FLORIDA BUILDING COMMISSION

BUILDING CODE SYSTEM ASSESSMENT AD HOC

RECOMMENDATIONS

TO THE FLORIDA BUILDING COMMISSION

December 6, 2005

Tampa, Florida

Meeting Design & Facilitation By

Florida Conflict Resolution Consortium

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FLORIDA BUILDING COMMISSION
BUILDING CODE SYSTEM ASSESSMENT AD HOC REPORT
DECEMBER 6, 2005

Overview

Triennial Report to the Legislature. Florida Statute, Chapter 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed. This year (2005), the Commission solicited stakeholder input in the form of an on-line survey (conducted from August through September 16, 2005), and at the December Commission meeting the Commission will consider and develop a package of recommendations for enhancements to the Florida Building Code System. The Commission’s recommendations related to this topic, will be a major component of their Report to the 2006 Legislature. In order to accomplish this in a participatory manner, Chairman Rodriguez announced on August 24, 2005, that he was appointing an Ad Hoc Committee comprised of Commissioners to meet in a facilitated process, and to develop recommendations to the Commission between October and December of 2005. The appointments to the Building Code System Assessment Ad Hoc are: Dick Browdy, Ed Carson, Nick D’Andrea, Herminio Gonzalez, Jim Goodloe, Jeff Gross, Do Kim, Randall Vann, and George Wiggins.

Members and Representation

Dick Browdy
Homebuilders
Ed Carson
Contractors and Manufactured Buildings
Nick D’Andrea
Building Officials
Herminio Gonzalez
Product Evaluation Entities
Jim Goodloe
State Insurance and Fire Officials
Jeff Gross
 Architects and Building Management Industry
Do Kim
Engineers and Insurance Industry
Randall Vann
Plumbing Contractors and Construction Subcontractors
George Wiggins
Local Government

Meeting Schedule

Meeting I
October 11, 2005
Orlando, FL
Meeting II
November 16, 2005
Orlando, FL
Meeting III
December 6, 2005
Tampa, FL
REPORT OF THE DECEMBER 6, 2005 MEETING

Opening and Meeting Attendance
Jeff Blair, Commission Facilitator, opened the meeting at approximately 8:00 AM, and the following Ad Hoc Committee members were present: Dick Browdy, Ed Carson, Nick D’Andrea, Herminio Gonzalez, Jim Goodloe, Jeff Gross, Randall Vann, and George Wiggins.

DCA Staff Present
Betty Stevens captured participant’s comments and took notes for the meeting.

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 at the project webpage: http://consensus.fsu.edu/FBC/bcsa.html

Agenda Review
Jeff Blair reviewed the agenda with members and the public. The agenda included the following objectives:

- To Review and Adopt the December 6, 2005 Agenda, and November 16, 2005 Report
- To Review Consensus Recommendations Requiring Statutory Changes
- To Identify Any Additional Options for Evaluation—Requiring Statutory Changes
- To Evaluate Any Additional Proposed Options—Requiring Statutory Changes
- To Ensure Recommendation Language Implements/Captures Ad Hoc’s Intent
- To Review Consensus Recommendations Not Requiring Statutory Changes
- To Consider Public Comment
- To Adopt Package of Recommendations for Submittal to the Commission
- To Identify Next Steps, and Agenda Items for Next Meeting, if Needed

Review of Options Worksheet and Identification of Additional Options
Jeff Blair reviewed the Ad Hoc’s preliminary package of recommendations for statutory changes and the additional recommendations not requiring legislative action to implement. Members were asked to review each of the recommendations, and following comments to vote again on each of the recommendations. Member’s were also offered an opportunity to propose additional recommendations.

Following are the consensus recommendations, separated into those that require statutory changes and those that do not.
BCSA Ad Hoc Committee’s Consensus Recommendations—Requiring Statutory Change

The Committee voted unanimously, 8 – 0 in favor, to recommend the following package of recommendations to the Florida Building Commission:

A. FLORIDA BUILDING CODE AND CODE DEVELOPMENT PROCESS

Seek Statutory authority for an "expedited amendment" process in Chapter 553 for glitch and correlation (including errata) amendments. The process would allow the Commission to implement expedited amendments using only the standard Chapter 120 rule development procedures.

Recommend that the Florida Building Commission seek legislative authority requiring that the sizing of private sewage systems be governed by definitions provided in the Florida Building Code.

B. THE FLORIDA BUILDING COMMISSION

Recommend that the Legislature create a specific Senate and/or House committee specific to the Florida Building Code. The Commission’s “Legislative Liaison Committee” could interface with this entity.

C. LOCAL ADMINISTRATION OF THE FLORIDA BUILDING CODE

No statutory options on this System component achieved a consensus recommendation.

D. CODE COMPLIANCE AND ENFORCEMENT—EDUCATION AND TRAINING

No statutory options on this System component achieved a consensus recommendation.
E. PRODUCT APPROVAL SYSTEM

Supports the POC’s effort related to the development and implementation of an accelerated revocation process for noncompliant product approvals, and supports recommending any required legislative changes necessary to implement the POC’s final recommendation.

F. BUILDING CODE INFORMATION SYSTEM

No statutory options on this System component achieved a consensus recommendation.

G. MANUFACTURED BUILDINGS PROGRAM

No statutory options on this System component achieved a consensus recommendation.

H. PROTOTYPE BUILDINGS PROGRAM

No statutory options on this System component achieved a consensus recommendation.

I. PRIVATE PROVIDER SYSTEM

No statutory options on this System component achieved a consensus recommendation.
BCSA Ad Hoc Committee’s Consensus Recommendations—Not Requiring Statutory Change

A. FLORIDA BUILDING CODE AND CODE DEVELOPMENT PROCESS

Initiate a collaborative process between the Florida Building Commission and the Division of State Fire Marshal to develop a coordinated code development/adoption schedule between the FBC and the FFPC (codes), that once implemented would provide sufficient time and strict deadlines to keep the Codes on the same adoption schedule. DCA staff will take the lead on implementing this recommendation.

Commission review the existing coordination effort to coordinate the FBC and the FFPC (codes), and implement a long-term process to correlate the technical and jurisdictional provisions of the two codes.

B. THE FLORIDA BUILDING COMMISSION

Recommends that the Chair consider initiating a “Legislative Liaison Process”, which may include Commissioners, designed to ensure that the legislative agenda of the Commission is directly represented. The review should consider the best format for creating/serving as a liaison between the FBC and Florida Legislature. The Committee recommends that any rule changes required to implement this recommendations be initiated.

A special Commissioner weblink should be implemented and maintained to provide Commissioners with all Commission relevant updated and draft documents, as well as communications related to travel and other logistical issues. This Commissioner web access venue should be reviewed by DCA to ensure no laws are violated through the implementation of this recommendation.

An effort should be initiated to review and establish strict deadlines for adding agenda items to the web posted agenda for TAC meetings (this should be more than 7 days).

An effort should be initiated to review and evaluate Commission meeting locations to ensure that the Commission meet in all regions of the State based on reasonable schedule. (This would include on average: Orlando, Miami, Tampa, North East Florida, and the Panhandle).
C. LOCAL ADMINISTRATION OF THE FLORIDA BUILDING CODE

The Commission should prioritize the issue and conducted an assessment to survey local building officials on their needs regarding administration of the Code (i.e., training and education needs, staffing, funding, etc.). This survey should also focus on how local building jurisdictions are addressing “master building plans” in relation to the Prototype Building Program.

The Commission recommends and encourages the various trade associations to develop training and education on the Code for job site supervisors and specialty subcontractors and tradesman who participate in the construction of the structure.

The Commission recommends and encourages BOAF to provide training and educational seminars related to binding interpretations.

Recommend that the FBC’s Code Administration TAC be convened to take a proactive approach to reviewing and developing recommendations related to Code administration. The focus of the effort should be toward ensuring uniform enforcement of the Code.

D. CODE COMPLIANCE AND ENFORCEMENT—EDUCATION AND TRAINING

Commission encourages and recommends the various trade associations to develop training and education opportunities for job site supervisors and subcontractors who participate in the construction of the structure.

Commission encourages and recommends enhanced opportunities related to coordination and cross-training between building and fire officials on the respective codes.
E. PRODUCT APPROVAL SYSTEM

The Ad Hoc voted unanimously that all recommendations related to Product Approval, are directed toward the POC and related Workgroups, and are offered in support of existing efforts.

The Committee recommends that the POC develop a streamlined Commission Product Approval review process with consent agendas.

The Committee supports the POC’s and PAVWG’s determination that validation includes a technical review.

The Committee recommends that the POC review the frequency of Quality assurance program inspections.

Recommends that the POC in collaboration with the system administrator, develop checklists indicating what information is required for application submittal and validation.

Recommends that the POC develop a process with specific criteria, for disciplining A & E validators and evaluators and notify the appropriate boards, regarding those that continue to have problems with their submittals (i.e., a three strike system). A similar process for certification agencies should be developed related to notifying accreditors.

Recommendation supporting POC/PAVWG’s efforts related to identifying and standardizing which compliance options may be selected for the different product categories.

Recommendation supporting POC/PAVWG’s efforts related to the development of clear and consistent criteria for each compliance method, with a fill-in-the-blank as-you-go application to facilitate.

Recommendation of support for POC’s efforts related to labeling products with the product approval number.

Recommendation of support regarding POC working to require uniformity of information posted to the website for all compliance methods used for product approval.

Committee supports the Education POC’s efforts in educating the public on the product approval system and website.
F. BUILDING CODE INFORMATION SYSTEM

Recommend that the Education POC implement a campaign to make the public and all system participants aware of the BCIS and the information contained within the site.

Recommend to DCA that they simplify the web pages by removing the DCA information wrapped around each of the pages.

G. MANUFACTURED BUILDINGS PROGRAM

Recommend that the PA POC prioritize efforts to review and develop enhancements related to the system designed to ensure that alterations and attachments to approved buildings are required to comply with the Code.

Support PA POC’s existing efforts to design the system to identify and resolve problems related to the program and the product.

Support efforts by the Education POC to implement an education and training program/campaign to clarify and publicize the roles and responsibilities of the various system participants (i.e., permitting, inspection, installation, etc.).

Recommend that the Product Approval POC work with the Budget Committee to develop a list of approved uses for the fees collected from the program (i.e., training on the program).

H. PROTOTYPE BUILDINGS PROGRAM

Recommend that an effort be initiated to review and market the Program. The review should focus on surveying how local building jurisdictions deal with master building plan files, for repetitive building, in relation to the Prototype Building Program. The review should assess whether the local system could and/or should be integrated into the State program, as well as whether there is a need for the State program, and/or both systems.

I. PRIVATE PROVIDER SYSTEM

No options achieved consensus, and there are no recommendations.
ATTACHMENT 1

MEETING EVALUATION RESULTS

DECEMBER 6, 2005—Tampa, Florida

A 0 To 10 Rating Scale Where A 0 Means Totally Disagree And A 10 Means Totally Agree Was Utilized.

1. Please assess the overall meeting.

9.86 __ The background information was very useful.
9.86 __ The agenda packet was very useful.
9.86 __ The objectives for the meeting were stated at the outset.
9.86 __ Overall, the objectives of the meeting were fully achieved.
9.86 __ Determination Regarding Accuracy of Committee’s Recommendations.
9.86 __ Adoption of Package of Recommendations for Submittal to the Commission.

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

9.71 __ The members followed the direction of the Facilitator.
9.86 __ The Facilitator made sure the concerns of all members were heard.
9.86 __ The Facilitator helped us arrange our time well.
9.71 __ Participant input was documented accurately.

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

9.71 __ Overall, I am very satisfied with the meeting.
9.86 __ I was very satisfied with the services provided by the Facilitator.
9.71 __ I am satisfied with the outcome of the meeting.
9.71 __ Participant input was documented accurately.

4. What progress did you make?

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

5. Members written evaluation comments.

• Great job, Jeff.
• Good job, JB!
• Good job.
• Good work Jeff, keep it up.