

# CHAPTER 1

## ADMINISTRATION

### ■ PART 1—SCOPE AND APPLICATION

#### SECTION 101 SCOPE AND GENERAL REQUIREMENTS

■ **101.1 Title.** This code shall be known as the *Florida Building Code, Energy Conservation*, and shall be cited as such. It is referred to herein as “this code.”

■ **101.2 Scope.** This code applies to *residential* and *commercial buildings*. It is a statewide uniform code and shall not be made more stringent or lenient by local government.

**101.3 Intent.** This code shall regulate the design and construction of buildings for the effective use of energy. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve the effective use of energy. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

■ **101.4 Applicability.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

■ **101.4.1 Existing buildings.** Existing buildings shall meet the criteria in Table 101.4.1 as appropriate to the condition described. Except as specified in this chapter, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code.

■ **101.4.2 Historic buildings.** Any building or structure as described in Section 267.021, *Florida Statutes*. Such buildings are typically listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, are exempt from this code.

■ **101.4.3 Additions, alterations, renovations or repairs.** Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of Table 101.4.1 of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply

with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.

**Exception:** Where an existing building, or part of an existing building, is not exempt from the energy code in accordance with Table 101.4.1, the following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Reserved.
7. Alterations that replace less than 50 percent of the luminaires in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaires in a space provided that the *alteration* does not increase the installed interior lighting power.

**101.4.4 Change in occupancy or use.** Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. Where the use in a space changes from one use in Table 505.5.3 to another use in Table 505.5.3, the installed lighting wattage shall comply with Section 505.5.

**101.4.5 Change in space conditioning.** Any nonconditioned space that is altered to become *conditioned space* shall be required to be brought into full compliance with this code (see also Table 101.4.1).

**101.4.6 Mixed occupancy.** Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable pro-

visions of Chapter 4 for *residential* and Chapter 5 for *commercial*.

**101.4.7 Building systems.** Thermal efficiency standards are set for the following building systems where new products are installed or replaced in existing buildings and for which a permit must be obtained. New products shall meet the minimum efficiencies allowed by this code for the following systems:

- Heating, ventilating or air conditioning systems;
- Service water or pool heating systems;
- Electrical systems and motors;
- Lighting systems.

**Exceptions:**

1. Where part of a functional unit is repaired or replaced. For example, replacement of an entire HVAC system is not required because a new compressor or other part does not meet code when installed with an older system.
2. If the unit being replaced is itself a functional unit, such as a condenser, it does not constitute a repair. Outdoor and indoor units that are not designed to be operated together must meet the U.S. Department of Energy certification requirements contained in Section 403.6.2.1.1. Matched systems are required; this match may be verified by any one of the following means:
  - a. AHRI data.
  - b. accredited laboratory.
  - c. manufacturer's letter.
  - d. letter from registered P.E. State of Florida.
3. Where existing components are utilized with a replacement system, such as air distribution system ducts or electrical wiring for lights, such components or controls need not meet code if meeting code would require that component's replacement.
4. Replacement equipment that would require extensive revisions to other systems, equipment or elements of a building where such replacement is a like-for-like replacement, such as through-the-wall condensing units and PTACs, chillers, and cooling towers in confined spaces.

**101.4.7.1 Replacement HVAC equipment.**

**101.4.7.1.1 Duct sealing upon equipment replacement (mandatory).** At the time of the total replacement of HVAC evaporators and condensing units, all accessible (a minimum of 30 inches (762 mm) clearance) joints and seams in the air distribution system shall be inspected and sealed where needed using

reinforced mastic or code approved equivalent and shall include a signed certification by the contractor that is attached to the air handler unit stipulating that this work has been accomplished.

**Exceptions:**

1. Ducts in conditioned space.
2. Joints or seams that are already sealed with fabric and mastic.
3. If system is tested and repaired as necessary.

**101.4.7.1.2 Replacement equipment sizing (mandatory).** An A/C contractor or licensed Florida PE shall submit a nationally recognized method based sizing calculation to the code official at the time of permit application for total replacement of the condensing and evaporator components of HVAC systems in accordance with Florida law and the provisions of Section 403.6.1 or Section 503.2.1, as applicable.

**101.4.7.1.3 Existing equipment efficiencies.** Existing cooling and heating equipment need not meet the minimum equipment efficiencies of Sections 403.6.2.2 or 403.6.2.3 except to preserve the original approval or listing of the equipment.

**101.4.8 Exempt buildings.**

**101.4.8.1 Federal standards.** Any building for which federal mandatory standards preempt state energy codes.

**101.4.8.2 Hunting or recreational buildings less than 1,000 square feet.** Any building of less than 1,000 square feet (93 m<sup>2</sup>) whose primary use is not as a principal residence and which is constructed and owned by a natural person for hunting or similar recreational purposes is exempt from this code; however, no such person may build more than one exempt building in any 12-month period.

**101.4.9 Shell buildings.** Nonresidential buildings that are permitted prior to design completion or which will be finished in sections at a time after construction of the shell shall comply with either Sections 502, 503, 504 and 505 or with Section 506 prior to granting of a permit to build. If Sections 502, 503, 504 and 505 are used, a code submittal(s) using Section 506 shall be submitted when completion of the building (or part of the building) is permitted. If Section 506 is used, all assumptions made about features not installed until later that are not on the building plans shall be listed and appended to the compliance form submitted to the building department. Unless the building is completed as per all assumptions made in the original code compliance submittal, a revised code submittal(s) using Section 506 shall be submitted when completion of the building (or part of the building) is permitted.

**TABLE 101.4.1  
NONEXEMPT EXISTING BUILDINGS<sup>a</sup>**

Date-Related		
	Permitted before March 1979	Permitted after March 1979
Not previously conditioned	Minimum efficiency levels shall be met for components being changed: Envelope: Section 402 or 502 Equipment: Section 403 or 503, 504 Lighting: Section 404 or 505	Considered an addition, meet current code
Occupancy type change	Minimum efficiency levels shall be met for components being changed. Envelope: Section 402 or 502 Equipment: Section 403 or 503, 504 Lighting: Section 404 or 505	Meet current code <sup>c</sup>
Not Date-Related		
Addition	Meet code for addition <sup>b,c</sup>	
Renovation <sup>d</sup>	Minimum code envelope, equipment and lighting efficiency levels shall be met for components being changed. Envelope: Section 402 or 502 Equipment: Section 403 or 503, 504 Lighting: Section 404 or 505	
New building systems (HVAC, service hot water or pool heating, lighting, motors)	New products installed or replaced in existing buildings shall meet the minimum efficiency allowed for that system. Equipment: Section 403 or 503, 504 Lighting: Section 404 or 505 HVAC indoor and outdoor units ≤ 65,000 Btu/h that are not designed to operate together shall be matched. HVAC equipment sizing is required per Section 403 or 503.	

- <sup>a</sup> An existing building or portion thereof shall not be altered such that the building becomes less energy efficient than its existing condition.
- <sup>b</sup> Minimum equipment efficiencies shall be met only when equipment is installed to specifically serve the addition or is being installed in conjunction with the construction of the addition.
- <sup>c</sup> If an existing building is unable to meet one or more current prescriptive code minimum requirements, it may be exempt from those minimum requirements if the entire building is brought into compliance by Section 405 or Section 506, as applicable.
- <sup>d</sup> Buildings undergoing alteration that vary or change insulation, HVAC systems, water heating systems, or exterior envelope provided that the estimated cost exceeds 30 percent of the assessed value of the structure (see Ch. 2, Definitions).

**101.4.10 Limited or special use buildings.** Buildings determined by the code official to have a limited energy use potential based on size, configuration or time occupied, or to have a special use requirement shall be considered limited or special use buildings and shall comply with the code by Form 502. Code compliance requirements may be adjusted by the code official to handle such cases when nationally recognized energy analysis procedures have been used to demonstrate that the building would use less energy than a code compliant building of the same configuration .

**101.5 Compliance.** *Residential buildings* not more than three stories above grade in height shall meet the provisions of Chapter 4. *Commercial buildings* and *residential buildings* greater than 3 stories shall meet the provisions of Chapter 5.

**101.5.1 Compliance materials.** Reserved.

**101.5.2 Low energy buildings.** The following buildings, or portions thereof, separated from the remainder of the building by *building thermal envelope* assemblies complying with this code shall be exempt from the *building thermal envelope* provisions of this code:

1. Those with a peak design rate of energy usage less than 3.4 Btu/h-ft<sup>2</sup> (10.7 W/m<sup>2</sup>) or 1.0 watt/ft<sup>2</sup> (10.7 W/m<sup>2</sup>) of floor area for space conditioning purposes.
2. Those that do not contain *conditioned space*.

**SECTION 102  
ALTERNATE MATERIALS—METHOD  
OF CONSTRUCTION, DESIGN  
OR INSULATING SYSTEMS**

**102.1 General.** This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such construction, design or insulating system has been *approved* by the *code official* as meeting the intent of this code. Nationally recognized energy analysis procedures may be used to demonstrate that the building, or component thereof, will use less energy than a code compliant building (or building component) of the same configuration.

**102.1.1 Above code programs.** The *code official* or other authority having jurisdiction shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this code. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this code. The requirements identified as “mandatory” in Chapters 4 and 5 of this code, as applicable, shall be met.

**PART 2—ADMINISTRATION AND ENFORCEMENT**

**SECTION 103  
CONSTRUCTION DOCUMENTS**

**103.1 General.** Construction documents and other supporting data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by *Florida Statutes*. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional.

**Exception:** The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.

**103.2 Information on construction documents.**

**103.2.1 Code demonstration forms.** See Table 103.2.1.

**103.2.1.1 Residential less than or equal to 3 stories.**

**103.2.1.1.1 Building thermal envelope alternative.** An accurately completed Residential Building Form 402 shall be submitted to the building official to demonstrate code compliance by this method.

**103.2.1.1.2 Simulated performance alternative.** An accurately completed Residential Building Form 405 (generated by Commission approved software) shall be submitted to the building official to demonstrate code compliance by Section 405.

**103.2.1.2 Commercial and residential greater than 3 stories.**

**103.2.1.2.1 Building thermal envelope alternative.** An accurately completed Commercial Building Form 502 shall be submitted to the building official to demonstrate code compliance by this method.

**103.2.2.2 Simulated performance alternative, commercial and high-rise residential.** An accurately completed Commercial Building Form 506 (generated by Commission approved software) demonstrating that code compliance has been achieved shall be submitted to the building official for compliance by Section 506.

**103.2.2 Details required.** Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *code official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, systems and equipment as herein governed. Details shall include, but are not limited to, as applicable, insulation materials and their R-values; fenestration *U*-factors and SHGCs; area-weighted *U*-factor and SHGC calculations; mechanical system design criteria; mechanical and service water heating system and equipment types, sizes and efficiencies; economizer description; equipment and systems controls; fan motor horsepower (hp) and controls; duct sealing, duct and pipe insulation and location; lighting fixture schedule with wattage and control narrative; and air sealing details.

**TABLE 103.2.1  
INDEX TO CODE COMPLIANCE FORMS**

FORM	WHERE FOUND
<b>Chapter 4 compliance</b>	
Form 402	Appendix C
Alternate Form 402	
Form 405 (Commission approved software printout)	
<b>Chapter 5 compliance</b>	
Form 502	Appendix C
Form 506 (Commission approved software printout)	

**103.2.3 Compliance certification.**

**103.2.3.1 Code compliance demonstration.**

**103.2.3.1.1 Residential.** No license or registration is required to prepare the code compliance form for single-family residential dwellings, duplexes and townhouses.

**103.2.3.1.2 Commercial and multiple-family residential.** Completion of procedures demonstrating compliance with this code for commercial buildings and multiple-family residential shall be in accordance with the provisions of Section 481.229, *Florida Statutes*, or Section 471.003, *Florida Statutes*.

**Exception:** Where HVAC systems are ≤ 15 tons per system, air conditioning or mechanical contractors licensed in accordance with Chapter 489, *Florida Statutes*, or State of Florida certified commercial building energy raters may prepare the code compliance form.

Design professionals responsible under Florida law for the design of lighting, electrical, mechanical, and plumbing systems and the building shell, shall certify compliance of those building systems with the code by signing and providing their professional registration number on the energy code form provided as part of the plans and specifications to the building department.

**103.2.3.2 Code compliance certification.** The building's owner, the owner's architect, or other authorized agent legally designated by the owner shall certify that the building is in compliance with the code, as per Section 553.907, *Florida Statutes*, prior to receiving the permit to begin construction or renovation.

**103.3 Examination of documents.** The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**103.3.1 Approval of construction documents.** When the *code official* issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code Compliance." Such *approved* construction documents shall not be changed, modified or altered without authorization from the *code official*. Work shall be done in accordance with the *approved* construction documents.

One set of construction documents so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, kept at the site of work and shall be open to inspection by the *code official* or a duly authorized representative.

**103.3.2 Previous approvals.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

**103.3.3 Phased approval.** The *code official* shall have the authority to issue a permit for the construction of part of an energy conservation system before the construction documents for the entire system have been submitted or *approved*, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire energy conservation system will be granted.

**103.4 Amended construction documents.** Changes made during construction to a building's design or in materials or equipment installed that would diminish the building's energy performance shall be deemed to be not in compliance with the approved construction documents and shall be resubmitted for approval as an amended set of construction documents.

**103.5 Retention of construction documents.** One set of *approved* construction documents shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

## SECTION 104 INSPECTIONS

**104.1 General.** Construction or work for which a permit is required shall be subject to inspection by the *code official*.

**104.2 Required approvals.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.

**104.3 Final inspection.** The building shall have a final inspection and not be occupied until *approved*.

**104.4 Reinspection.** A building shall be reinspected when determined necessary by the *code official*.

**104.5 Approved inspection agencies.** The *code official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**104.6 Inspection requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**104.7 Reinspection and testing.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

**104.8 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.

**104.8.1 Revocation.** The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

## SECTION 105 VALIDITY

**105.1 General.** If a portion of this code is held to be illegal or void, such a decision shall not affect the validity of the remainder of this code.

## SECTION 106 REFERENCED STANDARDS

**106.1 General.** The codes and standards referenced in this code shall be those listed in Chapter 6, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference.

**106.2 Conflicting requirements.** Where the provisions of this code and the referenced standards conflict, the provisions of this code shall take precedence.

**106.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**106.4 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of state or federal law.

## SECTION 107 FEES RESERVED

## SECTION 108 STOP WORK ORDER

**108.1 Authority.** Whenever the *code official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *code official* is authorized to issue a stop work order.

**108.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

**108.3 Emergencies.** Reserved.

**108.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

**SECTION 109  
BOARD OF APPEALS  
RESERVED**

**SECTION 110  
REPORTING**

**110.1 Reporting to entity representing the Florida Building Commission.** A reporting form shall be submitted to the local building department by the owner or owner’s agent with the submittal certifying compliance with this code. Reporting forms shall be a copy of the front page of the form applicable for the code chapter under which compliance is demonstrated.

**110.2 Reporting schedule.** It shall be the responsibility of the local building official to forward the reporting section of the proper form to the entity representing the Florida Building Commission on a quarterly basis as per the reporting schedule in Table 110.2.

**TABLE 110.2  
REPORTING SCHEDULE**

	<b>Group I*</b>	<b>Group II*</b>	<b>Group III*</b>
Quarter 1	12/31	1/31	2/28
Quarter 2	3/31	4/30	5/31
Quarter 3	6/30	7/31	8/31
Quarter 4	9/30	10/31	11/30

\*See Appendix A for group designations.