



432646

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/11/2014	.	
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The Committee on Regulated Industries (Galvano) recommended the following:

Senate Amendment (with title amendment)

Between lines 44 and 45
insert:

Section 1. Paragraph (a) of subsection (16) of section
120.80, Florida Statutes, is amended to read:

120.80 Exceptions and special requirements; agencies.—
(16) FLORIDA BUILDING COMMISSION.—

(a) Notwithstanding ~~the provisions of~~ s. 120.542, the
Florida Building Commission may not accept a petition for waiver



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11 or variance and may not grant any waiver or variance from the
12 requirements of the Florida Building Code except for
13 applications to waive the requirements of the Florida
14 Accessibility Code for Building Construction provided under s.
15 553.512 and for variances from the public swimming pool and
16 public bathing places provisions of the Florida Building Code
17 provided under s. 553.77(7).

18 Section 2. Subsection (7) is added to section 553.77,
19 Florida Statutes, to read:

20 553.77 Specific powers of the commission.—

21 (7) The commission shall provide criteria and procedures
22 for granting variances from the provisions in the Florida
23 Building Code relating to public swimming pools and public
24 bathing places. After receiving a request for a variance from a
25 pool owner or his, her, or its representative to relieve a
26 hardship, the commission may grant a variance only if it is
27 shown that the hardship was not caused intentionally by the
28 action of the applicant, that no reasonable alternative exists,
29 and that the health and safety of pool patrons is not at risk.
30 Applications must be approved, approved with conditions, or
31 denied based on a majority vote of the commission. Before
32 voting, the commission must receive a recommendation from its
33 Swimming Pool Technical Advisory Committee. The advisory
34 committee membership must include a representative of the
35 Department of Health who has knowledge and understanding of
36 swimming pool regulations.

37
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:



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40 Delete line 2

41 and insert:

42 An act relating to building construction; amending s.
43 120.80, F.S.; providing exceptions to the prohibition
44 against the Florida Building Commission accepting a
45 petition for waiver or variance from the Florida
46 Building Code; amending s. 553.77, F.S.; requiring the
47 Florida Building Commission to provide criteria and
48 procedures for granting variances from certain
49 provisions of the Florida Building Code; requiring an
50 applicant for a variance to meet certain criteria to
51 receive a variance; requiring the Florida Building
52 Commission to receive a recommendation from its
53 Swimming Pool Technical Advisory Committee; requiring
54 such committee to include certain membership; amending
55 s.