

# **NOTICE**

**The following constitutes some of the changes adopted during the 2007 Legislative Session which will impact our industry. This is a synopsis only and should not be considered a complete and all inclusive list.**

**We recommend that interested parties review these bills and any others which may affect the construction industry, in their entirety.**

## **SB 1822 (CARBON MONOXIDE (CO) DETECTORS) – EFFECTIVE JULY 1, 2007**

- Any building requiring a permit issued on or after July 1, 2008, and having a fossil-fuel burning heater or appliance, fireplace, or attached garage, shall have a CO alarm within 10 feet of each sleeping room.
- Public lodging establishments may require Carbon Monoxide sensors.

## **SB 2836 (FLORIDA BUILDING COMMISSION) – EFFECTIVE DATE “UPON BECOMING LAW”**

- Swimming pool grounding alternative to N.E.C. approved for use – (Single #8 bare solid copper conductor buried 4 -6 inches below subgrade, 18 – 24 inches from inside wall of pool.
- Gravel/Stone Roofing Systems
- Formal interpretation of FBC upon written request by a substantially affected person.
- Defines “Immediate threat to public safety and welfare” as a violation that could result in death, serious bodily injury or significant property damage.
- Defines a “Stop Work Order”
- Alternative Plan Review and Inspection Services (private providers) – Indemnification of Local Government, Building Official and Code Enforcement personnel from claims arising from use of private provider; Posting of Deficiency Notices.
- Building Code Compliance and Mitigation Program

- Education outreach on FBC, hurricane damage mitigation, by a private provider under contract with State; develop advanced module core curriculum.
- Product Approval – Building Commission may by rule identify standards that are equivalent or more stringent than those in FBC, thereby allowing use in this state.
- Fire Safety Inspections
  - Who may perform; training; certifications
- Fire sprinkler inspections and testing for one and two family dwellings and mobile homes.
  - Permits/provisional permits to inspect, maintain or test water based fire extinguishing systems.
- FL Energy Code
  - Full stakeholder review of Energy Code and comparison to International Energy Conservation Code, American Society of Heating, Air Conditioning and Refrigeration Engineers Standards 90.1 and 90.2.
  - A report including a new energy efficiency standard must be presented to the Legislation no later than March 1, 2008.

**SB 404 (CHAPTER 468 F.S.; CHAPTER 489 F.S.; CHAPTER 553 F.S.) – EFFECTIVE DATE JULY 1, 2007**

- Chapter 468 Licensee Training Programs/BOAF.
  - Joint Building Code Inspection Departments; Limited Certificate Holder in Jurisdiction within a small county may perform inspections, plan review and code Administration services to another jurisdiction within small county.
  - Chapter 468.619 – Building Code Enforcement Officials’ Bill of Rights – Clarifies when Bill of Rights applies: Limitations
  - Chapter 468-621 – Disciplinary Proceedings – Specifies offenses warranting discipline.
  - Chapter 468 – Continuing Education; Core Curriculum Courses – Prescribes required continuing education subjects.

- Chapter 489 FS – Certification and Registration Endorsement; Reciprocity; Renewal; Continuing Education
  - FDLE Criminal Background Checks – Felony convictions/ denial of licensure.
  - Credit Report; Net Worth; Bonding; Financial Responsibility Course
  - Placement of Certain Housing; Affordable Housing
  - Chapter 489.113 FS – Qualification for Practice, Restrictions
    - Any contractor may be a “Prime” contractor where majority of work is in the scope of their license and they subcontract remainder of work to appropriately licensed contractors.
  - Chapter 489.113 (9)(b)(1) – Master Design Manual addressing structural designs used to apply for building permits.
  - Chapter 489.113 (9)(b)(2) – A/E preparing plans, specs, or Design Manuals need not prepare site specific drawings or plans for the design or construction of one or two family dwellings; swimming pools, spas or screen enclosures; or any other structure not exceeding 1200 square feet or one story in height. Local building officials shall accept such drawings, specifications or plans when submitted by any licensed contractor. For good cause, local code enforcement agencies may accept or reject plans prepared by persons licensed under Chapter 471, Chapter 481 or this Chapter.
  - “Master Design Manual” – Required information and specifications; Specify required training for manual users; Peer review required.
  - Chapter 489.113 (9)( c) – A/E not required for preparation or use of any design guide approved by FBC under 553.73
  - Existing warehouse expansion

**HB 1285 – (CONSTRUCTION LIENS) EFFECTIVE DATE JULY 1, 2007**

- Construction or Repair of Public Buildings – Performance Bonds
- Definition of “Final Furnishing”; Rental Equipment
- Written Notice; Demand; Requests
- Contracts for 1-4 family must contain specific notice regarding lien law, releases, etc., including oral contracts.

- 713.08 – Claim of Lien – Preparation, signature, etc.
- “Notice of Commencement”; Amended Notice of Commencement; Direct Contracts; Manner of Serving Notice; Limited Liability Companies; Duration of Lien.

**HB 1489 – (CONTRACTOR BONDING; CONSTRUCTION MANAGEMENT ENTITIES; DESIGN-BUILD CONTRACTS) EFFECTIVE DATE JULY 1, 2007**

**HB 7057 (FLORIDA COMPREHENSIVE HURRICANE MITIGATION PROGRAM, A/K/A MY SAFE FLORIDA HOME) – EFFECTIVE “UPON BECOMING LAW”**

- Substantial Revisions – Eligibility; “Wind Inspector” training; Continuing Education for Certificate holder/registrants.
- Development of Scientifically valid, actuarially sound windstorm mitigation rate factors, previous discounts and differentials which will be provided to residential and commercial property insurance policy holders.
- Creation of an Advisory Council to provide advice and assistance to the Department of Financial Services regarding administration of the program.
- The department will maintain as a public record a current list of hurricane mitigation inspectors authorized to conduct hurricane mitigation inspections.
  - The department shall make an annual report on the use of State funds; including number of inspections requested and conducted, grant applications, etc. Report shall be delivered to the President of the Senate and Speaker of the House.
- Florida Building Commission will analyze how proposed code changes will mitigate property and content damage when evaluating the proposed codes.
- The Florida Building Commission shall develop and adopt within the Florida Building Code a way to incorporate recognized mitigation techniques for site built single family dwellings built prior to the implementation of the Florida Building Code, including but not limited to:
  1. Gable End Bracing
  2. Secondary Water Barriers
  3. Roof to Wall Connections
  4. Strengthen/Correct Roof Sheathing Attachments when Re-roofing
  5. Opening Protections

- Secondary water barrier and correcting roof sheathing attachment required with a re-roof. (see 553.844 (2)(b)(2) and (4).)
- Buildings located in wind-borne debris regions with insured value of \$300,000 or more, or it is uninsured, or insured value is not documented and the taxable value is \$300,000 or more, Chapter 553.844 (2)(G)(3) applies. (Roof to wall connections at cost not to exceed 15% of the cost of re-roofing.)