

# Florida Building Commission

OCTOBER 12, 2021

CONFERENCE CALL/WEBINAR

Tallahassee Florida

## LEGAL REPORT

### STRUCTURAL TECHNICAL ADVISORY COMMITTEE CONCURRENT WITH THE ROOFING TECHNICAL ADVISORY COMMITTEE

DS 2021-039 by David Ross of Tierra, Inc.

**TAC ACTION:**

**Question 1:** Does the entire roof at the subject residence need to "[to be] replaced to conform to the requirements of this code" even if it has been permitted after October 1, 2005 and subsequently approved (language from 2020 Edition of the FBC)?

**Answer:** The answer to the Petitioner's question is yes. As per section 706.1.1 of the 7<sup>th</sup> Edition (2020) Florida Building Code, Existing Building, the entire roof in question is required to be replaced to conform with the requirements of the 7<sup>th</sup> Edition (2020) Florida Building Code, Existing Building. As per section 101.1 Title of the 7<sup>th</sup> Edition (2020) Florida Building Code, Existing Building, "this code" means the current active version of the Code (i.e. the 7<sup>th</sup> Edition (2020) Florida Building Code, Existing Building).

**Question 2:** Can the roof at the subject residence that has been permitted after October 1, 2005 and subsequently approved and conforms to the requirements of this code be repaired even if more than 25 percent of the roof was damaged?

**Answer:** The answer to the Petitioner's question is no. As per section 706.1.1 of the 7<sup>th</sup> Edition (2020) Florida Building Code, Existing Building and since more than 25 percent of the roof in question was damaged, the entire roof for the project in question must be replaced.

### FIRE TECHNICAL ADVISORY COMMITTEE

DS 2021-041 by Brian Ray of OFK Ocala LLC.

**TAC ACTION:**

**Question 1:** Would the project in question be eligible for design and construction according to the 2020 Florida Building Code Residential?

**Answer:** The answer to the Petitioner's question is yes. As per section R101.2 Scope and the definition of the term "Townhouse" of Chapter 2 Definition of the 7<sup>th</sup> Edition (2020) Florida Building Code, Residential, the project in question falls within the scope of the 7<sup>th</sup> Edition (2020) Florida Building, Residential.

**Question 2:** For the project in question does the 2020 Florida Building Code, Residential require fire sprinklers for townhouse dwellings?

**Answer:** The answer to the Petitioner’s question is no. As per section R313 Automatic Fire Sprinkler Systems of the 7<sup>th</sup> Edition (2020) Florida Building Code, Residential, which marked “Reserved”, fire sprinklers are not required for the project in question.

**Question 3:** Is section 903.2.11.3 or section 903.2.11.3.1 of the 2020 Florida Building Code, Building applicable to the project in question?

**Answer:** The answer to the Petitioner’s question is no. As per section 102.1 Scope (Exception 1) of the 7<sup>th</sup> Edition (2020) Florida Building Code, Building, compliance with the 7<sup>th</sup> Edition (2020) Florida Building Code, Residential is a standalone compliance option to that of the 7<sup>th</sup> Edition (2020) Florida Building Code, Building, therefore, sections 903.2.11.3 and 903.2.11.3.1 of the 7<sup>th</sup> Edition (2020) Florida Building Code, Building do not apply to the project in question.

**DS 2021-044 by Roslyn Chancey.**

***TAC ACTION:***

Denied. The Commission has no jurisdiction to interpret a local ordinance, and it addresses past conduct.

**PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE**

**DS 2021-049 by Ned Lawrence of Intex Millwork Solutions.**

**Question:** Petitioner respectfully seeks clarification whether railing systems fall under the scope of the FBC product approval program.

**Answer:** As per the definition of “structural component” (see Rule 61G20-3.002) and Rule 61G20-3.001, the products in question fall outside the scope of the state product approval program. However, these products must meet the requirements of the Florida Building Code and are subject to approval by the local authority having jurisdiction.

**STRUCTURAL TECHNICAL ADVISORY COMMITTEE CONCURRENT WITH THE SPECIAL OCCUPANCY TECHNICAL ADVISORY COMMITTEE**

**DS 2021-050 by Thomas Smith of Classic Florida Dream Homes, LLC.**

**Question:** Per the 2020 Florida Building Code, does section 107.6.1 Building Permits issued on the basis of an affidavit apply to Private Providers per F.S. 553.791?

**Answer:** The answer to the Petitioner’s question is no. Section 107.6.1 Building permits issued on the basis of an affidavit of the 7<sup>th</sup> Edition (2020) Florida Building Code, Building is

limited in scope to affidavits issued as per sections 105.14 and 107.6 of the 7<sup>th</sup> Edition (2020) Florida Building Code, Building and therefore, section 107.6.1 does not apply to services performed by private providers as authorized by section 553.791, Florida Statutes.