

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

COMMUNITY AFFAIRS
Senator Calatayud, Chair
Senator Osgood, Vice Chair

MEETING DATE: Tuesday, January 24, 2023
TIME: 3:30—5:30 p.m.
PLACE: *James E. "Jim" King, Jr Committee Room, 401 Senate Building*

MEMBERS: Senator Calatayud, Chair; Senator Osgood, Vice Chair; Senators Baxley, Berman, Bradley, Brodeur, Gruters, Martin, and Pizzo

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation by the Florida Building Commission		Presented
2	Other Related Meeting Documents		



Florida Building Commission

Jeff Kelly, Director of Professions
Florida Department of Business and Professional Regulation

Senate Community Affairs Committee
January 24, 2023

Florida Building Commission

- Composed of 19 members who are appointed by the Governor:

Architects	Engineers	Contractors
Building Owner/Manager Representative	Building Officials	Insurance Industry Representative

- Supported by 11 Technical Advisory Committees comprised of subject matter experts for specific areas of the Florida Building Code.
- Meets approximately every six weeks. Meetings are held in person or online.
- The Commission's responsibilities include:
 - Adopting and updating the Florida Building Code.
 - Issuing interpretations of the Florida Building Code through declaratory statements.
 - Approving training courses.
 - Approving construction products for statewide use.

History of the Florida Building Code

- **Prior to 2002** – More than 400 local governments were responsible for building codes.
- **1992** – Hurricane Andrew revealed the deficiencies of the state's existing building codes.
- **1996** – The Florida Building Codes Study Commission was created.
- **2002** – The 1st edition of the Florida Building Code went into effect, which created one unified code.
- **2020** – The 7th edition of the Florida Building Code went into effect on December 31, 2020.

The Florida Building Code

- A single unified statewide building code that applies to the design, construction, erection, alteration, modification, repair, or demolition of public or private buildings, structures, or facilities.
 - Establishes minimum requirements to safeguard the public health, safety, and welfare through structural strength and design.
 - Includes requirements for energy conservation, existing buildings, mechanical systems, electrical systems, plumbing systems, residential structures, fuel/gas systems, test protocols, and accessibility.
- Based on the most recent national model codes and other national consensus standards.
- Serves as the foundation for Florida's building code system which was ranked #1 in 2021 by the Insurance Institute for Business and Home Safety (IBHS).

Updating the Florida Building Code

- The triennial update process for the Florida Building Code is a two-step process and is subject to the rulemaking requirements of Chapter 120, F.S.
 - The first step requires the Florida Building Commission to review all changes to certain model codes for possible inclusion in the next edition of the Florida Building Code. **(Completed December 2021)**
 - The second step allows members of the public to submit proposed code modifications for possible inclusion in the next edition of the Florida Building Code. **(Completed December 2022)**
- Next, the Commission and its staff will develop a draft 8th Edition, Florida Building Code (2023) and complete the Chapter 120, F.S., rulemaking process.
- Additionally, if necessary, the Florida Building Code can be amended annually or through the Commission's "glitch" amendment process.

Local Enforcement and Local Amendments

- Chapter 553, F.S., states that the responsibility for enforcement, interpretation, and regulation of the Florida Building Code shall be vested in a local board or agency.
- Local governments, building officials, plans examiners, and inspectors are primarily responsible for the administration and enforcement of the Florida Building Code.
- Local building departments are typically responsible for examining building plans, administering permits, and inspecting construction.
- Local jurisdictions are permitted to adopt administrative and technical amendments to the Florida Building Code after satisfying specific statutory requirements.
 - Local technical amendments must contain requirements more stringent than the requirements contained in the Florida Building Code.

Interpretations of the Florida Building Code

- Declaratory Statements:
 - The Commission is authorized to provide interpretations of specific building code provisions and certain statutory provisions subject to the requirements of Chapter 120, F.S.
 - The Commission's declaratory statements are binding statewide.
- Nonbinding Interpretations:
 - A panel provides written answers to questions about the building code from the public.
 - Advisory only.
- Formal/Binding Interpretations:
 - A seven-member panel reviews a building code interpretation issued by a local building official or enforcement agency after the local appeals process has been completed.
 - The panel's determination is binding on all parties.

Hurricane Ian Update

- The Florida Building Commission has a recurring purchase order with the University of Florida to conduct a damage assessment when a Category III, IV, or V hurricane makes landfall in Florida.
- The UF team was deployed for Hurricane Ian.
 - The lead researcher for the project is Dr. David Prevatt.
 - The Florida Building Commission was provided with the UF team's preliminary assessments in October 2022 and December 2022.
- Major points from the preliminary assessments include:
 - Most of the property damage and loss of life was sustained from storm surge and flooding.
 - Hurricane Ian's wind speed at landfall was approximately 120 mph.
 - Homes built to the Florida Building Code performed well structurally against wind induced loads.
- The UF team's final report is due June 30, 2023.

Ft. Myers Beach Post Hurricane Ian



Michael Bruneau
SUNY Distinguished
Professor

https://www.linkedin.com/posts/michelbruneau_structural-engineers-disaster-activity-6982394199585234944-hACx/?utm_source=share&utm_medium=member_desktop

Milestone Inspection Recommendations

- Section 553.899, F.S., required the Commission to review the milestone inspection requirements under Section 553.899, F.S., and make recommendations to ensure the inspections are sufficient to determine the structural integrity of a building.
- The Commission's Existing Building Inspection Workgroup met four times to discuss and develop their recommendations.
- The requirements in Section 553.899, F.S., provide design professionals significant discretion in performing the milestone inspections.
 - Buildings are unique.
 - The way a building ages is unique.

Milestone Inspection Recommendations

- The Commission's overall recommendation is to request that the legislature grant the Commission specific rulemaking authority to establish the requirements for a minimum Building Safety/Milestone Inspection Program within the Florida Building Code.
- The program would contain the following items:
 - Milestone inspection requirements consistent with Section 553.899, F.S.
 - Standardized inspection forms and checklists.
 - Other baseline guidance and minimum requirements necessary to ensure the structural integrity of buildings.
 - Local jurisdictions would be able to enhance and adjust these requirements through the local amendment process discussed earlier.

Milestone Inspection Recommendations

- Other General Recommendations:
 - Have milestone inspections be triggered for all buildings at 30 years (no coastal vs. inland dichotomy).
 - The Commission should develop or help facilitate the development of coastline maps for the entire state.
 - The Coastal Construction Control Line (“CCCL”) should be used to measure three miles from the coastline.
 - Clarify that coastal structures with a certificate of occupancy date on or before July 1, 1997, are required to provide their initial milestone inspection report by December 31, 2024.
 - The Commission’s report also contains several recommendations related to qualifications for milestone inspectors and a few other miscellaneous recommendations.



Contact Information

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Legislative Affairs Director
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850-491-5705

The Florida Senate

APPEARANCE RECORD

Florida Building Commission Code
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/24/23
Meeting Date

Community Affairs
Committee

Amendment Barcode (if applicable)

Name Jeff Kelly Phone 850-777-1391

Address 2601 Bluestone Road Email Jeffrey.Kelly@myfloridalicense.com
Street

Tallahassee FL 32399
City State Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

- I am appearing without compensation or sponsorship.
- I am a registered lobbyist, representing:
- I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

1/24/23

Meeting Date

Building Commission

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Thomas Campbell

Phone

850-717-1823

Address

2601 Blair Stone Rd.

Email

thomas.campbell@myfloridalicense.com

Street

Tallahassee

City

FL

State

32303

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

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Building Commission

Bill Number or Topic

1/24/2023

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name mo madani

Phone 850-274-3950

Address 2601 Blue Stone Road

Street

Email mo.madani@myfloridalicense.com

Tallahassee

City

FL

State

32319

Zip

Speaking: [] For [] Against [x] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

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S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR JOE GRUTERS

22nd District

COMMITTEES:

Regulated Industries, *Chair*
Appropriations
Appropriations Committee on Agriculture,
Environment, and General Government
Appropriations Committee on Health
and Human Services
Commerce and Tourism
Community Affairs
Transportation

SELECT COMMITTEE:

Select Committee on Resiliency

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight,
Alternating Chair

January 18, 2023

Chair Calatayud,

Senator Gruters requests an excused absence for the Community Affairs Committee Meeting on 1/24/2023 beginning at 3:30PM.

Please let me know if there are any conflicts resulting in this request.

Thank you,

A handwritten signature in black ink that reads "Joe Gruters".

REPLY TO:

- 381 Interstate Boulevard, Sarasota, Florida 34240 (941) 378-6309
- 316 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5022

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore

CourtSmart Tag Report

Room: SB 401

Case No.:

Type:

Caption: Senate Community Affairs Committee

Judge:

Started: 1/24/2023 3:30:53 PM

Ends: 1/24/2023 4:06:10 PM

Length: 00:35:18

3:30:58 PM Chair Calatayud calls meeting to order
3:31:05 PM CAA calls roll, quorum present
3:31:24 PM Senator Gruters excused
3:31:34 PM Chair Calatayud in opening remarks
3:31:51 PM Presentation by Jeff Kelly, Director of Professions, DBPR
3:48:19 PM Questions:
3:48:23 PM Senator Brodeur
3:48:47 PM Mr. Kelly
3:48:54 PM Mr. Kelly asks staff to help answer, Mo Madani
3:49:49 PM Senator Pizzo
3:49:58 PM Mr. Kelly
3:50:05 PM Mr. Madani
3:50:29 PM Senator Pizzo
3:50:43 PM Mr. Madani
3:51:05 PM Back and forth in questions
3:53:04 PM Senator Bradley
3:54:17 PM Mr. Kelly
3:55:08 PM Senator Bradley
3:55:20 PM Mr. Kelly
3:55:42 PM Back and forth in questions
3:56:28 PM Mr. Madani
3:56:54 PM Senator Bradley
3:57:12 PM Senator Brodeur
3:57:36 PM Tom Campbell, Executive Director of Commission
3:58:18 PM Senator Brodeur
3:58:37 PM Senator Pizzo
3:59:34 PM Mr. Kelly
4:00:01 PM Senator Pizzo
4:00:57 PM Chair Calatayud comments
4:01:08 PM Senator Martin
4:01:59 PM Mr. Madani
4:02:57 PM Senator Martin
4:04:01 PM Mr. Madani
4:04:26 PM Back and forth in questions
4:05:25 PM Chair Calatayud in comments
4:05:47 PM No discussion
4:05:52 PM Senator Osgood moves to adjourn
4:06:01 PM Meeting adjourned