FLORIDA BUILDING COMMISSION

CODE AMENDMENT PROCESS REVIEW
WORKGROUP

AUGUST 2006 REPORT AND
PHASE II RECOMMENDATIONS
TO THE FLORIDA BUILDING COMMISSION

AUGUST 21, 2006
Miami Lakes, Florida

Meeting Design & Facilitation By

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This document is available in alternate formats upon request to Dept. of Community Affairs, Codes & Standards, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850) 487-1824.
Overview
Raul L. Rodriguez, AIA, Chair of the Florida Building Commission, has made appointments to the Code Amendment Process Review Workgroup, and they are found below. Members are charged with representing their stakeholder group’s interests, and working with other interest groups to develop a consensus package of recommendations for submittal to the Florida Building Commission.

Code Amendment Process Review Workgroup tasked with a short-term (Phase 1) scope and a long-term (Phase II) scope. The scope of the Workgroup in the short-term is to make a recommendation regarding the 2007 Code Update schedule. The long-term focus of the Workgroup will be to deliver recommendations to the Commission regarding proposed enhancements to the annual interim amendment and triennial code update processes.

Triennial Code Update Process
Florida Statute, Chapter 553.73(6), requires the Commission to update the Florida Building Code every 3 years; by selecting the most current version of the International Family of Codes; the commission may modify any portion of the foundation codes only as needed to accommodate the specific needs of this state, maintaining Florida-specific amendments previously adopted by the commission and not addressed by the updated foundation code.

Annual Interim Amendment Process
Florida Statute, Chapter 553.73(7), provides that the Commission may approve technical amendments to the Florida Building Code once each year for statewide or regional application upon a finding that the amendment: there is a Florida specific need; has connection to the health, safety, and welfare of the general public; strengthens or improves the Code; does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; does not degrade the effectiveness of the Code; and, includes a fiscal impact statement which documents the costs and benefits of the proposed amendment, and shall include the impact to local government relative to enforcement, the impact to property and building owners, as well as to industry, relative to the cost of compliance.
Expedited Amendment Process—Adopted by the 2006 Legislature at the Commission’s Recommendation

(f) Upon the conclusion of a triennial update to the Florida Building Code, notwithstanding the provisions of this subsection or subsection (3), the commission may address issues identified in this paragraph by amending the code pursuant only to the rule adoption procedures contained in chapter 120. Following the approval of any amendments to the Florida Building Code by the commission and publication of the amendments on the commission’s website, authorities having jurisdiction to enforce the Florida Building Code may enforce the amendments. The commission may approve amendments that are needed to address:

1. Conflicts within the updated code;
2. Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;
3. The omission of previously adopted Florida-specific amendments to the updated code if such omission is not supported by a specific recommendation of a technical advisory committee or particular action by the commission; or
4. Unintended results from the integration of previously adopted Florida-specific amendments with the model code.

Workgroup Members:
Hamid Bahadori, Jeff Burton, Nick D’Andrea, Jack Glenn, Jim Goodloe, Dale Greiner, Gary Griffin, Jon Hamrick, Kari Hebrank, and Randy Vann.
TUESDAY, AUGUST 21, 2006

Summary of Workgroup’s Key Decisions

Opening and Meeting Attendance
The meeting started at 4:00 PM, and the following Workgroup members were present:

Hamid Bahadori, Jeff Burton, Nick D’Andrea, Jack Glenn, Dale Greiner, Gary Griffin, Jon Hamrick, and Randy Vann.

DCA Staff Present
Rick Dixon, Mo Madani, and Betty Stevens.

Meeting Facilitation
The meeting was facilitated by Jeff Blair from the Florida Conflict Resolution Consortium at Florida State University. Information at: http://consensus.fsu.edu/

Project Webpage
Information on the project, including agenda packets, meeting reports, and related documents may be found in downloadable formats at the project webpage below: http://consensus.fsu.edu/FBC/cprwg.html

Meeting Objectives
The Workgroup voted unanimously, 8 - 0 in favor, to approve the agenda as presented including the following objectives:

✔ To Approve Regular Procedural Topics (Agenda and Report)
✔ To Review Relevant Legislation and Phase II Scope
✔ To Review Member’s Survey Results
✔ To Review Issue and Options Worksheet
✔ To Identify Additional Issues and Options for Evaluation
✔ To Evaluate, Rank, and Refine Proposed Options
✔ To Consider Public Comment
✔ To Identify Needed Next Steps and Agenda Items For Next Meeting
Approval of July 12, 2006 Facilitator’s Summary Report

The Workgroup voted unanimously, 8 - 0 in favor, to approve the July 12, 2006 Facilitator’s Summary Report as presented.

WORKGROUP’S CONSENSUS RECOMMENDATIONS

The Workgroup voted unanimously to recommend the following to the Florida Building Commission:

Eliminate the annual interim process, maintain only the triennial and expedited processes. The expedited process can be implemented whenever needed. The criteria for the process would be amended to include updates and changes to federal/state laws.

A triennial code update that coincides with the fire triennial update.

Justification for Florida-specific amendments to the base code should be strictly adhered to. Define specific needs of the State.

Issue quarterly notices of binding interpretations and declaratory statements. This would be in the form of a technical bulletin section of the Commission’s quarterly newsletter.

Require the TAC’s to review the code change proposals both times (two TAC reviews prior to Commission consideration during rule development) during the Code development phase of the update process then have the Commission conduct Chapter 120 rule development, with a rule development workshop and rule adoption hearing, in the adoption phase of the update process. The TAC’s would review proposed code amendments, and after the 45 public comment period on the TAC’s recommendations, the TAC would review and make recommendations regarding comments, and then the TAC’s revised recommendations would be submitted to the Commission for their consideration in a rule development workshop.

Maintain updates to FBC within 2 years (not more than 2 years) of new editions of the foundation codes and provide for adoption of equivalent product evaluation standards via rule 9B-72. (Establish a policy that the would ensure the updated Florida Building Code would go into effect a minimum of one year before the next edition of the foundation codes on which it is based.)
ATTACHMENT 1

MEETING EVALUATION RESULTS

August 22, 2006—Miami Lakes, Florida

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting.

9.7 The background information was very useful.
9.7 The agenda packet was very useful.
9.4 The objectives for the meeting were stated at the outset.
9.6 Overall, the objectives of the meeting were fully achieved.
9.4 Overview of Options Evaluation Worksheet.
9.6 Identification, Evaluation, and Acceptability Ranking of Workgroup’s Proposed Options.
9.6 Adoption of Package of Recommendations for Submittal to the Commission.
9.6 Identification of Next Steps and Recommendations Delivery Schedule.

2. Please tell us how well the Facilitator helped the participants engage in the meeting.

9.3 The members followed the direction of the Facilitator.
9.4 The Facilitator made sure the concerns of all members were heard.
9.6 The Facilitator helped us arrange our time well.
9.7 Participant input was documented accurately.

3. What is your level of satisfaction with the meeting?

9.7 Overall, I am very satisfied with the meeting.
9.9 I was very satisfied with the services provided by the Facilitator.
9.9 I am satisfied with the outcome of the meeting.

4. What progress did you make?

9.7 I know what the next steps following this meeting will be.
9.9 I know who is responsible for the next steps.

5. Member’s Written Evaluation Comments.

• All 10’s and in 10 minutes. The system works.
• Add more to the agenda to make meeting more meaningful.