

Notice of Proposed Rule

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NO: RULE TITLE

9B-3.047: State Building Code Adopted

PURPOSE AND EFFECT: Implement limited changes to the building code that meet the criteria established by Section 553.73(7), F.S.

SUMMARY: Update to the electrical code including an exemption for residential pool pumps from the requirements for ground-fault circuit interrupters (GFCI); amendment deleting requirements for equipotential bonding for pools since it would be covered under the updated electrical code; amendment relating to interior designers, amendment clarifying that “opening protection” as it relates to alteration is limited to site built single-family detached residential structures and homes built prior to the implementation of the Florida Building Code; correction of a nail diameter that create conflict within the Code, amendment relating to underlayment standards for mitigation; amendment to update the energy code computer compliance tools to more accurately reflect code requirements, correct certain “bugs” and equipment baselines founds in their applications. Amendment to revise the energy code residential prescriptive compliance form for consistency with the code requirements and correct certain code implementation dates for equipment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: [553.73\(1\)](#), (2), (6), (7) FS., [Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida.](#), [Section 1, Chapter 2006-65, Laws of Florida.](#), [Section 10, Chapter 2007-1, Laws of Florida.](#)LAW IMPLEMENTED: [553.72](#), [553.73\(2\)](#), (3), (6), (7), (9) FS., [Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida.](#), [Section 1, Chapter 2006-65, Laws of Florida.](#), [Section 10, Chapter 2007-1, Laws of Florida.](#)

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 9, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Embassy Suites Tampa – USF, 3705 Spectrum Boulevard, Tampa, Florida 33612

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mo Madani, Program Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)921-2247. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mo Madani, Program Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)921-2247

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-3.047 State Building Code Adopted.

(1) The Florida Building Code, 2004 Edition, as updated by the Florida Building Commission on July 1, 2005, and as amended by the Commission on December 11, 2005, December 8, 2006, ~~and~~ May 21, 2007, and June 9, 2009, incorporated herein by reference is hereby adopted as the building code for the State of Florida until February 28, 2009.

(2) through (3) No change.

Rulemaking ~~Specific~~ Authority [553.73\(1\)](#), (2), (6), (7) FS., [Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida.](#), [Section 1, Chapter 2006-65, Laws of Florida.](#), [Section 10, Chapter 2007-1, Laws of Florida.](#) Law Implemented [553.72](#), [553.73\(2\)](#), (3), (6), (7), (9) FS., [Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida.](#), [Section 1, Chapter 2006-65, Laws of Florida.](#), [Section 10, Chapter 2007-1, Laws of Florida.](#) History—New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06,

5-21-07, 10-1-08, 2-17-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Program Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)921-2247

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Building Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009