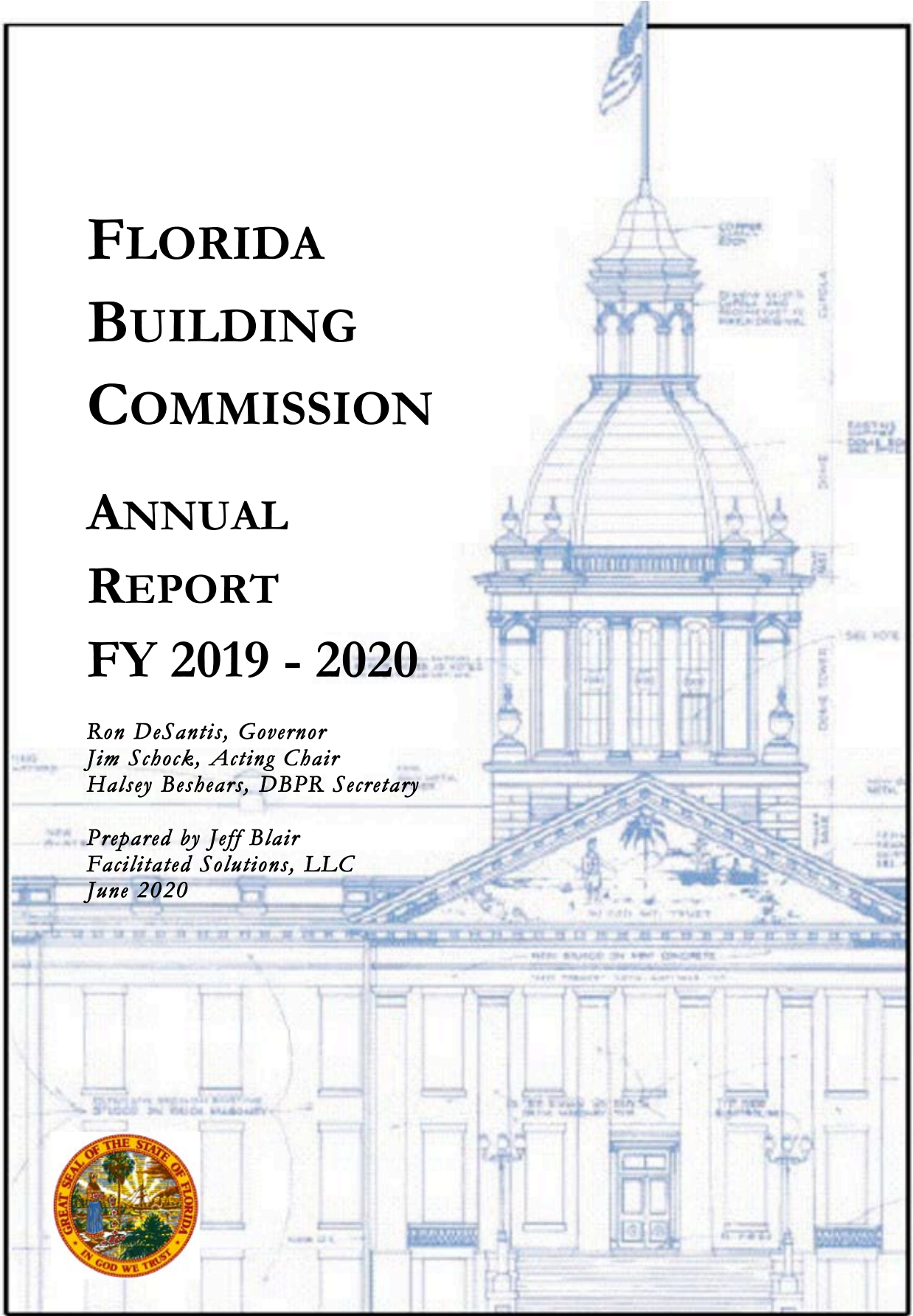


# FLORIDA BUILDING COMMISSION

## ANNUAL REPORT FY 2019 - 2020

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*June 2020*



FLORIDA BUILDING COMMISSION  
REPORT TO THE 2021 FLORIDA LEGISLATURE  
FOR THE REPORTING PERIOD JULY 1, 2019 – JUNE 30, 2020

TABLE OF CONTENTS

<i>TABLE OF CONTENTS</i> .....	1
<i>TABLE OF APPENDICES</i> .....	1
<b>I. SUMMARY OF ISSUES AND RECOMMENDATIONS</b> .....	2

<i>TABLE OF APPENDICES</i> .....	1
<b>II. APPENDICES</b> .....	11-16
<b>A. DEVELOPMENT OF THE FLORIDA BUILDING CODE OVERVIEW</b> .....	11
<b>B. COMMISSION REPRESENTATION AND PROCESS</b> .....	12
<b>C. KEY TO COMMON ACRONYMS</b> .....	13
<b>D. COMMISSION MILESTONE AND PLENARY SESSION SUMMARIES FOR FY 2019 - 2020</b> .....	14

# FLORIDA BUILDING COMMISSION REPORT TO THE 2021 FLORIDA LEGISLATURE



## I. SUMMARY OF ISSUES AND RECOMMENDATIONS

**MEETINGS.** During the reporting period of July 1, 2019 – June 30, 2020 (fiscal year 2019 – 2020) the Commission conducted four on-site meetings and two virtual meetings via webinar and teleconference. During the period the Commission conducted on-site meetings in Hutchinson Island, St. Petersburg, St. Augustine, and Maitland/Orlando. The April and June 2020 meetings were conducted via webinar to avoid travel during the coronavirus (COVID-19) disease pandemic.

**OVERVIEW.** The primary focus of the Florida Building Commission during the reporting period was proceeding with the development of the Florida Building Code, 7<sup>th</sup> Edition (2020) (Rule 61G20-1.001), and in amending Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code) to implement the provisions of HB 447 (2019) which made changes to the Commission’s triennial update process for future editions of the Florida Building Code.

As previously reported, the 2017 Florida Legislature enacted amendments to Section 553.73, F.S. with regard to the triennial Code update and amendment process. Specifically, the Commission was no longer required to adopt the most recent version of the Model Codes (I-Codes) as the foundation for the updated Florida Building Code, and instead the triennial update process for development of the Florida Building Code, 7<sup>th</sup> Edition (2020) required the Commission to review the Model Codes, and then decide which provisions were needed to accommodate the specific needs of this State (Florida), with certain exceptions. As a result the Florida Building Code, 6<sup>th</sup> Edition (2017) served as the “base code” for the 2020 Code Update Process. The Commission has incorporated specific 2018 Model Code updates, and Code amendments proposed by stakeholders into the recently adopted Florida Building Code, 7<sup>th</sup> Edition (2020) with an effective date of December 31, 2020.

As a result of an amendment enacted by the 2019 Florida Legislature, beginning with the 2023 Code Update Process the Commission will no longer be required to decide which Model Code provisions are needed to accommodate the specific needs of this State, and will decide which Model Code updates to incorporate into the Florida Building Code based on a suite of criteria including, but not limited to: 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. The Commission will

initiate the development of the Florida Building Code, 8<sup>th</sup> Edition (2023) when they select the Model Code editions for review in the Fall of 2020.

Entering its twenty-second year, the Commission is focused primarily on the maintenance of existing processes and programs, while continuing to work with stakeholders to enhance the effectiveness of the Florida Building Code System by continuously monitoring, evaluating, and refining the System using their facilitated stakeholder driven consensus-building process.

**PROCESS.** During the reporting period the Commission continued its focus on consensus-building efforts regarding the implementation of Commission policy, with extensive input from building construction industry stakeholders, and interests affected by Commission policy. Commission Acting Chair Jim Schock encouraged and led the Commission's consensus-building efforts supported by DBPR Commission staff. To this end, the Commission convened two special issue projects in collaboration with impacted building construction industry stakeholders. During the reporting period the Commission conducted rulemaking for Rule 61G20-2.001 (Commission Organization and Operation) to revert the powers of the Commission chair to the vice-chair subject to review and approval by the Commission in the event there is not an appointed chair serving on the Commission. In addition, the Commission also amended the Rule to strike the provision that required the Commission to only consider motions to approve. Finally, with enactment of HB 1193 (2020) which contained an amendment to Section 553.75, F.S., membership of the Commission was reduced by eight members, including the appointed chair position, the Commission will again initiate rulemaking for Rule 61G20-2.001 to revise their operational procedures accordingly.

**RESEARCH—SCIENCE BASED HURRICANE AND CODE PROTECTIONS.** The Florida Building Commission has continuously assessed building systems and component failures identified after major storms since its inception in 1998, and in response has funded research to strengthen the Code's effectiveness against wind and water intrusion based on these assessments. Assessments subsequent to the implementation of the Florida Building Code indicate that the research based design wind speeds required by the Code's enhancements were adequate, and buildings built to the new Florida Building Code experienced less severe damage than did older buildings not built to the Florida Building Code.

The Code establishes minimum requirements to protect newly constructed buildings from wind, rain, flood and storm surge based on well-researched and continually-evolving engineering standards for buildings and the products that go into their construction. In addition to conducting research, developing state of the art hurricane resistance standards and integrating those standards in the Code at each revision cycle, the Commission seeks to be up-to-date with current national engineering and product standards within the Code. As with each subsequent edition, the Florida Building Code, 6<sup>th</sup> Edition (2017) maintained this commitment, and the Commission's adoption of the Florida Building Code, 7<sup>th</sup> Edition (2020) does the same, including incorporating the provisions of the latest ASCE-7 edition (ASCE-7-16, Minimum Design Loads and Associated Criteria for Buildings and Other Structures by the American Society of Civil Engineers (ASCE)).

The Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission's Hurricane Research Advisory Committee in January of 2005. In addition, the Commission expanded the funding of research

projects in August of 2013 to include hurricane resistance and other Code related topical areas to ensure the development of Code amendments that make Florida's structures, and the products that comprise them, more resistant. After expanding the scope for the funding of research projects, for fiscal year 2019 - 2020 based on the recent impacts of hurricanes to Florida, the Commission voted to limit the scope of Commission funding of research projects to hurricane resistant research.

In July of 2019 the Commission's Structural Technical Advisory Committee (TAC) met concurrently with the Fenestration Water Resistance Workgroup to make recommendations regarding the funding of research projects for the Commission's consideration during their August 2019 meeting. The Commission voted to fund three research projects at the August 2019 meeting, and to refer three additional projects to the Commission's Technical Advisory Committee Chairpersons' Committee for their recommendations. The TAC Chairs met immediately prior to the October 2019 Commission meeting to provide the Commission with their recommendations, and during the Plenary Session the Commission voted to fund three additional projects, for a total of six research projects funded for fiscal year 2019 - 2020.

During the reporting period—based on recommendations from the Commission's Structural TAC, the Fenestration Water Resistance Workgroup, the Technical Advisory Committee Chairpersons, and DBPR technical staff—the Commission approved the funding of six research projects for fiscal year 2019 – 2020. As a result of evaluating proposed research projects in the context of the key evaluation criteria, the Commission sponsored the following important research projects: *Investigation of Optional Enhanced Construction Techniques for the Wind, Flood, and Storm Surge Provisions of the Florida Building Code*; *Update and Development of Wind Speed Line Maps for the Florida Building Code, 7<sup>th</sup> Edition (2020)*; *Code review of the integrated draft for the Florida Building Code, 7<sup>th</sup> Edition (2020)*; *Phase II: Experimental Evaluation of Pressure Equalization Factors and Wind Resistance of Vinyl Siding Systems Using a Multi-Chamber Pressure Test Bed*; *Wind-Driven Rain Tests of Building Envelope Systems up to Hurricane-Strength Wind-Driven Rain Intensity*; and, *Survey and Investigation of Buildings Damaged by Category II, IV and V Hurricanes in FY 2019-2020*. Of note, five of the six research projects funded were with principle investigators at the University of Florida, Engineering School of Sustainable Infrastructure and Environment.

In addition, during the reporting period the Commission continued its commitment to evaluating and amending the Code as needed based on storm damage investigations, through periodic updates and reviews of research projects and investigations. The Structural Technical Advisory Committee, and the Hurricane Research Advisory Committee have been reviewing interim research project reports, and providing feedback to the principle investigators for revisions prior to submittal for final reports and approval by the Commission.

As previously reported, investigations and analysis of the impacts of Hurricane Michael conducted by the University of Florida demonstrated that houses built to the Florida Building Code (FBC) performed better than those that were not built to the FBC. In an effort to learn from each storm event, and with a commitment to enhance the wind and water resistance provisions of the Code with each edition, the Commission approved reconvening the Hurricane Research Advisory Committee (HRAC) with new membership at their December 2019 meeting. Finally, at the April 2020 meeting the Commission again voted to limit the scope of Commission funding of research projects for fiscal year 2020 - 2021 to hurricane resistant research, and to approve using the Hurricane Research Advisory Committee to review and make recommendations to the Commission regarding which projects to fund.

**2020 CODE UPDATE.** Florida law requires the Commission to update the Florida Building Code every three years, and the Florida Building Code, 7<sup>th</sup> Edition (2020) represents the sixth update of the Code. The implementation of the Florida Building Code, 7<sup>th</sup> Edition (2020) will ensure that Florida’s Energy Code efficiencies are maintained as required, and that the requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria are maintained or enhanced.

The 2020 Code Update process reflects changes pursuant to 2017 legislation requiring that the Florida Building Code, 6<sup>th</sup> Edition (2017) serve as the “base code” for the 2020 Code Update Process. The 2020 Code Update Process began on October 10, 2017 when the Commission voted to select the 2018 International Codes (I-Code), and 2017 National Electrical Code (NEC) for review in the development of the Florida Building Code, 7<sup>th</sup> Edition (2020). At the August 2018 meeting the Commission voted to approve the Commission’s Review Process for 2018 I-Code updates, and at the October meeting reviewed the TACs’ recommendations, and voted to adopt their package of approved 2018 I-Code updates for inclusion into the Florida Building Code, 7<sup>th</sup> Edition (2020).

At the February 2019 meeting the Commission voted to approve the TACs’ Code amendment review and approval process, the TAC review process for public comments on TACs’ Code amendment recommendations, and the Commission’s Code amendment approval process for the 2020 Code Update Process—Florida Building Code, 7<sup>th</sup> Edition (2020). During the period ranging from March 14, 2019 through March 26, 2019 the Commission’s eleven technical advisory committees met to develop recommendations to the Commission regarding proposed Code amendments for inclusion in the Florida Building Code, 7<sup>th</sup> Edition (2020), and subsequently during the period of July 9-12, 2019 the TACs meet to provide comments to the Commission regarding public comments received on the TACs’ Code amendment recommendations.

The Commission decided on code amendments for the Florida Building Code, 7<sup>th</sup> Edition (2020) in August of 2019, and the TACs made recommendations on public comments to the draft Florida Building Code, 7<sup>th</sup> Edition (2020) in January of 2020. At the February 7, 2020 rule workshop the Commission voted unanimously to adopt the Commission’s package of approved Code amendments to the Florida Building Code, 6<sup>th</sup> Edition (2017) for inclusion in the draft Florida Building Code, 7<sup>th</sup> Edition (2020). Finally, in March of 2020 five TACs met to review topically relevant public comments submitted to the Commission’s 2020 Draft Code, and to provide the Commission with recommendations. At the April 7, 2020 rule development workshop the Commission voted unanimously to adopt the Commission’s package of approved Code amendments to the Florida Building Code, 6<sup>th</sup> Edition (2017) for inclusion in the draft Florida Building Code, 7<sup>th</sup> Edition (2020) and to proceed with rule adoption. The Commission will conduct a final rule adoption hearing at their June 2, 2020 meeting, and the Code development process will conclude when the Florida Building Code, 7<sup>th</sup> Edition (2020) becomes effective on December 31, 2020.

Following is a table reflecting the key tasks and associated schedule for the 2020 Code Update Process:

<b>7<sup>TH</sup> EDITION (2020), FLORIDA BUILDING CODE DEVELOPMENT SCHEDULE</b>	
<b>KEY TASKS</b>	<b>SCHEDULE</b>
Commission selects 2018 I Codes “model codes” and 2017 NEC to conduct its review.	October 10, 2017
TACs review the changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state.	June 7-22, 2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state.	October 8-9, 2018
TACs consider proposed amendments (1 <sup>st</sup> 45 day comment period)	March 14-26, 2019
TACs consider public comments on their actions on the proposed amendments.	July 9-12, 2019
Commission considers TAC’s recommendations (2 <sup>nd</sup> 45 day comment period).	August 13-14, 2019
TACs consider public comments on proposed amendments to the draft Code.	January 28 & 31, 2020
Commission conducts rule development workshop on the Commission’s package of approved Code amendments for the Florida Building Code, 7 <sup>th</sup> Edition (2020)	February 22, 2020
TACs consider public comments on proposed amendments to the draft Code.	March 24-25, 2020
Commission conducts rule development workshop on the Commission’s package of approved Code amendments for the Florida Building Code, 7 <sup>th</sup> Edition (2020).	April 7, 2020
Final rule adoption hearing on Florida Building Code, 7 <sup>th</sup> Edition (2020)—Commission approves final version of the Code.	June 2, 2020
Florida Building Code, 7 <sup>th</sup> Edition (2020) Effective Date.	December 31, 2020

**2023 CODE UPDATE.** Florida law requires the Commission to update the Florida Building Code every three years, and the Florida Building Code, 8<sup>th</sup> Edition (2023) will represent the 7<sup>th</sup> update of the Code. The 2019 Florida Legislature passed HB 447 changing the Florida Building Code’s triennial update process effective July 1, 2020. In order to implement this provision the Commission initiated rulemaking to amend Rule 61G20-2.002 -Statewide Amendments to the Florida Building Code. At the October 2019 meeting the Commission conducted a rule development workshop on Rule 61G20-2.002 and began the process of implementing the provisions of HB 447 amending Section 553.73 (7)(a), Florida Building Code to reflect that: Every 3 years, the Commission may approve updates to the Florida Building Code without a specific finding that the updates are required to accommodate the specific needs of this state. At the October 2019 meeting the Commission received public comments, and discussed the public comments regarding proposed changes to the triennial update process and changes to the Commission’s adopted code processes, and discussed specific changes they would like to consider regarding the Rule and process documents. Based on the Commission’s direction staff drafted several rule approaches for the

Commission's consideration at the December 10, 2019 rule workshop where after comments and discussion the Commission approved a rule approach and a rule development process option for the development of the 2023 Code Update. At the February 7, 2020 rule workshop the Commission voted unanimously to approve the draft rule language text proposed by the Florida Homebuilders Association, incorporated several amendments to the text, approved the specified changes to the draft Rule 61G20-2.002, and directed staff to incorporate them into an updated draft for the Commission's consideration during the April 7, 2020 fifth and final rule workshop. At the April 7, 2020 workshop the Commission received public comment and voted unanimously to approve the specified changes to the draft Rule 61G20-2.002, and to direct staff to proceed with rule adoption. In addition, the Commission received public comment and discussed the five process documents for the TACs' and Commission's review and consideration of comments on the I-Code updates and proposed amendments to the Code.

**ENERGY CODE INITIATIVES.** During the reporting period, the Commission voted to send a Letter of Certification of Equivalence to the Department of Energy (DOE) certifying the equivalence of the latest draft of the Florida Building Code, 7<sup>th</sup> Edition (2020), Energy Conservation's commercial building provisions to ASHRAE 90.1-2016. In addition, the Commission voted to suspend updating the Compliance Software Tool Assistance Manual (TAM), and not to produce a TAM update for the Florida Building Code, 7<sup>th</sup> Edition (2020), Energy Conservation.

There were no requests during the reporting period to approve additional Energy Code Compliance Software for the Florida Building Code, 6<sup>th</sup> Edition (2017), Energy Conservation, due to the eminent transition from the 6<sup>th</sup> Edition to the 7<sup>th</sup> Edition effective December 31, 2020. It is anticipated that software developers will submit their energy code compliance software soon after adoption of the 7<sup>th</sup> Edition, and before the effective date, to ensure designers and builders will be able to demonstrate that their buildings comply with the Energy Code requirements of the Updated Code.

**PRODUCT APPROVAL.** The product approval system is an internet-based system operated and administered by the Department of Business and Professional Regulation. Since January 1, 2014 DBPR staff has been administering the Product Approval System, and stakeholders continue to report a high level of satisfaction with DBPR staff's administration of the System.

The Product Approval system efficiently processes hundreds of applications monthly. The Commission's Product Approval Program Oversight Committee (POC) convenes prior to every Commission meeting to review product and entity applications, address petitions for declaratory statements and consider enhancements to the product approval system. Since the system went into effect in October of 2003, the Commission has approved 31,634 product applications, and 135,073 products for statewide use within limitations established by the approvals. In addition, the total number of product approval applications approved to the 2017 Code is 6,964 (7,732 total in the System), the total number of products approved to the 2017 Code is 29,141 (33,021 total in the System), and the total number of entities approved to the 2017 Code is 126 (412 total in the System).

During the reporting period, the Commission amended Rule 61G20-3.007, Product Approval by the Commission, to provide that the Commission may, for a duration of time, waive fees for state approval of products upon a finding that such waiver will not have an adverse impact on the Commission's ability to process applications. The Commission's plan for the near-term is to waive



fees from July 1, 2020 – December 31, 2020 to allow manufacturers of current product approvals to update their current product approvals to the requirements of the Florida Building Code, 7<sup>th</sup> Edition (2020).

**EDUCATION.** Education is one of the cornerstones of the Building Code System, and the effectiveness of the Building Code depends on the knowledge of professionals who design and construct buildings. The Commission continues to work with the Department of Business and Professional Regulation and representatives of the licensing boards to establish a cooperative system for approving building code courses and integrating building code continuing education into licensing requirements. In collaboration with the System Administrator and stakeholders, the Commission is working to ensure the accountability and efficacy of the Education System. During the reporting period the Commission continued to efficiently review and approve course and accreditor applications.

**FENESTRATION WATER RESISTANCE WORKGROUP.** As previously reported, the Workgroup was convened in 2019 as a result of the Commission’s approval of a research project to evaluate the Code’s fenestration water resistance requirements. The scope of the project was to evaluate the Florida Building Code’s requirements relating to the design and testing of exterior envelope and fenestration, and determine:

- 1) Whether the Code requirements should be modified to provide better resistance to water intrusion during high wind events; and/or,
- 2) Whether installation/maintenance of fenestration as well as the installation of the building envelope in general should be better defined and more effectively monitored.

The Workgroup met several times during 2019, and ultimately voted to recommend that the Commission fund research that evaluates the entire building envelope on high-rise buildings related to the building fenestration interface including evaluating the fenestration, installation, and maintenance to determine the causes of water infiltration. At the July 2019 meeting the Workgroup met concurrently with the Structural TAC to review and provide comments on the scope of work for research projects necessary to evaluate the entire building envelope on high rise buildings related to the building fenestration interface including the fenestration, installation, and maintenance and to determine the causes of water infiltration. The Workgroup provided comments and indicated that the revised scope for the research project, consistent with the Workgroup’s recommendation, was reasonable and a good approach. The Workgroup’s scope of work falls under the purview of the newly reconvened Hurricane Research Advisory Committee, who will continue to monitor research, review research project reports, and make recommendations to the Commission for enhancements to the wind and water resistance provisions of the Code.

**HURRICANE RESEARCH ADVISORY COMMITTEE.** The Hurricane Research Advisory Committee (HRAC) was originally convened in January of 2005, and last met formally in 2012. The Commission decided that as a result of the increased frequency and impacts of hurricanes to Florida the HRAC should be reconstituted and convened to continue evaluating research for wind and water intrusion enhancements, including reviewing UF’s and FEMA’s hurricane related reports. The Commission voted to reconvene the HRAC with new membership at the December 10, 2019 meeting, maintaining a balance of perspectives and stakeholders as in the past. In addition, the Commission

voted in April of 2020 to use the HRAC to evaluate, prioritize, and provide the Commission with recommendations on which research projects to fund going forward. This approach will initiate in August of 2020 for the review and funding of fiscal year 2020 – 2021 research projects.

The scope of work and purpose of the Hurricane Research Advisory Committee (HRAC) is: to identify and review what research is being conducted related to building failure issues resulting from high wind events generally, and recent hurricanes in Florida specifically; to identify any research gaps on key issues identified from reports and studies but not being researched; to ensure that the Commission is provided with all relevant research findings on each of the major issues, prior to the Commission considering code enhancements resulting from lessons learned; and, to identify any needed Code changes the Commission should consider for enhancements to the wind and water resistance provisions of the Florida Building Code.

**BINDING INTERPRETATION PROCESS.** The Commission coordinates with the Building Officials Association of Florida (BOAF) on appointments to the Binding Interpretation Panel. The Panel consists of seven members charged with hearing requests to review decisions of local building officials. The Panel has heard 25 binding interpretations regarding the Florida Building Code to date.

**FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FACBC) DECLARATORY STATEMENTS.** In 2014, the Florida Building Commission was granted authority by the Florida Legislature to interpret the Florida Accessibility Code for Building Construction (FACBC). There were no interpretations issued during the reporting period, and to date the Commission has issued five interpretations regarding petitions for declaratory statements on the FACBC.

**LEGISLATIVE ASSIGNMENTS.** The 2019 Florida Legislature passed HB 447 changing the Florida Building Code's triennial update process. The change becomes effective July 1, 2020. In response to the assignment, the Commission began the rulemaking process in August of 2019 and completed rulemaking in June of 2020, to update Florida Administrative Code Rule 61G20-2.002, to reflect the statutory change.

The 2019 Florida Legislature passed HB 447 regarding Section 105.4 Conditions of the Permit. In response to the assignment, the Commission's Staff submitted the appropriate language as comments that were approved by the Commission at the February 2020 and April 2020 Rule Development Workshops for inclusion in the Florida Building Code, 7<sup>th</sup> Edition (2020).

The 2019 Florida Legislature passed HB 827 regarding Section 110.8.1 Threshold Building. In response to the assignment, the Commission's Staff submitted the appropriate language as comments that were approved by the Commission at the February 2020 and April 2020 Rule Development Workshops for inclusion in the Florida Building Code, 7<sup>th</sup> Edition (2020).

The 2020 Florida Legislature passed CS/HB 1193 reducing the Florida Building Commission from 27 to 19 members. This change will become effective on January 1, 2021, and the Commission will initiate rulemaking for Rule 61G20-2.001 to revise their operational procedures accordingly.

**RECOMMENDATIONS.** Monitoring the building code system and determining refinements that will make it function better is a primary responsibility of the Commission, and consequently the Commission is continually effecting refinements to the building code system by administrative rule amendments where the statutes provide authority. However, the building code system is established in law, requiring that some refinements must be implemented through changes to law.

As a general approach, the Commission works with building construction industry stakeholders to build consensus on legislative assignments and on amendments to the Florida Building Code implemented through rulemaking, and relies on industry groups to take the lead in proposing specific legislation to implement proposed changes to statute.

The Commission's consensus developed recommendations for statutory changes designed to improve the system's effectiveness are developed in collaboration with industry stakeholders, who generally take the lead on initiating any specific legislative proposals. The Commission has no specific recommendations for 2021 Legislative actions deriving from Commission activities during the reporting period of July 1, 2019 – June 30, 2020.

## II. APPENDICES

### APPENDIX A

#### DEVELOPMENT OF THE FLORIDA BUILDING CODE OVERVIEW

In 1974, Florida adopted a state minimum building code law requiring all local governments to adopt and enforce a building code. The system provided four separate model codes that local governments could consider and adopt to establish minimum standards of health and life safety for the public. In that system, the state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes as they saw fit.

Hurricane Andrew demonstrated in 1992 that this system of local codes did not provide the level of public protection that was necessary. The South Florida Building Code, which was the local code universally acknowledged to set the strongest standard for hurricane protection, essentially failed. The resulting problems had impacts well beyond southern Miami-Dade County. The state filled the property insurer void left by failed and fleeing private insurance companies, and the federal government poured billions of dollars of aid into the disaster area. It became starkly apparent the state had a significant interest in the effectiveness of building codes.

After Hurricane Andrew, Miami-Dade County conducted an exhaustive review of its building code and made significant changes to both the code and support systems for code enforcement. In other areas of the state the Florida Board of Building Codes and Standards (the predecessor to the Florida Building Commission) adopted significant upgrades to the wind resistance standards of the model state minimum code that was used by the majority of other local governments. The state also began licensing local governments' building code enforcement personnel. These steps proved critical in leading to the building codes that produced improved building performance in the 2004 hurricane season.

Like Miami-Dade County, the State went beyond modernizing the minimum building codes. In 1996 a study commission was appointed to review the system of local codes created by the 1974 law and to make recommendations for modernizing the entire system. The 1998 Legislature adopted the study commission's recommendations for a single state building code and an enhanced oversight role for the state in local code enforcement. The same legislation created the Florida Building Commission to develop and maintain the Florida Building Code and related programs and processes. The 2000 Legislature authorized implementation of the Florida Building Code, and the first edition replaced all local codes on March 1, 2002. There have been six editions to date, and the Commission initiated the development of the Florida Building Code, 7<sup>th</sup> Edition (2020) in October of 2017.

## APPENDIX B

### COMMISSION REPRESENTATION AND PROCESS

**COMMISSION REPRESENTATION.** The Florida Building Commission is a 27-member representative stakeholder group who successfully created, implemented, and maintains the new statewide Florida Building Code. The Commission is comprised of the Chair, and 26 members appointed to represent specific stakeholder groups. They are as follows: four code officials, two state government representatives, a local government representative, a representative of persons with disability, a structural engineer, a mechanical engineer, representatives of fire protection technology, the building management industry, and the insurance industry, a general contractor, residential contractor, mechanical contractor, plumbing contractor, electrical contractor, roofing/sheet metal/air conditioning contractor, a manufactured building representative, a building product manufacturer, a swimming pool contractor, a representative of the green building industry, a natural gas system distribution representative, and a member representing the Department of Agriculture and Consumer Services' Office of Energy. Of note, the 2020 Florida Legislature reduced the number of Commissioners from 27 to 19 effective January 1, 2021.

**CONSENSUS PROCESS.** The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support.

The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues. At each Commission meeting, the public is welcome to speak during the public comment period provided for each substantive issue under consideration, as well as general public comment periods provided at the end of each meeting. In addition to these opportunities for public input, most complex substantive issues before the Commission go through a facilitated consensus building process where recommendations are developed by appointed representative stakeholder groups.

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Since 1999 the Commission has convened 68 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country.

**APPENDIX C**  
**KEY TO COMMON ACRONYMS**

<b>ACRONYM</b>	<b>DEFINITION</b>
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs (Abolished 2011)
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDOH	Florida Department of Health
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

## APPENDIX D

### COMMISSION MILESTONES AND PLENARY MEETING SUMMARIES FOR JULY 2019 – JUNE 2020

**AUGUST 2019.** At the August 13-14, 2019 meeting conducted in Hutchinson Island the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition, the Commission discussed the local technical amendment process (specifically Section 553.73(4), Florida Statutes and Rule 61G20-2.003). Specific actions included voting to: 1.) Initiate rulemaking for Rule 61G20-2.002 -Statewide Amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 2.) Approve the adopted Rule language (Option 3) authorizing that upon vacancy in the chairmanship of 30 days the duties of the Chair devolve to the Vice-Chair until a new chair is appointed, and appointments are subject to the approval of the Commission. If there is no vice-chair the duties of the Chair may be performed by the Commission; and to proceed with the rulemaking process for Rule 61G120-2.001, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 3.) Approve funding research projects priority #1 (revised to address Commission concerns), #2, and #3 for fiscal year 2019-2020 based on staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate; 4.) Approve the 2019-2020 Annual Regulatory Plan; and 5.) Adopt the Commission's package of approved Code amendments to the Florida Building Code, 6<sup>th</sup> Edition (2017) for inclusion in the Florida Building Code, 7<sup>th</sup> Edition (2020); to proceed with rule making; and, to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Florida Building Commission.

**OCTOBER 2019.** At the October 15, 2019 meeting conducted in St. Petersburg the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition, the Commission received a briefing on Binding Interpretations # 169 and #174. Specific actions included voting to: 1.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—Florida Building Code, 7<sup>th</sup> Edition (2020); 2.) Direct staff to provide draft rule language options, and to proceed with the rulemaking process for Rule 61G20-2.002 —Statewide Amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 3.) Initiate rulemaking for Rule 61G20-2.001 (Commission Organization and Operations), and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 4.) Approve funding research project priority #4 (feasibility study only) for fiscal year 2019-2020 based on the TAC Chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate, and to ensure that UF works collaboratively with industry stakeholders on scoping and methodology; 5.) Approve funding research project priority #5 for fiscal year 2019-2020 based on the TAC Chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate, and to ensure that UF works collaboratively with industry stakeholders on scoping and methodology; and, 6.)

Approve funding research project priority #6 for fiscal year 2019-2020 based on the TAC Chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate.

**DECEMBER 2019.** At the December 10, 2019 meeting conducted in St. Augustine the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. Specific actions included voting to: 1.) Approve TAC, Workgroup, and Hurricane Research Advisory Committee appointments; 2.) Initiate rulemaking for Rule 61G20-3.007 (Product Approval by the Commission) to authorize the Commission to waive product approval application fees for a specified time period, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 3.) Approve the 2020 schedule for legislative teleconference calls; 4.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—Florida Building Code, 7<sup>th</sup> Edition (2020); 5.) Approve the TAC Review and Consideration Process for Comments received on the draft Florida Building Code, 7<sup>th</sup> Edition (2020); 6.) Approve the Commission Review and Consideration Process for Comments received on the draft Florida Building Code, 7<sup>th</sup> Edition (2020) for consideration during the February 11, 2020 Rule Development Workshop on Rule 61G20-1.001; 7.) Direct staff to draft rule language consistent with the rule approach selected by the Commission (FHBA Approach) for Rule 61G20-2.002 —Statewide Amendments to the Florida Building Code for Commission evaluation during the February 11, 2020 rule development workshop; 8.) Approve Option 3 (Two-Step Process with Model Code Supplement) as the starting template for the code development process for subsequent updates to the Florida Building Code beginning with the 2023 Code Update Process, and to direct staff to provide a list of the different types of Model Code amendments that the Commission will decide during the February 11, 2020 rule development workshop whether to include in the Model Code Supplement, and to draft the process so it harmonizes with the Commission's selected Rule Approach; and, 9.) Adopt the draft rule language to remove the provision that restricts the Commission to considering only motions to approve, and to proceed with rulemaking for Rule 61G20-2.001 (Commission Organization and Operations), and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

**FEBRUARY 2020.** At the February 11, 2020 meeting conducted in Maitland the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition the Commission received a briefing on Binding Interpretation #178. Specific actions included voting to: 1.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—Florida Building Code, 7<sup>th</sup> Edition (2020); 2.) Approve the specified changes to the draft Rule 61G20-2.002, and to direct staff to incorporate them into an updated draft for the Commission's consideration; 3.) Send a Letter of Certification of Equivalence to DOE certifying the equivalence of the latest draft of the Florida Building Code, 7<sup>th</sup> Edition (2020), Energy Conservation's commercial building provisions to ASHRAE 90.1-2016; 4.) Suspend updating the Compliance Software Tool Assistance Manual (TAM), and not produce a TAM update for the Florida Building Code, 7<sup>th</sup> Edition (2020), Energy Conservation; and, 5.) Adopt the Commission's package of approved Code amendments to the Florida Building Code, 6<sup>th</sup> Edition (2017) for inclusion in the draft Florida Building Code, 7<sup>th</sup> Edition (2020).



**APRIL 2020.** At the April 7, 2020 virtual meeting conducted via webinar and teleconference the Commission considered and decided on Chair’s issues and recommendations, Executive Director’s announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission’s various committees. In addition the Commission received a briefing on Binding Interpretation #179. Specific actions included voting to: 1.) Approve Acting Chair committee appointments; 2.) Limit the scope of Commission funding of research projects for fiscal year 2020 - 2021 to hurricane resistant research, and to approve using the Hurricane Research Advisory Committee to review and make recommendations to the Commission regarding which projects to fund; 3.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—Florida Building Code, 7<sup>th</sup> Edition (2020); 4.) Approve the specified changes to the draft Rule 61G20-2.002, and to direct staff to proceed with rule adoption; and, 5.) Adopt the Commission’s package of approved Code amendments to the Florida Building Code, 6<sup>th</sup> Edition (2017) for inclusion in the draft Florida Building Code, 7<sup>th</sup> Edition (2020) and to proceed with rule adoption.

**JUNE 2020.** At the June 2, 2020 virtual meeting conducted via webinar and teleconference the Commission...