

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eagle offered the following:

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3 **Amendment to Amendment (868193) (with title amendment)**

4 Between lines 77 and 78 of the amendment, insert:

5 Section 13. Subsection (5) of section 514.0115, Florida  
6 Statutes, is amended to read:

7 514.0115 Exemptions from supervision or regulation;  
8 variances.-

9 (5) The department may grant variances from any rule  
10 adopted under this chapter pursuant to procedures adopted by  
11 department rule. The department may also grant, pursuant to  
12 procedures adopted by department rule, variances from the  
13 provisions of the Florida Building Code specifically pertaining  
14 to public swimming pools and bathing places when requested by

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15 the pool owner or his or her representative to relieve hardship  
16 in cases involving deviations from the Florida Building Code  
17 provisions when it is shown that the hardship was not caused  
18 intentionally by the action of the applicant, no reasonable  
19 alternative exists, and the health and safety of the pool  
20 patrons is not at risk.

21 Section 14. Subsection (7) is added to section 553.77,  
22 Florida Statutes, to read:

23 553.77 Specific powers of the commission.—

24 (7) Building officials shall recognize and enforce  
25 variance orders issued by the Department of Health pursuant to  
26 s. 514.0115(5), including any conditions attached to the  
27 granting of the variance.

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**T I T L E A M E N D M E N T**

30  
31 Between lines 555 and 556 of the amendment, insert:  
32 amending s. 514.0115, F.S.; authorizing variances from  
33 certain provisions of the Florida Building Code  
34 pertaining to public swimming pools and bathing  
35 places; amending s. 553.77, F.S.; requiring  
36 enforcement of variance orders;

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