

# FLORIDA BUILDING COMMISSION



## FACILITATOR'S SUMMARY REPORT OF THE APRIL 5, 2011 COMMISSION PLENARY SESSION TAMPA, FLORIDA

FACILITATION, MEETING AND PROCESS DESIGN BY



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## FLORIDA BUILDING COMMISSION

### SUPPLEMENT TO THE APRIL 5, 2011 MEETING MINUTES

#### OVERVIEW OF COMMISSION'S KEY DECISIONS

#### TUESDAY, APRIL 5, 2011

##### WELCOME

Chairman Rodriguez welcomed the Commission, staff and the public to Tampa and the February 2011 plenary session of the Florida Building Commission. The Chair explained that the primary focus of February's meeting was to consider recommendations from the Commission's various committees, to decide on product approvals, declaratory statements and accessibility waivers, and to discuss relevant legislative issues from the 2011 Legislative Session.

The Chair explained that if one wished to address the Commission on any of the issues before the Commission they should sign-in on the appropriate sheet(s), and as always, the Commission will provide an opportunity for public comment on each of the Commission's substantive discussion topics. The Chair explained that if one wants to comment on a specific substantive Commission agenda item, they should come to the speaker's table at the appropriate time so the Commission knows they wish to speak. The Chair noted that public input is welcome, and should be offered before there is a formal motion on the floor.

##### COMMISSION ATTENDANCE

Raul L. Rodriguez, AIA, Chair, Bob Boyer, Dick Browdy (vice-chair), Ed Carson, Kiko Franco, Herminio Gonzalez, Jim Goodloe, Ken Gregory, Dale Greiner, Jeff Gross, Jon Hamrick, Scott Mollan, Nick Nicholson, Rafael Palacios, John Scherer, Jim Schock, Chris Schulte, Drew Smith, Jeff Stone, Tim Tolbert, Mark Turner, and Randall Vann.

##### *Absent:*

Hamid Bahadori and Donald Dawkins.

##### DCA STAFF PRESENT

Joe Bigelow, Rick Dixon, Jim Hammers, Mo Madani, and Jim Richmond.

##### MEETING FACILITATION

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>



## **PROJECT WEBPAGE**

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found in downloadable formats at the project webpage below:

<http://consensus.fsu.edu/FBC/index.html>

## **AGENDA REVIEW AND APPROVAL**

The Commission voted unanimously, 22 - 0 in favor, to approve the agenda for the April 5, 2011 meeting as presented/posted. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the February 1, 2011 Minutes and Facilitator's Summary Report, and March 7, March 14, March 21, and March 28, 2011 Teleconference Meetings Facilitator's Reports.
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Review and Update the Commission Workplan.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Consider/Decide on Legal Issues: Binding Interpretations, Petitions for Declaratory Statements.
- To Consider Legislative Issues.
- To Consider/Decide on Accessibility, Electrical, Roofing, and Structural Technical Advisory Committees (TACs) Report/Recommendations.
- To Consider/Decide on Product Approval and Education Program Oversight Committee (POCs) Reports/Recommendations.
- To Consider Next Steps in the 2010 FBC Development.
- To Discuss Commissioner Comments and Issues.
- To Receive Public Comment.
- To Review Committee Assignments and Issues for the Next Meeting—June 6 - 7, 2011 in Gainesville.

*Amendments to the Agenda:*

None were offered.

## **REVIEW AND APPROVAL OF THE FEBRUARY 1, 2011 MINUTES AND FACILITATOR'S SUMMARY REPORT, AND MARCH 7, MARCH 14, MARCH 21, AND MARCH 28, 2011 TELECONFERENCE MEETINGS FACILITATOR'S REPORTS**

**Motion**—The Commission voted unanimously, 22 - 0 in favor, to approve the February 1, 2011 Minutes and Facilitator's Summary Report, and March 7, March 14, March 21, and March 28, 2011 Teleconference Meeting Facilitator's Reports as presented.

*Amendments:*

None.

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

### **Appointments**

Chairman Rodriguez made the following appointments at the April 2011 meeting:  
Dave Olmstead rolled-off of the Hurricane Research Advisory Committee.

### **Uniform Mitigation Reporting Form Workgroup**

Chairman Rodriguez noted that at the request of the Department of Financial Services (DFS) the Commission is convening a workgroup to develop recommendations on enhancements to the “Uniform Mitigation Verification Inspection Form”. The Form used to inspect and report on a home’s hurricane loss mitigation features used for the purpose of applying for insurance premium credits and/or reductions. Insurance companies provide insurance premium discounts based on a home’s construction features providing hurricane protection (wind and water infiltration protection characteristics). The DFS has requested technical input from representative stakeholders and the recommendations will serve as input for amending the rule.

The Chair appointed the following to the workgroup:

Chris Schulte	Commissioner/Roofing Contractor
Bob Boyer	Commissioner/Building Official
Tim Tolbert	Commissioner/Building Official
Dick Browdy	Commissioner/Residential Contractor
Jim Schock	Commissioner/Building Official
Ed Carson	Commissioner/General Contractor
Cindy Walden	Office of Insurance Regulators (OIR)
Michael Milnes	OIR
Larry Twisdale w/alternate Frank Lavelle	Applied Research Associates (ARA)
Jack Glenn	Florida Home Builders Association (FHBA)

### **Legislative Session Update Teleconference Calls**

The Chair reminded members that the Commission has been conducting teleconference meeting every Monday since the 2011 Legislative Session started. The following teleconference meeting dates remain for this year’s legislative session updates: April 11, 18, 25 and May 2, 2011. The calls have been noticed in the FAW as place-holders and staff will let the Commission know whether each meeting date will be convened.

### **Septic System Sizing Project Update**

Jeff Blair provided the Commission with an update on the Septic System Sizing project and answered Member’s questions. The update on the project is included as “Attachment 5” of this Report.

*(Included as Attachment 4—Septic System Sizing Project Update)*

### **Florida Building Code Assessment Project**

Chairman Rodriguez indicated that one of the Commission’s responsibilities established by law is the continual study of the Florida Building Code and other laws relating to building construction. Traditionally the Commission identifies issues of concern each year and makes recommendations to the Legislature and Governor where relevant. However, it has not conducted an in-depth comprehensive review of the Florida Building Code System since its inception. Laws creating the Commission and giving it direction to building the system were passed in 1998. The 2000 Legislature

ratified the first edition of the Florida Building Code and that first code took effect in March of 2002. The Product Approval system also took effect in 2002 and both it and the Code have undergone significant changes since that time. We are now roughly ten years down the road and it is time for reflection and evaluation to determine if the state code system is achieving the intended goals and whether the system needs updating to remain responsive and relevant to these times.

The Chair explained that fall when the Commission was in the middle of the 2010 Code development proceedings they decided to conduct an in-depth assessment of the Building Code System beginning this spring and concluding this December with a status report and recommendations for the 2012 Legislature to consider. It is important that every major stakeholder group be involved in this effort as they were in the Building Code Study Commission Project in 1997 that resulted in the current system. The Commission will hold meetings over the next eight months to identify the strengths and weaknesses of the Florida Building Code System and to identify the opportunities for innovation and adaptation that will make the System better. This is a very important initiative for the Commission. The Chair explained that too often we see special interests go unilaterally to the Legislature with their ideas and initiatives. The traditions and role of the Commission is to provide the forum where all groups can come together to develop consensus on recommended changes to the Code and the System that supports it. The Chair invited all groups to participate in this Commission project and encourage all Commissioners to set aside time in the coming months to get actively involved as well. The Chair noted that the first Workshop would follow the April Plenary Session (April 5, 2011).

#### **REVIEW AND UPDATE OF COMMISSION WORKPLAN**

Rick Dixon indicated there were no substantive changes to the Commission's Workplan and no action was needed.

*(Included as Attachment 2—Commission's Updated Workplan)*

#### **CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS**

The Commission reviewed and decided on the Waiver applications submitted for their consideration. A complete summary of accessibility waiver applications is included as an attachment to this Report.

*(Included as Attachment 5—Accessibility Waiver Summary Report)*

#### **CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL**

Commissioner Carson presented the committee's recommendations for entities and Jeff Blair presented the committee's recommendations for product approvals. The complete results of product and entity applications are included as an attachment to this Report.

*(Included as Attachment 7—Product and Entity Approval Report)*

#### **CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL**

Commissioner Browdy presented the POC's recommendations, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows.

*Commission Actions—Education POC:*

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to approve advanced course #461.0.

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to approve advanced course #459.0.

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to approve advanced course #457.0.

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to approve advanced course #458.0.

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to approve the following self-affirmed updated course(s) on a consent agenda: course(s) # 349.1 and 350.1.

*(See Committee's Next Agenda for Linked Committee Report)*

**CONSIDERATION OF LEGAL ISSUES**

**Appeals/Product Approval Revocations/Binding Interpretations**

*None/None/None*

**Legal Report**

**Appeal of Binding Interpretations**

*None.*

**Petitions For Declaratory Statements**

Following are the actions taken by the Commission on petitions for declaratory statements.

**Second Hearings**

**DCA10-DEC-209 by Michael Murray of StormWatch, Inc**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**DCA10-DEC-216 by Geoff Mcleod of MESA Modular Systems, Inc.**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**DCA10-DEC-217 by Dwight Wilkes - Consultant for AAMA**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**DCA10-DEC-219 by David Karins, P.E. of Karins Engineering Group, Inc.**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**DCA10-DEC-220 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-221 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-222 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-224 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-225 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**DCA10-DEC-247 by Timothy Graboski of Tim Graboski Roofing Inc.**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**DCA10-DEC-248 by Kraig Marckett of Living Space Sunrooms, LLC**

**Motion**—The Commission voted 22 – 0 in favor, approve the draft order.

**First Hearings**

**DCA10-DEC-285 by Larry Schneider, AIA**

**Motion**—The Commission voted 22 – 0 in favor, to defer action on the petition.

**DCA10-DEC-286 by Larry Schneider, AIA**

**Motion**—The Commission voted 22 – 0 in favor, to defer action on the petition.

**DCA11-DEC-030 by Michael Goolsby of Miami-Dade County Building and Neighborhood Compliance Department**

**Motion**—The Commission voted 22 – 0 in favor, to dismiss the petition as outside the scope of the declaratory statement process.

*(Included as Attachment 6—Legal Report)*

**CONSIDER LEGISLATIVE ISSUES**

The Chair reported that the 2011 Legislative Session is in full swing and Jim Richmond has been keeping The Commission informed regarding relevant legislative issues including SB 396 (Bennett) the primary bill for the Commission’s legislative recommendations and Commission related and legislation.

Jim Richmond, Commission Attorney, provided an update on legislative issues of interest to the Commission relative to the 2011 Florida Legislative Session (currently in Session), and answered member’s questions. Jim provided the Commission with a status update on SB 396 (Senator Bennett: Commission’s recommendations and Building Code related legislation). Jim reported that there were no major changes from the last legislative update provided to the Commission on March 21, 2011.

Jim noted that HB 849 (Representative Davis: House companion bill to SB 396) was heard by the Business and Consumer Affairs Subcommittee last week, and currently only contains language regarding qualifications for the green building industry representative Commission member that directly impacts the Commission.

The House was considering a stand-alone bill to provide an exemption from the requirements for Legislative ratification of the Florida Building Code Rule (PCB RRS 11-01), but has now included this provision in a larger rules related bill.

**COMMITTEE REPORTS AND RECOMMENDATIONS**

The Chair requested TAC/POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing those 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. This will ensure that the Commission understands exactly what the TAC/POC’s are recommending, and the subsequent action requested of the Commission. The Chair explained that the complete reports/minutes will be linked to the committees’ subsequent agendas for approval by the respective committees.

## **Accessibility TAC**

Commissioner Gross presented the Committee's report and recommendations.

### *Commission Actions:*

**Motion**—The Commission voted unanimously, 21 – 0 in favor, to accept the report (March 29, 2011).

**Motion**—The Commission voted unanimously, 21 – 0 in favor, that TAC chairs should work with DCA staff to enhance the notification process for TAC/POC teleconference meetings in order to ensure there is a quorum and/or whether member's should appoint alternates to participate if they are unable to.  
(See Committee's Next Agenda for Linked Committee Report)

## **Education POC**

Commissioner Browdy presented the Committee's report and recommendations.

### *Commission Actions:*

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to accept the report (March 30, 2011).

(See Committee's Next Agenda for Linked Committee Report)

## **Electrical TAC**

Commissioner Turner presented the Committee's report and recommendations.

### *Commission Actions:*

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to accept the report (April 4, 2011).

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to authorize the Commission Chair to work with DCA staff to draft a letter to Citizens Property Insurance Corporation regarding aluminum branch wiring remediation options, using the Electrical TAC's recommendation as the basis for the Commission's recommendations.

(See Committee's Next Agenda for Linked Committee Report)

## **Hurricane Research Advisory Committee**

Jeff Blair presented the HRAC's report and answered member's questions.

### *Commission Actions:*

**Motion**—The Commission voted unanimously, 22 – 0 in favor to accept the report.

The Report may be viewed at the project webpage: <http://consensus.fsu.edu/FBC/hrac.html>

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to authorize DCA to continue funding UF's existing roofing and soffit system research projects based on spending authority approved by the 2011 Florida Legislature for Fiscal Year 2011/2012, and to leverage additional funding sources to the extent possible (e.g., FEMA/DHS, NOAA/Sea Grant and RCMP/DEM).

## **Product Approval POC**

Commissioner Carson presented the Committee's report and recommendations.

### *Commission Actions:*

**Motion**—The Commission voted unanimously, 22 – 0 in favor to accept the report (March 28, 2011).

**Motion**—The Commission voted unanimously, 22 – 0 in favor to initiate revocation for FL#: 5753-R2 as a result the product having a non-compliant expired certificate, and for the applicant failing to upload the previously requested new certificate, including documentation demonstrating compliance with testing standard TAS 202. (See Committee's Next Agenda for Linked Committee Report)



## Roofing TAC

Commissioner Schulte presented the Committee's report and recommendations.

### *Commission Actions:*

**Motion**—The Commission voted unanimously, 22 – 0 in favor, to accept the report (April 4, 2011).  
(See *Committee's Next Agenda for Linked Committee Report*)

## NEXT STEPS IN THE 2010 FBC DEVELOPMENT

Chairman Rodriguez reported that at the February 2011 meeting the Commission voted unanimously to approve the Glitch amendment review and adoption process. Staff posted and the Commission received electronically the procedures for TAC chairs working with staff to provide the Commission with recommendations regarding whether proposed Glitch amendments meet the adopted criteria and qualify as Glitch amendments, and the Commission's review and adoption process for considering and deciding on TAC chair/staff recommendations regarding Glitch amendments during the rule adoption hearing.

Jeff Blair, Commission Facilitator, reviewed the procedures with the Commission, and following questions and answers, public comment, and discussion the Commission took the following action:

### *Commission Action:*

**Motion**—The Commission voted unanimously, 22 - 0 in favor, to adopt the TAC chair/staff Glitch amendment review and recommendation process, and Commission Glitch amendment review and adoption process. The Glitch Amendment Process is included as "Attachment 3" of this Report.  
(*Attachment 3—Glitch Amendment Process*)

Mo Madani, DCA Staff, reviewed the number of Glitch Amendments submitted by technical Code area.

Following are charts on the Glitch Amendment schedule and the number of submitted Glitch Amendments:

GLITCH AMENDMENT SCHEDULE	
MILESTONE	DATE
2010 FBC Supplement published online	2/01/11
Glitch amendment submittal DEADLINE	3/18/11
Staff meets with each staff chair and develop recommendation (Glitch or not Glitch)	4/07 – 14/2011
Post tracking charts "TAC Chair/Staff recommendations" by technical area for public review prior to the Commission's June meeting	4/21/11
Rule Adoption Hearing (June Commission meeting)	6/07/11
Glitch Rule Adopted (filed)	7/01/11
Code printed with first cycle glitch fixes and available to the public	9/01/11
<b>2010 Florida Building Code Effective</b>	<b>12/31/11</b>

NUMBER OF MODIFICATIONS SUBMITTED AS GLITCH AMENDMENTS	
TECHNICAL CODE AREA	NUMBER SUBMITTED
Code Administration TAC	14
Electrical TAC	1
Energy TAC	50
Fire TAC	36
Mechanical TAC	9
Plumbing TAC	11
Roofing TAC	53
Special Occupancy TAC	28
Structural TAC	119
<b>Total</b>	<b>321</b>

**COMMISSION MEMBER COMMENT AND ISSUES**

Chairman Rodriguez invited Commission members to make any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

*Commission Member Comments:*

- Raul Rodriguez: Thanked staff for their efforts in support of the Commission.
- Schock: Asked whether the “Financial Disclosure Form” will be sent to Commissioners or whether Commissioners have to request the Forms?  
Answer: The Forms are sent to members sometime before July each year.
- Gregory: Thanked the Chair for his letter in support of Commissioner Gregory serving on the IBC’s swimming pool code development committee.
- Gregory: Indicated that an I-Code swimming pool code is forthcoming and will have to be evaluated for use in Florida.
- Carson: Thanked participants and the Commission for the recommendations to Citizens regarding the aluminum branch wiring/insurance issue.
- Turner: Thanked Mike McCombs for his hard work and concern regarding the aluminum branch wiring/insurance issue.
- Turner: Expressed appreciation for Rick Dixon’s help and research on the issue, and Jeff Blair for assistance in running the meeting and for conducting the TAC chair “Effective Meetings Training”.

**GENERAL PUBLIC COMMENT**

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission’s purview.

*Public Comments:*

- Jack Glenn: Expressed concern that there was a high percentage of proposed Glitch Amendments in proportion to the number of approved Code Amendments, and suggested that if more time was allocated for TACs to review proposed amendments the number of Glitches would be reduced.
- Glenn: Expressed support and appreciation for the concurrent Glitch Amendment and Code Adoption processes.

- Glenn: Thanked Rick Dixon, Mo Madani and DCA staff for their responsiveness and assistance to stakeholder's requests.
- David Brown: First, many of your Codes contain "documents by reference". I believe a Building Code should stand on its own two feet. "Documents by reference" should not be allowed, especially those that must be purchased because they are not freely available on-line – like those of the ASSE and AWWA. It seems really wrong that the public has to spend money just to find out what they're being forced to comply with. Second, I firmly believe that the Building Code should not include devices that violate state and federal laws. Examples of this, in Section 608, are RP (Reduced-Pressure Zone) and Double-check backflow valves which provide direct access into the public drinking water supply. Needless to say, the Bio-Terrorism Act, the Patriot Act, the U.S. Code and the Florida Safe Drinking Water Act frown on such devices. For example 18 U.S.C. 175 prohibits devices that are "delivery systems for bio-toxins", which these valves are. In summary, these types of Code compliant backflow valves should be banned from the Florida Building Code.

#### **NEXT COMMISSION MEETING OVERVIEW AND ISSUES**

The June 2011 Commission meeting will focus on reviewing Legislative issues and assignments, and conducting the Glitch Amendment review and 2010 Code Update adoption processes.

#### **ADJOURN**

The Chair adjourned the meeting at 10:55 AM on Tuesday, April 5, 2011.

**ATTACHMENT 1**  
**MEETING EVALUATION RESULTS**

**April 5, 2011—Tampa, Florida**

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

**1. Please assess the overall meeting.**

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

**2. Do you agree that each of the following meeting objectives was achieved?**

- 9.90 Chairs Issues and Recommendations.
- 9.90 Commission's Workplan and Meeting Schedule Review and Update.
- 9.86 Accessibility Waiver Applications.
- 9.86 Approvals and Revocations of Products and Product Approval Entities.
- 9.90 Applications for Accreditor and Course Approval.
- 9.86 Legal Issues and Requests for Declaratory Statements.
- 9.81 Legislative Issues.
- 9.90 TAC and POC Reports and Recommendations.
- 9.90 Workgroup, Ad Hoc, and Committee Reports and Recommendations.
- 9.81 Next Steps in the 2010 FBC Development.

**3. Please tell us how well the Facilitator helped the participants engage in the meeting.**

- 9.90 The members followed the direction of the Facilitator.
- 9.90 The Facilitator made sure the concerns of all members were heard.
- 9.90 The Facilitator helped us arrange our time well.
- 9.90 Participant input was documented accurately in Meeting Notes and Facilitator's Report (last meeting).

**4. Please tell us your level of satisfaction with the meeting?**

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

**5. Please tell us how well the next steps were communicated?**

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

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

- Jeff, staff, and Chairman do a great job.
- Kept on time. Finished early.
- Moved quickly.
- Good meeting.
- Clear, concise, short, and sweet.
- Good information available before the meeting.
- The subsequent meeting (code assessment) should have been scheduled prior to 1:00 PM.
- My new red wing shoes.

**7. How could the meeting have been improved?**

- Utilize Outlook events for scheduling future meetings and conference calls.
- Facilitator could have kept the rain away until the completion of the meeting.

**8. Do you have any other comments?**

- The Chairman and DCA staff is excellent.
- Dixon is very efficient and always follows through on any requests.
- Moved along very well.

**Comments on Specific Agenda Items:**

*None were provided.*

**PUBLIC-MEETING EVALUATION AND COMMENT RESULTS**

*None were completed.*

## ATTACHMENT 2

### COMMISSION'S UPDATED WORKPLAN AND MEETING SCHEDULE

(ADOPTED UNANIMOUSLY APRIL 5, 2011)

#### MEETING DATES

##### 2010

February 1,2 & 3  
April 5, 6 & 7  
June 7, 8 & 9  
August 9, 10 & 11  
October 11, 12 & 13  
December 6, 7 & 8

##### Meeting Location

Embassy Suites, Tampa, (813-977-7066)  
Hilton Hotel, Gainesville, (352-371-3600)  
Rosen Centre, Orlando, (800-204-7234)  
Crowne Plaza, Melbourne, (321-777-4100)  
Hilton Hotel, Gainesville, (352-371-3600)  
Crowne Plaza, Melbourne, (321-777-4100)

##### Reservation Deadline

January 1, 2010  
March 4, 2010  
May 6, 2010  
July 16, 2010  
September 9, 2010  
November 12, 2010

##### Teleconference Meetings

March 8 10:00 AM  
March 15 10:00 AM  
March 29 10:00 AM  
April 12 10:00 AM  
April 19 10:00 AM  
April 26 10:00 AM

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##### 2011

Jan 31 & Feb1 & 2  
April 4, 5 & 6  
June 6, 7 & 8  
August 8, 9 & 10  
October 10, 11 & 12  
December 5, 6 & 7

##### Meeting Location

Embassy Suites, Tampa (813-977-7066)  
Embassy Suites, Tampa (813-977-7066)  
Hilton Hotel, Gainesville, (352-371-3600)  
Rosen Centre, Orlando, (800-204-7234)  
*[pending- Daytona or Melbourne Beach Hilton]*  
Hilton Hotel, Gainesville, (352-371-3600)

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**2012**

**Meeting Location**

Jan 31 & Feb 1 & 2

April 2, 3 & 4

June 11, 12 & 13

Note: 10 wks between Apr-Jun due to Easter Apr 8 and BOAF conf Jun 2-7

August 6, 7 & 8

October 8, 9 & 10

December 3, 4 & 5

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**2013**

**Meeting Location**

Feb 4, 5 & 6

April 8, 9 & 10

Note: Easter is Mar 31 so moved Apr mtng back one wk

June 11, 12 & 13

August 12, 13 & 14

October 7, 8, & 9

December 9, 10 & 11

Note: Thanksgiving Nov 28 so moved Dec mtng back one wk

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**2014**

**Meeting Location**

Feb 3, 4 & 5

March 31 & April 1 & 2

June 2, 3 & 4

Note: 8 wks between Feb-Apr mtng and reg 9 wks Apr-Jun to avoid conflict BOAF conf Jun 7-14

August 4, 5 & 6

October 6, 7 & 8

December 8, 9 & 10

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**2015**

**Meeting Location**

Feb 2, 3 & 4

Mar 30, 31 & April 1

June 1, 2 & 3

Note: 8 wks between Feb-Apr mtng due to Easter Apr 5 and BOAF conf Jun 6-11

August 3, 4 & 5

October 5, 6 & 7

December 7, 8 & 9

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## FLORIDA BUILDING COMMISSION 2011 WORKPLAN

### ANNUAL ADMINISTRATIVE TASKS

#### 1. REPORT TO 2012 LEGISLATURE (*WORKPLAN PRIORITY: 3*)

TASK	SCHEDULE
Commission identifies and receives draft recommendations	12/11
DCA editorial review	1/27/12
Chairman's final approval	2/13/12
Commission's Report to 2012 Legislature conveyed	2/17/12
<b>STATUS PENDING: % COMPLETE</b>	
0%	
<i>Origination: Commission. Annual task authorized by statute.</i>	

#### 2. WORKPLAN PRIORITIZATION EXERCISE 2011 (*SEE APPENDIX II*)

TASK	SCHEDULE
Review of Exercise instrument and on-line link provided	12/11
On-line survey conducted	12/11 -1/11
Survey results reviewed with Commission	2/12
<b>STATUS PENDING: % COMPLETE</b>	
0%	
<i>Origination: Commission. Annual Task.</i>	

#### 3. COMMISSION EFFECTIVENESS ASSESSMENT SURVEY 2011

TASK	SCHEDULE
Review of Survey instrument and on-line link provided	12/11
On-line Survey conducted	12/11 -1/11
Survey results reviewed with Commission	2/12
<b>STATUS PENDING: % COMPLETE</b>	
0%	
<i>Origination: Commission. Annual Task.</i>	

#### 21. TRIENNIAL ASSESSMENT OF THE FLORIDA BUILDING CODE SYSTEM FOR REPORT TO THE 2012 FLORIDA LEGISLATURE (*WORKPLAN PRIORITY: 6*)

TASK	SCHEDULE
Conduct Assessment Survey for Building Code System	
Appoint Commission Ad Hoc Committee (BCSA Ad Hoc)	
BCSA Ad Hoc Committee meeting Phase I	10/12/10
Committee delivers Report to Commission	10/13/10
Commission adopts Ad Hoc's Phase I recommendation for expanded	12/08/10



assessment project ( <i>See Appendix I—Expanded BCSA Workplan</i> )	
Report to 2011 Legislature ( <i>See Task 1</i> )	02/28/11
Phase II (Expanded Assessment)	1/11 – 10/11
Assessment Workshop I	4/7/11
Assessment Workshop II	6/6, 7 or 8/11
Assessment Workshop III	8/8, 9 or 10/11
Assessment Workshop IV	10/10, 11 or 12/11
Recommendations reviewed by Commission in public workshop	12/11
Commission finalizes recommendations to 2012 Legislature	12/11
Report to 2010 Legislature	02/28/12
<b>STATUS PENDING: % COMPLETE</b>	
	40%
<i>Origination: Statute. Florida Statute, Chapter 553.77(1)(b), requires System review on triennial basis.</i>	

<b>2010 FBC CODE UPDATE DEVELOPMENT TASKS</b>
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<b>5. 2010 UPDATE TO THE FLORIDA BUILDING CODE—COMBINE PRIMARY UPDATE AND GLITCH REVISIONS IN A SINGLE RULE PROCEEDING (WORKPLAN PRIORITY: 1)</b>	
<b>TASK</b>	<b>SCHEDULE</b>
Printed 2009 International Codes published and available to the public; 2009 I Codes must be available to public for 6 months prior to selection	04/02/09
Commission selects 2009 I Codes as foundation for 2010 FBC <i>(See Subtask below)</i>	10/13/09
Staff evaluates changes of 2006 to 2009 I Codes for overlap with Florida amendments including TAC recommendations for “overlapping” amendments	4/09 – 11/09
TACs review existing Florida amendments that overlap with 2006 to 2009 I-Code changes and develop recommendations for retaining the Florida amendment or the new I-Code requirement. <i>(See Subtask below)</i>	12/06/09 – 01/20/10
All existing Florida amendments compiled in 2009 I Codes format posted to website	02/01/10
Local amendments posted to the website	02/01/10
FFPC to FBC correlations/overlaps identified and recommendations developed <i>(See Subtask below)</i>	04/15/10
Submittal of new proposed amendments for the 2010 FBC opens	03/01/10
New proposed amendments for the 2010 FBC due and process closes	04/02/10
Proposed amendments reviewed by staff and posted to the Commission website	04/15/10
45 day comment period ends <i>(by law 45 day minimum before TAC review)</i>	06/01/10
TACs review proposals at rule development workshops	07/27/10
TACs review proposed Florida amendments and adopt recommendations at Rule Development Workshops	08/09-12/10 08/23-24/10
TAC recommendations posted to the website	09/03/10
45 day comment period ends <i>(by law 45 day minimum before FBC review)</i>	10/18/10
Commission reviews TAC recommendations at Rule Development Workshop	

TACs review comments on their recommendations and prepare public comment for the Rule Workshop	11/15-17/10 11/19/10
Commission considers TAC recommendations on proposed amendments at Rule Development Workshop	12/07-08/10
Commission reviews TAC recommendations at Rule Adoption Hearing	
Draft Code in supplement format available for review	12/31/10
Governor's Office authorizes rule hearing	01/19/11
Rule Adoption Hearing #1 (February Commission meeting)	02/01/11
2010 Florida Building Code Rule Submitted for Legislature's Ratification Submit the Rule adopting the code to the 2011 Legislature for approval	02/01/11
Glitch Fix Amendments Prior to Code Taking Effect ( <i>Workplan Priority: 2</i> ) 2010 FBC Supplement published online	02/18/11
Glitch amendment submittal DEADLINE	03/18/11
Rule Adoption Hearing #2 (June Commission meeting)	06/07/11
2010 FBC rule adopted (filed) including glitch amendments	07/01/11
Code Books Available Code printed with integrated Florida modifications and glitch fixes Code printed with first cycle glitch fixes and available to the public	10/01/11
2010 Florida Building Code Effective	12/31/11
Code Implemented Note: By law this is the last date the Florida Fire Code can be implemented The goal is to implement the FFPC and the FBC concurrently	12/31/11
<b>Sub-Tasks</b>	
<b>a. Review 2011 NEC</b>	01/11 – 02/11
Proposal to adopt 2011 NEC submittal deadline	03/18/11
Recommend whether to adopt as glitch (April Commission meeting)	04/05/11
Joint Fire TAC/Fire Code Advisory Council review of new approved Florida modifications for conflicts created between Fire Code and Building Code	02/11
<b>STATUS PENDING: % COMPLETE</b>	
	85%
<i>Origination: Requirement of law that the Commission updates the Code triennially.</i>	

<b>15. EVALUATE HURRICANE WIND PRESSURE AND RAIN CRITERIA FOR SOFFIT SYSTEMS AND ESTABLISH LABELING REQUIREMENTS (<i>WORKPLAN PRIORITY: 13</i>)</b>	
<b>TASK</b>	<b>SCHEDULE</b>
<b>Phase I: Appoint Workgroup</b>	03/19/08
Include task in UF components and cladding contract	03/08
Workgroup meetings	11/06/08 02/04/09 04/08/09 07/09 – 09/09
Recommendations ready to propose for 2010 FBC	02/10
Report to Structural TAC and Commission	02/10/10

Proposals for 2010 FBC submitted for adoption	03/10														
<b>Phase II:</b> Workgroup and research for phase II, development of product evaluation standards initiated															
<b>STATUS PENDING: % COMPLETE</b>															
<b>PHASE I</b>															
<b>STATUS PENDING: % COMPLETE</b>															
<b>PHASE II</b>															
0%															
<i>Origination: Commission. Stakeholder request.</i>															

8. DEVELOP INTEGRATION OF FLORIDA ACCESSIBILITY LAW INTO THE 2010 STANDARDS FOR ACCESSIBLE DESIGN (SAD) BEING ADOPTED BY THE US DEPARTMENT OF JUSTICE (DOJ) (WORKPLAN PRIORITY: 4)	
TASK	SCHEDULE
Appoint Workgroup	12/12/08
Staff developed starting Draft	01/09
Workgroup meetings	02/02/09 04/06/09 06/09/09 08/10/09 10/12/09 12/07/09 02/01/10 04/05/10 06/07/10 10/11/10 12/06/10 01/20/11 01/31/11
DOJ published final regulations	09/15/10
Draft revised for consistency with final regulations	11/10
Draft Code completed	12/07/10
Staff Identifies Changes to Law to Maintain Consistency with 2010 ADA standards	11/10
Consensus workshops to identify changes to law	10/13/10 01/20/11 01/31/11
Recommendations to Commission	02/01/11
Public Hearings	02/01/11
Report to Legislature (See Task 1) including recommended changes to Access Law	02/28/11
Rule Development Workshop on 2010 Code	06/07/11
Rule Adoption vote of the Commission	06/07/11
Code Effective Date—Consistent with 2010 FBC	12/31/11
<b>STATUS PENDING: % COMPLETE</b>	

																			90%		
<i>Origination: Statutory. Requirement to conform FACBC with SAD.</i>																					

<b>WORKPLAN TASKS RESULTING FROM 2010 LEGISLATION: HB 633</b>
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<b>16. 2010 FLORIDA BUILDING CODE AMENDMENTS DIRECTED BY THE FLORIDA LEGISLATURE</b>
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<b>TASK</b>	<b>SCHEDULE</b>																				
<ul style="list-style-type: none"> <li>• Require upgrade of elevators in condos and multi-family buildings having a C.O. before July 1, 2008 Phase II Firefighter Service pursuant to ASME 17.1 and 17.3 when it is replaced or undergoing a major modification.</li> <li>• Coordinate the Code with statutory changes to SFM requirements for uniform lock boxes for elevator Keys.</li> <li>• Require illumination in classrooms for ALL schools to be an average 40 foot-candles of light at each desk-top.</li> <li>• Exempt from the Code certain pre-manufactured/site assembled family mausoleums.</li> <li>• Exempt temporary housing provided by Department of Corrections for prisoners.</li> <li>• Remove from the IRC foundation code requirements for sprinklers.</li> <li>• Clarify AC equipment must meet wind resistance standards.</li> <li>• Require existing AC equipment on roof surfaces to comply when they are required to be removed or replaced.</li> <li>• Implement changes to statutory requirements for CO detectors.</li> <li>• Include energy saving options and elements for buildings added to the law that are not already included in the Code, e.g. energy efficient centralized computer data centers in office buildings.</li> <li>• Clarify energy performance requirements for pool pumps apply only to filtration pumps and change the maximum run time cycle override at high speed from 2 hours to 24 hours (or on changeover cycle whichever is less).</li> <li>• Clarify sprinklers cannot be required for certain residential property used as rental property or changed in use category to primary rental use.</li> </ul>																					
Staff submits comments to 2010 FBC amendment proposals	05/10																				
Adoption per 2010 FBC Update schedule Task ( <i>See Code Update Task</i> )	12/31/11																				
<b>STATUS PENDING: % COMPLETE</b>																					
																			85%		
<i>Origination: Legislative assignment.</i>																					

<b>17. STATE PRODUCT APPROVAL RULE 9N-3 DIRECTED BY THE LEGISLATURE</b>
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<b>TASK</b>	<b>SCHEDULE</b>
<ul style="list-style-type: none"> <li>• Require payment of Administrator portion of application fee directly to the Administrator.</li> <li>• Implement new expedited process for approval of products based on certificate from a Certification Agency.</li> <li>• Eliminate ICBO ES, BOCA ES and SBCCI ES from list of approved Evaluation Entities.</li> </ul>	
Conduct Rule Workshop	08/10/10
Conduct Rule Adoption Hearing	10/12/10
Effective date (good faith rulemaking)	11/01/10

Approve changes pursuant to JAPC comments	12/06/10
Further action on rule adoption suspended pursuant to Governor Scott's Executive Order.	01/11
Rule filed with effective date after changes per JAPC comment	TBD
<b>STATUS PENDING: % COMPLETE</b>	
95%	
<i>Origination: Legislative assignment.</i>	

<b>18. AMEND RULES TO ESTABLISH FEES (WORKPLAN PRIORITY: 6)</b>	
<b>TASK</b>	<b>SCHEDULE</b>
<ul style="list-style-type: none"> <li>• Accessibility Code Waivers</li> <li>• Declaratory Statements</li> <li>• Non-Binding Opinions</li> </ul>	
Conduct workshop to discuss which programs to charge fees	10/13/10
Further action on rule adoption suspended pursuant to Governor Scott's Executive Order.	01/11
Conduct rule development workshop	TBD
Conduct Rule Adoption Hearing	TBD
File with the Department of State (if no notice of change)	TBD
Effective date	TBD
<b>STATUS PENDING: % COMPLETE</b>	
20%	
<i>Origination: Legislative assignment.</i>	

**WORKPLAN TASKS RESULTING FROM 2010 LEGISLATION: HB 7243**

<b>22. DEVELOP RECOMMENDATIONS THAT INCREASE RECYCLING AND COMPOSTING AND THE USE OF RECYCLABLE CONSTRUCTION MATERIALS AND CONSTRUCTION AND DEMOLITION DEBRIS (WORKPLAN PRIORITY: 10)</b>	
<b>TASK</b>	<b>SCHEDULE</b>
Task redirected to be addressed in Building Code System Assessment Project	12/10
Recommendations to Commission	10/11
Final report to the 2012 Legislature ( <i>See Annual Report schedule</i> )	02/28/12
<b>STATUS PENDING: % COMPLETE</b>	
0%	
<i>Origination: Legislative assignment.</i>	

**APPENDIX I**

**FLORIDA BUILDING CODE SYSTEM ASSESSMENT WORKPLAN**

**BUILDING CODE SYSTEM ASSESSMENT AD HOC WORKPLAN BY TASK**

**A. COMMISSION, AD HOC COMMITTEE AND TAC TASKS**

- ◆ Committee meets at Commission meetings starting October 2010 and ending Dec. 2011.
- ◆ A large forum public workshop is held to start the project. TACs are appointed for areas corresponding to the Building Code Study Commission's "Foundation\*" principles to review issues and develop recommendations. The Ad Hoc Committee considers TAC recommendations and develops final recommendations for the Commission to transmit to the Legislature.  
*\* The Study Commission determined that an effective system must address five key components: the Code and Code development process, the Commission, local administration of the Code, strengthening compliance and enforcement, and product evaluation and approval.*
- ◆ The Ad Hoc Committee manages the project for the Commission.
- ◆ Project Workplan is reviewed and updated at each meeting, as needed.

**B. AD HOC COMMITTEE TASKS**

	<b>START DATE</b>	<b>COMP. DATE</b>
1. Ad Hoc conducts on-line Survey Phase I.	June 2010	Aug. 2010
2. Ad Hoc Meeting I—Organizational Meeting.	Oct. 12, 2010	
3. On-Line Survey Phase II conducted.	Oct. 2010	Jan. 2011
4. Large Forum Public Workshop.	April 2011	--
5. Second Workshop	June 2011	
6. Third Workshop	Aug 2011	
7. Fourth Workshop and AdHoc finalizes recommendations	Oct 2011	--
8. Commission considers recommendations.	Dec. 2011	--
9. Commission transmits recommendations to 2012 Legislature	Feb. 2012	--

**C. AD HOC COMMITTEE AGREEMENTS/RECOMMENDATIONS**

	<b>START DATE</b>	<b>COMP. DATE</b>
1. Committee recommends the Commission conduct a comprehensive evaluation of the System for submittal to the 2012 Legislature.	October 12, 2010	
2. Commission adopts Ad Hoc's recommendations.	October 13, 2010	
3. On-Line Survey Phase II will be compiled and a report issued.	Oct. 2010	Feb. 2011
4. Commission adopts final recommendations for submittal to 2012 Legislature.	--	Dec. 2011

<b>D. PUBLIC INVOLVEMENT</b>		
	<b>START DATE</b>	<b>COMP. DATE</b>
1. Survey Phase I conducted on-line	June 2010	Aug. 2010
2. Survey Phase II conducted on-line.	Oct. 2010	Jan. 2011
3. Public comments solicited at Ad Hoc Committee meetings. (2010: October; 2011: April, October, and December)	Oct. 12, 2010	Dec. 2011
4. Public comments received at each Commission meeting. (2010: October; 2011: February, April, June, August, October, and December)	Oct. 2010	Dec. 2011

### **DEVELOPMENT OF THE FLORIDA BUILDING CODE OVERVIEW**

In 1997, the Governor’s Building Codes Study Commission recommended that a single state-wide building code be developed to produce a more effective system for a better Built Environment in Florida. It was determined that in order to be effective, The Building Code System must protect the health, safety and welfare of the citizens of Florida, and in doing so:

1. Be simple to use and clearly understood;
2. Be uniform and consistent in its administration and application;
3. Be affordable; and
5. Promote innovation and new technology.

The Study Commission determined that an effective system must address five key components: the Code, the Commission, code administration, compliance and enforcement, and product evaluation and approval.

The Florida Building Code is a state-wide code implemented in 2001 and updated every three years. The Florida Building Commission developed the Florida Building Code from 1999 through 2001, and is responsible for maintaining the Code through annual glitch amendments and a triennial foundation code update.

The Commission is required by Florida law to update the Florida Building Code every three years, and the 2010 Edition will represent the third update and fourth edition of the Code. The update process is based on the code development cycle of the national model building codes, which serve as the “foundation” codes for the Florida Building Code.

**Triennial Report to the Legislature.** Florida Statute, Chapter 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed. The Commission conducted the first assessment in 2005, and during 2010 and 2011 Commission has appointed an Ad Hoc Committee to work with stakeholders to develop a package of recommendations for enhancements to the Florida Building Code System. The Commission’s recommendations will be a major component of their Report to the 2012 Legislature.

**APPENDIX II**

**COMMISSION WORKPLAN PRIORITIZATION EXERCISE RESULTS 2011**

**WORKPLAN PRIORITIZATION EXERCISE RESULTS 2011  
FEBRUARY 1, 2011**

<b>WORKPLAN TOPICS (TASK/TOPIC #)</b>	<b>AVERAGE (5 TO 1)</b>	<b>OVERALL RANKING</b>
2010 Update to FBC (5.)	4.53	1
Glitch amendments to 2010 FBC (6.)	4.37	2
Report to 2012 Legislature (1.)	4.32	3
Integration of Accessibility Law (DOJ SAD) into FBC (8.)	4.11	4
Code amendments directed by Legislature (18.)	4.11	4
Amend rules to establish fees: waivers/declaratory statements/opinions (20.)	3.84	6
Triennial BCS Assessment (21.)	3.84	6
Bedroom definition for septic tank sizing (DOH) (9.)	3.58	8
Corrosive gypsum board (DOH) (10.)	3.16	9
Recommendations: increase recycling and composting, and recyclable construction materials (22.)	2.79	10



## ATTACHMENT 3

### GLITCH AMENDMENT REVIEW PROCESS (ADOPTED UNANIMOUSLY APRIL 5, 2011)

#### TAC CHAIR/STAFF REVIEW PROCESS

For each technical code area (Code Administration, Electrical, Energy, Fire, Mechanical, Plumbing, Roofing, Special Occupancy, and Structural), the respective TAC chair will individually meet with DCA staff to review and make recommendations on whether proposed amendments meet adopted Glitch amendment criteria (1 – 3 below). Amendments deemed to meet the Glitch criteria will be placed on a consent agenda titled: **“Consent Agenda: Qualifies as a Glitch Amendment”** by technical code area. Proposed amendments deemed not to meet the Glitch criteria will be placed on a consent agenda titled: **“Consent Agenda: Does Not Qualify as a Glitch Amendment”** by technical code area.

Once staff meets with each TAC chair by technical code area the recommendations will be posted to the BCIS to allow an opportunity for public review prior to the Commission’s June 7, 2011 Florida Building Code Rule Adoption Hearing\* to consider Glitch Amendments and adopt the 2010 Florida Building Code.

*\*The Florida Building Code Rule Adoption Hearing date is contingent upon the Legislature providing ratification of the Rule or an exemption from the requirement for the Rule to be ratified by the Legislature, as well as meeting any Executive Office requirements for rulemaking.*

#### COMMISSION GLITCH AMENDMENT REVIEW PROCESS

In order for a proposed code change to be accepted as a glitch change, it must meet each of the following criteria:

- (1) The proposed code change falls within the scope of the glitch criteria (listed below a-g).
- (2) The proposed code change has a Florida specific need.
- (3) The impact is on small businesses has been considered.

#### GLITCH CRITERIA—CHAPTER 553.73(8) F.S.

In order for a proposed code change to be accepted as a glitch change, it must fall within one of the following criteria:

- (a) Conflicts within the Updated Code;
- (b) Conflicts between the Updated Code and the Florida Fire Prevention Code;
- (c) Omissions of previously adopted Florida-specific amendments if such omission is not supported by specific recommendation of a TAC or particular action by the Commission;
- (d) Unintended results from the integration of previously adopted Florida-specific amendments with the model code;
- (e) Equivalency of standards;
- (f) Changes to or inconsistencies with federal or state law; or
- (g) Adoption of an updated edition of the National Electrical Code if the Commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare.

In addition, the Commission may not amend to diminish criteria related to wind resistance or prevention of water intrusion.

**PROPOSED GLITCH AMENDMENTS WILL BE ON TWO CONSENT AGENDAS PER TECHNICAL CODE AREAS** {Code Administration, Electrical, Energy, Fire, Mechanical, Plumbing, Roofing, Special Occupancy, and Structural}:

**CONSENT AGENDA—QUALIFIES AS A GLITCH AMENDMENT**

Commission will vote that the amendments on the consent agendas **are** Glitch Amendments.

- Public Comment on the TAC Chair/Staff recommendations by technical code area.
- Commission will decide whether to pull any specific proposed Glitch Amendments for individual consideration by technical code area.
- Commission will vote on the Consent Agenda **“Qualifies as a Glitch Amendment”** as presented (if no amendments were pulled for individual consideration) or as amended if any amendments were pulled for individual consideration by technical code area.
- Vote is in favor of TAC Chair/Staff recommendations regarding the proposed glitch amendments (the package of proposed amendments meets the Glitch criteria and should be approved).
- Commission will individually discuss and vote on all amendments pulled for individual consideration.
- Amendment(s) pulled for individual consideration will be discussed and voted on to determine whether they qualify as Glitch Amendment(s).

**CONSENT AGENDA—DOES NOT QUALIFY AS A GLITCH AMENDMENT**

Commission will vote that the amendments on the consent agendas are **not** Glitch Amendments.

- Public Comment on TAC Chair/Staff recommendations by technical code area.
- Any Commissioner may pull any amendment for individual determination of whether it is/is not a Glitch Amendment.
- Commission will vote on the Consent Agendas of amendments **“Does Not Qualify as a Glitch Amendment”** as presented (if no amendments were pulled for individual consideration) or as amended if any amendments were pulled for determination by technical code area.
- Vote is in favor of TAC Chair/Staff recommendations regarding the proposed glitch amendments (the package of proposed amendments does not meet the Glitch criteria and should not be approved).
- Commission will individually discuss and vote on all amendments pulled for individual consideration.
- Amendment(s) pulled for individual consideration will be discussed and voted on to determine whether they qualify as Glitch Amendment(s).

## GLITCH AMENDMENT REVIEW AND CONSIDERATION PROCESS

- Facilitator will serve as the moderator.
- One person speaks at a time.
- Limit your comment and be concise.
- Do not read lengthy prepared statements; Summarize and submit complete comment text for the record.
- Offer new points or state agreement with previous speakers; Please do not repeat what has been stated.
- The Commission wants to hear all view points, but not repeats of the same views.
- Facilitator will assist with process and groundrules.
- Facilitator will introduce consent agenda for those amendments designated as: **“Qualifies as Glitch a Amendment”** by technical code area.
- Public will speak to any amendments they wish the Commission to consider separately from TAC Chair/Staff recommendations by technical code area.
- Commissioner(s) will decide which, if any, amendments to pull for individual consideration.
- Commission will vote on Consent Agenda as presented or as amended if any amendments are pulled for individual consideration by technical code area.
- Facilitator will introduce consent agenda for those amendments designated as: **“Does Not Qualify as a Glitch Amendment”** by technical code area.
- Public will speak to any amendments they wish the Commission to consider as a Glitch Amendment.
- Commissioner(s) will decide which, if any, amendments to pull for individual consideration for qualification as a Glitch Amendment.
- Commission will vote on Consent Agenda as presented or amended by technical code area.
- Commission will consider amendments pulled for determination on whether they qualify as Glitch Amendments.
- Any Amendments determined by the Commission to qualify as a Glitch Amendment will be discussed with other Glitch Amendments pulled for individual consideration.

## AMENDMENTS PULLED FOR INDIVIDUAL CONSIDERATION

- Commission will consider individually any amendments pulled from the Consent Agendas.
- Facilitator will introduce each amendment.
- Proponents of proposed amendment will speak first.
- Opponents of proposed amendment will follow proponents.
- Each side (proponent/opponent) will be allowed one counterpoint opportunity collectively.
- Clarifying questions by Commission members only.
- Once a motion is on the floor, discussion is limited to Commission members except as allowed by the Chair.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote, are denied.

## ATTACHMENT 4

### SEPTIC SYSTEM SIZING PROJECT UPDATE

The Department of Health's (DOH) Technical Review and Advisory Panel (TRAP) split the flow rates for larger homes issue (TRAP Issue 10-01) from the bedroom definition issue (TRAP Issue 08-15). The Department's proposal to deal with flow rates for larger homes was approved by the TRAP to be sent to the Variance Review and Advisory Committee (VRAC) on January 28, 2010. The issue was reviewed by the VRAC on March 4, 2010 and returned to the TRAP with comments. The issue was then re-heard at the TRAP meeting of July 15, 2010 where it was recommended to go into the rule. The Department expects to follow the TRAP recommendation (see TRAP Meeting - January 28, 2010) and begin rule making on the issue.

The bedroom definition issue, tabled by TRAP in the January 28, 2010 meeting, was not heard at the July 15, 2010 meeting and was placed on the agenda for the September 2010 meeting. In the interim, in an effort to consider and incorporate previous TRAP comments into a working definition, the Department modified the proposed bedroom definition (see Department's 08/25/10 Proposed Bedroom Definition). But once again, the issue was not heard as TRAP did not complete the agenda for the September 2010 meeting.

On December 2, 2010, TRAP approved the Department's 08/25/10 proposed bedroom definition with modifications (see TRAP's Approved Bedroom Definition), to be forwarded to the VRAC for review and comment. The issue has not yet been received by the VRAC. Once reviewed by the VRAC, the committee will send their comments on the proposal back to TRAP for final review and recommendations to the Department. Following the TRAP's recommendations, the Department may commence rule making on the issue.

#### **Department's Proposed Bedroom Definition - 08/25/10**

(11) Bedroom – A room that is listed as descriptive of the residence if the residence was on the market for sale or rent and that can be used for sleeping, which is located along an exterior wall, has an emergency escape and rescue opening and a door or an entrance here a door could be reasonably installed. A room cannot be considered a bedroom if it is used to access another room, unless the room that is accessed, is a bathroom. Occupancy is calculated as 2 persons per bedroom.

#### **TRAP's Approved Bedroom Definition - 12/02/2010**

(11) Bedroom - A room that is listed as descriptive of the residence if the residence was on the market for sale or rent and that can be used for sleeping, which is located along an exterior wall, has an emergency escape and rescue opening and a door. ~~or an entrance where a door could be reasonably installed.~~ A room cannot be considered a bedroom if it is used to access another room, unless the room that is accessed is a bathroom ~~or closet.~~ For the purposes of determining system capacity, occupancy is calculated as a maximum of 2 persons per bedroom."

## **Previous DOH Bedroom Definition Update**

### **TRAP Meeting - August 15, 2009**

At the TRAP meeting of August 2009, the Department presented results from a survey conducted to test and evaluate the previously proposed "room" sizing methodology, which estimates sewage flows using rooms and not bedrooms. The meeting ended without panel consensus on the proposed "room" methodology. The panel tabled the issue pending further consideration and on September 29th, 2009, the minutes of the August meeting were forwarded to your attention by Mr. Robert Harper, TRAP Chair.

### **TRAP Meeting - January 28, 2010**

The TRAP next met on January 28th, 2010. The Department provided a new proposal replacing the "room" sizing methodology with a bedroom definition similar to the Universal Bedroom Definition Working Group's option # 1.

(11) Bedroom – Any room which has an area of 60 square feet or more; has a recess with a minimum inside depth of 22 inches; has doors on its entrances; has an emergency escape and rescue opening; and can be expected to provide sleeping accommodation. Portions of rooms with ceiling heights less than 7.5 feet are not included in the calculation of the area of the room.

In addition to the bedroom definition language, to address system sizing of large homes, the department proposed changes to Table I, Chapter 64E-6, F.A.C. (Estimated Sewage Flows for System Design), to flatten out the curve of gallons per day (GPD) for larger homes by reducing the gallons per day for each additional bedroom after 4 bedrooms or each additional 750 square feet of building area or fraction thereof, from 100 to 60 per dwelling unit (see Table I excerpt below). The panel motioned to adopt the lower flow rates for larger homes, provided comments and tabled the bedroom definition proposal.

To date, the lower flow rates for larger homes issue has been reviewed by the VRAC and returned to the TRAP with comments. The issue will be re-heard at the next TRAP meeting scheduled for July 15, 2010. The lower flow rates for larger homes issue will be ready for rule making if approved by TRAP the their next meeting.

TABLE I  
For System Design  
ESTIMATED SEWAGE FLOWS

TYPE OF ESTABLISHMENT	GALLONS PER DAY	
<b>RESIDENTIAL:</b>		
Residences		
(a) Single or multiple family per dwelling Unit		
1 Bedroom with 750 sq. ft. or less of building area.....	100	
2 Bedrooms with 751-1200 sq. ft. of building area.....	200	
3 Bedrooms with 1201-2250 sq. ft. of building area.....	300	
4 Bedrooms with 2251-3300 sq. ft. of building area.....	400	
For each additional bedroom or each additional 750 square feet of building area or fraction thereof in a dwelling unit, system sizing shall be increased by 60 gallons per dwelling unit.		
(b) Other per occupant.....	50	

**TRAP Meeting - July 15, 2010**

In addition to the lower flow rates for larger homes, the bedroom definition issue will also be heard at the July 15th, 2010 TRAP meeting. Below is the proposed definition the Department will be presenting. (11) Bedroom –Any room which has a recess with a minimum inside depth of 22 inches; has doors on its entrances; has an emergency escape and rescue opening; and can be expected to provide sleeping accommodation.~~a room designed primarily for sleeping or a room which is expected to routinely provide sleeping accommodations for occupants.~~

## ATTACHMENT 5

### ACCESSIBILITY WAIVER SUMMARY

#### WAIVERS FROM ACCESSIBILITY CODE REQUIREMENTS—APRIL 5, 2011

##### 1. Nail Bar, 1486 and 1488 Apalachee Parkway, Tallahassee.

**Issue:** Vertical accessibility between two interior levels of a building.

The applicant requested a waiver from providing vertical accessibility between two levels of a nail salon undergoing an \$8,000 alteration. The original business is located in a single bay of a strip shopping mall and is expanding to include the bay next door, which has a 16 inch difference in floor level. Each bay is 19 feet wide, and it would, therefore, be impossible to construct a ramp with the required 72 inches of end clearance in the available space. Estimates of \$5,000-12,000 were submitted for installation of a lift between the two levels. To expedite receiving a certificate of occupancy, the owner chose to construct a switchback ramp between the two levels of the building. The Council members recommended dismissing the request since no waiver is required as it now complies with the code.

**Action:** Dismissed: no waiver was required as a result of the owner constructing a ramp between the levels.

##### 2. Miami Art Museum, 1075 Biscayne Boulevard, Miami.

**Issue:** Vertical accessibility to all rows of seats in an auditorium/lecture hall.

The applicant requests a waiver from providing vertical accessibility to all rows of seats in a new, 249 seat auditorium which is part of a \$77,170,000 museum complex composed of a four story contemporary art museum, gallery space, education space, administration and parking. The auditorium, as designed, has five accessible seating locations with companion seats located at the front and rear of the facility. According to the applicant, a constructing a series of ramps to make all levels accessible would increase the footprint by fifty percent. The applicant responded to concerns previously raised by the Council as follows: (1) The multipurpose room #201 will be used during normal museum operating hours for lectures, seminars, films and performances. The lower portion of the space will be used for informal gatherings such as visitor orientation for tour groups. (2) There will not be a permanent stage in multipurpose room #201. (3) Wheelchair seating locations labeled "alternate" will only be provided when the seating capacity is will be used for normal functions during operating hours and will be available for after hours events such as corporate benefits. (5) In multipurpose room #201 films will be projected on the wall surface rather than a screen. (6) The floor plans have been revised to increase the seating spaces required by Chapter 11, FBC.

**Action:** Approved: provided 6 seating locations are included, in accordance with Chapter 11, FBC.

##### 3. Pestana Hotel and Resorts, 1817, 1831, 1835, 1837 and 1839 James Avenue, Miami Beach:

**Issue:** Vertical accessibility to all floors of a hotel composed of three separate buildings; removal of a bridge between Buildings 1 and 2.

The applicant requested a waiver from providing vertical accessibility to all levels in three separate buildings being renovated to result in a single hotel project. The Commission previously granted the waiver, provided all required accessible guest rooms are on an accessible level. The applicant further requested that they be allowed to remove an existing bridge between buildings one and two, which provides access to only three guest rooms without accessible features.

**Action:** Approved.

#### **4. Eden Roc Hotel, 4525 Collins Avenue, Miami Beach.**

**Issue:** Vertical accessibility to the spa area of a resort.

The applicant requested a waiver from providing vertical accessibility to the elevated spa plunge pools in an 18,000 square foot space facility undergoing a \$1.5 million alteration. Because of Health Department regulations and the existing structural constraints, the whirlpool must be elevated four feet above the adjacent floor area. The applicant proposes to install a lift to achieve access to the facility. The Council members recommended approving the request, provided the building department submit a statement that it would be technically infeasible to make the whirlpool area accessible.

**Action:** Approved.

#### **5. Stardust, 910 Collins Avenue, Miami Beach.**

**Issue:** Interior dimensions of an existing elevator cab.

The applicant requested a waiver from providing the interior dimensions of an elevator cab in compliance with the code. The project is an existing building that is being converted from apartments to a hotel. The elevator is existing and its hoistway is constrained by structural bearing walls that would make it technically infeasible to enlarge to comply with the current code. A wheelchair user may approach, enter and exit the elevator, but there is insufficient space to turn around once inside. The Council members recommended approving the waiver, provided a statement is received from the local building department affirming that it is technically infeasible to increase the size of the elevator shaft.

**Action:** Approved with Conditions: provided a statement is received from the local building department attesting that it would be technically infeasible to increase the shaft size.



## **6. Caritas Alegre Adult Day Care, 2407 NW 7 Street. Miami.**

**Issue:** Providing an accessible main entrance generally used by the public.

The applicant requested a waiver from providing an accessible main entrance to a facility comprised of four bays totaling 3,820 square feet. One, 1,000 square foot bay is being converted to an adult day care center and the applicant indicates it would cost \$34,762 to install a ramp system to the entrance. The existing sidewalk at the front of the building is not accessible and there is an existing utility pole that would obstruct an accessible route. There is also insufficient room to construct a single run 18 foot ramp. The scope of the alteration is \$11,762 without consideration of the ramp. According to the applicant there are no walk in clients; appointments are scheduled in advance and van service picks up clients and delivers them to the rear of the facility, which has an accessible entrance. The Council members recommended dismissing the application without prejudice since the code allows an alternate entrance in an existing building when it is technically infeasible to modify the main one. They further recommended that signage be installed to direct persons to the location of the accessible entrance.

**Action:** Dismissed without prejudice.

## **7. Florida Atlantic University Athletic Stadium – Seating, Boca Raton:**

**Issue:** Vertical accessibility to all rows of seats.

The applicant requested a waiver from providing vertical accessibility to all rows of seats in a new, \$52,000,000 football stadium with a seating capacity of 28,706. Wheelchair seating has been located at the bottom and middle locations of the stadium as well as the VIP sections and pressbox. The Council members recommended granting the waiver, provided the applicant submits a breakdown indicating the total number of wheelchair seating locations with required companion seats. According to the applicant the number indicated on the application was incorrect, but the required locations are provided in the plans.

**Action:** Approved with Conditions: provided the applicant submits a breakdown of the location and number of wheelchair and companion seating.

## **8. Florida Atlantic University Athletic Stadium – Parking, Boca Raton.**

**Issue:** Providing accessible parking immediately adjacent to a new football stadium.

The applicant requested a waiver from providing all required accessible parking spaces to be on the “closest and safest” route adjacent to the new football stadium. No new parking is being constructed since the university plans to use existing facilities to accommodate heavier traffic and parking needs on game days. 325 accessible parking spaces are dispersed among the various parking lots, 9 of which are in the lot closest to the stadium that also accommodates the team store and ticket booths. Accessible shuttles are planned for the other remote lots as well as a system of valet parking with direct access to the elevators. The Council members recommended dismissing the application since there is no jurisdiction to consider a waiver.

**Action:** Dismissed: Commission has no jurisdiction to waive Federal requirements.

#### **9. Florida Institute of Technology Aquatic Center, Melbourne:**

**Issue:** Vertical accessibility to all rows of bleachers in a swimming facility.

The applicant requested a waiver from providing vertical accessibility to the upper two rows of portable bleachers. The project is a new, \$2,000,000 swimming and diving facility with a recreational pool, locker rooms, toilets, lifeguard office and pool deck. The bleachers are erected when competitive swimming and diving events take place, and according to the applicant, are designed to permit wheelchair users to assimilate into the seating located at the pool deck level. The Council members recommended approving the waiver, provided companion seating must also be incorporated into the overall seating design.

**Action:** Approved with Conditions: applicant to confirm the number and location of wheelchair and companion seats (conforms to requirements).

**ATTACHMENT 6**

**LEGAL REPORT**

**DECLARATORY STATEMENT INTERPRETATIONS**

**SECOND HEARINGS—APRIL 15, 2011**

**SECOND HEARING**

**DCA10-DEC-209 by Michael Murray of StormWatch, Inc.**

*Question #. 1:* Is 1613.1.9 intended to mitigate fatigue failure, “entering the plastic range”, of metal storm shutters and/or metal shutter supporting structures and components By limiting the deflection to 2” based on a length to deflection formula of L/30?

*Answer:* Section 1613.1.9, Item (9), applies to all storm shutters regardless of the products’ materials or physical properties.

*Question #. 2:* Has it been determined that “Fabric Storm Panels” or fabric shutters have a “plastic range” or that they suffer from fatigue failure induced by deflections greater than 2” based on a length to deflection formula of L/30 or any other?

*Answer:* Not possible. Determination of specific product strength and material is subject to testing and evaluation as determined through the product approval process.

*Question #. 3:* 1613.1.9 Specifically and only refers to a minimum separation from the glass. Has it been determined that openings or areas that have no glass are subject to 1613.1.9?

*Answer:* Section 1613.1.9, Item (9), is applicable to an opening regardless of whether it is a glazed opening or not.

*Question #. 4:* The language of 1613.1.9 specifically requires a storm shutter to be installed in such a manner that after maximum permissible deflection the shutter would have a separation from the glass within the precise range of 1-2” from the glass.

**Question:** Will storm shutters be required to be installed to deflect into this narrow range of separation?

*Answer:* Storm shutters must provide a minimum clear separation from the glass a minimum of 1 inch and the deflection limit of the shutter fabric must not exceed 2 inches.

**Question:** Will storm shutters be permitted to be more than 2” from the glass after maximum deflection?

*Answer:* “Yes” as long as the deflection limit of the product does not exceed 2 inches.

*Question #. 5:* The relationship between L/30 and the 2” deflection limit is not directly indicated as a requirement by the language of 1613.1.9, but inferred from the language. Statements have been made in POC meetings that what is in the code is the rule and no interpretation as to intent of the rule can be allowed. Is it not the case that the relationship between the 2” deflection and L/30 is in itself an interpretation to clarify the intent of the rule, and if the rule can be interpreted to clarify

intent to one end, it can be interpreted to clarify the intent to another end, such that 1613.1.9 is only intended to apply to metal shutters preventing excessive deflection which would lead to fatigue failure and being that fabric storm panels and some other shutter types that are designed to bend and do not suffer from deflection induced fatigue failure would not be subject to 1613.1.9 and be exempt from L/30?

*Answer:* See answer to Question #1.

*Question #. 6:* Florida Statute 553.842 provides that manufactures have the option of receiving a state or local approval. If 1613.1.9 is intended to prevent deflection induced fatigue failure of metal components and the code section continues to be applied to products that are not subject to this type of failure how are manufacturers guaranteed a means other than a local approval to demonstrate compliance within the HVHZ?

*Answer:* See answer to Question #1.

#### **DCA10-DEC-216 by Geoff Mcleod of MESA Modular Systems, Inc.**

*Question 1:* “Can the Commission approve our pad according to Mechanical Code Section 304.9 “other approved material?”

*Answer 1:* NO, the term “approved” means “Acceptable to the code official or authority having jurisdiction”; the code official charged with the administration and enforcement of this code is the local building official or his/her authorized representative.

*Question 2:* “Does our anchoring system fall within Rule 9N-3 “State Product Approval System?”

*Answer 2:* NO, the product in question is not part of the building envelope and thus does not fall within the scope of Rule 9N-3.

#### **DCA10-DEC-217 by Dwight Wilkes - Consultant for AAMA**

*Question:* Does the Florida Building Code allow the Manufacturer through engineering practice to submit additional information that will allow the substitution of anchors and installation into different substrates for a product submitted using the Certification Method and using AAMA 506-06.

*Answer:* Yes, Section 1714.5.4.1 of the Florida Building Code, Building, allows substitute anchoring systems for different substrates using rational engineering analysis "accepted engineering practice". As long as the spacing has not been changed or altered from the original test.

#### **DCA10-DEC-219 by David Karins, P.E. of Karins Engineering Group, Inc.**

*Question #. 1:* Does the deflection and L/30 apply to positive pressures only or does L/30 apply to negative pressure as well?

*Answer#. 1:* The deflection and L/30 apply to both positive and negative pressure.

*Question #2:* Does the deflection criteria and L/30 apply to flexible materials such as shutters fabricated from screen materials unlike a rigid material such as plastic or aluminum?

*Answer:* Yes, Section 1613.1.9, Item (9), applies to all storm shutters regardless of the products' materials or physical properties.

*Question #. 3:* How is the L/30 deflection limit applied? Does it apply to overall system or to individual components?

*Answer:* As per Section 1613.1, the L/30 deflection limit applies to both “system” and component.

*Question #4:* Does the L/30 apply to two-way systems or one-way systems?

*Answer:* The L/30 applies to both systems “one-way and two-way systems”.

*Question #5:* If the clear separation of the glass is limited to maximum of 2 inch (negative pressure) and a minimum of 1 inch (positive pressure), does this mean the system can only deflect a maximum of ½ inch in each direction with the system being placed at 1-1/2 inch away from the glass?

*Answer:* No, the clear separation must be a minimum of 1 inch and the deflection limit of the shutter “fabric” must not exceed 2 inches.

**DCA10-DEC-220 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-221 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-222 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-224 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

**DCA10-DEC-225 by John H. Kampmann Jr., PE of MEA Engineers Inc.**

*Question # 1:* Does L/30 apply to fabric shutters? Fabrics do not have a loss of performance with deflections. It is my understanding that L/30 only applies to rigid materials.

*Answer:* Yes, Section 1613.1.9, Item (9), applies to all storm shutters regardless of the products’ materials or physical properties.

*Question # 2:* Under what circumstances would this product be able to get a FL Approval for HVHZ? Would this project be able to get an HVHZ approval for installations that limited its use for NON-GLAZING installations, such as on the exterior of non-glazed lanais, vents, doors - including garage doors, and any other non-glazing installations?

*Answer:* Section 1613.1.9, Item (9), is applicable to an opening regardless of whether it is a glazed opening or not.

*Question # 3:* Would this product be able to be considered as part of a panel wall system, providing impact protection while maintaining a separation between this product and the panel wall system?

*Answer:* Not possible. The question is outside the scope of the product in question.

*Question # 4:* Could this product be considered as a structural component for use in the HVHZ?

*Answer:* Not possible. The question is outside the scope of the product in question.

*Question # 5:* Can this product be installed in the HVHZ and protect glazing as long as the deflection of the fabric exceeds a separation to glazing of 1 inch?

*Answer:* See answer to Question #1.

*Question # 6:* Please clarify the language in 1613.1.9: "...shall provide a minimum clear separation from the glass of 1 inch (25mm) but not to exceed 2 inches (51mm) when the shutter or awning is at its maximum point of permissible deflection..." Specifically, what is the required separation to glass, including any limitations such as maximum deflection. The language in 1613.1.9 says that the

separation to glass must be between 1 and 2 inches when at its maximum permissible deflection. The 2 inches is mentioned relative to clear separation, not relative to deflection as written. Some have said that there is a maximum 2 inch deflection limit, but I have not found that language in the code. If that is an interpretation of 1613.1.9, please explain it, the words do not support that definition to me.

*Answer:* Not possible. No specific question provided.

*Question # 7:* In 1613.1.9, is the maximum deflection  $L/30$ ?

*Answer:* Yes, if the opening is not a glazed opening.

*Question # 8:* Is it also another fixed amount regardless of the span, such as 2 inches? If so, where in the code is this written?

*Answer:* According to 1613.1.9, Maximum deflection is  $L/30$  but not to exceed 2 inches if the opening is a glazed opening.

#### **DCA10-DEC-247 by Timothy Graboski of Tim Graboski Roofing Inc.**

*Question:* For the project in question and in accordance with FBC Section 1504.3 and Section 1504.3.1, is it acceptable to use a “self-adhering” cap sheet that does not have a “Structural Uplift Resistance Rating”?

*Answer:* According to Sections 1507.3.3 and 1507.3.8, the use and the application of the tile systems including the cap sheet shall be in accordance with the tile manufacturer’s installation instruction (i.e. the roof tile manufacturer’s product approval) or recommendations of the FRSA/TRI 07320.

#### **DCA10-DEC-248 by Kraig Marckett of Living Space Sunrooms, LLC**

*Question:* “Does our product fall under the scope of rule 9N-3?”

*Answer:* To the extent that the Petitioner’s pre-engineered system “sunrooms” is constructed specific to plan or design “custom/one of a kind” and designed in accordance with specification standards referenced in the FBC, the system itself falls outside the scope of the state approval established by Rule 9N-3. However, local approval of the Petitioner’s system may be ~~achieved~~ required through building plans review and inspection providing the system be manufactured under quality assurance as specified in the Code.

## FIRST HEARINGS—APRIL 5, 2011

### DCA10-DEC-285 by Larry Schneider, AIA

*Question:* Is the use of the 2010 federal Standards for Accessible Design acceptable as equivalent to Chapter 11, *Florida Building Code, Building*?

~~*Answer:* Acceptable means, “Acceptable to the code official or authority having jurisdiction. The code official charged with the administration and enforcement of this code is the local building official or his/her authorized representative.”~~

*Action:* The Commission voted unanimously to **defer** action on the petition.

### DCA10-DEC-286 by Larry Schneider, AIA

*Question:* Is the use of the 2010 federal Standards for Accessible Design acceptable as equivalent to Chapter 11, *Florida Building Code, Building*?

~~*Answer:* Acceptable means, “Acceptable to the code official or authority having jurisdiction. The code official charged with the administration and enforcement of this code is the local building official or his/her authorized representative.”~~

*Action:* The Commission voted unanimously to **defer** action on the petition.

### DCA11-DEC-030 by Michael Goolsby of Miami-Dade County Building and Neighborhood Compliance Department

*Action:* The Commission voted unanimously to **dismiss** the petition as outside of the scope of the Commission’s declaratory statement process.

**ATTACHMENT 7**

**PRODUCT AND ENTITY APPROVAL REPORT**

<b>ID</b>	<b>Manufacturer</b>	<b>Category</b>	<b>Subcategory</b>	<b>TBA</b>	<b>POC</b>	<b>FBC</b>	<b>Comments</b>	<b>Stat.</b>
<b>Evaluation by Engineer/ Architect Method - FBC Voted Approval</b>								
490-R3	CertainTeed Corporation- Roofing	Roofing	Cements- Adhesives- Coatings	a	a	a	Recommend Approval	Revision
984-R5	Firestone Building Products Company, LLC.	Roofing	Modified Bitumen Roof System	a	a	a	Recommend Approval	Revision
1654-R9	POLYGLASS USA	Roofing	Modified Bitumen Roof System	a	a	a	Recommend Approval	Revision
5436-R3	Besam AES	Exterior Doors	Automatic Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
5675-R6	Clopay Building Products Company	Exterior Doors	Sectional Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
8363-R2	Armor Screen Corp.	Shutters	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	Revision
8637-R3	StormWatch	Shutters	Products Introduced as a Result of	a	a	a	Recommend Approval	Revision



			New Technology					
9517-R4	DaVinci Roofscapes, LLC	Roofing	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	Revision
9834-R7	Alside Window Company	Windows	Fixed	a	a	a	Recommend Approval	Revision
9886-R7	Gentek Building Products	Windows	Fixed	a	a	a	Recommend Approval	Revision
9890-R7	Revere Building Products	Windows	Fixed	a	a	a	Recommend Approval	Revision
9909-R7	Associated Materials Inc.	Windows	Fixed	a	a	a	Recommend Approval	Revision
10264-R5	Firestone Building Products Company, LLC.	Roofing	Single Ply Roof Systems	a	a	a	Recommend Approval	Revision
10490-R1	South Florida Metal Supply, Inc.	Roofing	Metal Roofing	a	a	a	Recommend Approval	Revision
11305-R2	Overhead Door Corporation	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
12068-R1	Silverline Building Products Corp.	Windows	Single Hung	a	a	a	Recommend Approval	Revision
12108-R1	Plastpro Inc. / Nanya Plastics Corp.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
12830-R1	Tapco, Inc	Shutters	Storm Panels	a	a	a	Recommend Approval	Revision
12979-R1	Windoor Incorporated	Exterior Doors	Sliding Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
13065-R2	Plastpro Inc. / Nanya Plastics Corp.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
13067-R1	MGM Industries	Windows	Fixed	a	a	a	Recommend Approval	Revision

13582-R1	Solar Innovations, Inc.	Panel Walls	Curtain Walls	a	a	a	Recommend Approval	Editorial Change
13624-R2	CAL-ROYAL PRODUCTS INC.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Editorial Change
13749-R1	ProVia Door, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
13762	NFP National Fenestration Product, Inc.	Windows	Horizontal Slider	a	a	a	Recommend Approval	New
13839-R1	Plastpro Inc. / Nanya Plastics Corp.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
13922-R1	CAL-ROYAL PRODUCTS INC.	Exterior Doors	Exterior Door Components	a	a	a	Recommend Approval	Editorial Change
13940	Nana Wall Systems, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
13958-R1	Complex Industries	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	Revision
13985	Gramatica SIPS International, nc	Panel Walls	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	New
14212-R1	Ply Gem Windows	Windows	Fixed	a	a	a	Recommend Approval	Revision
14234-R1	ODL/Western Reflections	Exterior Doors	Exterior Door Components	a	a	a	Recommend Approval	Revision
14312	Plastpro Inc. / Nanya Plastics Corp.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14317	MonierLifetile	Roofing	Underlayments	a	a	a	Recommend Approval	New

14326	Andersen Corporation	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14346	Englert Inc.	Roofing	Metal Roofing	a	a	a	Recommend Approval	New
14349	Barrette Outdoor Living	Panel Walls	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	New
14360	Barrette Outdoor Living	Roofing	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	New
14361	Barrette Outdoor Living	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14363	Hope's Windows, Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14367	Loewen Windows	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14369	Loewen Windows	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14372	API (American Products Inc.)	Panel Walls	Curtain Walls	a	a	a	Recommend Approval	New
14375	Building Performance America's USA, Inc.	Panel Walls	Soffits	a	a	a	Recommend Approval	New
14376	Owens Corning	Panel Walls	Siding	a	a	a	Recommend Approval	New
14380	MGM Industries	Windows	Horizontal Slider	a	a	a	Recommend Approval	New
14381	SR Products	Roofing	Cements-	a	a	a	Recommend Approval	New

			Adhesives-Coatings					
14391	TEPCO Contract Glazing, Inc	Windows	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	New
14396	Clopay Building Products Company	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	New
14394	Novik, Inc.	Roofing	Products Introduced as a Result of New Technology	a	a	a	Recommend Approval	New
14398	Metal Sales Manufacturing Corporation	Roofing	Metal Roofing	a	a	a	Recommend Approval	New
14399	Solar Innovations, Inc.	Panel Walls	Curtain Walls	a	a	a	Recommend Approval	New
14405	U.S. Ply, Inc.	Roofing	Modified Bitumen Roof System	a	a	a	Recommend Approval	New
14409	Windoor Incorporated	Windows	Single Hung	a	a	a	Recommend Approval	New
14410	OLDCASTLE BUILDING ENVELOPE	Panel Walls	Storefronts	a	a	a	Recommend Approval	New
14411	Crawford Tracey Corporation	Panel Walls	Curtain Walls	a	a	a	Recommend Approval	New
14412	General Aluminum Company	Windows	Single Hung	a	a	a	Recommend Approval	New
14414	Arch Windows, LLC dba AWP	Windows	Single Hung	a	a	a	Recommend Approval	New
14421	C.K. Screens, Inc.	Shutters	Storm Panels	a	a	a	Recommend Approval	New

14422	VEKA Inc.	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14425	Janus International Corporation	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	New
14426	SR Products	Roofing	Built up Roofing	a	a	a	Recommend Approval	New
14428	Novik, Inc.	Panel Walls	Siding	a	a	a	Recommend Approval	New
14432	ASTA DOOR CORPORATION	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	New
14434	Ply Gem Windows	Windows	Fixed	a	a	a	Recommend Approval	New
14438	Alutech United, Inc.	Shutters	Roll-up	a	a	a	Recommend Approval	New
14440	ODL/Western Reflections	Exterior Doors	Exterior Door Components	a	a	a	Recommend Approval	New
14443	Rolling Door Industries, LLC	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	New
14444	Rolling Door Industries, LLC	Exterior Doors	Roll-Up Exterior Door Assemblies	a	a	a	Recommend Approval	New
14446	Pioneer Industries	Exterior Doors	Swinging Exterior Door Assemblies	a	a	a	Recommend Approval	New
14451	Eastern Metal Supply	Shutters	Colonial	a	a	a	Recommend Approval	New
14452	Eastern Metal Supply	Shutters	Bahama	a	a	a	Recommend Approval	New
<b>Evaluation by Test Report - FBC Voted Approval</b>								

14449	G.A.P. Roofing	Roofing	Underlayments	a	a	a	Recommend Approval	New
<b>Evaluation by Evaluation Entity - FBC Voted Approval</b>								
6236-R2	PHIL-INSUL CORP - INTEGRASPEC	Structural Components	Insulation Form Systems	a	a	a	Recommend Approval	Revision
<b>Entities - FBC Voted Approval</b>								
CER1592	Miami-Dade BCCO - CER	Product Certification Agency		a	a	a	Recommend Approval	Revision
CER3718	CSA International	Product Certification Agency		a	a	a	Recommend Approval	Revision
CER6750	Architectural Testing, Inc.	Product Certification Agency		a	a	a	Recommend Approval	Revision
TST1558	Architectural Testing, Inc.	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST1667	PSI/Pittsburgh Testing Laboratory	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST1795	Architectural Testing, Inc. - Minnesota	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST2561	Southwest Research Institute-Fire Technology	Product Testing Laboratory		a	a	a	Recommend Approval	Revision

	Department							
TST2609	Architectural Testing, Inc. - California	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST3892	Hurricane Test Laboratory, LLC - Georgia	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST4120	Architectural Testing, Inc. - Wisconsin	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST4281	Construction Research Laboratory	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST4311	Architectural Testing, Inc. - Florida	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST7110	Architectural Testing, Inc. - Springdale, PA	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST8139	Structural Building Components Research Institute	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST8697	Architectural Testing, Inc. - Massachusetts	Product Testing Laboratory		a	a	a	Recommend Approval	Revision
TST9199	Madinah Code & Testing Consultants	Product Testing Laboratory		a	a	a	Recommend Approval	NEW
QUA1591	Miami-Dade BCCO - QUA	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA1844	Architectural Testing, Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA2563	Southwest	Product		a	a	a	Recommend Approval	Revision

	Research Institute - Department of Fire Technology	Quality Assurance						
QUA6252	Progressive Engineering Inc.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA7628	Quality Auditing-Institute Ltd.	Product Quality Assurance		a	a	a	Recommend Approval	Revision
QUA9110	PRI Construction Materials Techonologies, LLC	Product Quality Assurance		a	a	a	Recommend Approval	NEW
VAL1501	Miami-Dade BCCO - VAL	Product Validation Entity		a	a	a	Recommend Approval	Revision
VAL1616	Intertek - ETL/Warnock Hersey	Product Validation Entity		a	a	a	Recommend Approval	Revision
VAL1665	PSI/Pittsburgh Testing Laboratory	Product Validation Entity		a	a	a	Recommend Approval	Revision
VAL3133	FM Approvals - Testing Lab	Product Validation Entity		a	a	a	Recommend Approval	Revision
VAL4121	PFS Corporation	Product Validation Entity		a	a	a	Recommend Approval	Revision
<b>Entities - FBC Voted Denial</b>								
CER9016	Quality Control Consultants, LLC	Product Certification Agency		y	y	y	<u>Recommend Denial. No accreditation for Certification Agency. Partial credit issued for user error.</u>	NEW
VAL9017	Quality Control	Product		y	y	y	<u>Recommend Denial. No</u>	NEW



	Consultants, LLC	Validation Entity					<u>accreditation for Certification Agency, therefore cannot be Validation Entity. Partial credit issued for user error.</u>	
<b>Discussion Items</b>								
8218-R2	Hurricane Armor, LLC	Shutters	Products Introduced as a Result of New Technology				Application does not provide for a glazig clearance and therefore glazing is not protected. Although the product is indicated as non-porous, ASTM E1996 requires protection of glazing within Wind Zone 4 and essential facilities.	Revision
8218-R2	Public Comment by Sharon Durand						They were suspended and then dropped from our program. We should not be listed on the application.	
8218-R2	Recommendation by Administrator				c	c	<u>Recommend Conditional Approval with conditions of: Provide proof of ongoing QA audits. Revise application to indicate on limits of use "Not to be used within Wind Zone 4 or essential facilities".</u>	
<b>Public Comments</b>								
<b>Evaluation by Engineer/ Architect Method - TBA Reviewers Recommend Approval</b>								

13884-R1	Ingersoll-Rand	Exterior Doors	Swinging Exterior Door Assemblies	a	-	-	<del>Recommend Approval</del>	Revision
13884-R1	Public Comment by Jaime Gascon						Four (4) anchors per jamb were used in testing, yet three (3) per jamb are shown on drawings. See test report p.3. Anchor spacing tested cannot be exceeded; Ref. Section 5.1 of TAS201, TAS202, and TAS203. Add missing anchors or indicate not for use in HVHZ.	
13884-R1	Response by Roger Vitt						We have reviewed our documents and agree with the discrepancy. We will change the drawings and Anchor Calculations to reflect the use of 4 Anchors per jamb as required.	
13884-R1	Recommendation by Administrator			c	c	c	<u>Recommend Conditional Approval with condition of: Revise Installation Instructions and anchor calculations to reflect 4 anchors per jamb.</u>	
14243	Vitro America, LLC	Panel Walls	Storefronts	a	-	-	<del>Recommend Approval</del>	New
14243	Public Comment by Jaime Gascon						Exterior glazing gasket (part #1) on sheet 20 of 20 is not included in the gasket certification per ASTM C864 as required in FBC 2411.3.4.	
14243	Commentary and Recommendation by Administrator			d		d	There was no response by applicant. <u>Recommend Deferral with condition of: Provide certification of exterior glazing gasket (part # 1) in accordance with requirements in Sect.</u>	

							<u>2411.3.4.</u>	
14285	Andersen Corporation	Exterior Doors	Swinging Exterior Door Assemblies	a	-	-	<del>Recommend Approval</del>	New
14285	Public Comment by Jaime Gascon						Fiberglass parts used as structural elements require proof of compliance with FBC 2612. Else, indicate not for use in the HVHZ.	
14285	Response by Hermes F Norero						Fiberglass components for these products are the same as used in the products listed in Miami Dade's website under NOAs: 08-0610.05 and 07-0307.06. If additional information is required we can provide verifiable evidence for the testing to comply with FBC 2612.	
14285	Commentary and Recommendation by Administrator			c	c	c	The NOAs referenced by responder do not show any fiberglass components. <u>Recommend Conditional Approval with condition of: Provide compliance in accordance with Sect 2612 of fiberglass structural elements.</u>	
14320	Andersen Corporation	Exterior Doors	Swinging Exterior Door Assemblies	a	-	-	<del>Recommend Approval</del>	New
14320	Public Comment by Jaime Gascon						Fiberglass parts used as structural elements require proof of compliance with FBC 2612. Else, indicate not for use in the	

							HVHZ.	
14320	Response by Hermes F Norero						Fiberglass components for these products are the same as used in the products listed in Miami Dade's website under NOAs: 08-0610.05 and 07-0307.06. If additional information is required we can provide verifiable evidence for the testing to comply with FBC 2612.	
14320	Commentary and Recommendation by Administrator			c	c	c	The NOAs referenced by responder do not show any fiberglass components. <u>Recommend Conditional Approval with condition of: Provide compliance in accordance with Sect 2612 of fiberglass structural elements.</u>	
14370	Loewen Windows	Windows	Fixed	a	a	a	<u>Recommend Approval</u>	New
14370	Public Comment by Jaime Gascon						Insulated glass detail on sheet 7 of 7 cannot have an annealed exterior lite per FBC 2411.4.3, regardless of the height above grade, since the product being approved is a door transom window.	
14370	Response by Warren Schaefer						Please look closer at 2411.4.3. Look at item 2 in that section. This applies to glass below the top of the door. The point of safety glazing at doors is to protect from someone walking into the glass and sustaining injury. You cannot walk into a transom.	

14370	Response by Jaime Gascon						Since there is no provision for the doors to be equipped with closers, the potential for the doors to slam uncontrolled causing the transom lite to shatter does exist. Transom elites are adjacent to doors, and that is why the comment was made. Realizing that the transom is detailed for attaching into punched openings only and not mulled to a door's header, the noted code provision would deem the application compliant.	
14439	Building Performance America's USA, Inc.	Structural Components	Wood Connectors	a	a	a	<u>Recommend Approval</u>	New
14439	Public Comment by Randy Shackelford						1. General. If this product is considered a wood connector, it should follow all the requirements for determining the allowable load of a wood connector. Per Section 1715.1.2, this will include testing with a factor of safety of 3, testing and recording 1/8" deflection, and calculating the capacity of the fasteners. In this case, for the wood application, it was tested with a factor of safety only with no calculations, and for the masonry/concrete applications it was calculated only without testing. 2. Masonry/Concrete	

						<p>Application. Since no testing was performed, approved application should be limited to wood only. If calculations for masonry/concrete are to be accepted, then I have the following comments:</p> <p>a. Anchor used (1/4" Hilti Kwik-Con II) is not an approved anchor so manufacturer's values can not be used without testing verification</p> <p>b. 1.33 load duration factor was used in the load calculations. This is not permitted by the FBC for a masonry or concrete connection.</p> <p>c. If calculated values are to be accepted, they should use approved values, such as those contained in Miami-Dade County NOA # 07-0924.03. In that NOA, the allowable shear capacity of the anchor is 367 lbs in concrete and 314 lbs. in concrete block. Allowable load will have to be reduced for masonry because it is impossible to install more than 3 anchors in the strap and maintain the 3" edge distance.</p>	
14439	Public Comment by Randy Shackelford (Cont.)					<p>3. Wood Truss Connection. The connection to the truss should be calculated in accordance with the NDS. In accordance with Table 11K and footnote 3, the allowable load of</p>	

							the 3/8" lag screw is 120 pounds. In addition, the NDS needs to be added to the list of standards on the application. If bearing of the hook on the top of the truss is included in the connection calculation, triangle bearing theory should be used. The length of lag screw required needs to be increased. According to Section 11.1.3 of the NDS, the minimum penetration of a lag screw is 4 times the Diameter, NOT including the tapered tip. So the lag screw must be long enough so that the length, subtracting the length of the tip and the thickness of the BPA Claw and BPA Strap, is at least 1.5".	
14439	Response by John McCall						See file 110328 response FL14439.pdf	
<b>Evaluation by Test Report - TBA Reviewers Recommend Approval</b>								
14417	Wasco Products, Inc.	Sky Lights	Skylight	a	-	-	<del>Recommend Approval</del>	
14417	Public Comment by Jaime Gascon						Product 14417.6 does not qualify for a design pressure of	

							60 psf as indicated on the BCIS' limits of use. See scope of test report and results of TAS203 testing.	
14417	Public Comment by Roger LeBrun						<p>I noticed on the subject application that at least one of the products covered contains more than one panel of glazing (14417.12). The test report indicates they used AAMA/WDMA/CSA 101/1.S.2/A440-05 for the pass/fail criteria for this product. Please note that only unit skylights with a single panel of glazing is covered by that standard, and any reference to its criteria in test reports is inappropriate for multi-panel skylights. In the standard, the Scope, Clause 1.1 contains the following language:</p> <p>"Fenestration products not intended to be tested to this Standard/Specification include</p> <ul style="list-style-type: none"> <li>(a) interior windows and doors;</li> <li>(b) vehicular-access doors (garage doors) (see ANSI/DASMA 105, ANSI/DASMA 108, ANSI/DASMA 109, ANSI/DASMA 115, or other applicable DASMA Specifications);</li> <li>(c) sloped glazing (other than unit skylights or roof windows) (see AAMA TIR A7);</li> </ul>	



							And the definition of Unit Skylight in that standard: "Unit skylight — a complete factory assembled glass- or plastic-glazed fenestration unit consisting of not more than one panel of glass or plastic installed in a sloped or horizontal orientation in an out-of-reach application, which allows for natural daylighting. Unit skylights are either fixed (non-operable) or venting (operating)."	
14417	Public Comment by Roger LeBrun 2						In addition to our earlier comment on this application, we also noticed there was no mention that any of the glass was evaluated per ASTM E1300 on this application. It was our understanding that this was still a requirement for exterior products glazed with glass.  Also, for 14417.6, the design pressure on the product Summary is not consistent with that of the test report FL14417_R0_TR_ATI48653.04-122-18.	
14417	Response by Luis Lomas						Mr. Berman, in reference to the comment about the design pressure for 14417.6 we would like to ask for a conditional approval in order to indicate the correct design pressure. In	

							reference to the comments for 14417.12 regarding the glass, once that an IGU is assembled into the unit it is considered a one panel glass. Also, these products were verified with ASTM E1300 requirements, however there is no requirement to indicate this in the application. If necessary a note could be added to the application body to indicate this compliance.	
14417	Recommendation by Administrator			c	c	c	<u>Recommend Conditional Approval with condition of: Revise Design Pressure on 14417.6 to agree with tested values.</u>	