



**FLORIDA  
BUILDING  
COMMISSION**

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE  
13 DECEMBER 2022 FLORIDA BUILDING COMMISSION**

**DAYTONA BEACH SHORES, FLORIDA**

**PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY**



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**FLORIDA BUILDING COMMISSION**  
**13 DECEMBER 2022 FACILITATOR'S MEETING SUMMARY REPORT**

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## FLORIDA BUILDING COMMISSION

### 13 DECEMBER 2022 FACILITATOR'S MEETING SUMMARY REPORT



## OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

### TUESDAY, DECEMBER 13, 2022

#### I. PLENARY SESSION SUMMARY AND OVERVIEW

The Commission conducted their 13 December 2022 meeting onsite in Daytona Beach Shores, Florida. At the December meeting the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, accessibility waiver applications, product and entity approvals, applications for accreditor and course approvals, and recommendations from the Commission's various committees. In addition, the Commission received an update regarding UF's assessment of building damage caused by Hurricane Ian. Specific actions included voting to: **1)** Approve the updated Workplan and Schedule for development of the 8<sup>th</sup> Edition (2023), Florida Building Code; **2)** Adopt the TAC Review and Recommendation Process for Comments Received on the Draft 8<sup>th</sup> Edition (2023), Florida Building Code; **3)** Adopt the Commission's Review and Approval Process for Comments Received on the Draft 8<sup>th</sup> Edition (2023), Florida Building Code; **4)** File a Notice of Rule Development to initiate the rulemaking process to incorporate the Department of Health's changes to Rule 64E-9.004 (Operational Requirements) into the Florida Building Code Rule 61G20-1.001; **5)** Approve that the Standing Findings shall apply to all motions to approve proposed Code amendments (consent agendas and individually considered amendments), **6)** Authorize staff to make correlations and editorial fixes as needed for the 8<sup>th</sup> Edition (2023), Florida Building Code as a consent agenda; and **7)** Adopt the Commission's package of approved Code amendments to the 7<sup>th</sup> Edition (2020) for inclusion in the draft 8<sup>th</sup> Edition (2023), Florida Building Code, to proceed with rulemaking for Rule 61G20-1.001 — Florida Building Code Adopted for the purpose of adopting approved Code amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

*(Attachment 1 — Meeting Evaluation Results)*

## **II. CHAIR’S WELCOME**

Chairman Schock welcomed the Commission, DBPR staff, and the public to Daytona Beach Shores and the December 13, 2022 plenary session of the Florida Building Commission.

The Chair noted that in addition to considering regular procedural issues, updates, and reports, the primary task for the 13 December 2022 meeting was to decide on proposed modifications for inclusion in the 8<sup>th</sup>. Edition (2023), Florida Building Code.

The Chair explained, as always the Commission would provide an opportunity for public comment on each of the Commission’s substantive discussion topics. Chairman Schock expressed that if one wants to comment on a specific substantive Commission agenda item, they should wait until the facilitator requests public comment and stacks a list of names at the appropriate times during the meeting. The Chair noted that public input is welcome, but should be offered before there is a formal motion on the floor.

## **III. COMMISSION ATTENDANCE**

The following Commissioners participated in the 13 December 2022 meeting conducted onsite in Daytona Beach Shores, Florida:

Jim Schock (Chair), James Batts, Michael Bourré (Vice Chair), David Brown, David Compton, Charles Fisher, Rodney Hershberger, David John, Brian Langille, Grey Marker, Brad Schiffer, Brian Swope, and Tim Tolbert.

(13 of the 14 seated Commissioners attended — 93%).

*Absent Commissioners:*

Jeff Gross.

## **DBPR STAFF PARTICIPATING**

Norman Bellamy, Thomas Campbell, Sabrina Evans, Jim Hammers, Mo Madani, and Justin Vogel.

## **MEETING FACILITATION**

Meetings are facilitated, and meeting reports prepared by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



## **PROJECT WEBPAGE**

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found at the Commission Webpage. Located at the following URL: <http://floridabuilding.org/c/default.aspx>

#### **IV. AGENDA REVIEW AND APPROVAL**

The Commission voted unanimously, 13 - 0 in favor, to approve the agenda for the 13 December 2022 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the Florida Building Code, 8<sup>th</sup> Edition, (2023), Workplan.
- To Approve Process for TAC Consideration of Comments Regarding the Draft Florida Building Code, 8<sup>th</sup> Edition, (2023).
- To Approve Process for Commission Consideration of Comments Regarding the Draft Florida Building Code, 8<sup>th</sup> Edition, (2023).
- To Consider/Decide on the Commission's Next Steps Based on Changes to Rule 64E-9.004.
- To Receive Update Regarding the Survey of Buildings Damaged by Hurricane Ian.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Product Approval Applications.
- To Consider/Decide on Advanced Code Course Applications and Accreditor Applications.
- To Receive a Legal Report Briefing.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Consider/Decide on Proposed Modifications for Inclusion in the 8<sup>th</sup> Edition (2023) Florida Building Code.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (February 7, 2023, Web-based and Teleconference Virtual Meeting).

#### *Amendments to the Posted Agenda:*

There were no amendments to the posted agenda.

*(Attachment 2 — 13 December 2022 Commission Agenda)*

#### **V. APPROVAL OF THE 11 OCTOBER 2022 MEETING MINUTES AND FACILITATOR'S SUMMARY REPORT**

**MOTION** — The Commission voted unanimously, 13 - 0 in favor, to approve the 11 October 2022 Meeting Minutes and Facilitator's Summary Report as posted/presented.

*Amendments:* There were no amendments offered to the meeting minutes.

## **VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS**

### **Appointments**

Chairman Schock announced the following:

### **Commission Resignations**

The Chair reported that Chuck Fischer would be resigning from the Commission effective January 30, 2023 when his current term expires. Chuck served on the Commission beginning August 9, 2019 and served as the Electrical TAC chair and as a member of the Swimming Pool TAC.

The Chair presented Chuck with a plaque in recognition of his service on behalf of the citizens of Florida, and thanked him for his service.

### **POC/TAC Appointments**

#### **Fire TAC**

Chris Athari was appointed to the Fire TAC replacing Joe Holland who stepped down from the TAC. The Chair thanked Chris for agreeing to serve, and Joe for his service.

### **Updated Commission Milestones**

The Chair reminded participants that the Updated Commission Milestones document (updated as of 11 October 2022) is linked to the 13 December 2022 FBC Agenda on the BCIS.

## **VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS**

Tom Campbell, FBC Executive Director, briefed the Commission on the following issues:

### **A) Future Commission Meeting Dates**

Tom reported that the Commission’s next meeting will be February 7, 2023, and will be conducted as a web-based and teleconference virtual meeting.. Following are the dates for the regular bimonthly Commission meetings scheduled for the remainder of 2023:

- March 14, 2023, Onsite, Westin Lake Mary, Florida
- April 11, 2023, Web-Based and Teleconference Virtual Meeting
- June 20, 2023, Onsite, Location TBD
- August 15, 2023, Web-Based and Teleconference Virtual Meeting
- October 17, 2023, Onsite, Location TBD
- December 12, 2023, Web-Based and Teleconference Virtual Meeting

## **VIII. 8<sup>TH</sup> EDITION (2023), FLORIDA BUILDING CODE WORKPLAN UPDATE**

Mo Madani provided the Commission with an update on the Workplan and Schedule for development of the 2023 Code Update Process—8<sup>th</sup> Edition (2023), Florida Building Code, and answered member questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following action:

***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to approve the updated Workplan and Schedule for development of the 8<sup>th</sup> Edition (2023), Florida Building Code.

Jeff Blair reviewed the *TAC Review and Recommendation Process for Comments Received on the Draft 8<sup>th</sup> Edition (2023), Florida Building Code* and answered member questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following action:

***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to adopt the TAC Review and Recommendation Process for Comments Received on the Draft 8<sup>th</sup> Edition (2023), Florida Building Code.

Jeff Blair subsequently reviewed the *Commission Review and Recommendation Approval Process for Comments Received on the Draft 8<sup>th</sup> Edition (2023), Florida Building Code* and answered member questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following action:

***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to adopt the Commission’s Review and Approval Process for Comments Received on the Draft 8<sup>th</sup> Edition (2023), Florida Building Code.

*(Attachment 5 — 2023 Code Update Workplan and Schedule)*

*(Attachment 6 — TAC and Commission Review of Comments Processes)*

## **IX. REVIEW AND DECISION ON THE COMMISSION’S NEXT STEPS REGARDING PROPOSED CHANGES TO RULE 64E-9.004**

The Chair explained that the Department of Health (DOH) is in the process of amending their Rule 64E-9.004 (Operational Requirements) requirements to provide for the sanitation and safety criteria to permit swim-up bars in public swimming pools in Florida. The Chair stated that the Commission will need to amend the Florida Building Code Rule (Rule 61G20-1.001) to incorporate these changes into the 7<sup>th</sup> Edition Florida Building Code to correlate the requirements.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following action:

***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to publish a Notice of Rule Development to initiate the rulemaking process to incorporate the Department of Health’s changes to Rule 64E-9.004 (Operational Requirements) into the Florida Building Code Rule 61G20-1.001.



## **X. SURVEY OF BUILDING DAMAGE FROM HURRICANE IAN UPDATE**

Chairman Schock reminded the Commission that Hurricane Ian made landfall in Florida on September 29, 2022 along the southwestern coast of Florida near Cayo Costa as a powerful Category 4 storm. In order to evaluate the Code's effectiveness against wind and water intrusion, the Commission has an ongoing contract with the University of Florida (UF) to conduct/survey building damage assessment of hurricanes impacting Florida. At the Commission's October meeting Dr. David Prevatt from UF provided an update regarding UF's preliminary assessment of building damage caused by Hurricane Ian. The Chair stated that for the December meeting Dr. David Prevatt would provide further details regarding UF's assessment of building damage caused by Hurricane Ian.

The Chair acknowledged that Florida experienced another hurricane since the Commission's last meeting. Hurricane Nicole made landfall near Vero Beach and then again near Cedar Key on November 10, 2022 as a Category 1 storm. Of note, Nicole is one of only three November hurricanes to make landfall in Florida. The Chair took the opportunity on behalf of the Florida Building Commission to offer the Commission's sympathy and support to all those impacted by Hurricane Nicole.

Dr. David Prevatt, UF, provided the Commission with a presentation titled: "Hurricane Ian of 28 September 2022 Preliminary Observations of Impacts in Florida." The full presentation will be posted to the BCIS.

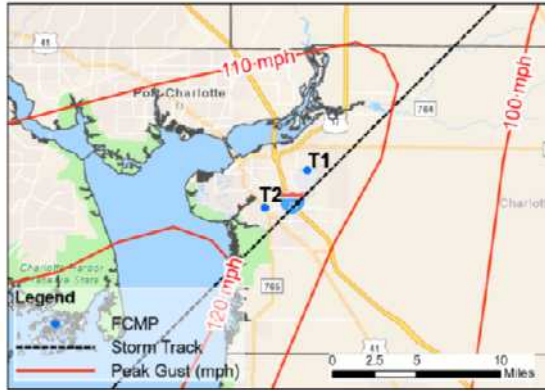
### **Summary of Presentation:**

- Recap: Triage Summary 11 October 2022
  - Includes Wind field swath (ARA)
- The Hazards
  - Wind: FCMP's Tower Deployment (data access)
  - Storm surge: high water marks
- Data Collection in Field Deployments
  - Teams and Logistics
  - Technology and coverage
    - High water marks summary
    - Door-to-door assessment
- Performance Observations Summary
  - Elevated houses (surge vs. wind damage)
  - Slab on grade houses
  - Multi-family residential units

## FCMP Tower Observations

## FCMP Tower Observations

Tower	Lat	Lon	Height (m)	Max $V_{1st}$ (mph)	Max $V_{3sec}$ (mph)	Max $V_{1min}$ (mph)
T1	26.92786	-81.9918	10	119	111	89
T2	26.89584	-82.0279	15	122	113	82



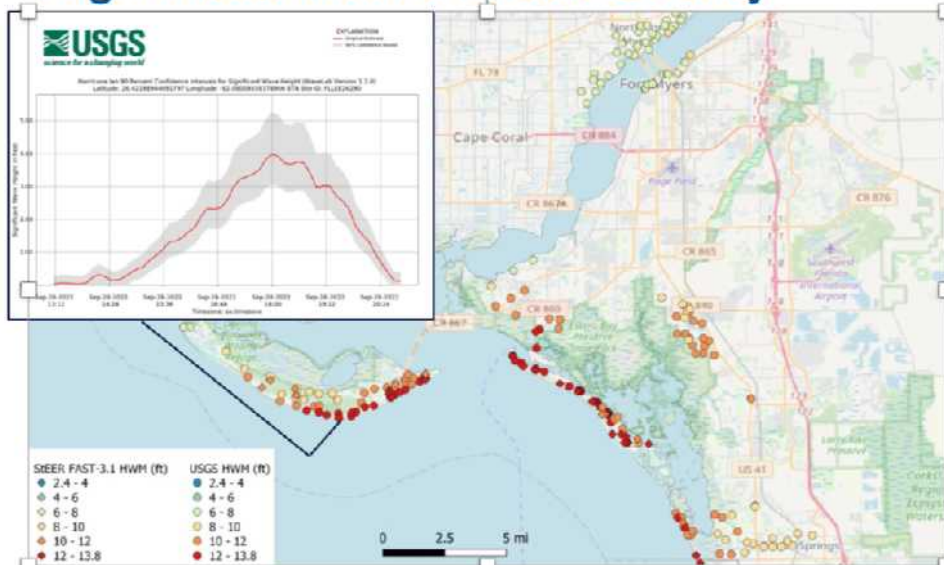
Note: Peak gust contours from ARA model



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## High Water Marks in Lee County, Florida

## High Water Marks in Lee County



Note: HWM represent still water depths above NAVD88 (~MSL).  
 SIEER FAST-3.1 HWM collected and processed by Pat Lynett, University of Southern California

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### **Closing Thoughts Summary:**

- DBPR should highlight success stories tied to code improvements and shop to media outlets. The engineers should have a strong voice
- Immediate access to locations is a concern - to capture “ephemeral” damage patterns (without this cannot reconstruct what occurred and in what order). FBC can assist coordinating better with state agencies
- Expand the pool of researchers and engineers willing to do forensic work (currently mostly volunteers). Working with StEER, FEMA and others is tremendous asset to the state of Florida and the FBC in this work
- Outcomes must be shared with people and the leaders within impacted communities, including options (recommendations?) to retreat, to rebuild, or to retrofit. Key: communities need this data to support their discussion and rational decision-making. Report findings include knowledge needed for creating policy for future growth/degrowth.

### **Next Steps: Data Enrichment**

- Continue data enrichment process to augment our dataset with Building Appraisers’ data not available in field by building performance relative to age, edition of FBC Building Code, and
- Materials (cladding and structural) location.
- Elevated Structures - collate evidence on performance of elevated structures and effects of buoyancy and hydrodynamic forces.
- Additional field inspections of selected case study structures may be required. Goal: statistical analysis of observations.
- Interim Report March 2023.
- Final Report June 2023.

## **XI. ACCESSIBILITY WAIVER APPLICATIONS**

Justin Vogel, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council’s recommendations for the waiver applications, and the Commission reviewed and decided on the waiver application submitted for their consideration.

### ***Commission Actions Regarding Accessibility Waiver Applications:***

#### **A. JAA Architecture Inc. – Waiver 541 – 2063 Oak Street, Jacksonville 32204**

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to grant the waiver for vertical accessibility to the first and second floor on the grounds of on the grounds of historical significance and technical infeasibility.

#### **B. Decca – Waiver 572 – 323 E Bay St, Jacksonville 32202**

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to grant the waiver for vertical accessibility to the roof top bar on the grounds of historical significance and technical infeasibility.

#### **C. Restoration of 407 E. Palm – Waiver 597 – 407 E Palm Ave, Tampa 33607**

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to grant the waiver for vertical accessibility to the first floor on the grounds of the historical significance of the property.

**D. 1771 Coral Way – Waiver 565 – 1771 SW 22 St, Miami 33145**

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to grant the waiver for vertical accessibility to the first floor on the grounds of technical infeasibility.

**XII. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL**

Commissioner Hershberger presented the Product Approval Oversight Committee’s recommendations for entities and product approvals on the consent agenda for approval, and Jeff Blair presented the product approvals with comments and/or discussion.

***Commission Actions on the Consent Agendas for Approval:***

**MOTION**— The Commission voted unanimously, 13 - 0 in favor, to approve the consent agenda of product approval entities (9) as posted/presented.

**MOTION**— The Commission voted unanimously, 13 - 0 in favor, to approve the consent agenda of products (146) recommended for approval to the 2020 Code as amended\*.

\*Removal of FL 41706 from the consent agenda for individual consideration.

***Commission Actions Regarding Product Approval Applications Pulled from the Consent Agenda***

**MOTION**— The Commission voted unanimously, 13 - 0 in favor, to conditionally approve FL 41706 to allow the applicant to address technically significant comments raised in a written public comment received by DBPR staff on December 8, 2022.

***Commission Actions Regarding Product Approval Applications With Comments — 2020 Code:***

**MOTION**— The Commission voted unanimously, 13 - 0 in favor, to approve FL 41728.

**MOTION**— The Commission voted unanimously, 13 - 0 in favor, to conditionally approve FL 17013 to allow the applicant to correct a product limitation in the nomenclature section of the report.

***Commission Actions Regarding DBPR Applications:***

There was no Commission action required regarding the December 2022 DBPR Applications. The complete results of Commission decisions regarding applications for product and entity approvals are available on the BCIS. (*See BCIS Website for Linked Committee Report*)

**XIII. CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL**

Commissioner Bourré presented the applications, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows:

***Commission Actions:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to approve advanced accredited course number(s): 1114.0, and 1119.0.

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to conditionally approve advanced accredited course number(s): 1117.0.

## **XIV. LEGAL REPORT**

Justin Vogel, Commission Legal Counsel, updated the Commission on outstanding legal matters relevant to the Commission as follows:

### **Lawsuit Challenging SB 4-D**

At the June meeting Justin reported that a lawsuit had been filed challenging the constitutionality of provisions of SB 4-D. DBPR legal staff filed a motion to dismiss the lawsuit, and at a hearing conducted on November 17, 2022 the judge ruled that the plaintiffs lack standing, did not state a valid claim for a declaratory judgement or facial constitutional challenge, and, because of those findings the lawsuit was dismissed with prejudice

## **XV. COMMITTEE REPORTS AND RECOMMENDATIONS**

Chairman Schock requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion to ensure that the Commission understands exactly what the TACs' and/or POCs' are recommending, and the specific action requested of the Commission. Acceptance of a committee report does not approve any recommendations contained within the report, and all specific recommendations must be considered by separate motions. Committee reports are linked to the Commission's 13 December 2022 Agenda on the BCIS.

### **Education POC**

Commissioner Bourré presented the POC's report and any recommendations.

#### ***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to accept the POC's report as presented/posted (December 1, 2022).

### **Hurricane Research Advisory Committee**

Jeff Blair presented the Committee's report and any recommendations.

#### ***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to accept the HRAC's report as presented/posted (December 2, 2022).

### **Product Approval POC**

Commissioner Hershberger presented the TAC's report and any recommendations.

#### ***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to accept the POC's report as presented/posted (December 1, 2022).

### **Roofing TAC**

Commissioner Swope presented the TAC's report and any recommendations.

#### ***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to accept the TAC's report as presented/posted (October 11, 2022).

### **Structural TAC**

Commissioner Compton presented the TAC's report and any recommendations.

#### ***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to accept the TAC's report as presented/posted (October 12, 2022).

### **Swimming Pool TAC**

Commissioner Batts presented the TAC's report and any recommendations.

#### ***Commission Action:***

**MOTION** — The Commission voted unanimously, 13 – 0 in favor, to accept the TAC's report as presented/posted (October 13, 2022).

## **XVI. PROPOSED MODIFICATIONS FOR INCLUSION IN THE 8<sup>TH</sup> EDITION (2023) FLORIDA BUILDING CODE**

Chairman Schock stated that the Commission started the 2023 Code Update Process in February of 2021 with selection of the 2021 I-Codes and the 2020 NEC, the TACs made recommendations on I-Code changes in September and October of 2021, the Commission decided on I-Code changes in December of 2021, the TACs made recommendations on proposed code modifications in June of 2022, the TACs decided on public comments to TAC recommendations and finalized their recommendations in October of 2022, and for the 13 December 2022 meeting the Commission would decide on proposed Code modifications for inclusion in the 8<sup>th</sup> Edition (2023), Florida Building Code.

It was explained that after the Commission took action on the TACs' recommendations on proposed code modifications for inclusion in the 8<sup>th</sup> Edition (2023), Florida Building Code the Commission would move to proceed with rulemaking for Rule 61G20-1.001(1), Florida Building Code Adopted, incorporating all approved amendments. In addition, the Commission will conduct a Rule Development Workshop on the 8<sup>th</sup> Edition (2023), Florida Building Code on March 14, 2023.

At the Chair's request Jeff Blair explained the process, organization of proposed Code amendments, and sequencing for considering the TACs' recommendations on proposed Code amendments for inclusion in the 8<sup>th</sup> Edition (2023), Florida Building Code.

Jeff explained that the TACs' recommendations regarding proposed Code amendments for inclusion in the 8<sup>th</sup> Edition (2023), Florida Building Code (2023 Code Update) are arranged on single tracking charts one per TAC as follows:

The TACs' Recommendations are on single Tracking Charts by TAC consisting of the Consent Agenda Recommended for Approval (all modifications the TAC is recommending for approval either as submitted or as modified – Group 1 and 2), the Consent Agenda Recommended for Denial (all modifications the TAC is recommending for denial – Group 3), and Amendments pulled from the consent agendas (for approval or for denial) by Staff for individual consideration or amendments requested to be pulled from the consent agendas (for approval or for denial) for individual consideration by stakeholders (Group 4).

**1. Consent Agendas Recommended for Approval (Group 1 and 2).** The TACs' recommendations for approval of specific proposed Code amendments are all of the amendments that the specific TAC is recommending for approval either as submitted or as modified, and this

package of amendments is deemed to be the TAC's "Consent Agenda Recommended for Approval" (Group 1 and 2). The Commission will vote to approve the TAC's recommendations on the Code amendments, as posted or as amended by the Commission's removal of specific Code amendments recommended for approval. The motion should be framed: Motion to approve the consent agenda for approval (as posted or as amended) and to approve all of the proposed Code amendments on the consent agenda. Commissioners should pull-off any Code amendment(s) that would prevent them from voting to approve the consent agenda of amendments recommended for approval by the TAC and as posted to the BCIS.

**2. Consent Agendas Recommended for Denial (Group 3).** The TACs' recommendations for denial of specific proposed Code amendments are all of the amendments that the specific TAC is recommending for denial, and this package of amendments is deemed to be the TAC's "Consent Agenda Recommended for Denial" (Group 3). The Commission will vote to approve the TAC's recommendations on the Code amendments, as posted or as amended by the Commission's removal of specific Code amendments recommended for denial. The motion should be framed: Motion to approve the consent agenda for denial (as posted of as amended) and to deny all of the proposed Code amendments on the consent agenda. Commissioners should pull-off any Code amendment(s) that would prevent them from voting to approve the consent agenda of amendments recommended for denial by the TAC and as posted to the BCIS.

In addition all of the local technical amendments submitted for statewide approval were recommended for denial by the respective TACs, and will be considered by the Commission on "Consent Agendas Recommended for Denial" by TAC in turn.

Any Commissioner may pull any Code amendment off of a "Consent Agenda Recommended for Approval" or a "Consent Agenda Recommended for Denial" for individual consideration based on public comment.

**3. Requests for Individual Consideration (Group 4).** Amendments that staff has pulled from the consent agendas (approval and/or denial) for individual consideration, and amendments that stakeholders are requesting the Commission pull from the consent agendas (approval and/or denial) for individual consideration.

The Chair decided that he would pull all amendments requested for individual consideration by staff and stakeholders received in writing by the deadline off of the respective consent agendas as a courtesy.

All amendments pulled from the consent agendas, for approval or for denial, will be considered individually by the Commission. The Group 4 amendments on each Tracking Chart are the group of recommendations consisting of amendments staff is recommending for individual consideration and those amendments proponents requested be pulled and the Chair subsequently pulled off of consent agendas for individual consideration. The Code amendments recommended for individual consideration relevant to each TAC will be considered by the Commission individually per TAC. Code amendments that Staff recommended for individual consideration, and Code amendments pulled by the Commission for individual consideration for the purpose of approval or denial require a motion to approve or a motion to deny and a second.

Jeff explained that the Commission will vote in favor of the motion that the standing findings apply to all motions to approve proposed Code amendments (*Section 4 on page 3 of the adopted process*) prior to considering proposed Code amendments. The Commission will stand on the required findings for all motions to approve.

After the Commission takes action on all of the proposed Code amendments they will move to proceed with rulemaking for Rule 61G20-1.001(1), Florida Building Code Adopted, for the purpose of adopting approved Code amendments to the Florida Building Code.

Following is the procedural actionq taken by the Commission prior to considering proposed modifications to the 7<sup>th</sup> Edition (2020) for inclusion in the 8<sup>th</sup> Editions (2023), Florida Building Code:

***Commission Action:***

**MOTION**—The Commission voted unanimously, 13 - 0 in favor, that the Standing Findings shall apply to all motions to approve proposed Code amendments (consent agendas and individually considered amendments).

*(Attachment 7 — Standing Findings Applied to All Motions to Approve)*

Subsequently, Mo Madain reviewed the Code modification materials organized electronically and answered members' questions. Jeff Blair then initiated the process serving as moderator for public comments, and facilitator for the Commission's consideration of proposed Code modifications in turn by TAC following the process and sequencing described above.

When the Roofing TAC's Code amendment recommendations came up for consideration the Chair offered some comments about the High Velocity Hurricane Zone (HVHZ) since many of the amendments pulled for individual consideration were related to the HVHZ. The Chair explained that the initial development of the Florida Building Code was a contentious process. In order to create a statewide building code significant compromises were made between stakeholders to ensure certain specific items were included in the statewide building code. One of those compromises was the creation of the High Velocity Hurricane Zone.

The High Velocity Hurricane Zone consists of only Miami-Dade and Broward counties. Its requirements primarily consist of hurricane protection standards for wind load design, roofing, and enforcement that were carried over from the South Florida Building Code. The South Florida Building Code had been in use in those counties for over forty years and was strengthened significantly after Hurricane Andrew. Therefore, it was very important to these two counties and their constituents that they be able to continue to use and update the High Velocity Hurricane Zone's requirements through the statewide Florida Building Code.

Given this history, the Chair advised that the Commission should proceed very cautiously when considering proposed code modifications that impact the High Velocity Hurricane Zone's requirements. Additionally, the Commission should be especially careful when considering proposed code modifications that Miami-Dade and Broward counties do not support.

The Chair concluded by asking whether any Commissioners had any general questions about the High Velocity Hurricane Zone that either staff or representatives from the High Velocity Hurricane Zone could help answer. Commissioners did not have any questions at the time.

The Commission then proceeded with the review of proposed Code amendments by TAC in turn. Following questions and answers and public comment on all of the amendments pulled from the consent agendas for individual consideration, and subsequent to the Commission having made decisions on all of the proposed Code modifications on consent agendas for approval, consent agenda for denial, and consent agendas for denial for local technical amendments submitted for statewide approval by TAC in turn, the Commission took the following actions:



***Commission Action:***

**MOTION**—The Commission voted unanimously, 12 - 0 in favor, to authorize staff to make correlations and editorial fixes as needed for the 8<sup>th</sup> Edition (2023), Florida Building Code as a consent agenda.

**MOTION**—The Commission voted unanimously, 12 - 0 in favor, to adopt the Commission’s package of approved Code amendments to the 7<sup>th</sup> Edition (2020) for inclusion in the draft 8<sup>th</sup> Edition (2023), Florida Building Code, to proceed with rulemaking for Rule 61G20-1.001 (Florida Building Code Adopted) for the purpose of adopting approved Code amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

## **XVII. COMMISSION MEMBER COMMENTS AND ISSUES**

Chair Schock invited Commission members to offer any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

***Commissioner Comments:***

- None were offered.

## **XVIII. GENERAL PUBLIC COMMENT**

Members of the public were offered an opportunity to provide comment during each of the Commission’s substantive discussion agenda items. In addition, Chair Schock invited members of the public to address the Commission on any issues under the Commission’s purview.

***Public Comments:***

- Dottie Mazzarella, International Code Council (ICC): Indicated that ICC supports the provision of the 8<sup>th</sup> Edition (2023), Florida Building Code, in relation to the advancement and adoption of current building safety standards as incorporated in the 2021 edition of the International Codes. She indicated that ICC is honored to partner with the State of Florida. In addition, Dottie provided the commissioners with a written comment regarding the same.

## **XIX. NEXT COMMISSION MEETING OVERVIEW AND ASSIGNMENTS**

The February 7, 2023 meeting will focus on the Commission's regular procedural and substantive issues, and any rule development initiatives. The February meeting will be conducted virtually as a conference call/webinar.

The TACs will be meeting virtually between February 15-24, 2023 to provide the Commission with their recommendations regarding comments submitted on the Commission's Draft 8<sup>th</sup> Edition (2023), Florida Building Code. Subsequently, the Commission will meet on March 14, 2023 to conduct a Rule Development Workshop (Rule 61G20-1.001) on the Commission's Draft 8<sup>th</sup> Edition (2023), Florida Building Code.

*(Attachment 5 — Commission Meeting Schedule)*

### **OTHER COMMISSION ACTIONS**

All Commission actions taken during the 13 December 2022 meeting are reflected within specific agenda items.

### **STAFF ASSIGNMENTS FROM THE 13 DECEMBER 2022 COMMISSION MEETING**

- There were no specific assignments resulting from the 13 December 2022 meeting.

### **ADJOURNMENT**

The Chair thanked Commission members, staff and the public for their participation, and adjourned the meeting at 5:26pm on Tuesday, December 13, 2022.

## ATTACHMENT 1

### FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

**13 DECEMBER 2022 — DAYTONA BEACH SHORES, FLORIDA**

*Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.*

Number of Respondents: 10 of 13 (77% response rate) Commissioners participating in the virtual meeting completed meeting evaluations.

#### **1. OVERALL MEETING ASSESSMENT.**

- 10.0 The background information was very useful.
- 10.0 The agenda packet was very useful.
- 10.0 The objectives for the meeting were stated at the outset.
- 10.0 Overall, the objectives of the meeting were fully achieved.

#### **2. COMMISSIONERS LEVEL OF AGREEMENT THAT THE MEETING OBJECTIVES WERE ACHIEVED.**

- 10.0 Chair's Discussion Issues/Recommendations.
- 10.0 Executive Director's Announcements and Discussions.
- 10.0 8<sup>th</sup> Edition (2022) Workplan Approval, and TAC and FBC Comment Review Processes.
- 10.0 Next Steps Based on Changes to Rule 64E-9.004 Decision.
- 10.0 Update Regarding Survey of Building Damage from Hurricane Ian.
- 9.8 Accessibility Waiver Applications.
- 9.8 Applications for Products and Product Approval Entities Approvals.
- 10.0 Applications for Accreditor and Course Approvals.
- 10.0 Legal Report.
- 10.0 TAC, POC, Committee, and Workgroup Reports and Recommendations.
- 10.0 Proposed Modifications for Inclusion in the 8<sup>th</sup> Edition (2023) FBC Decisions.

#### **3. HOW WELL THE FACILITATOR HELPED THE COMMISSIONERS ENGAGE IN THE MEETING.**

- 10.0 The members followed the direction of the Facilitator.
- 10.0 The Facilitator made sure the concerns of all members were heard.
- 10.0 The Facilitator helped us arrange our time well.
- 10.0 Commission actions were documented accurately in previous meeting's Facilitator's Report.

#### **4. COMMISSIONERS LEVEL OF SATISFACTION WITH THE MEETING.**

- 10.0 Overall, I am very satisfied with the meeting.
- 10.0 I was very satisfied with the services provided by the Facilitator.
- 10.0 I am satisfied with the outcome of the meeting.

#### **5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.**

- 10.0 I know what the next steps following this meeting will be.
- 10.0 I know who is responsible for the next steps.

**6. WHAT COMMISSIONERS LIKED BEST ABOUT THE MEETING.**

- Facilitator keeping on track.
- Well run, well organized.
- Got it done in one day! Great job!
- Speed at which the topics were handled.
- Allowance for good discussion.

**7. COMMENTS REGARDING HOW THE MEETING COULD HAVE BEEN IMPROVED.**

- I have nothing to say here.
- Better links to the modifications.

**SUGGESTIONS FOR IMPROVEMENTS FROM THE COMMENTS PROVIDED ABOVE**

- None were offered.

**ATTACHMENT 2**  
**13 DECEMBER 2022 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION**  
**PLENARY SESSION**  
**DAYTONA BEACH SHORES, FLORIDA**

**MEETING OBJECTIVES**

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the Florida Building Code, 8<sup>th</sup> Edition, (2023), Workplan.
- To Approve Process for TAC Consideration of Comments Regarding the Draft Florida Building Code, 8<sup>th</sup> Edition, (2023).
- To Approve Process for Commission Consideration of Comments Regarding the Draft Florida Building Code, 8<sup>th</sup> Edition, (2023).
- To Consider/Decide on the Commission's Next Steps Based on Changes to Rule 64E-9.004.
- To Receive Update Regarding the Survey of Buildings Damaged by Hurricane Ian.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Product Approval Applications.
- To Consider/Decide on Advanced Code Course Applications and Accreditor Applications.
- To Receive a Legal Report Briefing.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Consider/Decide on Proposed Modifications for Inclusion in the 8<sup>th</sup> Edition (2023) Florida Building Code.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting.

**COMMISSION & COMMITTEES — ON SITE & WEBINAR/TELECONFERENCE MEETINGS**

October 11, 2022	1:00pm	Roofing Technical Advisory Committee (On Site)
October 12, 2022	10:00am	Structural Technical Advisory Committee (On Site)
October 13, 2022	8:00am	Swimming Pool Technical Advisory Committee (On Site)
December 1, 2022	10:00am	Product Approval Program Oversight Committee (Virtual)
December 2, 2022	9:00am	Education Program Oversight Committee (Virtual)
December 2, 2022	10:00am	Hurricane Research Advisory Committee (Virtual)
December 5, 2022	2:00pm	Accessibility Advisory Council (Virtual)

**MEETING AGENDA — DECEMBER 13, 2022**

*All Agenda Times—including Adjournment—are Approximate and Subject to Change*

<b>8:30a.m.</b>	<b>1.)</b>	<b>Welcome and Opening, Roll Call</b>
	<b>2.)</b>	<b>Review and Approval of Meeting Agenda</b>

	3.)	<b>Review and Approval of the October 11, 2022 Meeting Minutes and Facilitator's Summary Report</b>
	4.)	<b>Chair's Discussion Issues</b> <b>TAC Appointments:</b> <b>Updated Commission Milestones:</b>
	5.)	<b>Executive Director Announcements and Discussions</b> <b>Future Meetings:</b> February 7, 2023-Virtual Meeting March 14, 2023-Onsite, Westin Lake Mary April 11, 2023-Virtual Meeting June 20, 2023-Onsite, TBD August 15, 2023-Virtual Meeting October 17, 2023-Onsite, TBD December 12, 2023-Virtual Meeting
	6.)	<b>Florida Building Code, 8<sup>th</sup> Edition, (2023) Update – Workplan Status</b>  A. Process for TAC Consideration of Comments Regarding the Draft Florida Building Code, 8 <sup>th</sup> Edition, (2023) B. Process for Commission Consideration of Comments Regarding the Draft Florida Building Code, 8 <sup>th</sup> Edition, (2023)
	7.)	<b>Review and Discussion of the Commission's Next Steps Regarding Proposed Changes to Rule 64E-9.004</b>
	8.)	<b>Update Regarding Survey of Buildings Damaged by Hurricane Ian-Dr. David Prevatt</b>
	9.)	<b>Applications for Waiver from Accessibility Requirements</b>
	10.)	<b>Applications for Product Approval (2020), DBPR Applications, and Entity Approval</b>
	11.)	<b>Applications for Accreditor and Course Approval</b>
	12.)	<b>Legal Report</b>
	13.)	<b>Committee Reports</b> A. Education Program Oversight Committee (December 2, 2022) B. Hurricane Research Advisory Committee (December 2, 2022) C. Product Approval Program Oversight Committee (December 1, 2022) D. Roofing Technical Advisory Committee (October 11, 2022) E. Structural Technical Advisory Committee (October 12, 2022) F. Swimming Pool Technical Advisory Committee (October 13, 2022)
	14.)	<b>Consideration of Proposed Modifications for Inclusion in the Florida Building Code, 8<sup>th</sup> Edition, (2023) (May Continue to December 14, 2022)</b>
	15.)	<b>Commissioner Comment</b>
	16.)	<b>Public Comment</b>
	17.)	<b>Adjourn Commission Plenary Session</b>

### ATTACHMENT 3

#### KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs (Abolished 2011)
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDOH	Florida Department of Health
DOJ	U.S. Department of Justice
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

## ATTACHMENT 4

### FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

#### HISTORY

Following Hurricane Andrew in 1992 and Hurricane Opal in 1995, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, and the Florida Conflict Resolution Consortium designed and facilitated a two-year study and deliberation process with the 28 members representing a range of interests in the public and private sectors, through which the Commission evaluated the building code system.

The study revealed that building code adoption and enforcement was inconsistent throughout the state and even local codes thought to be the strongest proved inadequate when tested by major hurricane events. The consequences were devastation to lives and economies and a statewide property insurance crisis. The Commission recommended reform of the state building construction system which placed emphasis on uniformity and accountability. The Study Commission recommended a Florida Building Code System comprised of *Five Foundations for a Better Built Environment* described as: I. The Code; II. The Commission; III. Local Administration of the Code; IV. Strengthening Compliance and Enforcement; and, V. Product Approval.

The Legislature enacted the consensus recommendations into law in 1998. In late 1998, the FCRC Consensus Center at Florida State University was asked by the Commission's chair to assist the newly created Florida Building Commission in its effort to build consensus for a uniform building code proposal. A comprehensive and transparent consensus building process was put in place that included designing and facilitating meetings of 12 balanced technical advisory groups of 11 members each appointed by the Commission, as well as the Commission's meetings. Facilitated Solutions, LLC continues to work with the Commission by providing facilitation and consensus-building services using the same process and facilitator.

#### OVERVIEW

**COMMISSION REPRESENTATION.** The Florida Building Commission has consisted of as many as 27 members, and since January 1, 2021 is a 19-member building construction industry representative stakeholder group who successfully created, implemented, maintains, and updates the new statewide Florida Building Code. The Commission is comprised of 19 members appointed by the Governor to represent specific stakeholder groups. They are as follows: three municipal, county, or district code officials; an architect; a persons with disabilities representative; a structural engineer; an air conditioning or mechanical contractor, or mechanical engineer; an electrical contractor or electrical engineer; a manufactured buildings industry representative; a building products manufacturing industry representative; an insurance industry representative; a certified general or building contractor; a certified residential contractor; a plumbing contractor; a roofing or sheet metal contractor; a swimming pool contractor; a building products manufacturing industry representative; a natural gas system distribution representative; and the Governor's Chief Resilience Officer or designee.



**CONSENSUS PROCESS.** The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support.

The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues. At each Commission meeting, the public is invited to speak during the public comment opportunity provided for each substantive issue under consideration, as well as general public comment periods provided at the end of each meeting. In addition, most substantive issues before the Commission go through a technical advisory committee review or workgroup process where consensus recommendations are developed by appointed representative stakeholder interests, providing extensive opportunities for public input. In addition many of the Commission's decisions require rule development to implement, affording additional entry points for public input.

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Since 1999 the Commission has convened 69 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country. The Insurance Institute for Business and Home Safety (IBHS) ranked the Florida Building Code as number one in their 2012, 2018, and 2021 assessments of residential building code enforcement systems for life safety and property protection in hurricane prone regions.

In summary, the Florida Building Commission provides a forum for stakeholders representing key interests to participate in a consensus-building process where issues affecting the construction industry are discussed and evaluated on their technical merits and cost-benefits to the citizens of the State of Florida. In addition, as a result of the Commission's proven consensus-building process and success in developing consensus on tough issues, the Florida Legislature frequently assigns policy issues to the Commission for evaluation and implementation.

**ATTACHMENT 5**  
**COMMISSION'S UPDATED MEETING SCHEDULE AND**  
**2023 CODE UPDATE WORKPLAN**  
**UPDATED 13 DECEMBER 2022**

**COMMISSION MEETING DATES FOR 2023**

1) February 7, 2023	Web-Based and Teleconference Virtual Meeting
2) March 14, 2023	Onsite, Westin Lake Mary, Florida
3) April 11, 2023	Web-Based and Teleconference Virtual Meeting
4) June 20, 2023	Onsite, Location TBD
5) August 15, 2023	Web-Based and Teleconference Virtual Meeting
6) October 17, 2023	Onsite, Location TBD
7) December 12, 2023	Web-Based and Teleconference Virtual Meeting

**COMMISSION'S 2023 CODE UPDATE DEVELOPMENT WORKPLAN**

**8<sup>TH</sup> EDITION (2023) FBC CODE UPDATE DEVELOPMENT TASKS**

<b>8<sup>TH</sup> EDITION (2023) UPDATE TO THE FLORIDA BUILDING CODE—</b>	
<b>TASKS</b>	<b>SCHEDULE</b>
<b><i>Selection of the model codes:</i></b>	
2020 NEC published and available to the public;	08/25/2019
2021 International Codes published and available to the public;	January 2021
Commission selects 2021 I Codes “model codes” and 2020 NEC to conduct its review	2/9/2021 Completed
<b><i>Review of the model code changes:</i></b>	
In coordination with ICC, staff post complete listing of the code changes to the I Codes online	2/25/2021 Completed
Staff post on Commission website/Building Code Information System (BCIS) analysis of the 2021 I-Code change to provide for identification of the following: <ul style="list-style-type: none"> <li>Provisions which overlap with the provisions of the FBC</li> <li>Provisions which correlate directly with the provisions of the FBC</li> <li>Provisions which provide for energy efficiency standards that meet or exceed the national energy standards mandated by Title III of the Energy Conservation and Protection Act</li> <li>Provisions which are necessary to maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency management Agency, or the United States Department of Housing and Urban Development</li> </ul>	5/17/2021 Completed
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the 2021 changes to the International Residential Code (IRC) and provides comments to the Commission's TACs on impactful code changes.	6/29/2021 Completed
RCCIWG meeting – <b>Conference call/Webinar</b>	
45 day public review and comment period ends ( <b><i>By Rule -45 day min before TAC review</i></b> )	7/1/2021 Completed

Staff post on Commission website analysis of the 2021 I-Code changes with public comments (Tracking Charts and code change monographs)	8/2/2021 Completed
<p>TACs review the 2021 changes to the I Codes and make recommendations to the Commission regarding those changes as follows:</p> <p>That the Commission rejects certain model code provisions by consent agenda.</p> <ul style="list-style-type: none"> <li>• (Due to such issues as being unnecessary, negatively impacting the level of public health, safety, or general welfare provided by an existing Florida Building Code provision, diminishing the requirements of provisions related to wind resistance or water intrusion, unnecessarily imposing additional costs, or potentially requiring modification or further investigation before being adopted for use in this state)</li> </ul> <p>That the Commission approves certain model code provisions by consent agenda.</p> <ul style="list-style-type: none"> <li>• (When considering whether to recommend inclusion on a consent agenda for approval, the TACs shall consider such criteria as whether the model code provisions are editorial or organizational in nature, correct an error, provide clarification, provide for alternative design methods, improve the effectiveness of the code, are uncontroversial to affected stakeholders, or are required by law.)</li> </ul> <p>That the Commission approve or reject certain model code provisions after considering them individually.</p> <ul style="list-style-type: none"> <li>• (When recommending individual consideration of model code updates, the TACs shall consider such criteria as whether the update has the potential to impose significant costs, cause confusion or regulatory difficulty, may be unnecessary, is highly controversial to affected stakeholders, or requires further evaluation.)</li> </ul> <p>TACs meetings – on site - TBD</p>	9/22-30/2021 and 10/1-7/2021 Completed
Staff post TACs' recommendations online for further public review	10/15/2021 Completed
Deadline for requesting amendments (2021 I-Codes changes) to be pulled of the consent agenda for individual consideration	11/19/2021 Completed
Commission considers TACs' recommendations regarding the latest changes to the model codes - on site meeting (TBD)	12/14-15/2021 Completed
Staff post Commission's recommendations online	1/3/2022 Completed
<b><i>Proposed modification to the foundation code and Commission's approved I – Codes changes</i></b>	
Period for public to propose modifications to the 7 <sup>th</sup> Edition (2020) FBC and the Commission's approved I-Codes changes	1/4/2022 – 2/15/2022 Completed
Proposed amendments reviewed by staff and posted to the Commission website	3/3/2022 Completed
1 <sup>st</sup> 45 day comment period ends ( <i>By law -45 day min before TAC review</i> )	4/17/2022
<p>Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)</p> <p><b>Staff assign TAC members specific proposed code change for review in advance of the TAC meetings in June</b></p>	5/2/2022 Completed  Completed
<p>TACs consider proposed modifications (1<sup>st</sup> 45 day comment period)</p> <p>TACs meetings - 4-day on-site meetings</p>	6/20-24/2022 Completed

TACs recommendations posted to the website Starting date for the 2 <sup>nd</sup> 45 day comment period	7/13/2022 Completed
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the TACs' recommendations with regard to the proposed modifications to the Florida Residential Code (FRC) and provides comments to the <u>TACs</u> /Commission on impactful code changes. RCCIWG Virtual Meeting	08/17/22 Completed
2 <sup>nd</sup> 45 day comment period ends ( <i>by law – 45 day min before Commission review</i> )	8/26/2022
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	9/21/2022 Completed
TACs consider public comments on their actions on the proposed mods TACs meetings – 6-day meetings [5-day on-site and 1 – day via conference/webinar]	10/6-13/2022 Completed
Staff post on Commission website TACs consideration of public comments	11/10/2022 Completed
<b>Deadline for requesting amendments to be pulled off consent agendas for individual consideration</b>	11/22/2022 Completed
Commission considers TAC recommendations (2 <sup>nd</sup> 45 day comment period) Commission – 1-day meeting	12/13/2022 Completed
8 <sup>th</sup> Edition (2023) FBC (7 <sup>th</sup> Edition (2020) FBC, Florida Supplement and Commission's approved I Codes) posted online	12/20/2022
<b><i>Provide Supplements to ICC for integration into the 7<sup>th</sup> Edition (2020) FBC</i></b>	
<b>Deadline for submitting comments on the Draft 8<sup>th</sup>. Edition (2023) update to the FBC (Supplements plus 7<sup>th</sup>. Edition (2020) FBC)</b>	January 31, 2023
TACs review comments to Rule Development Workshop of March 13, 2020 and make recommendations to the Commission TACs meetings - 6-days of conference call/webinar meetings	2/15 - 24/2023
<b>Rule development Workshop</b> Commission – 1-day meeting	March 14, 2023
Integrated Draft 8 <sup>th</sup> Edition (2023) FBC – Posted online	May 22, 2023
<b>Hearing</b> on 8 <sup>th</sup> Edition (2023) FBC to consider received comments	TBD
<b>Final Rule Hearing</b> on 8 <sup>th</sup> Edition (2023) FBC/Commission approves final version of Code 8 <sup>th</sup> Edition (2023) Florida Fire Prevention Code available in final format	TBD
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all JAPC's concerns	TBD
Final FBC -PDF posted	TBD
Printed Code available - subject to negotiation with ICC	TBD
2023 FBC ( <b>8<sup>th</sup> edition</b> ) effective date (6 – months after publication)	12/31/2023
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect no sooner than 6 months after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.	

**ATTACHMENT 6**  
**TAC & COMMISSION REVIEW PROCESS FOR COMMENTS RECEIVED ON CODE**

**TAC REVIEW AND RECOMMENDATION PROCESS FOR COMMENTS RECEIVED ON THE DRAFT  
8<sup>TH</sup> EDITION (2023), FLORIDA BUILDING CODE**  
**COMMISSION CONSIDERATION OF COMMENTS — MARCH 14, 2023 RULE WORKSHOP**  
**(Adopted UNANIMOUSLY DECEMBER 13, 2023)**

**TAC PUBLIC COMMENT REVIEW AND CONSIDERATION PROCESS**

- Facilitator will serve as moderator, call for motions, and assist with adopted process and ground rules.
- Facilitator will introduce each public comment in turn.
- Staff will review the relevant TAC's recommendation on the modification as appropriate.
- Facilitator will limit comments to a maximum of (3) three-minutes per person.
- Proponents of the public comment will speak first.
- Opponents of the public comment will follow proponents.
- Proponents/opponents will be allowed one (1) collective two-minute counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.
- Limit your comment and be concise. Do not read lengthy prepared statements.
- Offer new points and/or state agreement with previous speakers; please do not repeat what has been stated.
- Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support of or opposition to comments to provide the TAC with a sense of stakeholder preferences.
- Clarifying questions may be asked by TAC members only. TAC members may ask questions of the public through the facilitator.
- Staff, proponent, or specified commenter will respond to TAC Member's questions.
- TACs should not attempt to revise or amend the comments in any way.
- Once a motion for an action on a comment is on the floor, discussion is limited to TAC members except as allowed by the Chair/Facilitator.
- Withdrawal of Comment: A proponent may withdraw their comment any time prior to TAC action.
- All public comments will be considered individually.
- The TAC will take action on each comment by voting either to recommend the Commission approve the comment, or deny the comment.
- Motions to approve require a two-thirds (67%) favorable vote for approval. Those with less than a two-thirds favorable vote are deemed denied.

**COMMISSION REVIEW AND APPROVAL PROCESS FOR COMMENTS RECEIVED ON THE  
DRAFT 8<sup>TH</sup> EDITION (2023), FLORIDA BUILDING CODE**

**COMMISSION CONSIDERATION OF COMMENTS — MARCH 14, 2023 RULE WORKSHOP  
(ADOPTED UNANIMOUSLY DECEMBER 13, 2023)**

**COMMISSION PROCESS FOR REVIEWING TAC RECOMMENDATIONS ON WRITTEN PUBLIC  
COMMENTS, AND PUBLIC COMMENTS OFFERED DURING RULE WORKSHOP**

- Facilitator will serve as moderator, call for motions, and assist with adopted process and ground rules.
- Facilitator will introduce each TAC recommendation (favorable) on public comments in turn.
- Staff will review the relevant TAC's recommendation.
- Facilitator will limit comments to a maximum of (3) three-minutes per person.
- Proponents of the TAC's recommendation on the public comment will speak first.
- Opponents of the TAC's recommendation on the public comment will follow proponents.
- Proponents/opponents will be allowed one (1) collective two-minute counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.
- Limit your comment and be concise. Do not read lengthy prepared statements.
- Offer new points and/or state agreement with previous speakers; please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments.
- The Commission wants to hear all perspectives, and not repeats of the same views.
- Proponents/Opponents not wishing to provide comments are encouraged to raise their hands in support of or opposition to comments to provide a sense of stakeholder preferences.
- Clarifying questions of commenters is restricted to Commission members only.
- Staff, proponent, or specified commenter will respond to Commission Member's questions.
- Once a motion for an action on a comment is on the floor, discussion is limited to Commission members except as allowed by the Chair/Facilitator.
- All TAC favorable recommendations on public comments will be considered individually. The Commission will take action on each comment by voting either to approve the comment and amend their previous action, or deny the comment and retain their previous action.
- Once the Commission takes action on all of the TACs' favorable recommendations, members of the public will be afforded an opportunity to provide additional public comment, including commenting on issues that did not receive a favorable recommendation from the TACs.
- The same process will be used as above: public comment received, and after public comment on each issue brought forward is concluded, the Commission will decide whether to take any action.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote, are deemed not approved.

## ATTACHMENT 7

### STANDING FINDINGS APPLIED TO ALL MOTIONS TO APPROVE

#### **STANDING FINDINGS APPLIED TO ALL MOTIONS TO APPROVE TACS' CONSENT AGENDAS AND FOR ALL INDIVIDUALLY CONSIDERED CODE AMENDMENTS**

The Commission moves that for all motions made to approve a proposed consent agenda for approval and any individually considered Code amendments, the Florida Building Commission votes to approve them based on the following Findings [Pursuant to the Requirements of Section 553.73 (9)(a) and (9)(b), F.S.]:

- A. The amendment is needed in order to accommodate the specific needs of this state; and
- B. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- C. The amendment strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- D. The amendment does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- E. The amendment does not degrade the effectiveness of the Florida Building Code; and
- F. The amendment has the following fiscal impact relative to the costs and benefits of the proposed amendment:
  - 1. The fiscal impact relative to enforcement imposed upon local government is as indicated by the proponent.
  - 2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
  - 3. The fiscal impact relative to compliance imposed upon industry is as indicated by the proponent.
  - 4. The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the code beyond the needs or regional variations addressed by the code and why the proposed amendment applies to this state.
- G. The amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.