

DEVELOPMENT SERVICES DEPARTMENT  
Building Division

MEMORANDUM  
BD 07-01-99

DATE: July 14, 1999

TO: Bob Rawls, Interim Town Administrator

THRU: Mark Kutney, AICP, Development Services Director

FROM: Thomas Willi, CBO, Building Official

RE: Statewide Building Code

In 1996 the Governor's office established a commission to study Florida's building codes and their processes. The commission recommended a number of changes which included a uniform statewide code, an appeals process at the state level, and a cost analysis requirement for proposed code changes. The Florida Building Commission has been empowered to deliver a completed code for legislative approval in 2000 with implementation scheduled for early 2001.

The South Florida Building Code (SFBC) is the only Code enacted by the Legislature of the State of Florida and is the only code protected by legislative act in that "neither the Board of County Commissioner's nor any municipality may pass any law in conflict with this act, specifically but not limited to raising or lowering any standards in the South Florida Building Code", thereby providing the only area in the state where a true uniform code exists. The SFBC in its administrative chapters establishes a Board of Rules and appeals which for 25 years has provided the residents of Broward County the opportunity to participate in the code change process through standing committees, sub-committees and public hearings.

In essence, the proposed Florida Building Code will reduce: certification

requirements for building department personnel; requirements for wind-load and hurricane design criteria including airborne debris, and quick response to appeals and interpretation requests resulting in unsatisfactory levels of efficiency and response to the users of the code.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING THAT THE FLORIDA BUILDING COMMISSION ADOPT A FLORIDA BUILDING CODE THAT WILL MAINTAIN THE CURRENT LEVEL OF LIFE SAFETY PROVIDED TO THE CITIZENS AND RESIDENTS OF BROWARD COUNTY IN THE CURRENT SOUTH FLORIDA BUILDING CODE; AUTHORIZING AND DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR OF THE STATE OF FLORIDA, THE FLORIDA BUILDING COMMISSION, THE INSURANCE COMMISSIONER OF THE STATE OF FLORIDA, THE DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE BOARD OF COUNTY COMMISSIONERS OF BROWARD, MIAMI-DADE AND MONROE COUNTIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE CITY COMMISSION OF EACH CITY IN BROWARD COUNTY, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEAGUE OF CITIES AND OTHER INTERESTED GOVERNMENTAL AGENCIES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to S553.73, Florida Statutes, the Florida Building commission is required to submit to the State of Florida Legislature a statewide uniform Florida Building Code prior to the 2000 regular legislative session; and

WHEREAS, the Florida Building Commission is in the process of drafting, reviewing and revising the Florida Building Code; and

WHEREAS, Broward County is the second largest County in the State of Florida and, due to its geographical location, is likely to be subjected to tropical hurricanes, as are many of the extensive number of coastal counties in Florida; and

WHEREAS, the proposed draft of the Florida Building Code will not ensure adequate protection by the structural components and envelope system of the building, administrative requirements and enforcement provisions, detailed plan review, and comprehensive inspection processes; and

WHEREAS, the Florida Building Commission and its appointed Technical Advisory Committees have not acted within the spirit and intent of the legislative directive to promulgate a code that addresses regional and local concerns and variations;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, THAT:

Section 1. The Town Council of the Town of Davie, Florida hereby petitions the Governor of the State of Florida, the State of Florida Legislature and the Florida Building Commission to adopt and authorize the use of pertinent sections of the South Florida Building Code in hurricane prone areas such as Broward County, Florida.

Section 2. The Town Council hereby petitions the Governor of the State of Florida, the State of Florida Legislature and the Florida Building Commission to adopt administrative provisions which would ensure the retention of a higher caliber of individuals enforcing the Florida Building Code.

Section 3. The Town Council shall continue to vigorously present such provisions to the Florida Building Commission and take all other actions as deemed appropriate, to maintain the level of life safety protection currently provided to the residents of South Florida and, in particular, Broward County, Florida.

Section 4. The Town Council hereby petitions the Governor of the State of Florida, the State of Florida Legislature and the Florida Building Commission to adopt provisions which will ensure that South Florida and Broward County maintains their current level of enforcement and superior hurricane provisions and which adequately protect the property of citizens of the region, including Broward County, thereby avoiding the escalation of insurance rates in Broward County.

Section 5. The Town Clerk is hereby authorized and directed to transmit a copy of this resolution to the Governor of the State of Florida, the Florida Building Commission, the Insurance Commissioner of the State of Florida, the Florida Department of Community Affairs, the Director of the Federal Emergency Management Agency, the Board of County Commissioners of Broward, Miami-Dade and Monroe Counties, the Broward County Legislative Delegation, the City Commissions, or City Council, of each City in Broward County, the Florida League of Cities, the Broward County League of Cities and any other interested agency of government having jurisdiction over the matter.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.