



AIA
Florida

**SUMMER SERIES
WEBINAR**

Florida Building Code Changes

What You Need to Know and More

Rick Logan, AIA

Harvard Jolly Architecture

- In the profession for over 40 years
- AIA Florida President - 2010
- Appointed in 2017 by the AIA Florida Board to attend and comment at Florida Building Commission meetings
- Through the entire 7th edition cycle
- Not a code expert
- Main objective is to influence the process



Learning Objectives

- Understand the history behind the changes made to the development of the Florida Building Code during the 2017 Florida legislative session.
- Learn about the legislation that flipped the basis of the code and the rulemaking process for creating the code modifications for the 7th edition Florida Building Code
- Review rule changes for the 8th edition of the Florida Building Code
- Understand the importance of participating in the code modification process to ensure architects continue to be considered when code changes are being made.

History



A satellite image of Hurricane Andrew, showing a large, swirling cloud structure with a distinct eye. The image is in false color, with the clouds appearing in shades of white, yellow, and green against a dark background.

Florida Building Codes - Before Hurricane Andrew 1992

- 1974
 - State minimum building code law requiring all local governments to adopt and enforce a building code that would ensure minimum standards for the public's health and safety
 - Any 1 of 4 model codes could be adopted
 - Standard Building Code (SBCCI)
 - South Florida Building Code (Dade & Broward)
 - National Building Code (BOCA)
 - Uniform Building Code (ICBO)
 - Over 400 local jurisdictions could amend and enforce their local codes as they desired
 - The entire system was disjointed and chaotic at best

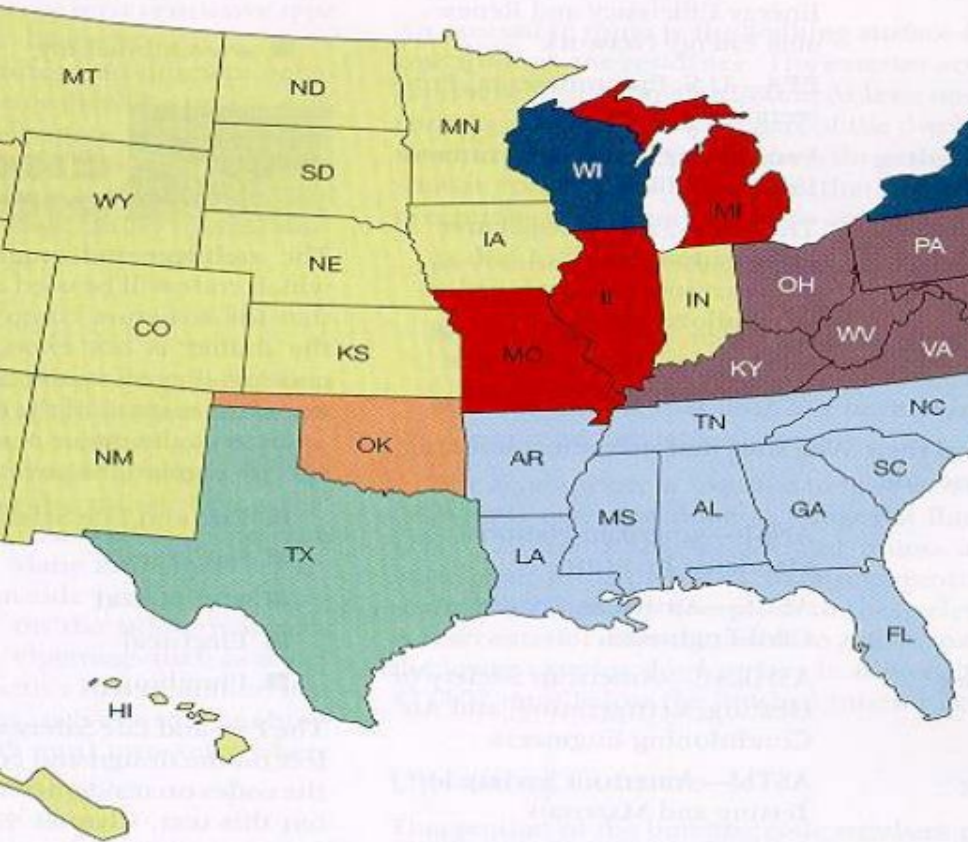
Hurricane Andrew
NOAA-12 AVHRR HRPT
Multi-spectral False Color Image
August 23, 1992 @ 12:31 UTC

Florida Building Codes - After Andrew

- Andrew's impact resulted in a push to establish a more updated, comprehensive and better enforced statewide building code.
- In 1996 the Florida Building Code Study Commission was formed to make recommendations for modernizing the entire system.
- The result; an endorsement of a uniform set of codes to create greater predictability and accountability in the system.
- The call for a new Building Code was not just about Hurricanes. It was about a comprehensive unified statewide Building Code



Building Code Map

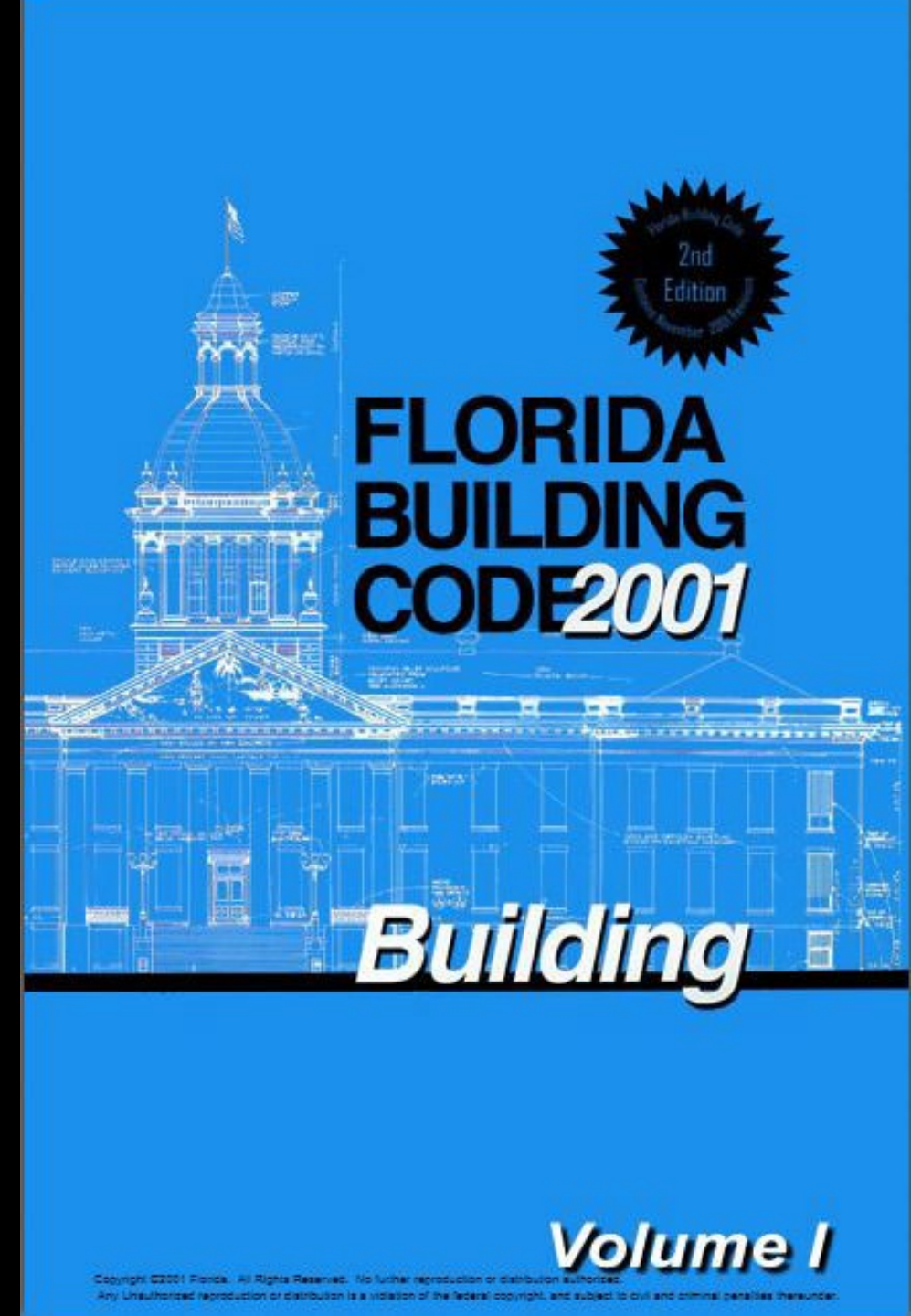


National Building Codes - After Andrew

- Concurrently, a nationwide effort was underway by AIA and other industry groups to consolidate regional organizations including
 - (BOCA)
 - (ICBO)
 - (SBCCI)
- These three groups eventually dissolved and formed the International Code Council (ICC) in the late 1990's and the ICC family of codes was developed soon thereafter.

Creation of Statewide Florida Building Code

- The 1998 Legislature adopted the Study Commission's recommendations and amended Chapter 553, Florida Statutes, Building Construction Standards to create a single *minimum standard* building code that is enforced by local governments.
- As of March 1, 2002, the Florida Building Code, based on a variety of national model codes, which is developed and maintained by the Florida Building Commission, supersedes all local building codes.
- The Florida Building Code is updated every three years and may be amended annually to incorporate interpretations and clarifications.



**“The Flip”
HB 1021 (SB 7000) 2017
Revisions to 553.73**

The base code now becomes the previous edition of the Florida Building Code - not the latest model codes.

553.73 Florida Building Code.—

(3) The commission shall use the International Codes published by the International Code Council, the National Electric Code (NFPA 70), or other nationally adopted model codes and standards for updates to ~~needed to develop the base code in Florida to form the foundation for the Florida Building Code. The Florida Building commission may approve technical amendments to the code as provided in, subject to subsections (8) and (9), after the amendments have been subject to~~ all of the following conditions:

HB 1021 (SB 7000) – Pro vs Con

When you delete a block of code that you thought was useless



Florida Home Builders Association

The key change in SB 7000 is that there will no longer be an automatic adoption of the ICC, which brings with it **provisions that are not appropriate to Florida**. The current process requires the Florida Building Commission to adopt the ICC in totality then remove or amend what is not appropriate to Florida.

Building Officials Association of Florida

Senate Bill 7000 proposes to stop the advancement and automatic update of the International Codes and the National Electrical Code by only using the currently adopted version of the Florida Building Code (6th Edition to become effective at the end of 2017), and then all future editions of the International Codes will no longer serve as the base for the Florida Building Code. The results of this action will be very detrimental to the various stakeholders in the construction industry, including building owners, designers, builders, cities, counties, code officials and citizens of Florida.

Pro vs Con (Continued)

- **Building Officials Association of Florida**
- **Prospective solutions** to those concerned with the current process:
 - One of the major concerns within the building industry is the current updating process which has a provision that certain modifications must sunset with each 3 year code update, and that in order to be carried forward with the next edition, those modifications must be re-submitted to the Florida Building Commission for consideration. Simply removing that sunset provision in statute will resolve that issue and save those stakeholders a substantial financial burden.
 - In addition, with each model code update, providing a clear designation of major new changes in the new code edition will give all impacted parties ample notice to accept or propose modifications to those new additions. THIS IS ONE OF THE REASONS THIS LEGISLATIVE PROPOSAL HAS COME ABOUT.
 - Adopt the International Codes with a Florida supplement, to include Florida-specific insert pages, as the adopted code throughout Florida ..

Where Does AIA Florida Stand?

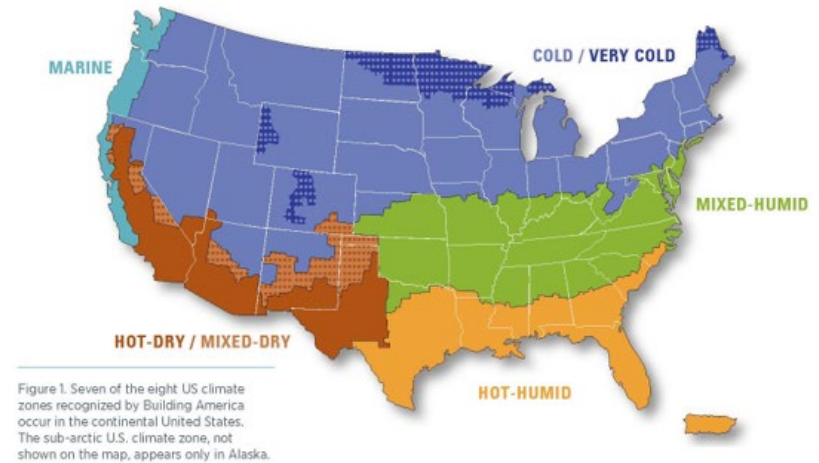
Codes and Standards in the Public Interest: AIA Florida supports regulation by a single set of comprehensive, coordinated, and contemporary codes and standards, which establish sound threshold values of health, safety, and the protection of the public welfare throughout the United States. AIA Florida espouses the development and adoption of model building codes that:

- Include participation by architects and the public in a consensus process;
- Are the product of informed education and research;
- Are without favoritism or bias to any special interest;
- Include provision for a prompt appeals procedure for all that might be aggrieved;
- Are cost-effective in relation to public benefit; and
- Promote building code provisions that set performance rather than prescriptive criteria.
- **Are only amended at the National level unless otherwise supported by sound scientific evidence that a local amendment is required.**
- Are not duplicative or in conflict with each other.

To that end, AIA Florida supports the unedited adoption of the International Code Council (ICC) Family of model building codes including the International Fire Code. In addition, AIA Florida supports the removal of authority for local approval of products, methods, or systems of construction;

How Unique is Florida?

- Other Hot & Humid States – The energy code takes that into account
- Other states are impacted by Hurricanes
 - (HVHZ is unique to FBC)
- Other states have tourism
- Not the only state with sea level rise issues
- Is Fire safety different?
- Is Electricity different?
- Does sewage run in a different direction?
- Any revisions should be backed by science?



FBC Editions

	2001 FBC	2004 FBC	2007 FBC	2010 FBC	2014 FBC	2017 FBC	2020 FBC
Effective Date	March 1, 2002	October 1, 2005	March 1, 2009	March 15, 2012	June 30, 2015	December 31, 2017	December 31, 2020
Building	1997 Southern Building Code	2003 IBC	2006 IBC	2009 IBC	2012 IBC	2015 IBC	2017 FBC 2018 IBC
Plumbing	1997 IPC	2003 IPC	2006 IPC	2009 IPC	2012 IPC	2015 IPC	2017 FPC 2018 IPC
Mechanical	1997 IMC	2003 IMC	2006 IMC	2009 IMC	2012 IMC	2015 IMC	2017 FMC 2018 IMC
Fuel/Gas	1998 IFGC	2003 IFGC	2006 IFGC	2009 IFGC	2012 IFGC	2015 IFGC	2017 FFGC 2018 IFGC
Electrical	2002 NEC	2005 NEC	2005 NEC	2008 NEC	2011 NEC	2014 NEC	2017 FEC 2018 NEC
Fire	2001 FFPC	2004 FFPC	2007 FFPC	2010 FFPC	2014 FFPC (12.31.14)	2017 FFPC	2020 FFPC
Existing Building	-	2003 IEBC	2006 IEBC	2009 IEBC	2012 IEBC	2015 IEBC	2017 FEBC 2018 IEBC
Residential	-	2003 IRC	2006 IRC	2009 IRC	2012 IRC	2015 IRC	2017 FRC 2018 IRC
Energy Conservation	-	-	-	2009 IECC	2012 IECC	2015 IECC	2017 FECC 2018 IECC
Accessibility	-	-	-	2010 ADA	2014 FACBC	2017 FACBC	2020 FACBC

- Up until 2017, The Florida Building Code drew upon national model building codes and national consensus standards which are amended where necessary for Florida's specific needs. **As a result, the Florida Building Code will not match up closely with the 2018 Icodes, 2017 NEC**
- The International Code Council (ICC) is an association that develops such model codes and standards used in the design, building, and compliance process to "construct safe, sustainable, affordable and resilient structures." The ICC publishes ICodes: a complete set of model comprehensive, coordinated building safety and fire prevention codes, for all aspects of construction, that have been developed by ICC members. All 50 states have adopted the I-Codes.

ICC Supporting Organizations

- Alliance to Save Energy
- American Institute of Building Design
- American Planning Association
- American Seniors Housing Association
- Associated General Contractors, Alabama Branch
- Boeing Company
- Building Codes Assistance Project
- Building Component Manufacturer Conference
- Federal Alliance for Safe Homes
- Institute for Business & Home Safety
- Insurance Building Code Coalition
- International Association of Fire Chiefs
- International City/County Management Association
- Laborers' International Union of North America
- Missouri Association of Building Officials
- National Apartment Association
- National Association of Industrial and Office Properties
- National Association of State Fire Marshals
- National Council of Architectural Registration Boards
- Northwest Wall and Ceiling Bureau
- Responsible Energy Codes Alliance
- Steel Truss and Component Industry
- Structural Building Components
- Structural Component Distributors Association
- Tennessee Building Official Association
- Texas Municipal League
- The Model Building Code Initiative
- U.S. Department of Defense; U.S. Department of Energy
- U.S. Department of Housing and Urban Development
- United States Hispanic Contractors Association
- Washington State Association of Fire Marshals
- Western Contractors Association
- Western Wall and Ceiling Contractors Association
- Window and Door Manufacturers Association
- WTCA—Representing the Structural Building Components Industry



7th Edition (2020) Process

The Not So Common Code



7th Edition (2020 FBC) Code Development Process

- The Commission then interpreted the 2017 legislation and drafted rules that applied the technical amendment process which previously has been used to adopt local and interim amendments and only if they “meet a Florida specific need” to the triennial code adoption cycle.
- In 2017, AIA Florida filed a legal challenge to the Building Commission’s interpretation of the legislation and subsequent rulemaking, but we did not prevail. Nonetheless, it did form the basis for future legislation.

Phase 1 Review – The TAC Process

Eleven (11) Technical Advisory Committees (TACs) review proposed code changes and clarifications of the code and make recommendations to the Commission. The members of the committees are comprised of both commission members and members of the public from various disciplines that relates to the role of the committee

Technical Advisory Committees (TACs)

- Accessibility
- Building Administration
- Building (Structural)
- Education
- Building (Fire)
- Electrical
- Energy
- Mechanical
- Plumbing
- Roofing
- Special Occupancy

7th Edition (2020 FBC) Code Development Process

6 Criteria For Florida Specific

Technical amendments needed to accommodate the specific needs of this state include but are not limited to amendments to the Florida Building Code that provide for the following:

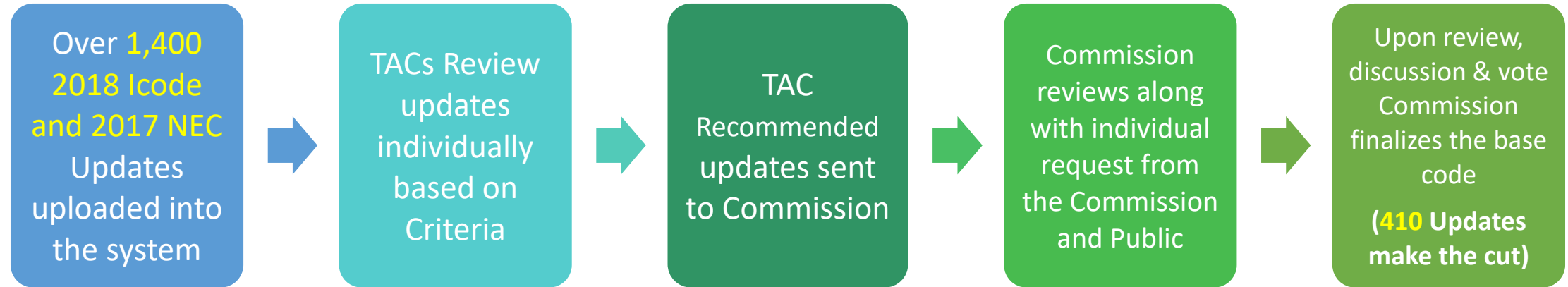
- a. Establish minimum life safety construction requirements to protect buildings and their occupants from fire, wind, flood, and storm surge using the latest technical research and engineering standards for buildings and materials products.
- b. Provide for flood protection provisions that are consistent with the latest flood protection requirements of the National Flood Insurance Program.
- c. Maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development.
- d. Provide for energy efficiency standards for buildings that meet or exceed the national energy standards as mandated by Title III of the Energy Conservation and Protection Act.
- e. Maintain coordination with the Florida Fire Prevention Code.
- f. Provide for the latest industry standards and design.

Phase 1 Review – The TAC Process

- In 2018 the Building Commission began the update process by reviewing the 2018 Icodes in which there were about 1,400 individual changes.
- These changes were reviewed in accordance with rule 61G20-2.002 by Technical advisory Committees based on 6 criteria listed on a previous slide.
- Many TAC members expressed confusion as to what, if any, updates they should consider.
- Some TACs limited their update recommendations to the very few that appeared to meet an undefined “Florida specific need” test.
- Some TAC members also reported they could not approve through consent agendas
- Then, each minor change had to be introduced, deliberated upon, and approved for recommendation to the Commission to be included in the base code.
- As a result, the overwhelming majority of Icode updates were rejected

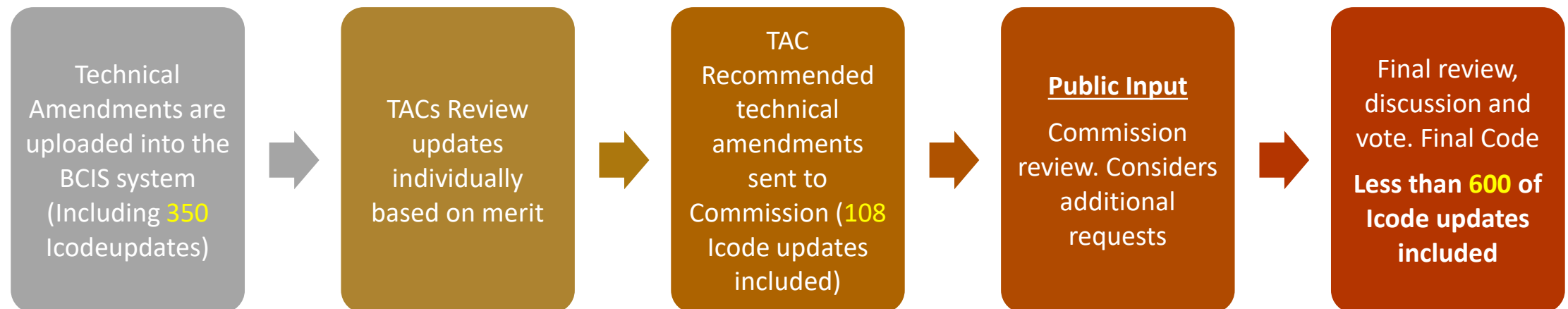
7th Edition FBC – Phase 1 and 2 process

Phase 1 – Review and Adoption of the Base Code



Hurricane Michael Headed to Panhandle

Phase 2 – Technical Amendment Process



2019 – HB 1333

Revisions to 553.73

(7)(a)

Legislation introduced through efforts by AIA Florida.
With this revision, the Commission was informed that model code changes during Phase 1 may be approved without the restriction that they had to be Florida specific

187 Construction adopted and amended pursuant to s. 553.901. Every 3
188 years, the commission may approve technical amendments to the
189 Florida Building Code without a finding that the amendment is
190 needed in order to accommodate the specific needs of this state.
191 The commission shall adopt updated codes by rule.

Florida Building Commission members



- 1 Chair
- **1 Architect (Brad Schiffer)**
- 1 Structural Engineer
- 1 A/C Contractor
- 1 Electrical Contractor
- 1 Fire Protection Engineer
- 1 General Contractor
- 1 Plumbing Contractor
- 1 Roofing or Sheet Metal Contractor
- 1 Residential Building Contractor
- 3 Building Officials
- 1 Representative from the Division of Financial Services
- 1 County Codes Enforcement Official
- 1 Representative for People with Disabilities
- 1 Manufactured Buildings Industry Representative
- 1 Mechanical or Electrical Engineer
- 1 Representative from a Municipality or Charter County
- 1 Building Products Manufacturing Industry Representative
- 1 BOMA Representative
- 1 Insurance Industry Representative
- 1 Public Education Representative
- 1 Swimming Pool Contractor
- 1 Green Building Industry Representative
- 1 Natural Gas Industry Representative
- 1 Representative of the Department of Agriculture and Consumer Services' Office of Energy
- **Total of 26 Members**



What's Ahead?

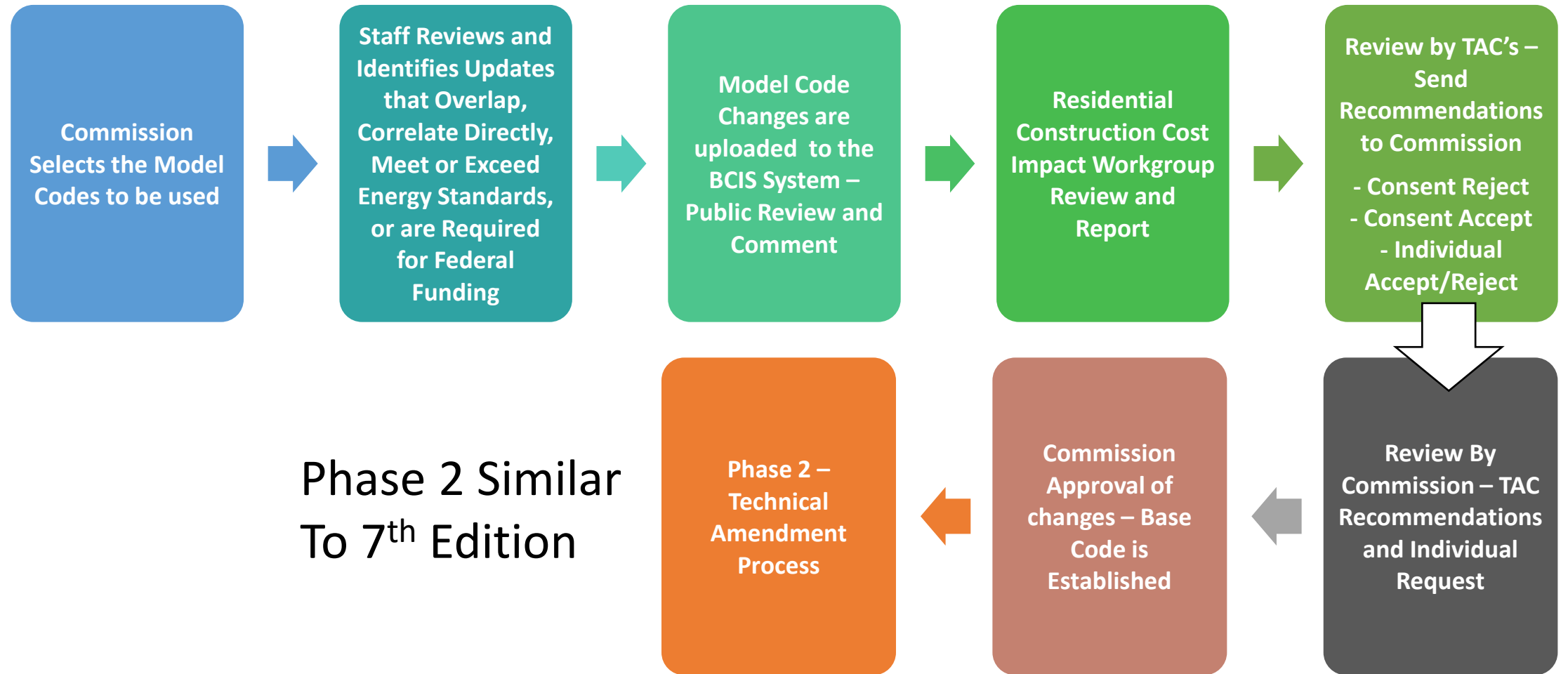


Commission members as of 2021 – CS/HB 1193



- 1 Architect – **5 years experience with Group E or I Occupancies**
- 1 Structural Engineer
- 1 A/C Contractor **or Mechanical Engineer**
- 1 Electrical Contractor **or Electrical Engineer**
- 1 General Contractor **or Building Contractor**
- 1 Plumbing Contractor
- 1 Roofing or Sheet Metal Contractor
- 1 Residential Building Contractor
- 3 Building Officials
- 1 Representative for People with Disabilities
- 1 Manufactured Buildings Industry Representative
- 1 Building Products Manufacturing Industry Representative
- 1 BOMA Representative
- 1 Insurance Industry Representative
- 1 Swimming Pool Contractor
- **The Chief Resilience officer or Designee**
- 1 Natural Gas Industry Representative
- **Total of 19 Members**

8th Edition FBC – Phase 1 process



New Rule 61G20-2.002 – Phase 1 TAC Review Process

No Florida Specific Standard Has to be Considered

1. Consent Agenda Rejection

- Being unnecessary
- Negatively impacting the level of public health, safety, or general welfare provided by an existing FBC provision
- Diminishing the requirements 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.

2. Consent Agenda Approval

- 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
- are required by law

3. Individual Approval or Rejection

- The update has the potential to impose significant costs
- Cause confusion or regulatory difficulty
- May be unnecessary
- Is highly controversial to affected stakeholders,
- requires further evaluation.

TACs' recommendations shall be accompanied by brief explanatory remarks & will be posted on the Commission's website.

Take Aways

- Less than 600 of the 1,400+ model code updates made it into the 7th edition of the FBC
- The Florida Building Code will no longer be based on the model codes – It will be based on its own previous version
- Any Model Code updates will be reviewed one at a time for inclusion
- As each edition is promulgated, more and more of the model codes will be left out.
- Incorporating past Icode changes will be more difficult with each subsequent edition
- The FBC will have lessened correlation with the model codes as time progresses.
- Practicing in jurisdictions outside of Florida will require a more in-depth review of their codes (and vice versa).



What Do We Need To Do?

- Attend The Commission Meetings – Especially if they are close by
- Get your Chapter involved
 - Appoint someone to follow the code development process
- Attend the TAC Meetings
 - June/July 2021
 - March 2022
- Review the proposed code modifications - Post Public Comments
- Get Involved – As design professional you are greatly impacted by the codes
- www.floridabuilding.org
- **The only real fix is a legislative one**



Proposed Code Modifications
USER: Richard Logan

Proposed Code Modifications Menu

General Users

- Find a Proposed Code Modification
- Find a Code Change Cycle
- Code Development and Hot Topics
- FAQ (Getting Started)
- View Related Rules/Statutes
- Contact Us

Logged In Users

- Submit a Proposed Code Modification
- Submit Comment on Proposed Modification
- Replicate a Proposed Code Modification
- Maintain Code Change Cycles
- Modify My User Profile
- Extract User Emails
- Manage Proposed Code Modifications

Questions?

Links

Final Version 7th Edition (2020 FBC) -
[https://codes.iccsafe.org/category/Florida?year\[\]=2020&page=1](https://codes.iccsafe.org/category/Florida?year[]=2020&page=1)

Analysis of Changes to the 7th
Edition – Major Changes Highlighted
in Yellow
[http://www.floridabuilding.org/fbc/Links to Code Resources.html](http://www.floridabuilding.org/fbc/Links%20to%20Code%20Resources.html)

