK	SPRK.		LEVEL <sup>12</sup>	STAIRS			
<b>THERE ARE NO CHANGES TO THE PRECEEDING OR FOLLOWING ROWS ROWS ARE DELETED FOR CLARITY.</b>								
Group R1	175	325	20 <sup>8</sup>	0.2	0.3 <sup>14</sup>	44 <sup>5,10</sup>	32	44
Group R2	175	325	20 <sup>8</sup>	0.2	0.3	44 <sup>5,10</sup>	<u>32</u>	<u>44<sup>5</sup></u>
Group R3	175	325	20 <sup>8</sup>	0.2	0.37 <sup>14</sup>	44 <sup>5,10</sup>	<u>32</u>	<u>44<sup>5</sup></u>

For SI: 1 in = 25.4 mm, 1 ft = 0.305 m.

There are no changes to the Notes.

## Chapter 11, Florida Accessibility Code for Building Construction:

### Changes to Chapter 11, Accessibility Code for Building Construction:

#### Part A, Florida Accessibility Code for Building Construction:

Figure 28, Clear Floor Space at Water Closets (Not in Stall) is revised to clarify the following:

On each of the two left drawings, remove “min.” from the left “18 min.” (keep “18 min.” on the right of each drawing).

Figure 30(e) Toilet Stall New Construction is revised as shown in Appendix A.

Part B, Fair Housing Accessibility Guidelines, is revised to remove the reference to “August 1999.”

Part C, Request for Waiver from Accessibility Requirements is revised as shown in Appendix A.

## Chapter 12, Interior Environment:

Section 1203.2.6 is amended to read as follows:

**1203.2.6** In one and two family dwellings and within dwelling units of R2 occupancies, the ceiling height in habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 ft. (2134 mm) The required height shall be measured from the finish floor to the lowest projection from the ceiling.

### **Exceptions:**

1. Beams and girders spaced not less than 4 feet (1219 mm) may project not more than 6 in. (152 mm) below a required ceiling height.
2. Ceilings in basements without habitable spaces may project to within 6 ft. 8 in.(2032 mm) of the finish floor; and beams, girders, ducts, or other obstructions may project to within 6 ft. 4 in. (1931 mm) of the finished floor.
3. Not more than 50 percent of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 ft. (2134 mm) in height with no portion of the required floor area less than 5 ft. (1524 mm) in height.
4. A minimum height of 6 ft. 8 in. (2032) shall be permitted from the walking surface to the lowest part of any fixture or furnishing.

## Chapter 13, Energy Efficiency:

Section 610.1.A.3.5.2 Air Handling Units, is amended to read as follows:

610.1.A.3.5.2 Air Handling Units. Air handling units shall be allowed in attics if the following conditions are met:

1. The service panel of the equipment is located within six (6) feet of an attic access.
2. A device is installed to alert the owner or shut the unit down when the condensation drain is not working properly.
3. The attic access opening is of sufficient size to replace the air handler.
4. A notice is posted on the electric service panel indicating to the homeowner that the air handler is located in the attic. Said notice shall be in all capitals, in 16 point type, with the title and first paragraph in bold:

**NOTICE TO HOMEOWNER**

**A PART OF YOUR AIR CONDITIONING SYSTEM, THE AIR HANDLER, IS LOCATED IN THE ATTIC. FOR PROPER, EFFICIENT, AND ECONOMIC OPERATION OF THE AIR CONDITIONING SYSTEM, YOU MUST ENSURE THAT REGULAR MAINTENANCE IS PERFORMED.**

**YOUR AIR CONDITIONING SYSTEM IS EQUIPPED WITH ONE OR BOTH OF THE FOLLOWING: 1) A DEVICE THAT WILL ALERT YOU WHEN THE CONDENSATION DRAIN IS NOT WORKING PROPERLY OR 2) A DEVICE THAT WILL SHUT THE SYSTEM DOWN WHEN THE CONDENSATION DRAIN IS NOT WORKING. TO LIMIT POTENTIAL DAMAGE TO YOUR HOME, AND TO AVOID DISRUPTION OF SERVICE, IT IS RECOMMENDED THAT YOU ENSURE PROPER WORKING ORDER OF THESE DEVICES BEFORE EACH SEASON OF PEAK OPERATION.**

See Attachment for amended Energy Code forms.

See Appendix B for attached files for revised Energy Code Compliance Forms 600-01 North, Central, and South in Appendix D. Changes shall be made to the FLA/RES computer program which generates an equivalent of the completed forms.

Chapter 15, Roof Assemblies and Rooftop Structures:

Section 1521.9 is revised to read as follows:

One additional roofing membrane system may be applied over an original roofing assembly, providing the existing roofing membrane assembly complies with ~~1521.7 and 1521.12~~ the requirements of section 1521.

Chapter 16, Structural Loads:

Table 1604.6 is amended to change the last row to read as follows:

**TABLE 1604.6  
MINIMUM ROOF LIVE LOAD  
(LBS PER SQ FT OF HORIZONTAL PROJECTION)**



Greenhouses, lath houses, <u>screen enclosures</u> , and agricultural buildings	10	10	10
---	----	----	----

Section 1606.1.4, Protection of openings, is amended to add subparagraph 3 to read as follows:

Storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less are not required to comply with the mandatory wind-borne-debris-impact standards of this Code.

Table 1606.2A is revised as follows:

1. Revise the title to add “Note 1” after “Exposure B.”
2. Revise Note 2 to change the reference from “Figure 1606.2(c)” to “Figure 1606.2(a).”

Section 1606.3.2, Roof coverings, Exception, is revised to remove the reference to 1606.6.3.

Section 1611.2.3, Awning structures, is deleted as follows:

- ~~1. Fabric awnings, canopies and tents shall be designed as set forth in Chapter 31 of this code.~~
- ~~2. Rigid awnings and canopies shall be designed as set forth in Chapter 31 of this code.~~

Section 1626.1(Exception f), is amended to read as follows:

~~Utility sheds with maximum 10 foot (3048 mm) length by 10 foot (3048) width by 7 foot (2134 mm) height dimensions.~~ Storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less, are not required to comply with the mandatory wind-borne-debris-impact standards of this Code.

Chapter 17, Structural Tests and Inspections:

Section 1707.4.2.1, Testing and Labeling, is amended to read as follows:

1707.4.2.1 Testing and Labeling. Exterior windows and glass doors shall be tested by an approved independent testing laboratory, and bear an AAMA or WDMA or other approved label identifying the manufacturer, performance characteristics and approved product evaluation entity to indicate compliance with the requirements of the following specification:

ANSI/AAMA/NWWDA 101/~~I.S.2-97~~ ~~2-2/97~~

Chapter 19, Concrete:

Section 1901.1.1, Exception, is revised to reference s. 1917.

Chapter 23, Wood:

Section 2319.17.2.1.1(2) is deleted as follows:

~~The delegated engineering documents shall show all permanent bracing as defined on the Architect or Engineer of Record plans along with individual bracing required to secure the entire system under all design conditions noted on the architect or engineer plans.~~

Chapter 24, Glass and Glazing:

Section 2411.3.2.1 is amended to read as follows:

Operative window and door assemblies shall be tested in accordance with the requirements of this section, ANSI/AAMA/NWDA 101/I.S. 2-97, and the forced entry prevention requirements of the Architectural Aluminum Manufacturers Association ( AAMA) Standards 1302.5 and 1303.5.

Chapter 30, Elevators and Conveying Systems.

Chapter 30 is amended to read as follows:

**CHAPTER 30  
ELEVATORS AND CONVEYING SYSTEMS  
SECTION 3001  
GENERAL**

**3001.1 Scope.** The provisions of this chapter shall govern the design, construction, installation and maintenance of elevators and conveying systems.

Note: Other administrative and programmatic provisions may apply. See the Department of Business and Professional Regulation [DBPR] Chapter 399, Florida Statutes.

**3001.1.1** Elevators, shall be constructed, installed and maintained to provide proper safety in accordance with the requirements of this code. Construction, installation and maintenance shall conform with ASME A17.1, 1996 Edition, Addenda A17.1a, 1997 Edition, and A17.1b, 1998 Edition, A17.3, 1996 Edition, and A18.1, 1999 Edition, except as otherwise provided for in this code.

The division may grant exceptions to the Elevator Safety Code as authorized by the Elevator Safety Code.

The requirements of this chapter apply to equipment covered by s.1.1 of the Elevator Safety Code.

**✕ 3001.1.2 Accessibility.** Passenger elevators shall comply with Chapter 11.

### 3001.1.3 Design, installation, and alteration of elevators

1. Each elevator shall comply with the Elevator Safety Code that was in effect at the time of receipt of application for the construction permit for the elevator.
2. Each alteration to, or relocation of, an elevator shall comply with the Elevator Safety Code that was in effect at the time of receipt of the application for the construction permit for the alteration or relocation.

## SECTION 3002 DEFINITIONS

**3002.1** As used in this chapter, the term:

**Alteration** means any change or addition to the vertical conveyance equipment other than maintenance, repair, or replacement.

**Certificate of competency** means a document issued by the division which evidences the competency of a person to construct, install, inspect, maintain, or repair any vertical conveyance.

**Certificate of operation** means a document issued by the department which indicates that the conveyance has had the required safety inspection and tests and that fees have been paid as provided in this Chapter 399, FS, that authorizes an elevator owner to operate the elevator and that is issued to the elevator owner when the division finds that the elevator complies with the requirements of this chapter.

**Conveyance** means an elevator, dumbwaiter, escalator, moving sidewalk, platform lift, and stairway chairlift.

**Department** for the purpose of this section, means the Department of Business and Professional Regulation.

**Division** for the purpose of this section, means the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

**Elevator** means one of the following mechanical devices:

- (a) A hoisting and lowering mechanism, equipped with a car and platform that moves in guide rails and serves two or more landings to transport material or passengers or both.
- (b) An escalator, which is a power-driven, inclined continuous stairway used for raising or lowering passengers.
- (c) A dumbwaiter, which is a hoisting and lowering mechanism equipped with a car of limited size which moves in guide rails and serves two or more landings.
- (d) A moving walk, which is a type of passenger-carrying device on which passengers stand or walk and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.
- (e) An inclined stairway chairlift, which is a device used to transport physically handicapped persons over architectural barriers.

(f) An inclined or vertical wheelchair lift, which is a device used to transport wheelchair handicapped persons over architectural barriers.

Exceptions to this definition are as follows:

- Personnel hoists and material hoists within the scope of ASME A10.
- Man lifts within the scope of ASME A90.1.
- Mobile scaffolds, towers, and platforms within the scope of ANSI A92.
- Powered platforms and equipment for exterior and interior maintenance within the scope of ASME A120.1.
- Conveyors and related equipment within the scope of ASME B20.1.
- Cranes, derricks, hoists, hooks, jacks, and slings within the scope of ASME B30.
- Industrial trucks within the scope of ASME B56.
- Portable equipment, except for portable escalators that are covered by this Code.
- Tiered or piling machines used to move materials to and from storage located and operating entirely within one story.
- Equipment for feeding or positioning materials at machine tools and printing presses.
- Skip or furnace hoists.
- Wharf ramps.
- Railroad car lifts or dumpers.
- Line jacks, false cars, shafters, moving platforms, and similar equipment used for installing an elevator by a contractor licensed in this state.
  - Automated people movers at airports.
  - Elevators in television and radio towers.
  - Hand-operated dumbwaiters.
  - Sewage pump station lifts.
  - Automobile parking lifts.
  - Equipment covered in s. 1.2 of the Elevator Safety Code.
- Elevators, inclined stairway chairlifts, and inclined or vertical wheelchair lifts located in private residences.

**Elevator company** means any person who constructs, installs, inspects, maintains or repairs any elevator.

**Escalator** means an installation defined as an escalator in the Florida Building Code.

**Existing installation** means an installation defined as an “installation, existing” in the Florida Building Code.

**Private residence** means a separate dwelling or a separate apartment in a multiple dwelling which is occupied by members of a single family.

**Temporary dormant conveyance** means a conveyance whose power has been disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the “OFF” position. The car is parked and the hoistway doors are in the closed and latched position. A wire seal is installed on the mainline disconnect switch by a certificate of competency elevator inspector. This installation may not be used again until it has been put in safe running order and is in condition for use. Annual inspections shall continue for the duration of the temporary dormant status by a certificate of competency elevator inspector. The temporarily dormant status is renewable on an annual basis and may not exceed a 5-year period. The inspector shall file a report with the chief elevator inspector describing the current

conditions. The wire seal and padlock may not be removed for any purpose without permission from the elevator inspector.

## **SECTION 3003 ELEVATORS**

### **3003.1 Elevator enclosures**

**3003.1.1** All openings in elevator shafts shall be protected as required by ASME A17.1 and Addendum A17.1a, and they shall not in any case be less than the requirements of 705.2 of this code.

**3003.1.2** When there are three or fewer elevator cars in a building, they may be located within the same hoistway enclosure. When there are four elevator cars, they shall be divided in such a manner that at least two separate hoistways enclosures are provided. When there are more than four elevators, not more than four elevator cars shall be located within a single hoistway enclosure. Hoistway enclosures shall be protected in accordance with Table 705.1.2.

**3003.1.3** Where an elevator is installed in a blind hoistway or on the outside of a building, there shall be installed in the blind portion of the hoistway or blank face of the building, an emergency door at every third floor but not more than 36 ft (11 m) apart at least 30 inches (762 mm) wide and 78 inches (1981 mm) high conforming to the requirements of 705.1.5 and ASME A17.1, Rule 110.1.

**3003.1.4** Elevators shall not be in a common enclosing shaft with a stairway, and the path of travel from one flight of stairs to the next shall not pass directly in front of elevator doors.

**3003.1.5** Elevator lobbies shall have access to at least one exit. Such exit access shall not require the use of a key, tool, special knowledge or effort.

**3003.1.6** Doors other than the hoistway door and the elevator car door shall be prohibited at the point of access to an elevator car.

**Exception:** Doors which are readily openable from the car side without a key, tool, special knowledge or effort.

### **3003.1.7 Construction at top and bottom of hoistway**

**3003.1.7.1** Where a hoistway extends into the top floor of a building, fire resistant or machinery space enclosures, where required, shall be carried to the underside of the roof if the roof is of fire-resistant construction, and at least 3 ft (914 mm) above the top surface of the roof if the roof is of non fire-resistant construction.

**3003.1.7.2** Where a hoistway does not extend into the top floor of a building, the top of the hoistway shall be enclosed with fire-resistant construction having a fire resistance rating at least equal to that required for the hoistway enclosures.

**3003.1.7.3** Pits extending to the ground shall have noncombustible floors and shall be designed to prevent entry of groundwater into the pit. The pit floor of any hoistway not extending to the ground shall be of fire-resistant construction having a fire-resistance rating at least equal to that required for the hoistway enclosure.

**Exception:** Partitions between fire-resistant hoistways and machine rooms having fire-resistant enclosures and which are located at a side of or beneath that hoistway, may be of unperforated noncombustible material at least equal to 0.055-inch (1.4 mm) thick sheet steel in strength and stiffness with openings therein essential for ropes, drums, sheaves and other elevator equipment.

**3003.1.8** A metal or concrete floor shall be provided at the top of the hoistway.

**Exceptions:** Floors are not required below:

1. Secondary and deflecting sheaves of traction-type machines located over the hoistway.
2. Overhead sheaves, governors and other equipment where the elevator machine is located below or at the side of the hoistway, provided that:

1. Means of access for inspection and servicing of governors is provided from outside the hoistway, conforming to the requirements of Rule 101.3c, ASME A17.1.
2. Sheaves and other equipment (except governors) may be inspected and serviced from the top of the car, or means of access from outside the hoistway may be provided conforming to the requirements of Rule 101.3c, ASME A17.1.

**3003.1.9** Floors may be of concrete or may be of metal construction with or without perforations. Metal floors shall conform to the following:

1. If of bar-type grating, the openings between bars shall reject a  $\frac{3}{4}$ -inch (19 mm) diameter ball.
2. If of perforated sheet metal or of fabricated openwork construction, the openings shall reject a 1-inch (25.4 mm) diameter ball.

Each enclosed elevator lobby and each elevator machine room shall be provided with an approved smoke detector located in the lobby ceiling in accordance with NFPA 72. Smoke detectors may be installed in any hoistway, and shall be installed in hoistways which are sprinklered. When the smoke detector is activated, all affected elevators shall operate in conformance with NFPA 72, Rule 3-8.15.

**3003.2 Emergency exit.** Every elevator shall have an emergency exit as required by ASME A17.1.

**3003.3 Signs.** A permanent sign shall be installed immediately above each hall push button station on each floor reading: IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE EXIT STAIRS. This sign shall be letters not less than  $\frac{1}{2}$  inch (12.7 mm) high.

#### **3003.4 Stretcher requirements**

**3003.4.1** In all structures that are more than three stories high or in which the vertical distance between the bottom terminal landing and the top terminal landing exceeds 25 feet (7.6 m) must be constructed to contain at least one passenger elevator that is operational and will accommodate an ambulance stretcher 76 inches (1931 mm) long and 24 inches (610 mm) wide in the horizontal position. This elevator shall be identified.

**Exception:** In buildings where one elevator does not serve all floors, two or more elevators may be used. Each elevator shall be identified as to which floors are served.

#### **3003.4.2 Elevator accessibility requirements for the physically handicapped.**

(1) Each elevator must be made accessible to physically handicapped persons with the following requirements:

- (a) In a building having any elevators that do not provide access to every floor level, elevator hallway call buttons on all main levels of ingress and on any floor that is commonly served by more than one group of elevators must be marked with Arabic and Braille symbols that indicate floor levels to which access is provided. The symbols must be placed directly above each call button.
- (b) Each elevator car interior must have a support rail on at least one wall. All support rails must be smooth and have no sharp edges and must not be more than  $1\frac{1}{2}$  inches (38 mm) thick or  $2\frac{1}{2}$  inches (63 mm) in diameter. Support rails must be continuous and a minimum length of 42 inches (1067 mm) overall. The inside surface of support rails must be  $1\frac{1}{2}$  inches (38 mm) clear of the car wall. The distance from the top of the support rail to the finished car floor must be at least 31 inches (787 mm) and not more than 33 inches (838 mm). Padded or tufted material or decorative materials such as wallpaper, vinyl, cloth or the like may be not be used on support rails.
- (c) Each elevator covered by this section must be available to be used at any time to assist the physically handicapped in an emergency evacuation. The requirements of the latest revision of s.211 of the American Society of Mechanical Engineers standard ASME A17.1 must be complied with to meet the requirements of this paragraph.
- (d) Interior surface of car enclosures must be of fire-resistive material, and walls must be surfaced with nonabrasive material. All materials exposed to the car interior must conform to the standards of the Elevator Safety code.
- (e) A bench or seat may be installed on the rear wall of the elevator car enclosure, if the bench or

seat does not protrude beyond the vertical plane of the elevator car enclosure wall when folded into a recess provided for the bench or seat and, when not in use, the bench or seat automatically folds into the recess. The bench or seat must be capable of supporting a live load of at least 250 pounds (113.4 kg) on any 12-inch by 12-inch (305 x 305 mm) area. A padded, tufted, or other decorative material may not be used to cover the bench or seat; nor may the bench or seat encroach on the minimum clear-inside-car dimensions specified in this section.

(2) This section applies only to elevators available for the transportation of the public. This section does not apply to elevators restricted by key or similar device to a limited number of persons in a building that has an elevator that otherwise meets the requirements of this section or to elevators used only for the transportation of freight. However, elevators that are used as freight and passenger elevators for the public and employees must comply with this section. This section does not apply to dumbwaiters or escalators.

(3) This section supersedes all other state regulations and local ordinances and rules affecting the accessibility of passenger elevators to the physically handicapped, and the standards established by this section may not be modified by municipal or county ordinance.

**3003.5 Standby power.** In all buildings or structures where standby power is required or furnished to operate an elevator, the operation shall be as follows:

1. Where only one elevator is installed, the elevator shall transfer to standby power within 60 seconds after failure of normal power.
2. Where two or more elevators are controlled by a common operating system, all elevators may transfer to standby power within 60 seconds after failure of normal power; or if the standby power source is of insufficient capacity to operate all elevators at the same time, all elevators shall transfer to standby power in sequence, return to the designated landing and discharge their load. After all elevators have been returned to the designated landing, at least one elevator shall remain operable from the standby power source.

### **3003.6 Vents**

**3003.6.1** Hoistways of elevators serving more than three floors shall be provided with means of venting smoke and hot gases to the outer air in case of fire.

**Exception:** Hoistways not extending into the top floor of the building, in buildings other than hotels, apartment houses, hospitals and similar buildings with overnight sleeping quarters, where the hoistways are equipped with approved automatic sprinklers connected to the building water supply system or to an approved automatic sprinkler system. See NFPA 13. Such systems shall be responsive to an accumulation of smoke as well as heat at the top of the hoistway.

**3003.6.2** Vents shall be located below the floor or floors at the top of the hoistway, and shall open either directly to the outer air or through noncombustible ducts to the outer air. Noncombustible ducts shall be permitted to pass through the elevator machine room provided proper clearances are maintained for the elevator equipment. Vents which require the use of noncombustible ducts located directly outside the hoistway or machine room area shall be provided with the same fire protection rating as required for the hoistway.

**3003.6.3** The area of the vents shall be not less than  $3\frac{1}{2}\%$  of the area of the hoistway nor less than 3 sq ft (0.28 m<sup>2</sup>) for each elevator car, whichever is greater.

**Exceptions:** Where mechanical ventilation providing equivalent venting of the hoistway is provided, the required vent area may be reduced subject to the following:

1. The building is not a hotel, apartment house, hospital or similar building with overnight sleeping quarters.
2. The hoistway or machine room is so located that it has no outside exposure.
3. The hoistway does not extend to the top of the building.
4. The hoistway or machine room exhausted fan is automatically reactivated by thermostatic means.

**3003.6.4** Holes in the machine room floor for the passage of ropes, cables or other elevator equipment shall be limited to a  $1\frac{1}{2}$  inch (38 mm) clearance on all sides.

### **3003.7 Access to machine rooms and machinery spaces**

**3003.7.1 General.** A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The means of access shall not be through restrooms, dressing rooms or tenant (including owner-occupied) spaces.

**3003.7.2 Access across roofs.** Where means of access includes passage over roofs, all of the following requirements shall be met:

1. A stairway shall extend through and serve the roof. Roof hatches are not permitted.
2. A stairway with a swinging type door and platform at the top level, conforming to 1012 shall be provided from the top floor of the building to the roof level. An interior landing 36 x 44 inches (914 x 1118 mm) minimum is required at the roof level. The door shall swing onto the roof. An 8 inch (203 mm), maximum, curb shall be permitted.
3. Where the passage is over a sloping roof having a slope exceeding 15 degrees (0.26 rad) from the horizontal, an unobstructed, permanent and substantial walkway not less than 24 inches (610 mm) wide, equipped on at least one side with a standard guardrail not less than 42 inches (1067 mm) high, shall be provided from the building exit door at the roof level to the means of access to the machine room or machinery spaces. Guardrails shall conform to the requirements of 1015.

**3003.8 Serial numbers.** Each elevator shall have a serial number assigned by the division painted on or attached to the elevator car in plain view and also to the driving mechanism. This serial number shall be shown on all required certificates and permits.

(4) Certificates of operation must be posted in a conspicuous location in the elevator and shall contain the text of s. 823.12, relating to the prohibition against smoking in elevators. The certificate must be framed with a transparent cover.

(5) In addition to section (3), the designation “NO SMOKING” along with the international symbol for no smoking shall be conspicuously displayed within the interior of the elevator in the plain view of the public.

(6) The following rules of ASME A17.1, are hereby amended to read as follows:

(a) Rule 111.10 Access to Hoistways for Emergency Purposes. Hoistway door unlocking devices conforming to Rules 111.9(1) and (3) shall be provided for all hoistway doors.

(b) Rule 101.3a of the ASME A17.1, which is amended to read as follows: “Rule 101.3a General Requirements. A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily available for use by state elevator inspectors.”

(c) Rule 211.8 Switch Keys, of ASME A17.1, is amended to read as follows: “The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 211.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys.”

(d) Rule 805.1a Starting Switch of ASME A17.1, is amended to read as follows: “Starting switches must be of the key-operated type and must be located so that the escalator steps are within sight. Automatic starting by any means is prohibited. The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public.”

(e) Rule 106.1b(3). Drains connected directly to sewers shall not be installed in elevator pits. Where drains are not provided to prevent the accumulation of water, a sump of adequate size and depth to accommodate a pump shall be provided, with or without a pump.

**3003.9 Electrolysis Protection for Underground Hydraulic Elevator Cylinders.** All newly



installed underground hydraulic pressure cylinders shall be encased in outer plastic containment to minimize electrolytic corrosion between the metal cylinder and ground cathode.

- (1) The plastic casing shall be capped at the bottom, and all joints must be solvent or heat welded to insure water tightness.
- (2) The plastic casing shall be constructed of polyethylene or polyvinyl chloride (PVC). The plastic pipe wall thickness must not be less than 0.125 inch (3.175 mm).
- (3) The neck of the plastic casing shall have a means of inspection provided to monitor the annulus between the pressurized hydraulic cylinder and the protective plastic casing.
- (4) Replacements of existing hydraulic cylinders shall be protected by the aforementioned method where existing physical dimensions permit.

**3003.10 Bulletin Boards.** (1) Bulletin boards and frames used in elevator cars shall not create any conditions which will be unsafe for users of the elevator car. Users shall include:

- (a) Disabled persons;
  - (b) Persons confined to wheelchairs; and
  - (c) All other persons who may operate the elevator car in its normal course of use.
- (2) Bulletin boards shall not protrude more than 1 inch (25.4 mm) beyond the vertical line of the car wall. They shall not encroach on any clearances required to be maintained in the elevator by Chapter 399, Florida Statutes, and ASME A17.1.
  - (3) Bulletin boards shall be framed and all edges must be smooth and rounded. No sharp edges of any kind shall protrude.
  - (4) A glass or plastic cover shall be provided. Glass, if used, must meet the following requirements:
    - (a) Be laminated;
    - (b) Meet the requirement for laminated glass as set forth in ANSI Z97.1;
    - (c) The cover shall be securely held in place by the frame.
  - (5) The frame and bulletin board shall be permanently fastened to the car wall in such a manner so that all parts including the cover in place will withstand any and all tests required of the elevator.
  - (6) All materials used shall be fire resistive equal to the requirements of the cab enclosure.
  - (7) The bottom of the bulletin boards shall not be less than 5 feet (1524 mm) above the cab floor, and the total area shall not exceed 4 square feet (0.37 m<sup>2</sup>).

**3003.11 Alterations to Electric and Hydraulic Elevators and Escalators.** (1) In addition to the alterations set forth in Rule 1003.3 and Rule 1006.3, ASME A17.1, 1993; the following alterations require, in addition to a construction permit, that inspections and tests be performed to determine conformance with ASME A17.1, 1993; rules cited below:

ALTERATIONS	Electric Elevators	Hydraulic Elevators
(a) Addition of elevator to existing hoistway (new installation)	1201.1b	1201.1b
(b) Brake (replacements of existing drive, machine brake by a new brake)	208-210.8	-----
(c) Buffer (addition of oil buffer)	1202.2	1203.2b
(d) Driving machine (replacement of)	1202.9a	1203.3
(e) Freight elevator con-	1202.8a	1203.2b

verted to passenger service

(f) Rope, replacement in size or number of ropes	1200.4d	1200.4d
--	---------	---------

<b>ALTERATIONS</b>	<b>Electric Elevators</b>	<b>Hydraulic Elevators</b>
(g) Sheave, driving machine (replacement in size)	1209.a	1209.a

(2) The following alterations require, in addition to a construction permit, that inspections be performed to determine conformance with ASME A17.1, ~~1993~~, rule cited below:

	<b>ALTERATIONS</b>	<b>Electric Elevators</b>	<b>Hydraulic Elevators</b>
(a) Access Switch (addition of)	1201.11d	1203.1k	
(b) Automatic transfer device (addition of)	1205	1205	
(c) Car, door or gate (addition of car door or gate electric contacts)	1202.5	1203.2c	
(d) Car enclosure	1202.5	1203.2c	
(e) Car leveling device (addition of) and (trucking device)	1202.4a	1203.8b	
(f) Control	1202.12e	1203.8f	
(g) Control equipment	1202.12	1203.8	
(h) Controller (existing controller w/new) (excluding dispatching device)	1202.12d	1203.8e	
(i) Counterweight (change of)	1203.3	1203.2c	
(j) Increase in travel (or decrease)	1202.10a	1203.4a	
(k) Door, hoistway (replacement of all hoistway doors)	1201.10	1203.1j	
(l) Escalator, relocation of	1207	-----	
(m) Escalator, skirt (switches addition of safety device)	805	-----	
(n) permitted to carry passengers	Freight	1202.8c	1203.2 elevator
(o) Guide rails (change in type or size)	1202.1	1203.2a	
(p) Hoistway door, power operation of (addition of)	1201.12	1203.1m	
(q) Hoistway door locking	1201.11	1203.1K	

device (addition of)		
(r) Operation, change in type of	1202.12f	1203.8q
(s) Platform, car (complete replacement of)	1202.4a	1203.2d
(t) Roller guide shoe, counter-weight and car (addition of)	1202.3	1202.3

ALTERATIONS	Electric Elevators	Hydraulic Elevators
(u) Rope equalizer (addition of)	1201.14c	1203.9c
(v) Rope fastening device, auxiliary (addition of)	1202.14d	1202.14d
(w) Tank (replacement of (with different capacity)	-----	1203.6
(x) Top of car operating device (addition of)	1202.12a	1203.8a

**3003.12 Change in use.** Any change in use of an elevator, freight to passenger, passenger to freight, or from one freight class to another, shall not be made without the approval of the enforcing authority. Said approval shall be granted only after it is demonstrated that the installation conforms to the requirements of Part XII of ASME A17.1.

**SECTION 3004  
MANLIFTS**

~~Manlifts shall be installed in accordance with ANSI A90.1.~~

Chapter 31, Special Construction.

Chapter 31 is amended to read as follows:

**CHAPTER 31  
SPECIAL CONSTRUCTION  
SECTION 3101  
GENERAL**

**3101.1 Scope.** Provisions of this chapter shall govern special building construction including tents, membrane structures, canopies, signs, automated teller machines and buildings located in a floodplain.

**SECTION 3102  
DEFINITIONS**

For definitions, see Chapter 2.

**SECTION 3103  
TENTS FOR PUBLIC ASSEMBLY**

**3103.1 Certification of flame resistance.** Before a temporary permit is granted, the owner or agent shall file with the building official a certificate executed by an acceptable testing laboratory certifying that the tent, decorative materials and tarpaulins meet the requirements for flame resistance tests prescribed for both accelerated water leaching and accelerated weathering in NFPA 701.

**3103.2 Clearing.** Ground within and adjacent to tents shall be cleared of all grass, underbrush or similar fire hazards.

## **SECTION 3104 COVERED AND ENCLOSED WALKWAYS AND TUNNELS**

**3104.1 Scope.** This section shall apply to connections between buildings such as walkways or tunnels, located at, above or below grade level, that are used as a means of travel by persons.

**3104.2 Definitions.** For definitions, see Chapter 2.

### **3104.3 Construction**

**3104.3.1** A covered walkway shall be of any type of construction permitted by this code, provided the walls and openings at the point of connection to the buildings shall be protected so as to reasonably prevent the spread of fire from one building into the other.

**3104.3.2** An enclosed walkway shall be of a type of construction permitted for the buildings connected. Separation between the enclosed walkway and the building to which it is connected, except when used as an exit outlet, shall be of not less than 1-hour fire resistant construction, and openings therein shall be protected in accordance with Table 705.1.2.

**Exception:** An enclosed walkway connecting buildings required to have a fire resistance rating may be of unprotected noncombustible construction when meeting the following requirements.

1. When separated from adjoining buildings by a minimum of 2-hour fire resistant walls and 1½ hour fire doors.
2. Openings in the building wall which are within 10 ft (3 m) horizontally or vertically of the walkway shall be protected by approved, ¾-hour fire resistant automatic opening protectives.
3. The maximum height above grade shall be limited to three stories or 40 ft (12 m), or five stories or 55 ft (17 m) when sprinklered.

**3104.3.3** A tunneled walkway shall be of a type of construction suitable for underground location. Separation between the tunneled walkway and the building to which it is connected shall be not less than 2-hour fire resistant construction and openings therein shall be protected with not less than 1½ hour opening protectives.

**3104.4 Ventilation.** Smoke and heat venting shall be provided for enclosed walkways and tunneled walkways. Such venting systems shall be in accordance with NFPA 204M or other accepted engineering practice.

## **SECTION 3105 MEMBRANE STRUCTURES**

**3105.1 Scope.** The provisions of this section shall apply to permanent air-supported, air-inflated and tensioned membrane structures, collectively known as membrane structures used as complete buildings and as roofs or other portions of buildings of other types of construction. Membrane structures shall also comply with the applicable provisions of NFPA 102, not otherwise covered in this code. Temporary membrane structures erected for a period of less than 180 days shall comply with the applicable provisions of the *Florida Fire Prevention Code*. Air-supported membrane structures, both permanent and temporary, shall be designed and operated in accordance with the provisions of ASCE 17 including Appendix A.

**Exception:** Water storage facilities, water clarifiers, water treatment plants, sewer plants, aquaculture pond covers, residential and agricultural greenhouses and similar facilities not used for human occupancy need meet only the requirements of 3105.4.1 and 3105.7.1.

**3105.2 Definitions.** For definitions, see Chapter 2.

### **3105.3 Materials**

**3105.3.1 General.** All material used in the construction of membrane structures shall conform to the requirements of this section or to applicable provisions of this code.

**3105.3.2 Membrane.** All membranes shall be classified as either Class I or II.

**3105.3.2.1** A Class I membrane shall comply with the requirements of 3105.4.1, 3105.4.2, 3105.4.3 and 3105.4.4.

**3105.3.2.2** A Class II membrane shall comply with the requirements of 3105.4.1, 3105.4.3 and 3105.4.4.

**3105.3.3 Interior liners.** All interior liners installed for decorative, acoustical, thermal insulation or other purposes shall comply with the requirements of 3105.4.1.

**3105.4 Membrane testing.** All membranes shall be tested for flammability per the provisions of 3105.4.

#### **3105.4.1 Flame resistance**

**3105.4.1.1** Membranes shall be tested in accordance with the provisions of NFPA 701.

Membranes shall be tested both as produced and after accelerated weathering per Section 13-6 of NFPA 701.

**3105.4.1.2** The test report shall contain the actual performance of the fabric for each criterion.

**3105.4.2 Combustibility.** Membranes shall have a base fabric of material meeting the test requirements set forth in ASTM E 136. The coated fabric shall have a potential heat of not more than 3,000 Btu/ft<sup>2</sup> (34.1 MJ/m<sup>2</sup>) as determined by tests conducted in accordance with NFPA 259.

**3105.4.3 Exterior exposure.** All membranes shall be classified as to their resistance to exterior fire exposure when tested in accordance with ASTM E 108. The minimum classification for membranes shall be Class C. The tests shall be conducted at a slope of 5:12. The test decks and conditions of classification of ASTM E 108 shall be modified in accordance with 3105.4.4 and 3105.4.5.

#### **3105.4.4 Test decks**

**3105.4.4.1** Membranes shall not be tested over a deck. Membranes shall be stretched over a frame to provide a test panel of the size specified for the test deck for the specific test being conducted.

**3105.4.4.2** Membranes limited to use for air supported structures may be attached to the top of an airtight chamber to provide a test panel of the size specified for the test being conducted. The chamber shall be pressurized to a level representative of the in-use conditions. The side and end panels of the chamber shall be of a material to enable viewing of the underside of the fabric test specimen.

**3105.4.4.3** Membranes limited to use for air-inflated structures may be attached to a frame to provide a test panel of the size specified for the test being conducted and inflated to a pressure representative of the in-use pressure.

**3105.4.5 Conditions of classifications.** A membrane material must meet the following conditions when subjected to the particular class of fire tests:

1. At no time during or after the intermittent-flame, spread-of-flame or burning-brand tests shall any portion of the membrane material be blown off or fall through the test specimen in the form of flaming or glowing brands that continue to glow after reaching the floor, nor shall portions of the membrane fall away in the form of particles that continue to glow after reaching the floor.
2. At no time during the Class A, B or C intermittent flame tests or the Class A or B burning-brand tests shall there be sustained flaming of the underside of the membrane. If flaming does occur, another series of tests shall be conducted, during which no sustained flaming shall occur.
3. In the Class C burning-brand tests, there may be sustained flaming on the underside of the membrane of not more than 20 percent of the brands applied.
4. During the spread-of-flame tests, the flaming shall not spread beyond 6 ft (1829 mm) for Class

A, 8 ft (2438 mm) for Class B, nor 13 ft (3962 mm) (the top of the membrane) for Class C. There shall be no significant lateral spread of flame from the path directly exposed to the test flame.

**3105.4.6 Flame spread.** All membranes, including interior liners, exposed to the interior of the building shall have a flame spread index of 25 or less and a smoke developed index of 450 or less when tested in accordance with ASTM E 84. Membranes shall be mounted for testing on poultry netting as described in Appendix Section X1.8 of ASTM E 84. Membranes shall not be bonded to a substrate.

### **3105.5 Design**

**3105.5.1 General.** Membrane structures which provide the complete enclosure for the occupied space shall be considered as complete buildings and subject to the requirements of this section.

**3105.5.2** Membrane structures shall have a horizontal separation greater than 30 ft (9.1 m).

**Exception:** Horizontal separations of 30 ft (9.1 m) or less shall be permitted when an exterior wall is provided in accordance with Table 600 and the wall has a minimum fire resistance rating of 1 hour. The exterior wall shall extend from ground level to the height where the slope of the tangent to the membrane structure exceeds 30 degrees (0.52 rad) from the vertical, but in no case less than 8 ft (2438 mm) above the first floor level.

### **3105.5.3 Heights and areas**

**3105.5.3.1** Membrane structures shall be limited to one story in height but shall not be limited in number of feet of height.

**3105.5.3.2** For determining allowable area, the construction type for a membrane structure shall be based on the support system. Air-supported membrane structures shall not exceed the allowable areas listed in Table 500 for Type IV unprotected construction.

**3105.5.3.3** Area increases permitted by 503.3 shall be permitted.

**3105.5.4 Occupancy separation.** A membrane structure building which is occupied by more than one use group shall comply with 303 and 704.1.

### **3105.6 Mixed construction**

**3105.6.1 General.** Membrane structures may be used as specified in this section as a portion of buildings of other types of construction. Height and area limits shall be as specified for the type of construction and occupancy of the building.

**3105.6.2 Class I membrane.** A Class I membrane shall be permitted for use as the roof or as a skylight of any building or atrium of a building of any type of construction provided it is at least 20 ft

(6 m) above any floor, balcony or gallery and has a horizontal separation greater than 15 ft (4.6 m) from the edge of the membrane.

**3105.6.3 Class II membrane.** A Class II membrane may be used as the roof or as a skylight on buildings of Types III, IV-Unprotected, V and VI construction provided it is at least 20 ft (6 m) above any floor, balcony or gallery and has a horizontal separation greater than 15 ft (4.6 m) from the edge of the membrane.

### **3105.7 Structural**

**3105.7.1 General.** The design, materials and construction of the building shall be based on plans and specifications by a licensed architect or engineer licensed by the state to practice as such.

**3105.7.2 Loads.** The structure shall be designed and constructed to sustain all dead loads, loads caused by tensioning or inflation and live loads including wind loads.

## **SECTION 3106 CANOPIES ON EXTERIOR WALLS**

**3106.1 Over public property.** Canopies extending over public property shall comply with the requirements of Chapter 32.

**3106.2 Other permanent canopies.** Other permanent canopies may extend over adjacent open spaces and be of any material permitted by this code provided:

1. When located less than 30 ft (9.1 m) from an interior lot line or other structure, the canopy frame and its supports shall be of noncombustible material, fire retardant treated wood, wood of Type III sizes, or of 1-hour fire-resistant construction. Canopy coverings shall comply with the following:
  1. Any textile covering for the canopy shall be flame resistant as determined in accordance with 3103.1.
  2. Any canopy covering, other than textiles, shall have a flame spread index not greater than 25 when tested in accordance with ASTM E 84 in the form intended for use.
2. The canopy shall have at least one long side open.
3. The maximum horizontal width of the canopy shall not exceed 15 ft (4.6 m).
4. The fire resistance of exterior walls shall not be reduced.

## **SECTION 3107 STRUCTURES SEAWARD OF A COASTAL CONSTRUCTION CONTROL LINE**

### **3107.1 General**

**3107.1.1 Scope.** The provisions of 3107 shall ensure that structures located seaward of the coastal construction control line are designed to resist the predicted forces associated with a 100-year storm event and shall apply to the following:

1. All habitable structures which extend wholly or partially seaward of a coastal construction



control line (CCCL) or 50-foot (15.3 m) setback line.

2. Substantial improvement of or additions to existing habitable structures.
3. Swimming pools that are located in close proximity to a habitable structure or armoring.

An environmental permit from the Florida Department of Environmental Protection, requiring special siting considerations to protect the beach-dune system, proposed or existing structures and public beach access, is required prior to the start of construction. The environmental permit may condition the nature, timing and sequence of construction of permitted activities to provide protection to nesting sea turtles and hatchlings and their habitat, including review, submittal and approval of lighting plans.

**EXCEPTION:** The standards for buildings seaward of a CCCL area do not apply to any modification, maintenance or repair to any existing structure within the limits of the existing foundation which does not require, involve or include any additions to, or repair or modification of, the existing foundation of that structure.

**3107.1.2 Certification.** As part of the permit process and upon placement of the lowest horizontal structural member, the applicant shall submit to the building official certification of the elevation of the lowest horizontal structural member of the lowest floor as built in relation to National Geodetic Vertical Datum, (N.G.V.D.). Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer or architect and certified by same and be submitted prior to commencing any addition work. Any work undertaken prior to submission of the certification shall be at the applicant's risk. The building official shall review the submitted elevation data, and any deficiencies found shall be corrected by the permit holder immediately and prior to any further work being permitted to proceed.

~~**3107.1.3 Determination of the 100-Year Storm Elevation.** The building official shall adopt by reference the 100-year storm elevation requirement provided in the Department of Environmental Protection's latest version of the report titled, "One-Hundred-Year Storm Elevation Requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line".~~

~~**EXCEPTION:** An applicant may request the Department of Environmental Protection to determine a site-specific 100-year storm elevation for the applicant's proposed habitable structure as part of the environmental permit application process. The elevation will be provided as part of the applicant's environmental permit and shall be subject to review under the provisions of Chapter 120, Florida Statutes.~~

### **3107.2 Definitions.**

**Armoring.** A manmade structure designed to either prevent erosion of the upland property or protect upland structures from the effects of coastal wave and current action. Armoring includes certain rigid coastal structures such as geotextile bags or tubes, seawalls, revetments, bulkheads, retaining wall or similar structures, but does not include jetties, groins or other construction whose purpose is to add sand to the beach and dune system, alter the natural coastal currents or stabilize the mouths of inlets.

**Breakaway Wall.** A partition independent of supporting structural members that is intended to

~~withstand design wind forces but to collapse from a water load less than that which would occur during a one-hundred year storm event without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. A partition independent of supporting structural members that is intended to collapse under a 100-year storm event without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.~~

**Coastal Construction Control Line.** The line established by the State of Florida pursuant to section 161.053, Florida Statutes, and ~~recorded in the official filed with the public records of the county~~ which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

**Design Grade.** The predicted eroded grade caused by the 100-year storm.

**Fifty-foot Setback Line.** A line of jurisdiction, established pursuant to the provisions of section 161.052, Florida Statutes, in which construction is prohibited within 50 feet of the line of mean high water at any riparian coastal location fronting the Gulf of Mexico or the Atlantic coast shoreline.

**Habitable Structure.** Structures designed primarily for human occupancy and are potential locations for shelter from storms. Typically included within this category are residences, hotels and restaurants.

**Lowest Horizontal Structural Member.** Any shore-parallel structural member which supports floor, wall or column loads and transmits them to the pile foundation.

**One-Hundred-Year Storm Elevation.** The height of the breaking wave crest or wave approach as superimposed on the storm surge with dynamic wave set-up of a 100-year storm. This 100-year storm elevation is determined by the Florida Department of Environmental Protection based on studies published as part of the coastal construction control line establishment process and an analysis of topographic and other site specific data.

**Rebuilding.** ~~See definition for Substantial Improvement. Any repair, reconstruction, rehabilitation, or improvement of a structure where the actual cost of the improvement or repair of the structure to its pre-damage condition equals or exceeds, over a 5 year period, a cumulative total of 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred.~~

**Substantial Improvement.** See definition in subsection 161.54(12), Florida Statutes. See definition for “Rebuilding.”

**3107.3 Elevation Standards.** All habitable structures shall be elevated at or above an elevation which places the lowest horizontal structural member above the 100-year storm elevation as determined by the Florida Department of Environmental Protection in the report titled “One-Hundred-Year Storm Elevation Requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line”.

An applicant may request the Department of Environmental Protection to determine a site-specific 100-

year storm elevation for the applicant's proposed habitable structure as part of the environmental permit application process. The elevation will be provided as part of the applicant's environmental permit and shall be subject to review under the provisions of Chapter 120, Florida Statutes.

**EXCEPTIONS:**

1. Additions, repairs or modifications to existing nonconforming habitable structures that do not advance the seaward limits of the existing habitable structure and do not constitute rebuilding of the existing structure.
2. Habitable structures located landward of existing armoring which is capable of protecting buildings from the effects of erosion from a 100-year storm surge. The applicant shall provide scientific and engineering evidence that the armoring has been designed, constructed and maintained to survive the effects of the design storm and provide protection to existing and proposed structures from the erosion associated with that event. Evidence shall include a report with data and supporting analysis, and shall be certified by a professional engineer registered in this state, that the armoring was designed and constructed and is in adequate condition to meet the following criteria:
  - a. The top must be at or above the still water level, including setup, for the design storm plus the breaking wave calculated at its highest achievable level based on the maximum eroded beach profile and highest surge level combination, and must be high enough to preclude run-up overtopping.
  - b. The armoring must be stable under the design storm including maximum localized scour, with adequate penetration and toe protection to avoid settlement, toe failure, or loss of material from beneath or behind the armoring.
  - c. The armoring must have sufficient continuity or return walls to prevent flanking under the design storm from impacting the proposed construction.
  - d. The armoring must withstand the static and hydrodynamic forces of the design storm.
3. A higher elevation standard is required by either the National Flood Insurance Program, as found on a community's Flood Insurance Rate Map, or the local flood damage prevention ordinance. In such instances, the higher elevation standard shall apply.

**3107.4 Construction Standards**

**3107.4.1 Pile Foundations.** All habitable structures shall be elevated on, and securely anchored to, an adequate pile foundation. Pile foundations for habitable structures shall be designed to withstand all reasonable anticipated erosion, scour and loads resulting from a 100-year storm including wind, wave, hydrostatic and hydrodynamic forces acting simultaneously with typical structural (live and dead) loads. All habitable structures should be anchored to their pile foundation in such a manner as to prevent flotation, collapse or lateral displacement. The elevation of the soil surface to be used in the calculation of pile reactions and bearing capacities for habitable structures shall not be greater than that which would result from erosion caused by a 100-year storm event. Calculation of the design grade shall account for localized scour resulting from the presence of structural components. Design ratio or pile spacing to pile diameter should not be less than 8:1 for individual piles located above the design grade. Pile caps shall be set below the design grade. Pile penetration shall take into consideration the anticipated loss of soil above the design grade.

**EXCEPTIONS:**

1. Additions, repairs or modifications to existing nonconforming habitable structures that do not advance the seaward limits of the existing habitable structure and do not constitute rebuilding of the existing structure.
2. Habitable structures located landward of existing armoring which is capable of protecting buildings from the effects of erosion from a 100-year storm surge. The applicant shall provide scientific and engineering evidence that the armoring has been designed, constructed and maintained to survive the effects of the design storm and provide protection to existing and proposed structures from the erosion associated with that event. Evidence shall include a report with data and supporting analysis, and shall be certified by a professional engineer registered in this state, that the armoring was designed and constructed and is in adequate condition to meet the following criteria:

- a. The top must be at or above the still water level, including setup, for the design storm plus the breaking wave calculated at its highest achievable level based on the maximum eroded beach profile and highest surge level combination, and must be high enough to preclude run-up overtopping.
- b. The armoring must be stable under the design storm including maximum localized scour, with adequate penetration and toe protection to avoid settlement, toe failure or loss of material from beneath or behind the armoring.
- c. The armoring must have sufficient continuity or return walls to prevent flanking under the design storm from impacting the proposed construction.
- d. The armoring must withstand the static and hydrodynamic forces of the design storm.

**3107.4.2 Walls Below the 100-Year Storm Elevation.** No substantial walls or partitions shall be constructed below the level of the first finished floor of habitable structures. All other walls shall be designed to break away.

**EXCEPTIONS:**

1. Stairways and stairwells;
2. Shearwalls perpendicular to the shoreline;
3. Shearwalls parallel to the shoreline, which are limited to a maximum of 20 percent of the building length;
4. Wind or sand screens constructed of fiber or wire mesh;
5. Light, open lattice partitions with individual, wooden lattice strips not greater than  $\frac{3}{4}$  inch thick and 3 inches wide;
6. Elevator shafts;
7. Small mechanical and electrical rooms; and
8. Break away or frangible walls.

**Note:** The aggregate length of all non-breakaway components in the shore parallel direction shall not exceed 20 percent of the building length.

**3107.5 Flood Loads During a 100-Year Storm**

**3107.5.1 Load Basis.** The structural design shall be based on the 100-year storm as determined by the Florida Department of Environmental Protection in studies published as part of the coastal construction control line establishment process. Breaking, broken and nonbreaking waves shall be considered as applicable. Design wave loading analysis shall consider vertical uplift pressures and all lateral pressures to include impact, as well as dynamic loading and the harmonic intensification resulting from repetitive waves.

**3107.5.2 Hydrostatic Load.** Habitable structures shall be designed in consideration of the hydrostatic loads which would be expected under the conditions of maximum inundation associated with a 100-year storm event. Calculations for hydrostatic loads shall consider the maximum water pressure resulting from a fully peaked, breaking wave superimposed on the design storm surge with dynamic wave setup. Both free and confined hydrostatic loads shall be considered. Hydrostatic loads which are confined shall be determined using the maximum elevation to which the confined water would freely rise if unconfined. Vertical hydrostatic loads shall be considered as forces acting both vertically downward and upward on horizontal or inclined surfaces of major structures (e.g., floors, slabs, roofs, walls). Lateral hydrostatic loads shall be considered as forces acting horizontally above and below grade on vertical or inclined surfaces of major structures and coastal or shore protection structures. Hydrostatic loads on irregular or curving geometric surfaces may be determined in consideration of separate vertical and horizontal components acting simultaneously under the distribution of the hydrostatic pressures.

**3107.5.3 Hydrodynamic Loads.** Habitable structures shall be designed in consideration of the hydrodynamic loads which would be expected under the conditions of a 100-year storm event. Calculations for hydrodynamic loads shall consider the maximum water pressures resulting from the motion of the water mass associated with a 100-year storm event. Full-intensity loading shall be

applied on all structural surfaces above the design grade which would affect the flow velocities.

**3107.6 Wind Loads.** All habitable structures shall be designed in accordance with Chapter 16 ASCE 7-88.

**3107.7 Swimming pools.** Swimming pools located in close proximity to an existing habitable structure or armoring shall be designed with an adequate pile foundation for the erosion and scour conditions of a 100-year storm event.

**3107.8 Storm Debris.** All structures will be designed to minimize the potential for wind and waterborne debris during a storm.

## **SECTION 3108 SIGNS**

### **3108.1 General**

**3108.1.1 Outdoor advertising displays.** Outdoor advertising display means any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service which shall be so constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever which is displayed in any manner whatsoever outdoors. Every outdoor display shall be classified and conform to the requirements of that classification as set forth in this chapter.

**3108.1.2 Classifications.** For the purpose of this chapter and the regulations and provisions thereof, outdoor advertising displays shall be classified as a ground, marquee, projection, roof, shingle, spectacular or wall sign as defined in 202.

#### **3108.1.3 Permits required**

**3108.1.3.1** An outdoor advertising display sign shall not hereafter be erected, constructed, altered or maintained except as provided in this code, until after permit for the same has been issued by the building official as required in 104 and the applicable fee paid.

**3108.1.4 Identification of signs.** Every outdoor advertising display sign hereafter erected, constructed or maintained, for which a permit is required, shall be plainly marked with the name of the person, firm or corporation erecting and maintaining such sign and shall have affixed on the front thereof the permit number issued for said sign by the building official.

**3108.1.5 Sign inspection.** Every ground sign, roof sign, wall sign and projection sign may be inspected by the building official or his authorized representative at intervals as required by the building official.

**3108.1.6 Unsafe signs.** Should any sign become insecure or in danger of falling or otherwise unsafe in the opinion of the building official, the owner thereof, or the person or firm maintaining the

same, shall upon written notice from the building official, forthwith in the case of immediate danger and in any case within 10 days, remove such sign or secure the same in a manner to be approved by the building official, in conformity with the provisions of this code. If such order is not complied with within 10 days, the building official shall remove such sign at the expense of the owner or lessee thereof.

**3108.1.7 Maintenance.** All signs for which a permit is required, together with all their supports, braces, guys and anchors shall be kept in repair and unless of galvanized or noncorroding metal shall be thoroughly painted at least once every 2 years. The building official may order the removal of any sign that is not maintained in accordance with the provisions of this section. Such removal shall be at the expense of the owner or lessee.

**3108.1.8 Unlawful signs.** In case any sign shall be installed, erected or constructed in violation of any of the terms of this code, the building official shall notify, by registered mail or written notice served personally, the owner or lessee thereof to alter such sign so as to comply with this code or the zoning regulations and to secure the necessary permit therefor, or to remove the sign. If such order is not complied with within 10 days, the building official shall remove such sign at the expense of the owner or lessee thereof.

**3108.1.9 Location restrictions.** An outdoor advertising display sign shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a means of egress or so as to prevent free passage from one part of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for legal ventilation.

**3108.2 Definitions.** For definitions, see Chapter 2.

### **3108.3 Structural requirements**

**3108.3.1 Design required.** Before a permit shall be granted, the erector of every outdoor advertising sign, with the exception of shingle signs and light cloth temporary signs, shall submit to the building official a design and stress diagram or plan containing the necessary information to enable the building official to determine that such sign complies with all the regulations of this code.

**3108.3.2 Wind pressure.** In the design and erection of all outdoor advertising display signs, the effect of wind shall be carefully considered. All signs shall be constructed to withstand the wind pressure as specified in 1606.

**3108.3.3 Working stresses.** In all outdoor advertising display signs, the allowable working stresses shall conform with the requirements of 1609.

#### **Exceptions:**

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapter 22 and Chapter 23.

2. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel rods.

### **3108.4 Construction**

#### **3108.4.1 Ground signs**

**3108.4.1.1** Lighting reflectors may project beyond the face of the sign.

**3108.4.1.2.** Every ground sign shall provide rigid construction to withstand wind action from any direction.

**3108.4.1.3** Any person or persons, partnership, firm or corporation occupying any vacant lot or premises by means of a ground sign shall be subject to the same duties and responsibilities as the owner of the lot or premises, with respect to keeping the same clean, sanitary, inoffensive, free and clear of all obnoxious substances and unsightly conditions on the ground in the vicinity of such ground sign on said premises for which they may be responsible.

**3108.4.1.4** Wherever anchors or supports consist of wood embedded in the soil, the wood shall be pressure treated with an approved preservative.

#### **3108.4.2 Wall signs**

**3108.4.2.1** Wall signs attached to exterior walls of solid masonry, concrete or stone shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than  $\frac{3}{8}$ -inch (9.5 mm) diameter and shall be embedded at least 5 inches (127 mm). Wood blocks shall not be used for anchorage, except in the case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an unbraced parapet wall.

**3108.4.3 Marquee signs.** Marquee signs shall be constructed entirely of metal or noncombustible material and may be attached to, or hung from, a marquee. Such signs when hung from a marquee shall be at least 8 ft (2438 mm) at its lowest level above the sidewalk or ground level, and further, such signs shall not extend outside the line of such marquee. Marquee signs may be attached to the sides and front of a marquee, and such signs may extend the entire length and width of said marquee, provided such signs do not extend more than 6 ft (1829 mm) above, nor 1 ft (305 mm) below such marquee, but under no circumstances, shall the sign or signs have a vertical dimension greater than 8 ft (2438 mm).

### **3108.5 Use of plastic materials**

**3108.5.1** Notwithstanding any other provisions of this code, plastic materials which burn at a rate no faster than  $2\frac{1}{2}$  inches per minute (1.06 mm/s) when tested in accordance with ASTM D 635 shall be deemed approved plastics and may be used as the display surface material and for the letters, decorations and facings on signs and outdoor display structures.

**3108.5.2** Individual plastic facings of electric signs shall not exceed 200 sq ft (18.6m<sup>2</sup>) in area.

**3108.5.3** If the area of a display surface exceeds 200 sq ft (18.6 m<sup>2</sup>), the area occupied or covered by approved plastics shall be limited to 200 sq ft (18.6 m<sup>2</sup>) plus 50% of the difference between 200 sq ft (18.6 m<sup>2</sup>) and the area of display surface. The area of plastic on a display surface shall not in any case exceed 1,100 sq ft (102 m<sup>2</sup>).

**3108.5.4** Letters and decorations mounted upon an approved plastic facing or display surface may be made of approved plastics.

## **SECTION 3109 FLOOD RESISTANT CONSTRUCTION**

### **3109.1 Administration**

**3109.1.1 Purpose.** The purpose of this standard is to promote the public health, safety, and general welfare and to minimize public and private losses resulting from flood conditions in specific areas through the establishment of comprehensive regulations for floodplain management, designed to:

1. minimize loss of life and property caused by flooding conditions;
2. prevent unnecessary disruption of commerce and public service in times of flooding;
3. restrict or prohibit uses which are dangerous to health, safety and property because of flood or erosion hazards, or which result in increases in flood heights or velocities or erosion potential;
4. require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
5. control the alteration of natural floodplains, stream channels and natural protective barriers;
6. control filling, grading, dredging and other development which can increase flood damage or erosion potential;
7. prevent or regulate the construction of flood barriers which will divert flood waters or which can increase flood hazards; and
8. contribute to improved construction techniques in the floodplain.

**3109.1.2 Floodplain Management Construction Standards.** This code specifically defers to the authority granted to local government by Title 44 CFR, sections 59 and 60. This code is not intended to supplant or supercede local ordinances adopted pursuant to that authority, nor are local floodplain management ordinances to be deemed amendments to the Code.

~~**3109.1.2 Objectives.** The objectives of this standard are to protect human life, minimize the expenditure of public money for flood control projects, minimize the need for rescue and relief efforts associated with flooding, minimize prolonged business interruptions, minimize damage to public facilities and utilities, help maintain a stable tax base by providing for the sound use and development of flood-prone areas, contribute to improved construction techniques in the floodplain and ensure that potential occupants are notified that property is within an area of special flood hazard.~~



**3109.1.3 Permit applications.** ~~The authority having jurisdiction shall require a development permit prior to the commencement of any development activity and shall review permit applications to determine whether proposed development sites will be reasonably safe from flooding. If a proposed development site is in an area of special flood hazard, new construction and substantial improvements (including the placement of prefabricated buildings and manufactured homes) shall:~~

- ~~1. be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrostatic and hydrodynamic loads and the effects of buoyancy, and~~
- ~~2. be constructed with materials and utility equipment resistant to flood damage, and~~
- ~~3. be constructed by methods and practices that minimize flood damage.~~

**3109.1.4 Approval.** ~~It shall be the responsibility of the authority having jurisdiction to assure that:~~

- ~~1. All new construction or substantial improvements of structures within the areas of special flood hazard shall have the lowest structural member of the floor, including basement, elevated to or above the level of the base flood elevation, except that nonresidential structures, together with attendant utility and sanitary facilities, can be elevated or flood-proofed up to the level of the base flood protection elevation.~~
- ~~2. Approval of a proposed development shall not be given until proof that necessary permits have been granted by federal or state agencies having jurisdiction over such development.~~

**3109.1.5 Establishing the area of special flood hazard.**

~~The areas of special flood hazard as identified by the federal insurance administrator in an engineering report entitled, "The Flood Insurance Study for \_\_\_\_\_," dated \_\_\_\_\_, with accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary and Floodway Maps (FBFM) and related supporting data along with any revisions thereto, are adopted by reference and declared to be a part of this standard.~~

**3109.1.6 Technical basis for area of special flood hazard.** ~~The authority having jurisdiction shall adopt by reference the specific appropriate technical data which establishes the area of special flood hazard:~~

**3109.1.7 Disclaimer.** ~~The degree of flood protection required by this standard is considered reasonable for design purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. This standard does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This standard shall not create liability on the part of the authority having jurisdiction for any flood damages that result from reliance on this standard or any administrative decisions lawfully made thereunder:~~

**3109.1.8 Violations.** ~~Any person, firm, corporation or agent who shall violate a provision of this standard, or fail to comply therewith, or any of the requirements thereof, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this standard is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by state laws:~~

**3109.1.9 Existing Structures.** Structures and uses of structures which lawfully existed prior to the adoption of the initial floodplain management ordinance to enter the NFIP, and which do not conform with the provisions of this standard, are permitted to be continued subject to the following conditions:

1. Existing structures and uses located within a floodway shall not be expanded or enlarged unless the effect of proposed expansion or enlargement does not cause additional increase in floodway elevation during the occurrence of the base flood discharge.
2. Any alteration, repair, reconstruction or improvement of an existing structure within a floodplain, which constitutes substantial improvement shall be undertaken only in full compliance with this standard.
3. Any alteration, repair, reconstruction or improvement of an existing structure within a floodplain which is in compliance with the provisions of this standard shall be undertaken only in full compliance with this standard.
4. Any alteration, repair, reconstruction or improvement of an existing structure within a floodplain which is not in compliance with the provisions of this standard shall be undertaken only if said nonconformity is not furthered, extended or replaced.

### **3109.2 Definitions**

**3109.2.1 General.** For the purpose of this standard, certain abbreviations, terms, phrases, words and their derivatives, shall be construed as set forth in this section.

**3109.2.2 Tense, Gender and Number.** Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. Words in the feminine and neuter gender include the masculine. The singular number includes the plural and the plural number includes the singular.

**ADDITION.** (to an existing building). Any walled and roofed expansion to a building in which the addition is connected by a common loadbearing wall other than a fire wall. Any walled and roofed addition which is separated by a fire wall, or an independent perimeter load-bearing wall is new construction.

**APPEAL.** A request for a review of an interpretation of any provision of this standard or a request for a variance.

**APPROVED.** Approved by the authority having jurisdiction.

**AREA OF SHALLOW FLOODING.** A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with flood depths during the base flood of from 1 to 3 feet (304 mm to 914 mm) where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow is evident.

~~**AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year.~~

~~**BASE FLOOD ELEVATION.** The elevation in relation to mean-sea-level (National Geodetic Vertical Datum - NGVD) expected to be reached by a flood having a 1% chance of being equaled or exceeded in any given year.~~

~~**BASEMENT.** The portion of a building having its floor subgrade (below ground level) on all sides.~~

~~**BREAKAWAY WALLS.** Any type of walls using approved materials which are not a part of the structural support of the building and which are designed to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building or supporting foundation system on which they are used.~~

~~**BUILDING.** Any structure built for support, shelter or enclosure for any occupancy or storage.~~

~~**COASTAL HIGH HAZARD AREA.** An area within the regulatory floodplain which is subject to high velocity waters, including hurricane wave wash. This area is designated on FIRM as Zone V, VE or V1-30.~~

~~**COMMUNITY.** Any city, county or political subdivision which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction.~~

~~**DEVELOPMENT.** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, permanent storage of materials, mining, dredging, filling, grading, paving, excavations, operations and other land disturbing activities.~~

~~**ELEVATED BUILDING.** A non-basement building built to have the bottom of the lowest horizontal structural member elevated above the ground level by means of pilings, columns (posts or piers) or shear walls parallel to the flow of water. Except for buildings located in a coastal high hazard area, elevation can also use fill or solid foundation perimeter walls.~~

~~**ESTUARY.** A water passage where the tide meets a stream current.~~

~~**EXISTING CONSTRUCTION.** Any structures for which the “start of construction” commenced before the effective date of the first floodplain management code, ordinance or standard. “Existing construction” can also be referred to as “existing structures.”~~

~~**FLOOD or FLOODING.** A general and temporary condition of partial or complete inundation of normally dry land from: 1) the overflow of inland or tidal waters; 2) the unusual and rapid accumulation or runoff of surface waters from any source.~~

~~**FLOOD HAZARD BOUNDARY MAP (FIBM).** An official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the special flood hazard areas have been defined as Zone A.~~

~~**FLOOD INSURANCE RATE MAP (FIRM).** An official map of a community, on which the federal insurance administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.~~

~~**FLOOD INSURANCE STUDY.** The official report provided by the federal insurance administrator containing the Flood Insurance Rate Map, the Flood Boundary Floodway Map, the water surface elevation of the base flood and supporting technical data.~~

~~**FLOODPLAIN.** Any land area, including watercourse, susceptible to partial or complete inundation by water from any source.~~

~~**FLOODPLAIN MANAGEMENT REGULATIONS.** Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, erosion control ordinance and court order) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.~~

~~**FLOODPROOFING.** A combination of structural modifications which result in a building, including the attendant utility and sanitary facilities, being watertight with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy to the floodproofed design level.~~

~~**FUNCTIONALLY DEPENDENT FACILITY.** A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading or unloading of cargo or passengers, shipbuilding or ship repair. The term does not include long-term storage, manufacture, sales or service facilities.~~

~~**HIGHEST ADJACENT GRADE.** The highest natural elevation of the ground surface prior to construction, next to the proposed walls of a building.~~

~~**LOWEST FLOOR.** The floor of the lowest enclosed area, including basement, but excluding any unfinished or flood resistant enclosure, useable solely for vehicle parking, building access, or limited storage.~~

~~**MANGROVE STAND.** An assemblage of mangrove trees which are low trees noted for extensive development of interlacing roots above ground, and contain one or more of the following species: black mangrove (*avicennia nitida*); red mangrove (*rhizophora mangle*); white mangrove (*longuncularia racemosa*); and buttonwood (*conocarpus erecta*).~~

~~**MEAN SEA LEVEL.** The average height of the sea for all stages of the tide, used as a reference for establishing elevations within the floodplain. For purposes of this standard, the term is synonymous with National Geodetic Vertical Datum (NGVD).~~

~~**MANUFACTURED HOME.** A building that is transportable in one or more sections, built on a permanent chassis and constructed to the Federal Mobile Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.~~

~~**NATIONAL GEODETIC VERTICAL DATUM (NGVD).** National elevation reference system as identified by geological survey in 1929.~~

~~**NEW CONSTRUCTION.** Structures for which the “start of construction” commenced on or after the effective date of a community’s first floodplain management regulations, code, ordinance or standard.~~

~~**REGULATORY FLOODPLAIN.** The area of the flood plain identified on the official flood plain map along with the water-surface profile of the base flood elevation. (Note: The base flood elevation profile and regulatory flood plain is the 100-year-frequency flood.)~~

~~**REGULATORY FLOODWAY.** The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than 1 foot.~~

~~**RIVERINE.** Relating to, formed by or resembling a river (including tributaries), stream, brook, etc.~~

~~**SAND DUNES.** Naturally occurring accumulations of sand in ridges or mounds landward of the beach.~~

~~**START OF CONSTRUCTION.** Date of permit issuance, provided actual start of construction is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), or the installation of streets or walkways, or excavation for a basement, footings, piers or foundations, or the erection of temporary forms, or the installation of accessory buildings such as garages or sheds that are part of the main building.~~

~~**STORMWATER DETENTION STORAGE.** Stormwater runoff collected and stored for a period of time and released at a rate much less than the inflow rate.~~

~~**STRUCTURE.** Any walled and roofed building that is principally above ground, as well as a mobile or manufactured home, a gas or liquid storage tank or other man-made facilities.~~

~~**SUBSTANTIAL IMPROVEMENT.** Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building that is specifically required to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions.~~

~~**VARIANCE.** A grant of relief from the requirements of this standard which permits construction in a manner otherwise prohibited by this standard where specific enforcement would result in unnecessary hardship.~~

~~**VIOLATION.** The failure of a structure or other development to be fully compliant with the provisions of this standard. A structure or other development without an elevation certificate or other certifications as required in this standard is presumed to be in violation until such time as that documentation is provided.~~

### **3109.3 Permits**

~~**3109.3.1 Proposed construction.** A permit shall be required prior to the commencement of proposed construction and other developments, including the placement of manufactured homes, within the area of special flood hazard.~~

~~**3109.3.2 Application.** Application for a development permit shall be made to the authority having jurisdiction on forms provided by that authority and shall include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question, existing and proposed structures, fill, storage areas and drainage facilities. Specifically, the application should include the following:~~

- ~~1. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of buildings;~~
- ~~2. Elevation in relation to mean sea level to which any non-residential building will be floodproofed;~~
- ~~3. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.~~

~~**3109.3.3 Construction.** As a part of the permit process, the applicant shall provide the elevation of the lowest horizontal structural member of the lowest floor, or floodproofing certification, once the lowest floor is complete. Upon placement of the lowest horizontal structural members of the lowest floor, the applicant shall submit to the authority having jurisdiction certification of the elevation of the lowest horizontal structural member of the lowest floor as built in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the applicant's risk. The authority having jurisdiction shall review the submitted elevation data, and any deficiencies found shall be corrected by the permit holder immediately and prior to any further work being permitted to proceed.~~

### **3109.4 Responsibilities of the Authority Having Jurisdiction**

**3109.4.1 General.** The responsibilities of the authority having jurisdiction shall include, but not be limited to, the items listed in this chapter.

**3109.4.2 Review.** Development permits shall be reviewed to assure that the permit requirements of this standard have been satisfied.

**3109.4.3 Required permits.** The authority having jurisdiction shall review proposed development to assure that necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Clean Water Act Amendments of 1972, 33 U.S.C. 1334 and Section 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. 403. Copies of such permits shall be provided and maintained on file with the development permit.

**3109.4.4 Issuance.** No development or land disturbing activity within an area of special flood hazard shall be undertaken until after issuance of a permit. In case of land disturbing activity proposed in conjunction with construction for which a permit application has been filed, a site grading and drainage plan shall be approved prior to issuance of the permit.

**3109.4.5 Government approval.** Prior to any alteration or relocation of any watercourse, permits shall be obtained from the appropriate federal or state agency and/or the authority having jurisdiction and notification of such proposal shall be to the proper authorities of affected adjacent government jurisdictions, as well as appropriate state agencies.

**3109.4.6 Engineering analysis.** An engineering analysis shall be required which demonstrates that the flood carrying capacity of the altered or relocated portion of the watercourse will not be decreased. Such water courses shall be maintained in a manner which preserves the channel's flood carrying capacity.

**3109.4.7 Determination of base flood elevations.** The authority having jurisdiction shall establish the floodplains, floodways and base flood elevations using latest data available from a federal, state or other source. If not available, the party applying for the permit for the proposed development or land disturbing activity shall determine the base flood elevation in accordance with 3109.6.1.3, using accepted hydrologic and hydraulic engineering techniques. Such analyses shall be undertaken by a registered design professional licensed in this state who shall certify that the technical methods used reflect currently accepted engineering practice. Studies, analyses and computations shall be submitted in sufficient detail to allow thorough review and approval by the authority having jurisdiction. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

~~**3109.4.8 Verification.** It shall be the responsibility of the authority having jurisdiction to verify and record the actual lowest floor elevation and to assign required lowest floor elevation. The notation shall be made on the face of the permit. The lowest horizontal structural member of the lowest floor including basement of new or substantially improved residential construction must be elevated to or above the level of the base flood elevation.~~

~~**3109.4.9 Floodproofing verification.** It shall be the responsibility of the authority having jurisdiction to verify and record the actual elevation to which any new or substantially improved non-residential construction has been elevated or floodproofed. The notation shall be made on the face of the permit.~~

~~**3109.4.10 Riverine uses.** In riverine situations, until a regulatory floodway is designated, no new construction, substantial improvement or other development, including land fill, shall be permitted unless the applicant demonstrates that the cumulative effect of the proposed use, when combined with other existing and anticipated uses, will not increase the elevation of the base flood more than 1 foot at any point within the community.~~

~~**3109.4.11 Coastal areas.** In coastal high hazard areas, the authority having jurisdiction shall review plans for the adequacy of breakaway walls in accordance with 3109.9.2.1.3.~~

~~**3109.4.12 Alterations in coastal areas.** In coastal high hazard areas, no alteration of sand dunes and mangrove stands shall be permitted until the applicant has provided an engineering analysis which demonstrates that the alteration will not increase the potential for flood damage.~~

~~**3109.4.13 Interpretations.** Where interpretation is needed as to the exact location of the boundaries of the special flood hazard areas, the authority having jurisdiction shall make the necessary interpretation.~~

~~**3109.4.14 Records.** Records pertaining to this standard shall be maintained by the authority having jurisdiction, and shall be open for public inspection.~~

### ~~**3109.5 Certification**~~

~~**3109.5.1 General.** The development or building permit shall include the required elevation (NGVD) and actual elevation (NGVD) of the lowest floor (including basement). The actual elevation shall be obtained from the contractor or builder at the time of inspection of the flooring prior to further vertical construction. The authority having jurisdiction shall require that the actual elevation be certified by a registered engineer, land surveyor or architect.~~

~~**3109.5.2 Floodproofing certification.** For cases where floodproofing is used on a non-residential building as specified in 3109.10, the authority having jurisdiction shall obtain certification from a registered design professional that the floodproofing is in accordance with this Standard.~~



~~**3109.5.3 Coastal construction certification.** In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the building is designed to be securely anchored to adequately anchored pilings or columns in order to withstand velocity waters, wave action and wind loadings that are associated with the 1 percent annual chance flood.~~

~~**3109.5.4 Certification records.** The certifications required in order to meet the provisions of this standard shall be attached to the permit copy, and be permanently maintained by the authority having jurisdiction.~~

## **3109.6 Development Standards**

### **3109.6.1 Subdivision**

~~**3109.6.1.1 Subdivision and new development review.** Any subdivision proposal or other proposed new development in an area of special flood hazard shall be reviewed to assure that:~~

- ~~1. all such proposals are consistent with the need to minimize flood damage within the area of special flood hazard, and~~
- ~~2. all public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage, and~~
- ~~3. adequate drainage is provided to reduce exposure to flood hazards.~~

~~**3109.6.1.2 Subdivision requirements.** In addition to those requirements set forth elsewhere in this standard relative to the subdivision of land, the following requirements shall apply in the case of any proposed subdivision, any portion of which lies within an area of special flood hazard:~~

- ~~1. The area of special flood hazard shall be delineated on tentative and final subdivision plats.~~
- ~~2. Residential building lots shall be provided with adequate buildable area outside the regulatory floodway.~~
- ~~3. The design criteria for utilities and facilities set forth in this standard shall be met.~~

~~**3109.6.1.3 Base Flood Elevations.** Subdivision proposals and other proposed developments within the area of special flood hazard shall include with such proposals the base flood elevation data, as specified in 3109.4.7.~~

### **3109.6.2 Improvements**

~~**3109.6.2.1 General.** Development or land disturbing activity shall not be permitted within the boundaries of the regulatory floodway unless the potential effect of such on flood heights is fully offset by accompanying improvements which have been approved by appropriate federal, state and local authorities.~~

~~**3109.6.2.2 Sewer facilities.** New or replaced sanitary sewer facilities, private sewer treatment plants (including pumping stations and collector systems) and on-site waste disposal systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the floodwaters. In addition, they shall be located and constructed so as to minimize or eliminate flood damage and impairment.~~

~~**3109.6.2.3 Water facilities.** All new or replacement water facilities shall be designed to minimize or eliminate infiltration of flood waters into the system and shall be located and constructed so as to minimize or eliminate flood damage.~~

~~**3109.6.2.4 Storm drainage facilities.** All storm drainage facilities shall be designed to convey the flow of surface waters so as to minimize or eliminate damage to persons or property. The system shall insure drainage away from buildings and on-site disposal sites. The authority having jurisdiction shall have the option of requiring a primary underground system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.~~

~~**3109.6.2.5 Streets and sidewalks.** Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.~~

### **3109.6.3 Storm Water Retention**

~~**3109.6.3.1 Site design.** Develop a site design that will not cause the pre-development peak runoff from a 10 year storm to increase. Individual lots in subdivision developments shall not be considered as separate projects, rather the subdivision development as a whole shall be considered as a single project.~~

~~**3109.6.3.2 Mitigating measures.** Provide stormwater detention storage, channel improvement or other mitigating measures.~~

~~**3109.6.3.3 Written permission.** Obtain written permission from downstream property owners, unless channel is in an existing city-owned drainage easement, to improve the receiving channel to an adequate channel condition. Such improvements shall extend downstream until an adequate channel section is reached. Cost of such improvements shall be borne by the developer. Sufficient engineering calculations shall accompany the plan submitted for verification of obtaining adequate channel condition.~~

~~**3109.6.3.4 Maintenance plan.** If stormwater detention storage is included, owner must provide the authority having jurisdiction with a plan for the maintenance of the detention facility. Said plan shall set forth the maintenance requirements of the facility and the party responsible for performing the maintenance.~~

## **3109.7 Construction Standards**

### **3109.7.1 Elevation Standards**

~~**3109.7.1.1 Location of the lowest structural member.** The lowest horizontal structural members of the lowest floor, including basements, but excluding footings, pilings, columns, pile caps, nonstructural slabs, bracing and grade beams, shall be elevated \_\_\_\_\_ feet above the base flood elevation in the following types of buildings:~~

- ~~1. Residential buildings including manufactured homes.~~
- ~~2. All other occupancy buildings, except that buildings in this category need not meet this requirement if the building and its utility and sanitary facilities are floodproofed to or above the base flood elevation in accordance with the floodproofing provisions of 3109.10.~~

### **3109.7.2 Anchoring Standards**

~~The structural systems of buildings and structures, including manufactured homes, shall be designed, connected and anchored to prevent flotation, collapse and permanent lateral movement caused by flooding.~~

### **3109.7.3 Construction Standards**

~~**3109.7.3.1 Construction elevations.** New construction or substantial improvement of residential structures and nonresidential structures within the special flood hazard areas must have the lowest horizontal structural member of the lowest floor including basement elevated to or above the base flood level as specified in 3109.7.1.1.~~

~~**Exception.** A nonresidential structure and its attendant utility and sanitary facilities may be constructed below the base flood elevation provided that the nonresidential structure and its attendant utility and sanitary facilities are floodproofed up to the base flood in accordance with the provisions of 3109.1.~~

~~**3109.7.3.2 Walls below base flood elevation.** New construction and substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs for meeting this requirement must either be certified by a registered design professional or meet the following minimum criteria: a minimum of two openings having a total net area of no less than 1 square inch for every square foot (645.16 mm<sup>2</sup> for every 0.0929 m<sup>2</sup>) of enclosed area subject to flooding shall be provided. The bottom of openings shall be no higher than 1 foot (305 mm) above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions. Walls constructed in coastal high hazard areas shall comply with 3109.9.2.1.3.~~

~~**3109.7.3.3 Uses below base flood elevation.** For new construction and substantial improvements, the enclosed area below an elevated building shall be used solely for parking of vehicles, limited storage of maintenance equipment used in connection with the premises and access to the elevated living area. Access to the lower enclosed area shall be the minimum necessary to allow the above uses. The interior portion of the lower enclosed area shall not be partitioned or finished into separate rooms.~~

~~**3109.7.3.4 Flood damage reduction.** New construction and substantial improvements shall be constructed with materials and mechanical equipment that are resistant to flood damage, and such construction shall use methods that minimize flood damage.~~

~~**3109.7.3.5 Utility protection.** Utilities such as heating, ventilation, plumbing, air conditioning, electrical and telephone systems and other service facilities shall be designed and located so as to prevent water from entering or accumulating within the components and to minimize the chance of impairment during flooding.~~

~~**3109.7.3.6 Water supply systems.** New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.~~

~~**3109.7.3.7 Sanitary sewage systems.** New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.~~

#### **3109.7.4 Manufactured Homes**

~~**3109.7.4.1 Installation.** Manufactured homes to be located in a special flood hazard area shall be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors.~~

~~**3109.7.4.2 Foundation.** Manufactured homes to be located in a special flood hazard area shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with 3109.7.4.1.~~

~~**3109.7.4.3 Placement of manufactured homes.** The placement of manufactured homes shall not be permitted within a designated floodway or coastal high hazard area.~~

#### **3109.7.5 Standards for Areas of Shallow Flooding (AO Zones)**

~~**3109.7.5.1 General.** Located within the areas of special flood hazard established in 3109.1.5 are areas designated as shallow flooding areas, or AO Zones. These areas have special flood hazards associated with base flood depths of one or more feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate.~~

~~**3109.7.5.2 Residential standards.** New construction and substantial improvements of residential buildings shall have the lowest horizontal structural member, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade.~~

~~**3109.7.5.3 Non-residential construction.** New construction and substantial improvements of non-residential buildings shall:~~

- ~~1. have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade, or;~~
- ~~2. together with attendant utility and sanitary facilities be completely floodproofed to or above the base flood depth as specified in 3109.10.~~

~~**3109.7.5.4 Drainage.** Within AO and AH Zones, adequate drainage paths shall be provided around structures located on slopes to guide flood waters around and away from structures.~~

### **3109.8 Floodways**

~~**3109.8.1 Selection.** The authority having jurisdiction shall select and adopt a regulatory floodway as defined in 3109.2 based on the authority specified in 3109.1.5.~~

~~**3109.8.2 Development Provisions.** No encroachments, including fill, new construction, substantial improvements and other development or land disturbing activity shall be permitted within a floodway unless certification, along with supporting technical data, is provided by a registered design professional demonstrating that such development will not cause any increase in flood levels during the occurrence of the base flood discharge.~~

### **3109.9 Coastal Construction**

#### **3109.9.1 Elevation Standards**

~~**3109.9.1.1 Application.** The provisions of 3109.9 apply to structures and development located in a coastal high hazard area. The other provisions of this standard, especially those in 3109.7.5, apply to structures and development in an area of special flood hazard, including those located in coastal high hazard areas.~~

~~**3109.9.1.2 Location of the lowest structural member.** In coastal high hazard areas, the lowest portion of the structural members of the lowest floor excluding the pilings, or columns, pile caps, nonstructural slabs, bracing and grade beams of construction shall be elevated  $\frac{1}{2}$  feet above the base flood elevation.~~

#### **3109.9.2 Construction Standards**

~~**3109.9.2.1.1 Anchoring.** New construction and substantial improvements within an area identified as a coastal high hazard area shall be elevated on pilings or columns in accordance with 3109.1.1.2, and securely anchored to resist flotation collapse and permanent lateral movement from the effects of wind and water loading values shall be that which equals or exceeds the 100-year recurrence interval. The design wind loading value shall be that specified in Chapter 16 of the *Florida Building Code, Building*.~~

~~Foundations shall have adequate soil penetrations to resist the combined wave and wind loads (lateral and uplift) to which they are likely to be subjected during a flood to the base flood elevation. Embedment depths shall take into account reduced resistance capacity caused by scour of surrounding soil strata. Pile system design and installation shall also be made in accordance with the provisions of Chapter 18 of the *Florida Building Code, Building*. Mat or raft foundations shall not be permitted where soil materials are subject to scour and erosion from wave velocity conditions.~~

~~**3109.9.2.1.2 Components.** Buildings and structures shall have components including floor frames, walls, roofs, sheathing and weather boarding securely fastened and adequately interconnected to resist the loads anticipated during flooding to an elevation equal to the base flood level.~~

~~**3109.9.2.1.3 Breakaway walls.** In coastal high hazard areas, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework or insect screening intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot (478.8 Pa and no more than 957.6 Pa). Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (957.6 Pa) either by design or where so required by local or state codes shall be permitted only if a registered design professional certifies that the designs proposed meet the following conditions:~~

- ~~1. breakaway wall collapse shall result from a water load less than that which would occur during the base flood, and~~
- ~~2. the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage from the effects of wind and water loads acting simultaneously on building components, structural and nonstructural.~~

~~Such enclosed space shall be useable solely for parking of vehicles, building access or storage, and shall not be designed or used for human habitation.~~

~~**3109.9.2.1.4 Use of fill.** In coastal high hazard areas, the use of fill material for structural support is prohibited. Noncompacted fill can be used away from the perimeter of a building for landscaping or aesthetic purposes providing the fill will wash away under storm surge, thereby rendering the building free of obstruction, prior to generating excessive loading forces, ramping effects or wave deflection. The authority having jurisdiction shall approve design plans only after the applicant has provided an analysis by an engineer, architect or soils scientist which demonstrates that:~~

- ~~1. Particle composition of fill material does not have a tendency for excessive natural compaction;~~
- ~~2. Volume and distribution of fill will not cause wave deflection to adjacent properties; and~~
- ~~3. Slope of fill will not cause wave run-up or ramping.~~

~~**3109.9.2.1.5 Coastal location.** New construction within a coastal high hazard area must be located landward of the reach of mean high tide.~~

~~**3109.9.2.1.6 Certification.** A registered design professional shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and construction methods to be used are in accordance with the provisions of 3109.1.2 and 3109.9.2.1.1 through 3109.9.2.1.3.~~

### **3109.10 Floodproofing**

~~**3109.10.1 General.** Floodproofing shall comply with classification standards FP1 and FP2, contained in the U.S. Army Corps of Engineers "Floodproofing Regulations," or other approved methods.~~

~~**3109.10.2 Location.** Floodproofing shall not be permitted in a designated floodway or in a coastal high hazard area.~~

~~**3109.10.3 Walls below flood level.** Buildings and structures of all occupancies except residential may be floodproofed with walls which are substantially impermeable to the passage of water below the base flood level and with structural components capable of resisting hydrostatic and hydrodynamic loads, and particularly, the effects of buoyancy.~~

~~**3109.10.4 Protective measures.** Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces and other factors associated with the base flood. The applicant shall submit a plan or document certified by a registered design professional that the floodproofing measures are consistent with the base flood elevation and associated flood factors for the particular area. The following floodproofing measures shall be part of the plan:~~

- ~~1. Anchorage to resist flotation and lateral movement.~~
- ~~2. Installation of watertight doors, bulkheads and shutters, or similar methods of construction.~~
- ~~3. Reinforcement of walls to resist water pressures.~~
- ~~4. Construction of water supply and waste treatment systems so as to prevent the entrance of floodwaters.~~
- ~~5. Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent backup sewage and storm waters into the buildings or structures.~~
- ~~6. Placement of electrical equipment, circuits and installed electrical appliances in a location which will minimize flooding and provide protection from inundation by the flood.~~
- ~~7. Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare in a manner which will assure that the facilities are situated at elevations above the height associated with the base flood elevation.~~

### **3109.11 Variances**

~~**3109.11.1 Authority.** An appeal board as established by the authority having jurisdiction shall hear and decide appeals and requests for variances from the requirements of this standard. This shall include appeals where it is alleged that there is an error in any requirement, decision or determination made in the enforcement of this standard. The appeal board has the right to attach such conditions to the variance as it deems necessary to further the purposes and objectives of this standard.~~

~~**3109.11.2 Exception for historic structures.** Variances may be issued for the reconstruction, rehabilitation or restoration of buildings listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this chapter providing that the variance is the minimum necessary so as not to destroy the historic character and design of the building, or that the proposed reconstruction, rehabilitation or restoration will not result in the building losing its historical designation.~~

~~**3109.11.3 Restrictions.** Variances shall specifically not be issued from any construction standards except as specified in 3109.11.2, nor shall variances be issued from encroachment standards of floodways if any increase in flood levels during the base flood discharge would result.~~

~~**3109.11.4 Considerations.** In reviewing applications for a variance, the appeal board shall consider all technical evaluations, all relevant factors, all other portions of this standard and the following:~~

- ~~1. the danger that materials are swept onto other lands, resulting in further injury or damage;~~
- ~~2. the danger to life and property from flooding or erosion damage;~~
- ~~3. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the owner;~~
- ~~4. the importance of the services provided by the proposed facility to the community;~~
- ~~5. the necessity of the facility to a waterfront location in the case of a functionally dependent facility;~~
- ~~6. the availability of alternate locations for the proposed use that are not subject to flooding or erosion;~~
- ~~7. the compatibility of the proposed use with existing and anticipated development;~~
- ~~8. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;~~
- ~~9. the safety of access to the property in times of flood for ordinary and emergency vehicles;~~
- ~~10. the expected heights, velocity, duration, rate of rise and debris and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;~~
- ~~11. the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.~~

~~**3109.11.5 Conditions for Issuance.** Upon consideration of the factors listed in 3109.11.4, variances shall be issued only by the authority having jurisdiction from the elevation standards upon:~~



1. a technical showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site renders the elevation standards inappropriate; and
2. a determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable; and
3. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances; and
4. a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and
5. submission to the applicant of written notice specifying the difference between the base flood elevation and the elevation to which the building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation.

**3109.11.6 Records.** The authority having jurisdiction shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency upon request.

### **3109.12 References**

The following is a list of reference publications related to floodplain management:

- Answers to Questions About Substantially Damaged Buildings, FEMA 213, May 1991
- A Unified National Program For Floodplain Management, FEMA 248, June 1994
- Coastal Construction Manual (Third Edition), FEMA 55, June 2000
- Design Guidelines for Flood Loss Reduction, FEMA 15, December 1981
- Elevated Residential Structures, FEMA 54, March 1984
- Engineering Principles and Practices for Retrofitting Floodprone Residential Buildings, FEMA 259, January 1995
- Floodproofing Nonresidential Structures, FEMA 104, April 1986
- Floodproofing Regulations, Corps of Engineers, EP 1165-2-314., June 1972
- Guide to Flood Maps, FEMA 258, May 1995
- Managing Flood plain Development in Approximate Zone A Area, FEMA 265, July 1995
- Manufactured Home Installation in Flood Hazard Areas, FEMA 85, September 1985
- Mitigation of Flood and Erosion Damage to Residential Buildings in Coastal Areas, FEMA 257, October 1994
- Repairing Your Flooded Home, FEMA 234, August 1992
- Technical Bulletins: User's Guide, FIA-TB-0, September 1999
- Technical Bulletin 1: Openings in Foundation Walls, FIA-TB-1, April 1993
- Technical Bulletin 2: Flood Resistant Materials Requirements, FIA-TB-2, April 1993
- Technical Bulletin 3: Non-Residential Floodproofing, FIA-TB-3, April 1993
- Technical Bulletin 4: Elevator Installation for Buildings in Special Flood Hazard Areas, FIA-TB-4, April 1993

~~Technical Bulletin 5: Free-of-Obstruction Requirements for Buildings Located in Coastal High Hazard Areas, FIA-TB-5, April 1993~~

~~Technical Bulletin 6: Below-Grade Parking Requirements for Buildings Located in Special Flood Hazard Areas, FIA-TB-6, April 1993~~

~~Technical Bulletin 7: Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas, FIA-TB-7, December 1993~~

~~Technical Bulletin 8: Corrosion Protection for Metal Connectors in Coastal Areas, FIA-TB-8, August 1996~~

~~Technical Bulletin 9: Design and Construction Guidance for Breakaway Walls Below Elevated Coastal Building, FIA-TB-9, September 1999~~

~~Protecting Building Utilities From Flood Damage, FEMA, 348, November 1999~~

~~Guidance On Estimating Substantial Damage, FEMA 311, December 1998~~

~~Answers to Questions About Substantially Damaged Buildings, FEMA 213, May 1991~~

## **SECTION 3110 DEPOSIT OF MATERIAL IN TIDEWATER REGULATED**

**3110.1** It is not awful for any person to discharge or cause to be discharged or deposit or cause to be deposited, in the tide or salt waters of any bay, port, harbor or river of this state, any ballast or material of any kind other than clear stone or rock, free from gravel or pebbles, which said clear stone or rock shall be deposited or discharged only in the construction of enclosures in connection with wharves, piers, quays, jetties or in the construction of permanent bulkheads connecting the solid and permanent portion of wharves. It is lawful to construct three characters of bulkheads for retention of material in solid wharves. First, clear stone or rock enclosures, or bulkheads, may be built upon all sides to a height not less than 2½ feet (762 mm) above high watermark; and after the enclosures have been made so solid, tight and permanent as to prevent any sand, mud, gravel or other material that may be discharged or deposited in them from drifting or escaping through such enclosures, any kind of ballast may be discharged or deposited within the enclosures. The enclosures may be constructed of wood, stone and rock combined, the stone and rocks to be placed on the outside of the wood to a height not less at any point than 2½ feet (762 mm) above high watermark; and after the enclosures have been made so solid, tight and permanent as to prevent any sand, mud gravel or other material that may be discharged or deposited in them from drifting or escaping through such enclosures, any kind of ballast may be discharged or deposited within the enclosures. The enclosures may be constructed of wood, stone and rock combined, the stone and rocks to be placed on the outside of the wood to a height not less than 2½ feet (762 mm) above high watermark. Second, a bulkhead may be built by a permanent wharf consisting of thoroughly creosoted piles not less than 12 inches (305 mm) in diameter at the butt end, to be driven close together and to be capped with timber not less than 10 or 14 inches drift (254 or 302 mm), bolted to each pile, and one or more longitudinal stringers to be placed on the outside of the bulkhead and securely anchored by means of iron rods to piles driven within the bulkheads, clear rock to be on the inside of the bulkhead, to a height of not less than 2½ feet (762 mm) above high

water; and after this is done, ballast or other material may be deposited within the permanent enclosure so constructed. Third, a bulkhead may be constructed to consist of creosoted piles, as described herein, driven not exceeding 4 feet (1219 mm) apart from center to center, inside of which two or more longitudinal stringers may be placed and securely bolted to the piles. Inside of these longitudinal pieces, two thicknesses of creosoted sheet piling are to be driven, each course of the sheet piling to make a joint with the other to form an impenetrable wharf; and within this permanent bulkhead so constructed, any ballast or other material may be deposited. No such enclosure, pier, quay or jetty shall be begun until the point whereat it is to be built shall have been connected by a substantial wharf with a shore or with a permanent wharf; except that the owners of wharves may at any time, with the consent of the Board of Pilot Commissioners of the Division of Professions of the Department of Business and Professional Regulation, build wharves of clear stone or rock, or creosoted walls as hereinafter provided, on each side of their wharves from the shore to a point at which the water is not more than 15 feet (4.6 m) deep, and when such walls have attained a height of 2½ feet (762 mm) above high watermark and have been securely closed at the deepwater end by stone or creosoted walls of the same height, any kind of ballast may be deposited in them. Nothing contained in this section shall interfere with any rights or privileges now enjoyed by riparian owners. While this section empowers those who desire to construct the several characters of wharves, piers, quays, jetties and bulkheads provided for and described herein, nothing in this section shall be so construed as to require any person not desiring to construct a permanent wharf by filling up with ballast, stone or other material to construct under the specifications contained herein; and nothing in this chapter shall be so construed as to prevent any person from constructing any wharf or placing any pilings, logs or lumber in any waters where the person would have heretofore had the right so to do.

**3110.2** This section shall not prohibit Escambia County from placing in Pensacola Bay, on the Escambia County side, beside the old Pensacola Bay Bridge, certain materials, as recommended by the Department of Environmental Protection, in coordination with the Fish and Wildlife Conservation Commission, to increase the number of fish available for persons fishing from the old Pensacola Bay Bridge.

**3110.3** This section shall not prohibit Manatee County from placing in the Manatee County portions of Sarasota Bay and Tampa Bay and in the Manatee River, certain materials, as recommended by the Department of Environmental Protection, in coordination with the Fish and Wildlife Conservation Commission, to increase the number of fish available for persons fishing in the above areas.

**3110.4** This section shall not prohibit Pinellas County from placing in Tampa Bay certain materials as recommended by the Department of Environmental Protection, in coordination with the Fish and Wildlife Conservation Commission, to increase the number of fish available for persons fishing in the bay.

Deposit of material on wharf or quay regulated—It is not lawful for any person to deposit or cause to be deposited on any wharf or quay, any ballast, stone, earth or like material, except such wharf or quay may be so secured as to prevent such ballast or other material from washing into the waters of the harbor.

## **SECTION 3111**

## LIGHTING, MIRRORS, LANDSCAPING

**3111.1** Each operator of an automated teller machine that controls the access area or defined parking area to be lighted shall comply with sections(2), (3), and (4) no later than 1 year after October 1, 1994. If the access area or defined parking area to be lighted is controlled by a person other than the operator, such other person shall comply with sections (2), (3), and (4) no later than 1 year after October 1, 1994.

**3111.2** Each operator, or other person responsible for an automated teller machine pursuant to ss. 655.960 -655.965, shall provide lighting during the hours of darkness with respect to an open and operating automated teller machine and any defined parking area, access area and the exterior of an enclosed automated teller machine installation, as follows:

1. There shall be a minimum of 10 candlefoot (108 lux) power at the face of the automated teller machine and extending in an unobstructed direction outward 5 feet (1.5 m).
2. There shall be a minimum of 2 candlefoot (21.5 lux) power within 50 feet (15.25 m) in all unobstructed directions from the face of the automated teller machine. If the automated teller machine is located within 10 feet (3 m) of the corner of the building and the automated teller machine is generally accessible from the adjacent side, there shall be a minimum of 2 candlefoot (21.5 lux) power along the first 40 unobstructed feet (12 m) of the adjacent side of the building.
3. There shall be a minimum of 2 candlefoot (12.5 lux) power in that portion of the defined parking area within 60 feet (18 m) of the automated teller machine.
4. The operator shall provide reflective mirrors or surfaces at each automated teller machine which provide the customer with a rear view while the customer is engaged in using the automated teller machine.
5. The operator, or other person responsible pursuant to ss. 655.960 -655.965 for an automated teller machine, shall ensure that the height of any landscaping, vegetation or other physical obstructions in the area required to be lighted pursuant to section (2) for any open and operating automated teller machine shall not exceed 3 feet (914 mm), except that trees trimmed to a height of 10 feet (3 m) and whose diameters are less than 2 feet (610 mm) and manmade physical obstructions required by statute, law, code, ordinance or other governmental regulation shall not be affected by this section.

Chapter 34, Existing Buildings:

Section 3401.1 (Exception) is amended to read as follows:

Buildings and structures located within the High Velocity Hurricane Zone shall comply with the provisions of Sections 3401.5, 3401.8, and 3401.2.2.1 ~~3408~~.

Section 3401.2.2.2 is amended to delete the reference to s. 106.

Section 3401.5.3 is amended to add reference to the Appendix D.

**3401.5.3** When reviewing the proposed alteration, repair, restoration or moving of qualified historic buildings or structures the building official shall, pursuant to 103.7, consider alternative materials and methods which may be proposed for achieving equivalency with the requirements in the technical codes. Alternate methods for achieving equivalency with the requirements of the technical codes shall be guided by the recommended approaches to rehabilitation set forth in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. (See Appendix D).

Chapter 35, Reference Standards:

Section 3502, Referenced Standards is amended to clarify the following:

ANSI/AAMA/NWWDA 101/I.S. 2-97	1707.4.2.1
Voluntary Specifications for Aluminum, Vinyl (PVC) and Wood Windows and Glass Doors	<u>2411.3.2.1</u>

Section 3503, Organizations, is amended to clarify the following:

AAMA

American Architectural Manufacturers Association  
Techstreet  
1327 Jones Drive  
Ann Arbor, MI 48105  
1827 Walden Office Square Suite 550  
Schaumburg, IL 60173

(14) The following reference standards in chapter 35 of the Florida Building Code, **Building**, are changed to reflect the latest version

ANSI/ASME A17.1- <u>9396</u>	NFPA 14- <u>9600</u>	NFPA 265- <u>199498</u>
ASTM C 315- <u>9196</u>	NFPA 30B- <u>9498</u>	NFPA 430- <u>9500</u>
ASTM E 84- <u>9597</u>	NFPA 82- <u>9499</u>	UL 127- <u>8996</u>
ASTM E 136- <u>9496a</u>	NFPA 99- <u>9699</u>	UL 555- <u>9096</u>
NFPA 10- <u>9498</u>	NFPA 252- <u>9599</u>	UL 555S- <u>9296</u>
NFPA 13- <u>9699</u>	NFPA 253- <u>9500</u>	UL 737- <u>8896</u>
NFPA 13D- <u>9699</u>	NFPA 257- <u>9600</u>	UL 1482- <u>8894</u>
NFPA 13R- <u>9699</u>	NFPA 259- <u>9398</u>	

The following reference standards in chapter 14 of the Florida Building Code, **Plumbing**, are changed to reflect the latest version

ASTM

	D 2282- <del>9496</del>	F 439- <del>9397a</del>
A 53- <del>9497</del>	D 2466- <del>9496a</del>	F 441- <del>9497</del>
B 32- <del>9496</del>	D 2467- <del>9496</del>	F 442- <del>9497</del>
B 42- <del>9396</del>	D 2668- <del>9396</del>	F 493- <del>9397a</del>
B 43- <del>9496</del>	D 2564- <del>9396</del>	F 628- <del>9697</del>
B 75- <del>9597a</del>	D 2661- <del>9697</del>	F 876- <del>9396</del>
B 251- <del>9397</del>	D 2665- <del>9697</del>	F 877- <del>9497</del>
B 302- <del>9297</del>	D 2846- <del>9396</del>	
D 1527- <del>9496</del>	D 2949- <del>9697</del>	NFPA
D 1785- <del>9396</del>	D 3309- <del>9396</del>	
D 2235- <del>9396a</del>	F 409- <del>9697</del>	51- <del>9297</del>
D 2241- <del>9496</del>	F 438- <del>9397</del>	70- <del>9399</del>

The following reference standards in chapter 15 of the Florida Building Code, **Mechanical**, are changed to reflect the latest version

NFPA

	82- <del>9499</del>	UL
12- <del>9300</del>	86- <del>9599</del>	
13- <del>9699</del>	90a- <del>9699</del>	1777- <del>8895</del>
17- <del>9498</del>	90b- <del>9699</del>	
17A- <del>9498</del>	96- <del>9498</del>	
70- <del>9699</del>	211- <del>9600</del>	

The following reference standards in chapter 7 of the Florida Building Code, **Fuel Gas**, are changed to reflect the latest version

ASTM

- A 53-~~9597~~
- A 106-~~9497~~
- A 254-~~9497~~
- A 539-~~9096~~
- B 280-~~9597~~

NFPA

- 52-~~9598~~
- 58-~~9599~~
- 82-~~9499~~
- 88B-~~9195~~
- 211-~~9600~~

UL

- 1777-~~8895~~

(15) Index is amended to add the following:

<b>INDEX</b>	<b>Page 1-10</b>
<b>HISTORIC BUILDINGS</b>	
<u>Accessibility Consultation Procedures.....</u>	<u>11-4.1.7(2)</u>
<u>Accessibility Minimum Requirements.....</u>	<u>11-4.1.7(3)</u>
<u>Educational Facilities.....</u>	<u>423.4.1</u>
<u>Energy Exemption.....</u>	<u>13-101.5.5</u>
<u>Lodging, Food Service Establishments.....</u>	<u>426.4.2</u>
<u>Non-qualified.....</u>	<u>3401.5.4</u>
<u>Qualified.....</u>	<u>11-4.1.7(1)(b), 3401.5.4</u>
<u>Restoration.....</u>	<u>3401.5.3, Appendix D</u>
<u>Standards for Rehabilitation.....</u>	<u>423.4.1, 3401.5.3, Appendix D</u>

**HORIZONTAL EXIT**

<b>INDEX</b>	<b>Page 1-16</b>
<b>SCUPPERS.....</b>	<b>1503.4, 1511.6.4</b>
<u>SECRETARY OF THE INTERIOR'S</u>	
<u>STANDARDS FOR REHABILITATION</u>	
<u>AND GUIDELINES FOR REHABILITATING</u>	
<u>HISTORIC BUILDINGS.....</u>	<u>3401.5.3, Appendix D</u>
<b>SECURITY BARS.....</b>	<b>1005.4.5, 1005.5</b>

<b>INDEX</b>	<b>Page 1-17</b>
<b>STAIRWAY ENCLOSURE</b>	
Use.....	1006.1.3
<u>STANDARDS FOR REHABILITATION</u>	<u>423.4.1, 3401.5.3, Appendix D</u>
<b>STANDBY LIGHTING</b>	

**Test Protocols for High Velocity Hurricane Zones**

(16) TAS 105:

Section 8.3, is amended to read as follows:

The number of test samples required in shall be increased by ~~125~~ an additional 25% for all gypsum lightweight insulating concrete, and cementitious wood fiber deck types.

Section 9.2.1, is amended to correct the mathematical error in the equation for determining the

minimum characteristic force as follows:

$$F' = \bar{F} - t_{1-P, \nu} \frac{S_F}{\sqrt{N}}$$

where,

$F'$  = minimum characteristic resistance force (lbf);

$\bar{F}$  = mean failure load (lbf);

$t_{1-P, \nu}$  = t-estimator based on 95% precision level;

$\nu$  = degrees of freedom = (N-1);

$N$  = total number of pulls;

$P$  = probability level = 95%; and,

$S_F$  = sample standard deviation.

(17) TAS 301:

Section 8.1 is amended to replace “Building Code Compliance Office” with “Authority Having Jurisdiction.”

(18) RAS 130:

Section 1.1, is amended to read as follows:

This application Standard provides the minimum installation criteria for wood shingles and shakes application.

Sections 3.4 and 4.1 are amended to replace “Fastened” with “Fasten”.

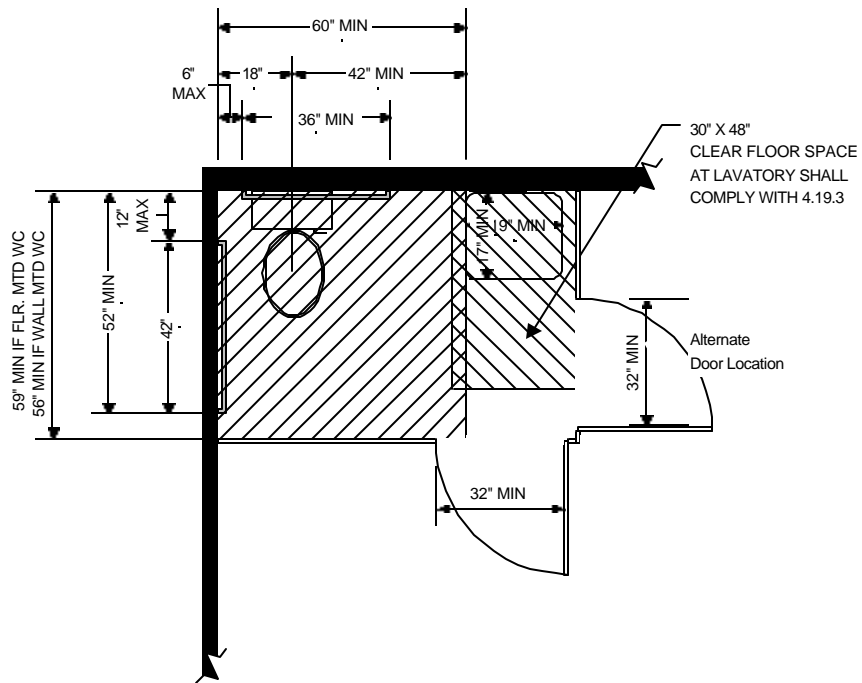
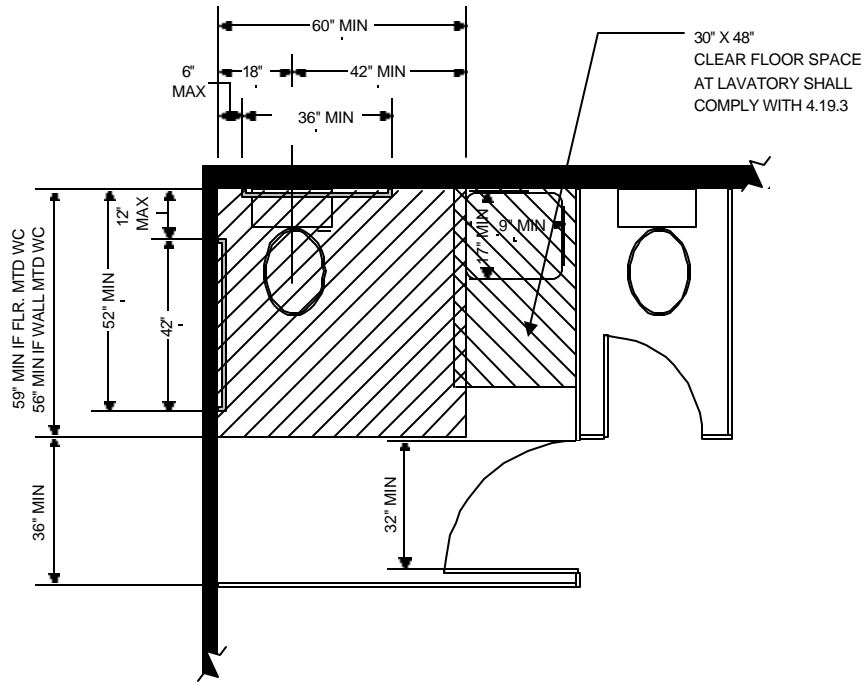


flabldgcode2001\august2001\codchange2001.wpd

Appendix A

Figure 30(e)

Application for Waiver from the Accessibility Requirements



IN NEW CONSTRUCTION, A LAVATORY SHALL BE PROVIDED WITHIN THE ACCESSIBLE TOILET STALL.  
THE LAVATORY SHALL NOT ENCROACH INTO THE REQUIRED CLEAR FLOOR SPACE FOR THE WATER CLOSET.  
SEE FIGURE 30 (a) FOR THE REQUIRED CLEAR FLOOR SPACE FOR THE WATER CLOSET.  
THE LOCATION SHOWN FOR THE LAVATORY IS ONLY ONE OF MANY POSSIBLE LOCATIONS WITHIN THE ACCESSIBLE TOILET STALL.  
THE WATER CLOSET SHALL BE LOCATED IN THE CORNER DIAGONAL TO THE DOOR.  
THE TOILET STALL DOOR SHALL NOT SWING INTO THE REQUIRED CLEAR FLOOR SPACE FOR ANY FIXTURE.  
FLUSH CONTROL SHALL COMPLY WITH SECTION 4.16.5.

## 30 (e)

Toilet Stall New Construction

**Department of Community Affairs  
FLORIDA BUILDING COMMISSION  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100**

**NOTICE TO WAIVER APPLICANTS**

Please make certain you comply with the following:

- c The person submitting the waiver request application as the Applicant **MUST** sign the application. Should you fail to do so, your application will be returned.
- c If a licensed design professional (architect or engineer) has designed the project, his or her comments **MUST** be included as a part of this application.
- c Be as explicit as possible. The more information provided to the Florida Building Commission, the more informed its decisions can be. If you are claiming financial hardship, please specify why and to what degree.
- c If at all possible, **PLAN TO ATTEND the Accessibility Advisory Council and the Florida Building Commission meetings**. Sometimes pertinent facts are inadvertently omitted, or information provided/presented in the Request for Waiver application is not clear. Your attendance at the meetings to answer questions will enhance the possibility of the waiver being approved, since the Council and the Commission will receive the most complete information – from you. When we receive the completed application, we will send you a notice of the time, date, and place for both the Council and the Commission meetings.

Enclosed are a **List of Required Information** and the **Request for Waiver** application.

If you have any questions or would like additional information, please call the Codes and Standards Section at (850) 487-1824.

**Please mail** this application to the Department of Community Affairs at the address above. **As well as a hard copy, please include a copy of the application (without drawings or plans) on a 3.5 floppy disk in PC format.**

This application is available in alternate formats upon request.

### **LIST OF REQUIRED INFORMATION:**

1. \_\_\_\_\_ Drawings that will clearly present your project and that identify the issue(s) that relate to the waiver you are requesting. As a minimum, the following drawings must be submitted:
  1. Project site plan
  2. 24" x 36" minimum size drawings
  3. Building/project sections (if necessary to assist in understanding the waiver request)
  4. Enlarged floor plan(s) of the area in question
2. \_\_\_\_\_ One set of reduced scale (11" x 17") versions of the drawings submitted in item one above.
3. \_\_\_\_\_ One set of overhead transparencies (8 ½" x 11") of the drawings submitted in item one above. When numerous features are shown on the drawings, please designate the location of the waiver items by highlighting or outlining in color the affected areas.
4. \_\_\_\_\_ When substantial financial cost of compliance is alleged, supporting cost estimates with quotes from at least two vendors or contractors and catalog information.
5. \_\_\_\_\_ If you feel photographs and/or renderings are necessary for your presentation, provide 40 legible color photocopies of the photographs and/or renderings. If color photocopies of photographs are provided, use a minimum size of 4" x 6" photographs with a maximum of two photographs per photocopied page.
6. \_\_\_\_\_ Please submit a hard copy of this application to the Department of Community Affairs, as well as a copy of the application on a 3.5 floppy disk in PC format. PLEASE NOTE: Do not submit drawings or plans on the disk.

### **General Information:**

- a. **Equipment:** An overhead projector is provided at the presentation; any other equipment necessary for your presentation, such as TV/VCR, slide or LCD projectors, etc., is the responsibility of the applicant.
- b. **Verbal Descriptions:** Presentations may be to sight or hearing impaired persons; visual presentations should consider adequate verbal and text descriptions of charts and pictures.

Your application will be reviewed by the Accessibility Advisory Council. You will have the opportunity to answer questions and/or make a short presentation **not to exceed 15 minutes**. The Council will provide recommendations to the Florida Building Commission. The Commission will review the application. You will have another opportunity to answer questions and /or give a short presentation **not to exceed 15 minutes**. The Commission will consider all information and the Council's recommendation before voting on the waiver.

This application is available in alternate formats upon request.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS  
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

**1. Name and address of project for which the waiver is requested.**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:**

**Applicant's Name:** \_\_\_\_\_

**Applicant's Address:** \_\_\_\_\_

**Applicant's Telephone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**Applicant's E-mail Address:** \_\_\_\_\_

**Relationship to Owner:** \_\_\_\_\_

**Owner's Name:** \_\_\_\_\_

**Owner's Address:** \_\_\_\_\_

**Owner's Telephone:** \_\_\_\_\_ **FAX** \_\_\_\_\_

**Owner's E-mail Address:** \_\_\_\_\_

**Signature of Owner:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

**Contact Person's Telephone:** \_\_\_\_\_ **E-mail Address:** \_\_\_\_\_

This application is available in alternate formats upon request.

Form No. 2001-01

**3. Please check one of the following:**

New construction.

Addition to a building or facility.

Alteration to an existing building or facility.

Historical preservation (addition).

Historical preservation (alteration).

**4. Type of facility.** Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

---

---

---

---

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):**

---

**6. Project Status:** Please check the phase of construction that best describes your project at the time of this application. Describe status.

Under Design  Under Construction\*

In Plan Review  Completed\*

\* Briefly explain why the request has now been referred to the Commission.

---

---

---



7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

**Issue**

1: \_\_\_\_\_

\_\_\_\_\_

**Issue**

2: \_\_\_\_\_

\_\_\_\_\_

**Issue**

3: \_\_\_\_\_

\_\_\_\_\_

8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

\_\_\_\_\_

\_\_\_\_\_

Substantial financial costs will be incurred by the owner if the waiver is denied.

---

---

[ ] The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

---

---

9. **Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates.** For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

a. \_\_\_\_\_

---

b. \_\_\_\_\_

---

c. \_\_\_\_\_

---

10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

---

---

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Printed Name**

**Phone number** \_\_\_\_\_

**(SEAL)**

**CERTIFICATION OF APPLICANT:**

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

**REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.**

Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and accurate. Further, if this project is complete, explain why it is being referred to the Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for building department review. Please reference the applicable section of the Accessibility Code.

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

Yes  No Cost of Construction \_\_\_\_\_

**Comments/Recommendation** \_\_\_\_\_

\_\_\_\_\_

Jurisdiction \_\_\_\_\_

Building Official or Designee \_\_\_\_\_

Signature

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Certification Number

\_\_\_\_\_

Telephone/FAX

Address: \_\_\_\_\_

\_\_\_\_\_

**Form No.: 2001-02, Page 1 of 2**

**Certification of Licensed Design Professional for Replicated Designs to be Placed on Consent Agenda**

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, \_\_\_\_\_, a licensed architect/engineer in the state of Florida, whose Florida license number is \_\_\_\_\_, hereby state as follows:

1. I am the architect/engineer of record for the project known as (name of project) \_\_\_\_\_  
\_\_\_\_\_, for which the Owner seeks a waiver of one or more accessibility requirements in an application to which this Certification is attached.
2. I hereby certify that to the best of my knowledge and belief to the Florida Building Commission that the design documents for the (insert project described in paragraph 1 above) \_\_\_\_\_ are the same as the design documents previously submitted to the Commission and referenced in paragraph 3 below, except that the two projects are built or to be built on different parcels of land at different locations.
3. The licensed design professional of record (identify the licensed design professional of record), \_\_\_\_\_, prepared the design documents for the project known as \_\_\_\_\_, for which the majority of the Accessibility Advisory Council recommended approval and the Commission granted a waiver of one or more accessibility requirements in Final Order No. \_\_\_\_\_.

Printed Name: \_\_\_\_\_ Affix certification seal below:

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**Form No.: 2001-02, Page 2 of 2**

**Certification of Applicant for Replicated Designs to be Placed on Consent Agenda**

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, \_\_\_\_\_, am applying for placement on the Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code. I (check one of the following and complete blanks):

am the owner of this Project (name of project) \_\_\_\_\_,

and was the owner of the project known as \_\_\_\_\_,

am the franchisee of this Project (name of project) \_\_\_\_\_,

am under the same franchiser (name of franchiser) \_\_\_\_\_

who was the franchiser of the project known as \_\_\_\_\_,

am the licensee of this Project (name of project) \_\_\_\_\_,

am under the same licensor (name of licensor) \_\_\_\_\_,

who was the licensor of the project known as \_\_\_\_\_,

for which the majority of the Accessibility Advisory Council recommended approval, and the Florida Building Commission granted a waiver of one or more accessibility requirements in Final Order No. \_\_\_\_\_.

I hereby swear or affirm that the above information to the best of my knowledge is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Providing false information to the Florida Building Commission is punishable as a misdemeanor under Section 775.083,

Florida Statutes.

Appendix B  
Energy Code Forms