

TAC 2021 MODEL CODE UPDATES REVIEW PROCESS
TAC MEETINGS
2023 CODE UPDATE PROCESS—8TH EDITION (2023) FLORIDA BUILDING CODE
(ADOPTED UNANIMOUSLY JUNE 8, 2021)

2021 MODEL CODE UPDATES REVIEW AND CONSIDERATION PROCESS

Facilitator will serve as moderator and assist with the Commission’s adopted process and groundrules.

SECTION I. GENERAL PROVISIONS

- One person speaks at a time.
- Limit your comment and be concise.
- Public comments will be limited to a maximum of three-minutes (3) per person. However, a TAC member may request clarification of public comments through the TAC chair or Facilitator.
- Do not read lengthy prepared statements. Summarize, and if you have a lengthy prepared statement submit the complete text of your comment in writing for the record.
- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- Facilitator in consultation with the TAC chair may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all viewpoints to ensure all perspectives are considered, and not repeats of the same views.

SECTION 2. PUBLIC COMMENT PROCESS

- Facilitator will introduce 2021 model code updates by FBC Code Chapter and Section in turn and by TAC.
- The public will be invited to speak on any of the model code updates as introduced by the Facilitator with a 3-minute time limit. The commenter should address why they think the TAC should or should not recommend including the update into the 8th Edition (2023) FBC.
- If there is public comment on a model code update: proponents in favor of including the model code update into the 8th Edition (2023) FBC will speak first.
- Opponents of including the model code update into the 8th Edition (2023) FBC will follow proponents.
- Proponents/opponents will be allowed one (1) collective maximum of two-minute counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points. It will be up the proponents and the opponents to select one individual to make the counterpoint for their respective perspectives.

- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the TAC with a sense of stakeholder preferences.

SECTION 3. STAFF AND TAC MEMBER PREPARATIONS PRIOR TO TAC MEETINGS

Commission staff shall review the model codes and identify any provisions which overlap with the provisions of the Florida Building Code, correlate directly with the provisions of the Florida Building Code, provide for energy efficiency standards that meet or exceed the national energy standards mandated by Title III of the Energy Conservation and Protection Act, or are necessary to maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, or the United States Department of Housing and Urban Development. In addition, the Residential Construction Cost Impact Workgroup’s analysis will be provided to the TAC prior to their consideration of model code updates.

Prior to the TAC meetings, each TAC member will be assigned to review specific model code updates and will provide a concise and brief summary of the updates to the TAC at the meeting to assist the TAC in deciding whether to recommend approval of the proposed update. TAC members are also secondarily responsible for reviewing all model code updates prior to the TAC meeting.

SECTION 4. TAC REVIEW PROCESS

During the TAC meetings, and after the opportunity provided for public comment on the specific model code update under review the TAC will decide whether to recommend the Commission include the 2021 model code update into the 8th Edition (2023) FBC as follows:

- In order to recommend approval of a 2021 model code update a TAC member will be required to make a motion to recommend the Commission incorporate the 2021 model code update into the 8th Edition (2023) FBC, a second will be required, and then following TAC discussion a vote will be taken.
- In order to a recommend denial of a 2021 model code update a TAC member will be required to make a motion to recommend the Commission deny the 2021 model code update, and not incorporate the 2021 model code update into the 8th Edition (2023) FBC, a second will be required, and then following TAC discussion a vote will be taken.
- The TACs’ recommendations shall be accompanied by a brief explanatory remark, and will be posted on the Commission’s website.
- The TACs shall address each 2021 model code update either with a motion to approve or a motion to deny, and whether it should be included in the respective consent agenda (recommended for approval or denial) or considered individually by the Commission (*See TAC Recommendations Section 5*).
- Pursuant to the Commission’s adopted policy TACs should vote to recommend denial for all I-Code changes categorized by staff as “overlaps” during the TACs’ review of 2021 Model Code changes. A TAC member’s vote for denial does not imply whether they would support the change if it was submitted as a Code amendment during the Code Amendment Review Phase of the 2023 Update Process.

- No additional public comment will be considered once a motion is on the floor.
- The TAC must decide on the 2021 model code update as drafted and no amendments will be considered.

SECTION 5. TAC RECOMMENDATIONS

The TACs may make the following recommendations to the Commission:

- **Motion to Deny (Included on the Consent Agenda to Deny).** That the Commission reject certain model code provisions by consent agenda. Model code provisions may be recommended for rejection due to such issues as being unnecessary, negatively impacting the level of public health, safety, or general welfare provided by an existing Florida-specific provision, diminishing the requirements of provisions related to wind resistance or water intrusion, unnecessarily imposing additional costs, potentially requiring modification or further investigation before being adopted for use in this state, or was categorized as an “overlap” and should only be considered if submitted as a Code amendment during the Code Amendment Review Phase of the 2023 Code Update Process.
- **Motion to Approve (Included on the Consent Agenda to Approve).** That the Commission approve certain model code provisions by consent agenda. When considering whether to recommend inclusion on a consent agenda for approval, the TACs shall consider such criteria as whether the model code provisions are editorial or organizational in nature, correct an error, provide clarification, provide for alternative design methods, improve the effectiveness of the code, are uncontroversial to affected stakeholders, or are required by law.
- **Motion to Approve or Deny, For Individual Commission Consideration.** That the Commission approve or reject certain model code provisions after considering them individually. When recommending individual consideration of model code updates, the TACs shall consider such criteria as whether the update has the potential to impose significant costs, cause confusion or regulatory difficulty, may be unnecessary, is highly controversial to affected stakeholders, or requires further evaluation.

SECTION 6. GENERAL REQUIREMENTS

- Pursuant to Section 553.73 (7)(f), F.S., the TAC shall not recommend approval of any 2021 model code updates, including those contained in referenced standards and criteria, that would diminish the provisions of the Florida Building Code relating to wind resistance or the prevention of water intrusion.
- Pursuant to Section 553.73 (3)(b), F.S., in order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the model code update must receive a two-thirds favorable vote of the members present at the Technical Advisory Committee meeting, and at least half of the regular members must be present in order to conduct a meeting.
- The TAC’s recommendations will be forwarded to the Commission and considered pursuant to the procedures provided in Rule 61G20-2.002, and in conformance with the Commission’s adopted 8th Edition (2023) Code Update Development Workplan/Schedule.