



THE SUNRISE CITY
FORT PIERCE
BUILDING DEPARTMENT *Florida*



Interpretation of The Florida Building Code

Intent

- The purpose and intent of the Florida Building Code (FBC) is to protect the safety, health and welfare of all persons by providing a set of minimum requirements to be enforced uniformly throughout the State of Florida.

Intent

- **F.S. § 553.775 (1)**– “It is the intent of the Legislature that the FBC and the Florida Accessibility Code for Building Construction (FACBC) be interpreted by building officials...by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the FBC and FACBC which are just and expeditious.”

Interpretation Disputes

- Pursuant to F.S. § 553.775, the Florida Building Commission is tasked with reviewing decisions of local building officials regarding interpretations of the code when a local board of appeals does not exist.
- The Florida Building Commission is required to coordinate with the Building Officials Association of Florida, Inc. to hear requests to review decisions of local building officials.
- Disputes may be resolved with:
 - An advisory, non-binding interpretation.
 - A binding interpretation.
 - A declaratory statement, or a final order entered after an appeal, overturning the decision of the Building official.

Building Inspector's Responsibility

- **F.S. § 468.604 (2)**– “It is the responsibility of the building code inspector to conduct inspections of construction, alteration, repair, remodeling, or demolition of structures and the installation of building systems, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. Each building code inspector must be licensed in the appropriate category as defined in s. 468.603. The building code inspector's responsibilities must be performed under the direction of the building code administrator or building official without interference from any unlicensed person.”

Plans Examiner's Responsibility

- **F.S. § 468.604 (3)**– “It is the responsibility of the plans examiner to conduct review of construction plans submitted in the permit application to assure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The review of construction plans must be done by the building code administrator or building official or by a person licensed in the appropriate plans examiner category as defined in s. 468.603. The plans examiner’s responsibilities must be performed under the supervision and authority of the building code administrator or building official without interference from any unlicensed person.”

Building Official's Responsibility

- **F.S. § 468.604 (1)**– “It is the responsibility of the building code administrator or building official to administrate, supervise, direct, enforce, or perform the permitting and inspection of construction, alterations, repair, remodeling, or demolition of structures and the installation of building systems within the boundaries of their governmental jurisdiction, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The building code administrator or building official shall faithfully perform these responsibilities without interference from any person.”

Prohibitions

- **F.S. § 468.629 (1)**– “No person may:
 - (f) Threaten, coerce, trick, persuade or otherwise influence, or attempt to threaten, coerce, trick, persuade, or otherwise influence, any certificateholder in order to induce a violation of this part, a local building code or ordinance, or another law of this state.”
 - The opinion of other Building Officials, Fire Marshalls, and the interpretation of codes by other jurisdictions throughout the State of Florida is irrelevant.

Summary

- Interpretation disputes are handled strictly in accordance with how the process is designed by Florida State Statute and the Florida Administrative Code.
 - The FBC is a dynamic set of codes that is updated every 3 years. Controversial interpretations are often considered when updating the code.
 - The Building Official has a duty to protect the lives of others by consistently enforcing the code as it is currently written.
 - The Building Official is subject to discipline and could face criminal charges for not enforcing the code.
 - Uniform enforcement of the code indemnifies the City.
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