Proposed code language for consistency with SB 804

**SB 804 – Section 6/553.80 FS**

Section 6. Subsection (9) is added to section 553.80, Florida Statutes, to read:

 553.80 Enforcement.—

 (9) A single-family or two-family dwelling that is converted into a certified recovery residence, as defined in s. 397.311, or a recovery residence, as defined in s. 397.311, that

 has a charter from an entity recognized or sanctioned by Congress does not have a change of occupancy as defined in the Florida Building Code solely due to such conversion.

**Proposed code changes to the 7th Edition (2020) Florida Building Code – Existing Building**

**CHAPTER 5 PRESCRIPTIVE COMPLIANCE METHOD**

SECTION 506 CHANGE OF OCCUPANCY

Revise Section 506.1 Conformance to read as follows:

No change shall be made in the use or occupancy of any building unless such building is made to comply with the requirements of the *Florida Building Code, Building* for the use or occupancy. Changes in use or occupancy in a building or portion thereof shall be such that the

existing building is no less complying with the provisions of this code than the existing building or structure was prior to the change. Subject to the approval of the building official, the use or occupancy of *existing buildings* shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

**Exceptions:**

1. The building need not be made to comply with the seismic requirements for a new structure unless required by Section 506.4.
2. A single-family or two-family dwelling that is converted into a certified recovery residence, as defined in s. 397.311, Florida Statutes or a recovery residence, as defined in s. 397.311, Florida Statutes that has a charter from an entity recognized or sanctioned by Congress does not have a change of occupancy as defined in this Code solely due to such conversion.

**CHAPTER 10 CHANGE OF OCCUPANCY**

SECTION 1001 GENERAL

Revise Section 1001.2.2 Change of occupancy classification or group to read as follows:

Where the occupancy classification of a building changes, the provisions of Sections 1002 through 1012 shall apply. This includes a *change of occupancy* classification and a change to another group within an occupancy classification.

**Exception:**

A single-family or two-family dwelling that is converted into a certified recovery residence, as defined in s. 397.311, Florida Statutes or a recovery residence, as defined in s. 397.311, Florida Statutes that has a charter from an entity recognized or sanctioned by Congress does not have a change of occupancy as defined in this Code solely due to such conversion.

**Fire TAC Recommendation: AS**

**Commission Action: AS**