

FLORIDA BUILDING COMMISSION
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Plenary Session

DECEMBER 28, 2023

10:00 A.M.

Minutes

COMMISSIONERS PRESENT:

James Schock, Chairman
James Batts
Michael Bourré
Donald Brown
David Compton
Jeff Gross
Rodney Hershberger
David John

Grey Marker
Brian Langille
Asael Marrero
Brad Schiffer
Fred Schilling
Brian Swope
Tim Tolbert
Stephen Wilcox

STAFF PRESENT:

Mo Madani
Thomas Campbell

Sabrina Evans
Marlita Peters

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: facilitatedsolutions.org

Time: 8:30 a.m.

Chairman Schock welcomed Commissioners, staff, and members of the public to the December 28, 2023, web-based and teleconference virtual Emergency Meeting of the Florida Building Commission.

Chairman Schock stated the purpose of the Emergency Meeting is to evaluate a Petition to delay the implementation of Sections 717 and 718 of the 8th. Edition (2023) Florida Building Code, Plumbing, determine if Emergency Rulemaking is warranted and, if so, to subsequently delay the implementation of provisions pertaining to the rehabilitation of building sewer piping and sewer service lateral piping in the forthcoming Florida Building Code, Plumbing, 8th Edition (2023) during the period that the emergency rule is in effect.

Chairman Schock stated that, as always, we will provide an opportunity for public comment. If you want to comment, please wait until the facilitator invites members of the public to speak at the appropriate time during the meeting. Public comment will be limited to 3 minutes per person. Public input is welcome but should be offered before the Commission begins discussion or there is a formal motion on the floor.

Mr. Blair provided details on the virtual meeting participation process.

Roll Call:

Mr. Blair performed roll call for the Florida Building Commission. A quorum was determined with 16 members present at roll call.

Agenda Approval:

Commissioner Brown entered a motion to approve the agenda for today's meeting as posted. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 16 to 0.

Request for Emergency Rulemaking for Rule 61G20-1.001, Florida Administrative Code:

1) Request to delay the Implementation of Section 171 and 718 of the Florida Building Code, Plumbing, 8th Edition (2023):

Chairman Schock provided details on the request for emergency rulemaking for Rule 61G20-1.001, F.A.C.

Mr. Blair provided the process on the procedural sequencing for Commissioner's consideration of the petition for emergency rulemaking for Rule 61G20-1.001, F.A.C.

Legal Counsel:

Robert Erhardt, DBPR Legal Counsel, provided the legal background on the Petition.

Staff:

Mr. Madani provided the staff's analysis on the Petition.

Discussion:

Members of the Commission, staff, and Mr. Erhardt went into discussion with questions and comments.

Petitioner:

Mr. Chris Parker, Advanced Plumbing Technology, provided details on the petition.

Chairman Schock provided a comment.

Motion:

Chairman Schock entered a motion to initiate emergency rulemaking pursuant to subsection 120.54(4), F.S., delaying the implementation of Section 718 of the Florida Building Code, Plumbing, 8th Edition (2023) for at least three-months from December 31, 2023, to March 30, 2024, and adopt proposed Rule 61G20ER23-3– Effective Date for Section 718 Building Sewer and Drain Rehabilitation Requirements based on the Findings and Rationale provided in the DBPR staff analysis. Commissioner Brown seconded the motion.

Discussion:

Members of the Commission and staff went into discussion with questions and comments.

Motion Continued:

The motion passed unanimously with a vote of 16 to 0.

2) Emergency Rule Language for Rule 61G20-1.001, F.A.C:

Motion:

Commissioner Brown entered a motion to adopt Rule 61G20ER23-3– Effective Date for Building Sewer and Drain Rehabilitation Requirements, with the following emergency rule text: Rule 61G20ER23-3– Effective Date for Building Sewer and Drain Rehabilitation Requirements. Notwithstanding the Florida Building Code, the provisions of Section 718, Florida Building Code, Plumbing, 8th Edition (2023) are not in effect during the period of time that this

emergency rule is in effect. This rule shall take effect immediately upon filing with the Department of State with an Effective Date of December 31, 2023, and an Expiration Date of March 30, 2024, and to delegate authority to Mo Madani to sign rulemaking documents on behalf of the Commission. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 16 to 0.

Commissioner Comment:

None.

Public Comment:

None.

Adjourn Commission Plenary Session:

There being no further business before the Commission, Chairman Schock adjourned the meeting at 10:44 a.m.