

1                                   A bill to be entitled  
 2           An act relating to building code hurricane preparedness;  
 3           providing a short title; amending s. 553.73, F.S.;  
 4           providing intent with respect to the effect of building  
 5           code modifications on wind protection; requiring uniform  
 6           application of certain standards relating to wind-borne  
 7           debris and structural guidelines; prohibiting code  
 8           modification that diminishes construction requirements;  
 9           prescribing a date by which counties and municipalities  
 10          must enforce certain windborne debris protections and  
 11          structural guidelines; requiring the Florida Building  
 12          Commission to develop voluntary guidelines for increasing  
 13          the hurricane resistance of buildings; requiring that the  
 14          guidelines be included in the commission's report to the  
 15          2008 Legislature; providing an effective date.

16  
 17 Be It Enacted by the Legislature of the State of Florida:

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 19           Section 1.   This act may be cited as the "Uniform Building  
 20 Code Act."

21           Section 2.   Subsection (3) of section 553.73, Florida  
 22 Statutes, is amended, and subsection (12) is added to that  
 23 section, to read:

24           553.73   Florida Building Code.--

25           (3)   The commission shall select from available national or  
 26 international model building codes, or other available building  
 27 codes and standards currently recognized by the laws of this  
 28 state, to form the foundation for the Florida Building Code. The

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29 | commission may modify the selected model codes and standards as  
30 | needed to accommodate the specific needs of this state, but only  
31 | to the extent that any such modifications strengthen, not  
32 | weaken, the structural integrity of buildings constructed in  
33 | compliance with the Florida Building Code as it relates to wind  
34 | protection. Standards or criteria referenced by the selected  
35 | model codes shall be similarly incorporated by reference. If a  
36 | referenced standard or criterion requires amplification or  
37 | modification to be appropriate for use in this state, only the  
38 | amplification or modification shall be specifically set forth in  
39 | the Florida Building Code. The Florida Building Commission may  
40 | approve technical amendments to the code after the amendments  
41 | have been subject to the following conditions:

42 |       (a) The proposed amendment has been published on the  
43 | commission's website for a minimum of 45 days and all the  
44 | associated documentation has been made available to any  
45 | interested party before any consideration by any Technical  
46 | Advisory Committee;

47 |       (b) In order for a Technical Advisory Committee to make a  
48 | favorable recommendation to the commission, the proposal must  
49 | receive a three-fourths vote of the members present at the  
50 | Technical Advisory Committee meeting and at least half of the  
51 | regular members must be present in order to conduct a meeting;

52 |       (c) After Technical Advisory Committee consideration and a  
53 | recommendation for approval of any proposed amendment, the  
54 | proposal must be published on the commission's website for not  
55 | less than 45 days before any consideration by the commission;  
56 | and

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57 (d) Any proposal may be modified by the commission based  
58 on public testimony and evidence from a public hearing held in  
59 accordance with chapter 120.

60  
61 The commission shall incorporate within sections of the Florida  
62 Building Code provisions which address regional and local  
63 concerns and variations, but only to the extent that any such  
64 provisions strengthen, not weaken, the structural integrity of  
65 buildings constructed in compliance with the Florida Building  
66 Code as it relates to wind protection. The commission shall make  
67 every effort to minimize conflicts between the Florida Building  
68 Code, the Florida Fire Prevention Code, and the Life Safety  
69 Code.

70 (12) Upon the effective date of this act, each county and  
71 municipality in this state shall, at a minimum, enforce the  
72 wind-borne debris protections and structural guidelines adopted  
73 by the American Society of Civil Engineers in the standard  
74 commonly referred to as ASCE 7-02. Notwithstanding the  
75 provisions of section 109 of chapter 2000-141, Laws of Florida,  
76 the Florida Building Commission shall amend the Florida Building  
77 Code to require application of ASCE 7-02 throughout the state  
78 and to eliminate all exceptions providing less stringent  
79 requirements. Provisions of the Florida Building Code, including  
80 those contained in referenced standards and criteria, relating  
81 to wind resistance shall not be amended pursuant to this  
82 subsection to diminish construction requirements, although the  
83 commission may amend the provisions to enhance those  
84 construction requirements.

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85           Section 3. The Florida Building Commission shall develop  
86 voluntary "Code Plus" guidelines for increasing the hurricane  
87 resistance of buildings. The guidelines must be modeled on the  
88 requirements for the High Velocity Hurricane Zone and must  
89 identify products, systems, and methods of construction that the  
90 commission anticipates could result in stronger construction.  
91 The commission shall include these guidelines in its report to  
92 the President of the Senate and the Speaker of the House of  
93 Representatives in the 2008 Regular Session of the Legislature.

94           Section 4. This act shall take effect upon becoming a law.