

Bill No. SB 1470

Barcode 451248

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Pruitt) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (c) is added to subsection (17) of section 120.80, Florida Statutes, to read:

120.80 Exceptions and special requirements; agencies.--

(17) FLORIDA BUILDING COMMISSION.--

(c) Notwithstanding ss. 120.565, 120.569, and 120.57, the Florida Building Commission and hearing officer panels appointed by the commission in accordance with s. 553.775(3)(c)1. may conduct proceedings to review decisions of local building code officials in accordance with s. 553.775.

Section 2. Paragraph (i) of subsection (1) of section 468.621, Florida Statutes, is amended, and paragraph (j) is added to that subsection, to read:

468.621 Disciplinary proceedings.--

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1 (1) The following acts constitute grounds for which  
2 the disciplinary actions in subsection (2) may be taken:

3 (i) Failing to lawfully execute the duties and  
4 responsibilities specified in this part and ss. 553.73,  
5 553.781, ~~and~~ 553.79, and 553.791.

6 (j) Imposing construction requirements that vary from  
7 those established in the Florida Building Code, lawful  
8 amendments to the Florida Building Code, or binding  
9 interpretations of the Florida Building Code.

10 Section 3. Section 553.775, Florida Statutes, is  
11 created to read:

12 553.775 Review of local interpretations of the code.--

13 (1) It is the intent of the Legislature that the  
14 Florida Building Code be interpreted by building officials,  
15 local enforcement agencies, and the commission in a manner  
16 that protects the public safety, health, and welfare at the  
17 most reasonable cost to the consumer by ensuring uniform  
18 interpretations throughout the state and by providing  
19 processes for resolving disputes regarding interpretations of  
20 the Florida Building Code which are just and expeditious.

21 (2) Local enforcement agencies, local building  
22 officials, state agencies, and the commission shall interpret  
23 provisions of the Florida Building Code in a manner that is  
24 consistent with declaratory statements and interpretations  
25 entered by the commission, except that conflicts between the  
26 Florida Fire Prevention Code and the Florida Building Code  
27 shall be resolved in accordance with s. 553.73(9)(c) and (d).

28 (3) The commission shall coordinate review of  
29 decisions of local building officials and local enforcement  
30 agencies regarding interpretations of the Florida Building  
31 Code after the local board of appeals has considered the

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1 decision, if such a board exists, and if the appeals process  
2 is concluded within 10 business days as provided in this  
3 subsection.

4       (a) The commission shall coordinate with the Building  
5 Officials Association of Florida, Inc., to designate panels  
6 composed of five members to hear requests to review decisions  
7 of local building officials. The members must be licensed as  
8 building code administrators under part XII of chapter 468 and  
9 must have experience interpreting and enforcing provisions of  
10 the Florida Building Code.

11       (b) Requests to review a decision of a local building  
12 official interpreting provisions of the Florida Building Code  
13 may be initiated by any substantially affected person,  
14 including an owner or builder subject to a decision of a local  
15 building official or an association of owners or builders  
16 which has members who are subject to a decision of a local  
17 building official. In order to initiate review, the  
18 substantially affected person must file a petition with the  
19 commission. The commission shall adopt a form for the  
20 petition, which must be published on the Building Code  
21 Information System. The form must, at a minimum, require the  
22 following information:

23           1. The name and address of the county or municipality  
24 in which provisions of the Florida Building Code are being  
25 interpreted.

26           2. The name and address of the local building official  
27 who has made the interpretation that is being appealed.

28           3. The name, address, and telephone number of the  
29 petitioner; the name, address, and telephone number of the  
30 petitioner's representative, if any; and an explanation of how  
31 the petitioner's substantial interests are being affected by

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1 the local interpretation of the Florida Building Code.

2 4. A statement of the provisions of the Florida  
3 Building Code which are being interpreted by the local  
4 building official.

5 5. A statement of the interpretation given to  
6 provisions of the Florida Building Code by the local building  
7 official and the manner in which the interpretation was  
8 rendered.

9 6. A statement of the interpretation that the  
10 petitioner contends should be given to the provisions of the  
11 Florida Building Code and a statement supporting the  
12 petitioner's interpretation.

13 7. Space for the local building official to respond in  
14 writing. In this response, the local building official must,  
15 at a minimum, provide a statement admitting or denying the  
16 statements contained in the petition and a statement of the  
17 interpretation of the provisions of the Florida Building Code  
18 which the local jurisdiction or the local building official  
19 contends is correct, including the basis for the  
20 interpretation.

21 (c) The petitioner shall submit the petition to the  
22 local building official, who shall place the date of receipt  
23 on the petition. The local building official shall respond to  
24 the petition in accordance with the form and shall return the  
25 petition along with his or her response to the petitioner  
26 within 5 days after receipt, exclusive of Saturdays, Sundays,  
27 and legal holidays. The petitioner may file the petition with  
28 the commission at any time after the local building official  
29 provides a response. If the local building official does not  
30 respond, the petitioner may file the petition with the  
31 commission 10 days after submission of the petition to the

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1 local building official and must note that the local building  
2 official did not respond.

3 (d) Upon receipt of a petition that meets the  
4 requirements of paragraph (b), the commission shall  
5 immediately provide copies of the petition to a panel, and the  
6 commission shall publish the petition, including any response  
7 submitted by the local building official, on the Building Code  
8 Information System in a manner that allows interested persons  
9 to address the issues by posting comments.

10 (e) The panel shall conduct proceedings as necessary  
11 to resolve the issues; shall give due regard to the petitions,  
12 the response, and comments posed on the Building Code  
13 Information System; and shall issue an interpretation  
14 regarding the provisions of the Florida Building Code within  
15 21 days after the filing of the petition. The panel shall  
16 render a determination based upon the Florida Building Code  
17 or, if the code is ambiguous, the intent of the code. The  
18 panel's interpretation shall be provided to the commission,  
19 which shall publish the interpretation on the Building Code  
20 Information System and in the Florida Administrative Weekly.  
21 The interpretation shall be considered an interpretation  
22 entered by the commission and is binding upon the parties and  
23 upon all jurisdictions subject to the Florida Building Code  
24 unless it is superseded by a declaratory statement issued by  
25 the Florida Building Commission or by a final order entered  
26 after an appeal proceeding conducted in accordance with  
27 paragraph (g).

28 (f) It is the intent of the Legislature that review  
29 proceedings be completed within 21 days after the date that a  
30 petition seeking review is filed with the commission, and the  
31 time periods set forth in this paragraph may be waived only

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1 upon consent of all parties.

2       (g) Any substantially affected person may appeal an  
3 interpretation rendered by a hearing officer panel by filing a  
4 petition with the commission. Such an appeal must be initiated  
5 in accordance with chapter 120 and the uniform rules of  
6 procedure and must be filed within 30 days after publication  
7 of the interpretation on the Building Code Information System  
8 or in the Florida Administrative Weekly. Hearings must be  
9 conducted pursuant to chapter 120 and the uniform rules of  
10 procedure. Decisions of the commission are subject to judicial  
11 review pursuant to s. 120.68. The final order of the  
12 commission is binding upon the parties and upon all  
13 jurisdictions subject to the Florida Building Code.

14       (h) The burden of proof in any proceeding initiated in  
15 accordance with paragraph (g) is on the party who initiated  
16 the appeal.

17       (i) In any review proceeding initiated in accordance  
18 with this subsection, including any proceeding initiated in  
19 accordance with paragraph (g), the fact that an owner or  
20 builder has proceeded with construction may not be grounds for  
21 determining an issue to be moot if the issue is one that is  
22 likely to arise in the future.

23  
24 This subsection provides the exclusive remedy for addressing  
25 requests to review local interpretations of the code and  
26 appeals from review proceedings.

27       (4) Local decisions declaring structures to be unsafe  
28 and subject to repair or demolition are not subject to review  
29 under this section and may not be appealed to the commission  
30 if the local governing body finds that there is an immediate  
31 danger to the health and safety of the public.

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1       (5) In order to administer this section, the  
 2 commission may adopt by rule and impose a fee to recoup the  
 3 cost of the proceedings. The amount of the fee may not exceed  
 4 \$250 for each request for a review or interpretation. For  
 5 proceedings conducted by or in coordination with a third  
 6 party, the rule may provide that payment be made directly to  
 7 the third party, who shall remit to the department that  
 8 portion of the fee necessary to cover the department's costs.

9           Section 4. Paragraph (f) of subsection (1),  
 10 subsections (2) and (4), paragraph (a) of subsection (6), and  
 11 subsections (7), (9), (11), (12), (14), (15), and (17) of  
 12 section 553.791, Florida Statutes, are amended to read:

13           553.791 Alternative plans review and inspection.--

14           (1) As used in this section, the term:

15           (f) "Permit application" means a properly completed  
 16 and submitted application for+

17           ~~1.~~ the requested building or construction permit,  
 18 including:-

19           ~~1.2.~~ The plans reviewed by the private provider.

20           ~~2.3.~~ The affidavit from the private provider required  
 21 pursuant to subsection (5).

22           ~~3.4.~~ Any applicable fees.

23           ~~4.5.~~ Any documents required by the local building  
 24 official to determine that the fee owner has secured all other  
 25 government approvals required by law.

26           (2) Notwithstanding any other provision of law or  
 27 local government ordinance or local policy, the fee owner of a  
 28 building or structure, or the fee owner's contractor upon  
 29 written authorization from the fee owner, may choose to use a  
 30 private provider to provide building code inspection services  
 31 with regard to such building or structure and may make payment

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1 directly to the private provider for the provision of such  
 2 services. All such services shall be the subject of a written  
 3 contract between the private provider, or the private  
 4 provider's firm, and the fee owner. The fee owner may elect to  
 5 use a private provider to provide ~~either~~ plans review or  
 6 required building inspections, or both. ~~The local building~~  
 7 ~~official, in his or her discretion and pursuant to duly~~  
 8 ~~adopted policies of the local enforcement agency, may require~~  
 9 ~~the fee owner who desires to use a private provider to use the~~  
 10 ~~private provider to provide both plans review and required~~  
 11 ~~building inspection services.~~

12 (4) A fee owner or the fee owner's contractor using a  
 13 private provider to provide building code inspection services  
 14 shall notify the local building official at the time of permit  
 15 application, or no less than 7 business days before the first  
 16 scheduled inspection by the local building official or  
 17 building code enforcement agency for a private provider  
 18 performing required inspections of construction under this  
 19 section, on a form to be adopted by the commission. This  
 20 notice shall include the following information:

21 (a) The services to be performed by the private  
 22 provider.

23 (b) The name, firm, address, telephone number, and  
 24 facsimile number of each private provider who is performing or  
 25 will perform such services, his or her professional license or  
 26 certification number, qualification statements or resumes,  
 27 and, if required by the local building official, a certificate  
 28 of insurance demonstrating that professional liability  
 29 insurance coverage is in place for the private provider's  
 30 firm, the private provider, and any duly authorized  
 31 representative in the amounts required by this section.



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1 (c) An acknowledgment from the fee owner in  
2 substantially the following form:

3  
4 I have elected to use one or more private  
5 providers to provide building code plans review  
6 and/or inspection services on the building or  
7 structure that is the subject of the enclosed  
8 permit application, as authorized by s.  
9 553.791, Florida Statutes. I understand that  
10 the local building official may not review the  
11 plans submitted or perform the required  
12 building inspections to determine compliance  
13 with the applicable codes, except to the extent  
14 specified in said law. Instead, plans review  
15 and/or required building inspections will be  
16 performed by licensed or certified personnel  
17 identified in the application. The law requires  
18 minimum insurance requirements for such  
19 personnel, but I understand that I may require  
20 more insurance to protect my interests. By  
21 executing this form, I acknowledge that I have  
22 made inquiry regarding the competence of the  
23 licensed or certified personnel and the level  
24 of their insurance and am satisfied that my  
25 interests are adequately protected. I agree to  
26 indemnify, defend, and hold harmless the local  
27 government, the local building official, and  
28 their building code enforcement personnel from  
29 any and all claims arising from my use of these  
30 licensed or certified personnel to perform  
31 building code inspection services with respect

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1 to the building or structure that is the  
2 subject of the enclosed permit application.

3  
4 If the fee owner or the fee owner's contractor makes any  
5 changes to the listed private providers or the services to be  
6 provided by those private providers, the fee owner or the fee  
7 owner's contractor shall, within 1 business day after any  
8 change, update the notice to reflect such changes. In  
9 addition, the fee owner or the fee owner's contractor shall  
10 post at the project site, before the commencement of  
11 construction and updated within 1 business day after any  
12 change, on a form to be adopted by the commission, the name,  
13 firm, address, telephone number, and facsimile number of each  
14 private provider who is performing or will perform building  
15 code inspection services, the type of service being performed,  
16 and similar information for the primary contact of the private  
17 provider on the project.

18 (6)(a) No more than ~~within~~ 30 business days after  
19 receipt of a permit application and the affidavit from the  
20 private provider which is required under subsection (5), the  
21 local building official shall issue the requested permit or  
22 provide a written notice to the permit applicant identifying  
23 the specific plan features that do not comply with the  
24 applicable codes, as well as the specific code chapters and  
25 sections. If the local building official does not provide a  
26 written notice of the plan deficiencies within the prescribed  
27 30-day period, the permit application shall be deemed approved  
28 as a matter of law, and the permit shall be issued by the  
29 local building official on the next business day.

30 (7) A private provider performing required inspections  
31 under this section shall inspect each phase of construction as

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1 required by the applicable codes. The private provider shall  
 2 be permitted to send a duly authorized representative to the  
 3 building site to perform the required inspections, provided  
 4 all required reports and certifications are prepared by and  
 5 bear the signature of the private provider. The duly  
 6 authorized representative must be an employee of the private  
 7 provider entitled to receive unemployment compensation  
 8 benefits under chapter 443. The contractor's contractual or  
 9 legal obligations are not relieved by any action of the  
 10 private provider.

11 (9) Upon completing the required inspections at each  
 12 applicable phase of construction, the private provider shall  
 13 record such inspections on a form acceptable to the local  
 14 building official. These inspection records shall reflect  
 15 those inspections required by the applicable codes of each  
 16 phase of construction for which permitting by a local  
 17 enforcement agency is required. The private provider, before  
 18 leaving the project site, shall post each completed inspection  
 19 record, indicating pass or fail, at the site and provide the  
 20 record to the local building official within 2 business days.  
 21 The local building official may waive the requirement to  
 22 provide a record of each inspection within 2 business days if  
 23 the record is posted at the project site and all such  
 24 inspection records are submitted with the certificate of  
 25 compliance. Records of all required and completed inspections  
 26 shall be maintained at the building site at all times and made  
 27 available for review by the local building official. The  
 28 private provider shall report to the local enforcement agency  
 29 any condition that poses an immediate threat to public safety  
 30 and welfare.

31 (11) No more than ~~within~~ 2 business days after receipt

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1 of a request for a certificate of occupancy or certificate of  
2 completion and the applicant's presentation of a certificate  
3 of compliance and approval of all other government approvals  
4 required by law, the local building official shall issue the  
5 certificate of occupancy or certificate of completion or  
6 provide a notice to the applicant identifying the specific  
7 deficiencies, as well as the specific code chapters and  
8 sections. If the local building official does not provide  
9 notice of the deficiencies within the prescribed 2-day period,  
10 the request for a certificate of occupancy or certificate of  
11 completion shall be deemed granted and the certificate of  
12 occupancy or certificate of completion shall be issued by the  
13 local building official on the next business day. To resolve  
14 any identified deficiencies, the applicant may elect to  
15 dispute the deficiencies pursuant to subsection (12) or to  
16 submit a corrected request for a certificate of occupancy or  
17 certificate of completion.

18 (12) If the local building official determines that  
19 the building construction or plans do not comply with the  
20 applicable codes, the official may deny the permit or request  
21 for a certificate of occupancy or certificate of completion,  
22 as appropriate, or may issue a stop-work order for the project  
23 or any portion thereof as provided by law, if the official  
24 determines that such noncompliance poses a threat to public  
25 safety and welfare, subject to the following:

26 (a) The local building official shall be available to  
27 meet with the private provider within 2 business days to  
28 resolve any dispute after issuing a stop-work order or  
29 providing notice to the applicant denying a permit or request  
30 for a certificate of occupancy or certificate of completion.

31 (b) If the local building official and private

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1 provider are unable to resolve the dispute, the matter shall  
2 be referred to the local enforcement agency's board of  
3 appeals, if one exists, which shall consider the matter at its  
4 next scheduled meeting or sooner. Any decisions by the local  
5 enforcement agency's board of appeals, or local building  
6 official if there is no board of appeals, may be appealed to  
7 the commission as provided by this chapter ~~pursuant to s.~~  
8 ~~553.77(1)(h)~~.

9 (c) Notwithstanding any provision of this section, any  
10 decisions regarding the issuance of a building permit,  
11 certificate of occupancy, or certificate of completion may be  
12 reviewed by the local enforcement agency's board of appeals,  
13 if one exists. Any decision by the local enforcement agency's  
14 board of appeals, or local building official if there is no  
15 board of appeals, may be appealed to the commission as  
16 provided by this chapter ~~pursuant to s. 553.77(1)(h)~~, which  
17 shall consider the matter at the commission's next scheduled  
18 meeting.

19 (14)(a) No local enforcement agency, local building  
20 official, or local government may adopt or enforce any laws,  
21 rules, procedures, or standards more stringent than those  
22 prescribed by this section.

23 (b) A local enforcement agency, local building  
24 official, or local government may establish, for private  
25 providers and duly authorized representatives working within  
26 that jurisdiction, a system of registration to verify  
27 compliance with the licensure requirements of paragraph (1)(g)  
28 and the insurance requirements of subsection (15).

29 (c) This section does not limit the authority of the  
30 local building official to issue a stop-work order for a  
31 building project or any portion of such an order, as provided

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1 by law, if the official determines that a condition on the  
 2 building site constitutes an immediate threat to public safety  
 3 and welfare.

4 (15) A private provider may perform building code  
 5 inspection services on a building project under this section  
 6 only if the private provider maintains insurance for  
 7 professional ~~and comprehensive general liability~~ covering with  
 8 ~~minimum policy limits of \$1 million per occurrence relating to~~  
 9 all services performed as a private provider. Such insurance  
 10 must have minimum policy limits of \$1 million per occurrence  
 11 and \$2 million in the aggregate for any project having a  
 12 construction cost of \$5 million or less, \$2 million per  
 13 occurrence and \$4 million in the aggregate for any project  
 14 having a construction cost of over \$5 million but less than  
 15 \$50 million, and \$5 million per occurrence and \$5 million in  
 16 the aggregate for any project having a construction cost of  
 17 \$50 million or more. For these purposes, the term  
 18 "construction cost" means the total cost of building  
 19 construction as stated in the building permit application. If  
 20 the private provider chooses to secure claims-made coverage to  
 21 fulfill this requirement, the private provider must also  
 22 ~~maintain, including tail~~ coverage for a minimum of 5 years  
 23 subsequent to the performance of building code inspection  
 24 services. The insurance required under this subsection may be  
 25 written only by insurers authorized to do business in this  
 26 state and having a minimum A. M. Best's rating of "A." Before  
 27 providing building code inspection services within a local  
 28 building official's jurisdiction, a private provider must  
 29 provide to the local building official a certificate of  
 30 insurance evidencing that the coverages required under this  
 31 subsection are in force.

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1           (17) Each local building code enforcement agency may  
2 ~~shall develop and maintain a process to~~ audit the performance  
3 of building code inspection services by private providers  
4 operating within the local jurisdiction. Work on a building or  
5 structure may proceed after inspection and approval by a  
6 private provider if the provider has given notice of the  
7 inspection pursuant to subsection (8), and, subsequent to such  
8 inspection and approval, the work may not be delayed for  
9 completion of an inspection audit by the local building code  
10 enforcement agency.

11           Section 5. Subsection (1) of section 627.0629, Florida  
12 Statutes, is amended to read:

13           627.0629 Residential property insurance; rate  
14 filings.--

15           (1) Effective June 1, 2005 ~~2002~~, a rate filing for  
16 residential property insurance must include actuarially  
17 reasonable discounts, credits, or other rate differentials, or  
18 appropriate reductions in deductibles, for properties with  
19 superior structural framing systems installed which will  
20 prevent roof uplift damages from hurricane force,  
21 prefabricated steel shear panels, or steel moment frames on  
22 ~~which fixtures or construction techniques demonstrated to~~  
23 ~~reduce the amount of loss in a windstorm have been installed~~  
24 ~~or implemented.~~ A superior structural framing system is one  
25 that is proactive, where forces to counter wind uplift are  
26 introduced to the structure during construction as  
27 precompressing, rather than reactive, where all resisting  
28 elements of the framing system must be pulled straight and  
29 tight before installation to resist wind uplift forces,  
30 resulting in near-zero uplift movement at design load.  
31 Prefabricated all-steel shear panels or steel moment frames

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1 resist shear and overturning forces and limit deflection in  
2 areas where walls do not meet height-to-width ratios as  
3 outlined in the Florida Building Code. The fixtures or  
4 construction techniques shall also include, but need not be  
5 limited to, fixtures or construction techniques which enhance  
6 roof strength, roof covering performance, roof-to-wall  
7 strength, wall-to-floor-to-foundation strength, opening  
8 protection, and window, door, and skylight strength. Credits,  
9 discounts, or other rate differentials for fixtures and  
10 construction techniques which meet the minimum requirements of  
11 the Florida Building Code must be included in the rate filing.  
12 All insurance companies must make a rate filing which includes  
13 the credits, discounts, or other rate differentials by  
14 February 28, 2006 ~~2003~~.

15 Section 6. Section 627.0631, Florida Statutes, is  
16 created to read:

17 627.0631 Commercial property insurance; rate  
18 filings.--Effective June 1, 2005, a rate filing for commercial  
19 property insurance must include actuarially reasonable  
20 discounts, credits, or other rate differentials, or  
21 appropriate reductions in deductibles, for properties with  
22 superior structural framing systems installed which will  
23 prevent roof uplift damage from hurricane force winds,  
24 prefabricated steel shear panels, or steel moment frames. A  
25 superior structural framing system is one that is proactive,  
26 where forces to counter wind uplift are introduced to the  
27 structure during construction as precompressing, rather than  
28 reactive, where all resisting elements of the framing system  
29 must be pulled straight and tight before installation to  
30 resist wind uplift forces, resulting in near-zero uplift  
31 movement at design load. Prefabricated all-steel shear panels



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1 or steel moment frames resist shear and overturning forces and  
2 limits deflection in areas where walls do not meet  
3 height-to-width ratios as outlined in the Florida Building  
4 Code. The fixtures or construction techniques must also  
5 include, but not be limited to, fixtures or construction  
6 techniques that reduce deflection or enhance roof strength,  
7 roof covering performance, roof-to-wall strength,  
8 wall-to-floor-to-foundation strength, opening protection, and  
9 window, door, and skylight strength. Credits, discounts, or  
10 other rate differentials for fixtures and construction  
11 techniques that meet the minimum requirements of the Florida  
12 Building Code must be included in the rate filing. Each  
13 insurance company must make a rate filing that includes the  
14 credits, discounts, or other rate differentials by February  
15 28, 2006.

16           Section 7. The Florida Building Commission shall  
17 consider how to address the issue of water intrusion  
18 experienced in the recent hurricanes. Notwithstanding section  
19 553.73, Florida Statutes, the commission may adopt amendments  
20 to the Florida Building Code, 2004 edition, to incorporate  
21 consensus-based provisions addressing water intrusion, subject  
22 only to the rule-adoption procedures contained in chapter 120,  
23 Florida Statutes.

24           Section 8. Notwithstanding section 109 of chapter  
25 2000-141, Laws of Florida, upon adoption of an update to  
26 American Society of Civil Engineers Standard 7 by the  
27 organization maintaining the model code upon which the Florida  
28 Building Code is based, the Florida Building Commission may  
29 update, modify, or both update and modify the wind design  
30 standard applicable to construction in the State of Florida as  
31 adopted within the Florida Building Code in accordance with

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1 the requirements of section 553.73, Florida Statutes. Only the  
 2 first sentence of subsection (3) of section 109 of chapter  
 3 2000-141, Laws of Florida, is expressly superseded by this  
 4 section.

5 Section 9. This act shall take effect October 1, 2005.

6

7

8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 Delete everything before the enacting clause

11

12 and insert:

13

A bill to be entitled

14

An act relating to the Florida Building Code

15

and enforcement thereof; amending s. 120.80,

16

F.S.; authorizing the Florida Building

17

Commission and its appointed hearing officer

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panels to review decisions of local building

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code officials; amending s. 468.621, F.S.;

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revising a ground for taking certain

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disciplinary actions and providing an

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additional ground; creating s. 553.775, F.S.;

23

providing procedures for reviewing local

24

interpretations of the code; providing

25

legislative intent; providing criteria for

26

interpretations of the code and for resolution

27

of conflicts with the Florida Fire Prevention

28

Code; providing for appointing hearing panels;

29

providing for a petition form to be adopted and

30

published on the Building Code Information

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System; requiring that the form have specified

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1 contents; providing procedures and deadlines;  
2 providing for the exclusivity of the remedy;  
3 providing an exception to matters subject to  
4 review; providing for rulemaking; providing for  
5 a fee; amending s. 553.791, F.S.; clarifying a  
6 definition; expanding authorization to use  
7 private providers to provide building code  
8 inspection services; including fee owner  
9 contractors within such authorization; deleting  
10 a provision authorizing a local building  
11 official to require a fee owner to use a  
12 private provider for certain purposes under  
13 certain circumstances; revising notice  
14 requirements for using private providers;  
15 revising procedures for issuing permits;  
16 providing requirements for representatives of  
17 private providers; providing for waiver of  
18 certain inspection records requirements under  
19 certain circumstances; requiring the issuance  
20 of stop-work orders to be pursuant to law;  
21 providing for the establishment of a  
22 registration system for private providers and  
23 authorized representatives of private providers  
24 for licensure compliance purposes; preserving  
25 authority to issue emergency stop-work orders;  
26 revising insurance requirements for private  
27 providers; providing a definition; authorizing  
28 performance audits of private providers by  
29 local building code enforcement agencies;  
30 specifying conditions for proceeding with  
31 building work; amending s. 627.0629, F.S.;

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1 providing for a residential insurance rate  
2 discount for structural framing systems;  
3 creating s. 627.0631, F.S.; providing for a  
4 commercial insurance rate discount for  
5 structural framing systems and other design and  
6 construction features that decrease the risk of  
7 loss in the event of a hurricane; requiring  
8 rate filings demonstrating the required  
9 discounts; requiring the Florida Building  
10 Commission to integrate code provisions  
11 responsive to water intrusion experienced  
12 during the 2004 hurricanes; authorizing the  
13 Florida Building Commission to update the  
14 design standard for wind-resistance; providing  
15 an effective date.

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