

**POLICY 7.21**

**4-E** I recommend the Board adopt the proposed revised Policy 7.21, to be entitled "Building Code."

[Contacts: Joe Sanches, 357-7573; and Tom Hogarth, 434-8214.]

**Adoption**

**CONSENT ITEM**

- The Board approved this revision as a first reading for development on March 24.
- This proposed revision was reviewed and approved by CORC and the Chief of Facilities.
- This revision is needed due to recent changes in the K-20 Education Code, SREF, and the Florida Building Code.
- The revision provides for the District's building official to render interpretations of the building and issue stop-work orders as to District construction when any building, structure, electrical, gas, mechanical or plumbing system work is found to be contrary to the provisions of the Florida Building Code.
- As required by Fla. Stat. § 553.73(4)(a), the amendments in paragraphs (3)(a), (b) will be transmitted to the Florida Building Commission within the Florida Department of Community Affairs within 30 days of the effective date of this Policy revision and will be available to the general public.

1 **POLICY 7.21**  
2 **UNIFORM BUILDING CODES**

- 3 1. ~~A.~~ All new construction including relocatables, additions, remodeling of existing  
4 facilities or renovation of existing facilities shall conform to and comply with the  
5 Uniform Building Code for Public Education Facilities Construction ("UBC") Florida  
6 Building Code (FBC) including but not limited to Chapter 423, and the Florida Fire  
7 Prevention Code (FFPC) pursuant to Fla. Stat. § 1013.37 and shall be consistent with  
8 applicable provisions of the State Requirements for Educational Facilities (SREF),  
9 Vol. 1.
- 10 2. ~~B.~~ All comprehensive safety inspections, maintenance and repair, and operation of  
11 facilities and equipment for existing facilities shall conform to and comply with Fla.  
12 Stat. Chapter 1013, the UBC FBC and FFPC, and SREF Vol. 1 § 4.4 as updated by  
13 the Department of Education for consistency with the K-20 Education Code.
- 14 3. By the authority of Fla. Stat. § 553.80(6) and as stated in 553.71(5), the "local school  
15 board . . . [has] jurisdiction to make inspections of buildings and to enforce the codes  
16 which establish standards for design, construction, erection, alteration, repair,  
17 modification, or demolition of public or private buildings, structures, or facilities" of the  
18 School District. Pursuant to such authority and Fla. Stat. § 553.73(4)(a), the Board  
19 shall amend its administration of the FBC to include the following provisions:
- 20 a. By amendment to FBC § 103.1, the Director of the Building Department/qualified  
21 designee(s) ("building official") is hereby authorized and directed to enforce the  
22 provisions of this code. The building official shall have the authority to render  
23 interpretations of this code, which are consistent with its intent and purpose.  
24 Such interpretations shall not have the effect of waiving requirements specifically  
25 provided for in this code.
- 26 b. By amendment to FBC § 103.3, upon notice from the building official, work on  
27 any building, structure, electrical, gas, mechanical or plumbing system that is  
28 being done contrary to the provisions of this code or in a dangerous or unsafe  
29 manner, shall immediately cease. Such notice shall be in writing and shall be  
30 given to the owner of the property (the Board), or to its agent (the  
31 Superintendent/qualified designee), or to the person doing the work (e.g.,  
32 contractors), and shall state the conditions under which work may be resumed.  
33 Where an emergency exists, the building official shall not be required to give a  
34 written notice prior to stopping the work.
- 35 4. As required by Fla. Stat. § 553.73(4)(a), the local amendments to the FBC  
36 administrative provisions as set forth in paragraphs (3)(a), (b) shall be transmitted to

37 the Florida Building Commission within the Florida Department of Community Affairs  
38 within 30 days of the effective date of this Policy revision in 2003 and shall be  
39 available to the general public.

40 STATUTORY AUTHORITY: §§ ~~230.23(22)~~, ~~230.23005~~, 553.73(4)(a); 1001.41(2);  
41 1001.42(22); 1001.43(4), Fla. Stat.

42 LAWS IMPLEMENTED: Art. XII § 9(a), Art. XII § 9(d), Fla. Constitution;  
43 §§ ~~215.61(5)~~, ~~229.053(1)~~; ~~230.23(9)~~ 553.71(5);  
44 553.73(4)(a); 553.80(6); 1001.42(9); 1001.43(4);  
45 ~~235.01(2)~~; ~~235.06~~ 1013.12; ~~235.19~~, ~~235.211~~, ~~235.26~~  
46 1013.37;  
47 1013.371; 1013.372; 1013.38; 1013.39; ~~235.31~~ 1013.46;  
48 ~~235.32~~ 1013.47; ~~239.229~~, ~~240.327(1)~~, Fla. Stat.

49 RULES SUPPLEMENTED: SBER 6-2.0001; 6A-2.0111

50 HISTORY: 5/21/2001; \_\_/\_\_/03

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.21 and finds it legally sufficient for development by the Board.

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Attorney

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Date