**61G20-2.003** **Local Amendments to the Florida Building Code.**

(1) through (3) No change.

(4) Form XXXXXX, effective August XX, 2021, is adopted for use by persons seeking a nonbinding advisory opinion about whether a local government regulation, law, ordinance, policy, amendment, or land use of zoning provision constitutes a technical amendment to the Florida Building Code, pursuant to section 553.73(4)(l), F.S.. The form is available on the internet at https://floridabuilding.org/.

(5) ~~(4)~~ When triennially updating the Florida Building Code, the Commission shall review each locally adopted technical amendment and determine whether the amendment meets the criteria listed in section 553.73(9)(a), F.S. ~~subsection 61G20-2.002(1), F.A.C.~~ For purposes of such determination, each amendment shall be referred to the applicable Technical Advisory Committee for review and recommendation to the full Commission. If the Commission determines that the amendment meets the criteria, the Commission may adopt the amendment into the Florida Building Code following the procedures established in subsections 61G20-2.002(3)-(8), F.A.C. If the Commission determines that the amendment does not meet the criteria, the Commission shall rescind the amendment. Rescissions shall be in writing with written findings and shall be transmitted to the local government within 30 days of the conclusion of the meeting at which the Commission’s decision is voted upon.

*Rulemaking Authority 553.73(4), (5) FS. Law Implemented 553.73(4), (5) FS. History–New 11-20-01, Formerly 9B-3.051, 9N-2.003. Amended .*

**Nonbinding Advisory Opinion Petition Submittal and Review Process**

**Step 1: Petition Download:** The Petition for Nonbinding Advisory Opinion is available for download from the following link: XXXXXX

**Step 2: Petition Submittal to the Florida Building Commission**: Petitioner shall complete the petition and shall serve the petition on the local government’s general counsel or administrator by certified mail, return receipt requested. Additionally, the petitioner shall send a copy of the petition to the Commission by mail or email:

(Mailing Address)

Mo Madani
Office of Codes and Standards
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-
(850) 487-1824

(Email Address)
mo.madani@myfloridalicense.com

**Step 3: Local Government Response:** The local government shall respond to the petitioner by certified mail, return receipt requested, and send a copy of its response to the Commission within **14 days** after receipt of the petition, including Saturdays, Sundays, and legal holidays.

**Step 4: Publishing the Petition**: Upon receipt of the completed petition, the Commission shall publish the petition, including any response submitted by the local government, on the Building Code Information System.

**Step 5: Public Comment**: The Commission will accept public comments on the petition via email. Comments shall be emailed to Mo.Madani@myfloridalicense.com.

**Step 6: Posting Public Comment on the Building Code Information System**: Commission staff will post the public comments on the Building Code Information System for review by the public.

**Step 7: Petition Review by the Appropriate Technical Advisory Committee (TAC):** A TAC meeting will be held to review and discuss the petition, the local government’s response, and any public comments. The TAC will provide a recommendation to the Commission regarding the petition.

**Step 8: Nonbinding Advisory Opinion:** The Commission shall issue a nonbinding advisory opinion stating whether the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision is a technical amendment to the Florida Building Code within 30 days after the filing of the petition with the Commission, including Saturdays, Sundays, and legal holidays.

**Step 9: Publishing the Nonbinding Advisory Opinion:** The Commission shall publish its nonbinding advisory opinion on the Building Code Information System and in the Florida Administrative Register.

***Note:*** *The Commission’s advisory opinion is nonbinding and is not a declaratory statement under s. 120.565, Florida Statutes.*

**State of Florida**

**Department of Business and Professional Regulation**

**Florida Building Commission**

**Petition for Nonbinding Advisory Opinion (553.73(4)(l), Florida Statutes)**

If you have any questions or need assistance in completing this petition, please contact the Office of Codes and Standards at **850.487.1824**.

**Section I** – **Petitioner’s Contact Information**

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| **CONTACT INFORMATION** |
|  |
| FULL LEGAL NAME  |
| Last Name First Middle Title Suffix |
| MAILING ADDRESS |
| Street Address or P.O. Box |
|  |
| City | State | Zip Code (+4 optional) |
| County ( | Country |
| CONTACT INFORMATION |
| Primary Phone Number | Primary E-Mail Address |

**Section II-Petitioner’s Representative’s Contact Information (If any)**

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| **CONTACT INFORMATION** |
|  |
| FULL LEGAL NAME  |
| Last Name First Middle Title Suffix |
| MAILING ADDRESS |
| Street Address or P.O. Box |
|  |
| City | State | Zip Code (+4 optional) |
| County (if Florida address) | Country |
| CONTACT INFORMATION |
| Primary Phone Number | Primary E-Mail Address |

**Section III** – **Local Government Information**

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| **NAME OF LOCAL GOVERNMENT** |
|  |
| CONTACT INFORMATION FOR LOCAL GOVERNMENT’S GENERAL COUNSEL OR ADMINISTRATOR |
| Last Name First Middle Title Suffix |
|  |
| MAILING ADDRESS |
| Street Address or P.O. Box |
|  |
| City | State | Zip Code (+4 optional) |
| County (if Florida address) | Country |
| CONTACT INFORMATION |
| Primary Phone Number | Primary E-Mail Address |

**Section IV** – **Explanation of how the Petitioner’s substantial interests are being affected by the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision (attach additional sheets if needed).**

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| **EXPLANATION** |
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**Section V** – **Explanation of why the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision is a technical amendment to the Florida Building Code and which provisions of the Florida Building Code, if any, are being amended by the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision (attach additional sheets if needed).**

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| **EXPLANATION** |
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**Section VI** – **Local Government’s Response (attach additional sheets if needed).**

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| **RESPONSE** |
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Florida Building Code Errata Timeline

1. The Commission authorizes the public to submit errata to the Florida Building Code, 7th Edition (2020), from July 1, 2021 through July 14, 2021.
2. TAC meetings will occur, at the end of July or beginning of August, to review and make recommendations on the proposed errata.
3. The Commission will meet on August 10, 2021, and will consider the proposed errata.
4. During the August 10, 2021, Commission meeting, the Commission will authorize rulemaking to incorporate any approved errata into the Florida Building Code, 7th Edition (2020).
5. The rulemaking process will hopefully be completed by November 2021. The approved errata will become effective and be published once the rulemaking process is complete.

**61G20-1.001 Florida Building Code Adopted.**

(1) The Florida Building Code, 7th Edition (2020), as updated by the Florida Building Commission on August 10, 2021 ~~June 2, 2020~~, and incorporated herein by reference is hereby adopted as the building code for the State of Florida.

(2) No change.

*Rulemaking Authority 553.73(1), (7) FS. Law Implemented 399.031, 553.37(1), 553.72, 553.73 FS., Sections 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida, Sections 10, 11, 14, 17, 19, 23, 24, 25, 26, 32, 33, 34, 35, 36, 37, 39, Chapter 2016-129, Laws of Florida, Chapter 2016-211, Laws of Florida, Chapter XXXXX, Laws of Florida. History–New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06, 5-21-07, 10-1-08, 2-17-09, 10-1-09, Formerly 9B-3.047, Amended 11-10-11, Formerly 9N-1.001, Amended 4-25-13, 6-30-15, 12-21-16, 12-31-17, 12-31-20, .*