



BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE
SUITE 3500-B
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500
FAX: 954-765-4504

www.broward.org/codeappeal

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Charles M. Kramer, Esq.

Board Administrative Director
James DiPietro

—ESTABLISHED 1971—

FBC 7th EDITION (2020) FORMAL INTERPRETATION (# 28)

DATE: August 12, 2021
TO: All Building Officials
FROM: James DiPietro, Administrative Director
SUBJECT: Retrofitting Roof to Wall Connections

At its meeting of August 12, 2021, the Broward County Board of Rules and Appeals approved an interpretation of Florida Building Code Existing Building 2020 7th Edition Sections 706.8 through 706.8.1.7

The interpretation is to clarify the provisions of The Florida Building Code Existing Building 2020 7th Edition Sections 706.8 through 706.8.1.7. for retrofitting roof to wall connections when reroofing existing buildings.

Formal Interpretation:

1. If the cost of retrofitting all prioritized and non-prioritized elements is 15% or less, then both elements are to be retrofit.
2. If the cost of retrofitting prioritized elements is less than 15% but with the addition of non-prioritized elements the sum is greater than 15%, then only the prioritized elements are to be retrofit.
3. If the cost of retrofitting prioritized elements is greater than 15%, then neither prioritized nor non-prioritized elements are to be retrofit.
4. It is not the intent of the Florida Building Code to improve only a portion of the "prioritized elements" up to 15 percent of the cost of the reroofing. Prioritized elements must be capable of complete retrofit at a cost no greater than 15% of the cost of the reroofing or there is no requirement for improvement.

EFFECTIVE DATE: August 12, 2021

*** PLEASE POST AT YOUR PERMIT COUNTER ***

STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of

Florida Roofing Sheet Metal & Air
Conditioning Contractors Association, Inc.

Case #: DCA09-DEC-045

Petitioner.

DECLARATORY STATEMENT

The foregoing proceeding came before the Florida Building Commission (the Commission) by a Petition from Brad Weatherholtz, the Director of Technical Services for the Florida Roofing Sheet Metal & Air Conditioning Contractors Association, Inc., which was received on February 11, 2009. Based on the statements in the petition, the material subsequently submitted and the subsequent request by the Petitioner, it is hereby ORDERED:

Findings of Fact

1. The petition is filed pursuant to, and must conform to the requirements of Rule 28-105.002, Florida Administrative Code.
2. The Petitioner is an association comprised, in large part, of Florida licensed, roofing contractors.
3. One of the purposes fulfilled by the Petitioner is to represent its members before the Commission and obtain interpretations of the Building Code on behalf of its members in the form of Declaratory Statements by the Commission.
4. One of the Petitioner's members has been requested to provide an estimate to replace a roof on a single-family dwelling that is located within the wind borne debris region of the state. The dwelling and has an insured value of over \$300,000 and its roof

has both gable and hip roof areas. The cost to retrofit the roof-to-wall connections at the corners of the roof and its hip and gable areas will exceed 15% of the re-roof cost but all the gables or all the hip corners can be completed at a cost of less than 15% of the reroof cost.

5. The Petitioner requests a clarification of the requirements of Section 611.8, Florida Building Code, Existing Buildings Volume (2007), and specifically:

(a) Whether a home requiring roof to wall improvements as per 611.8, with both gable and hip configurations, and a confirmed cost to improve both gable ends and hip corners that would exceed 15% of the re-roof cost be required to improve only the portion that would apply as per 611.8.1.7;

(b) Whether section 611.8.1, exception 2 supersedes section 611.8(b) and voids 611.8.1.7 when a home has both gable ends and hip corners that require improvements; and

(c) Whether a home that has both gable and hips, and as per section 611.8.1.7, and the gables are priority (or vice-versa) and can be improved with in budget of 15% of the re-roof cost, but all of the hip corners cannot be improved with in the same budget (15% of the reroof cost) do any of the hip corners still need to be improved?

Conclusions of Law

1. The Florida Building Commission has the specific statutory authority to interpret the provisions of the Florida Building Code by entering a declaratory statement.

2. Section 611.8, Florida Building Code, Existing Building Volume (2007as amended 3/1/09), provides:

When a roof covering on an existing site-built-single-family residential structure is removed and replaced on a

building that is located in the wind-borne debris region as defined in the Florida Building Code, Building and that has an insured value of \$300,000 or more or, if the building is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$300,000 or more:

(a) Roof to wall connections shall be improved as required by Section 611.8.1.

(b) Mandated retrofits of the roof-to-wall connection shall not be required beyond a 15 percent increase in the cost of re-roofing.

3. Section 611.8.1, Florida Building Code, Existing Building Volume (2007 as amended 3/1/09), requires:

Where required by Section 611.8, the intersection of roof framing with the wall below shall provide sufficient resistance to meet the uplift loads specified in Table 611.8.1 either because of existing conditions or through retrofit measures. As an alternative to an engineered design, the prescriptive retrofit solutions provided in Sections 611.8.1.1 through 611.8.1.76 shall be accepted as meeting the mandated roof-to-wall retrofit requirements.

Exceptions:

1. Where it can be demonstrated (by code adoption date documentation and permit issuance date) that roof-to-wall connections and/or roof-to-foundation continuous load path requirements were required at the time of original construction.

2. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15% of the cost of roof replacement.

4. Section 611.8.1.7, Florida Building Code, Existing Building Volume (2007 as amended 3/1/09), specifies that:

Priority shall be given to connecting the exterior corners of roofs to walls where the spans of the roofing members are greatest. For houses with both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections unless the width of the hip end is more than 1.5 times greater than the width of the gable end.

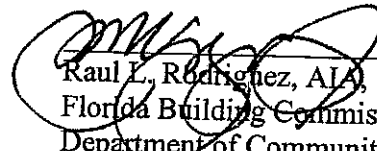
5. The response to the Petitioners first question is that, yes, improvement of the gables or hip corners is explicitly required by the Code.

6. The answer to the Petitioner's second question is that, no, one element of the relevant section of the Code does not void or supersede others, all apply to the circumstances identified.

7. Lastly, if fifteen percent of the cost to reroof the home is sufficient to complete all of the prioritized element (gables for example) pursuant to Section 611.8.1.7 but insufficient to complete all of the other element (hip corners), then no partial of complete retrofit of the non-prioritized element is required.


Petitioner and all other interested parties are hereby advised of their right to seek judicial review of this Order in accordance with Section 120.68(2)(a), Florida Statutes, and with Fla. R. App. 9.030(b)(1)(C) and 9.110(a). To initiate an appeal, a Notice of Appeal must be filed with Paula P. Ford, Clerk of the Commission, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and with the appropriate District Court of Appeal no later than thirty days after this Order is filed with the Clerk of the Commission. A Notice of Appeal filed with the District Court of Appeal shall be accompanied by the filing fee specified by section 35.22(3), Florida Statutes.

DONE AND ORDERED this 9th of July, 2009, in Coral Gables,
Miami-Dade County, State of Florida.


Raul L. Rodriguez, AIA, Chair
Florida Building Commission
Department of Community Affairs
Sadowski Building
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to the
following by the method indicated on this 13 day of July, 2009.


PAULA P. FORD
Commission Clerk

Via U.S. Mail

Brad Weatherholtz
Director of Technical Services
Florida Roofing Sheet Metal & Air
Conditioning Contractors Association, Inc.
Post Office Box 4850
Winter Park, Florida 32793

Via Hand Delivery

Mo Madani, C.B.O. Manager
Codes and Standards Section
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

BMW BENSON MUCCI & WEISS P.L.
Attorneys at Law

MARK S. MUCCI, P.A.
Certified Civil Mediator

BRAD R. WEISS, P.A.
Board Certified in Construction Law
Also Admitted in Michigan

BRIAN M. ABELOW, P.A.
Board Certified in Real Estate Law

MATTHEW D. COHEN
ROBERT P. GAINES

5561 NORTH UNIVERSITY DRIVE
SUITE 102
CORAL SPRINGS, FLORIDA 33067

TELEPHONE 954-323-1023
FACSIMILE 954-323-1013

WWW.BMWLAWYERS.NET

WILLIAM H. BENSON
(1929 - 2013)

CHARLES M. KRAMER, Of Counsel
Board Certified in Construction Law

June 11, 2021

James DiPietro, Administrative Director
The Broward County Board of Rules and Appeals
1 N. University Drive, Suite #3500-B
Plantation Florida 33324

**ADVISORY OPINION REGARDING HURRICANE MITIGATION
PER FLORIDA STATUTES 553.844 AND FLORIDA BUILDING
CODE EXISTING BUILDING SEC. 706.8 - 706.8.1.7**

**Revised from May 13, 2021*

Jim,

You have asked the Office of General Counsel for direction on the requirements as to retrofitting existing roofs in accordance with Florida Statutes Sec. 553.844 and Florida Building Code Sec 706.8. through 706.8.1.7. Review of the subject statute and code sections reflects a possible ambiguity with respect to the amount of costs incurred to establish requirements for roof-to-wall connections and the location of same.

Issue:

We have been asked to respond to three (3) questions pertaining to the above titled matter. To wit:

- 1) Is there a discrepancy in the intent of the FS 553.48 [553.84]. "... beyond a 15% increase of the cost to reroof" and FBCE 706.8.1 exception #2 15% of the cost to reroof..."

2) Because low slope roofs are not identified in the prescriptive methods, is it the intent of the code to eliminate low slope roofs from the required roof to wall retrofits mandated by FBCE 706.8.1 through 706.8.1.7.

3) [Please clarify] the last statement found in FBCEB 706.8.1.7 “When considering priorities for houses with both hip and gable roof ends, and the fifteen percent of the cost of roof replacement is sufficient to complete all of the prioritized elements pursuant to this section, but is not sufficient to complete all of the non-prioritized elements, then no portion of complete retrofit of the non-prioritized element is required.”

Analysis:

We have reviewed the Florida Building Code (Existing) Sec 706.8 through 706.8.1.7; Florida Statutes Section 553.844, Windstorm loss mitigation; requirements for roofs and opening protection and all sub-sections; the Declaratory Statement of the Florida Building Commission CASE # DCA09-DEC-045; and discussed the matter at length with BORA staff and personnel on the Broward County Board of Rules and Appeals. Having carefully considered the questions presented we answer as follows:

(1) There is no discrepancy in the intent of F.S. Sec 553.844 and FBCE 706.8.1 with respect to the meaning of 15% as it pertains to a measure of replacement costs for a roof in determining the requirement for retrofit solutions.

(2) Low slope roofs are not excluded from the prescriptive methods set forth in FBCE Sec 706.8.1. We would further state that low-slope roofs are in fact, included in the prescriptive methods of retrofit where sub-section 706.8.1 (2) states specifically:

2. Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15 percent of the cost of roof replacement.

While sub-section 2 references installation of connections at gable ends, it specifically addresses “all corners” as well. Low-sloped roofs have corners so that roof-to-wall connections are required at the corners of low-slope roofs if the retrofit of connections can be accomplished at a cost of 15 percent or less of the roof replacement.

(3) With respect to reconciling the possible ambiguity in FBCE 706.8.1.7 we note that the Code states *inter alia*:

706.8.1.7 Priorities for Mandated Roof-To-Wall Retrofit Expenditures

Priority shall be given to connecting the exterior corners of roofs to walls where the spans of the roofing members are greatest.

...

When considering priorities for houses with both hip and gable roof ends, and the fifteen percent of the cost of roof replacement is sufficient to complete all of the prioritized elements pursuant to this section, but is not sufficient to complete all of the non-prioritized elements, then no portion of complete retrofit of the non-prioritized element is required. [*This sub section very clearly and specifically distinguishes between the retrofit of non-prioritized items as opposed to prioritized items.*]

At least one portion of this section of the code is clear in that the elements to be considered for retrofit calculations consist of prioritized and non-prioritized components. If we go back and review Sec 706.8.1(2) its states that “installations of connections at gable ends” and “corners” must be completed for 15% (or less) of the cost of roof replacement. Reading Sec 706.8.1.7 in conjunction we see that those two (2) connection locations are (i.e. gable ends and corners) are “prioritized elements.”

The remainder of this particular section of the Code is not a model of clarity.

Careful review of the last (run-on) sentence in Section 706.8.1.7 determines that if the cost to retrofit the prioritized elements e.g. exterior corners of roofs to

walls, gable ends, is 15% or less then the roof must be retrofit. If the costs to retrofit the non-prioritized elements increases the cost of retrofitting above 15% of the cost of total roof replacement, then no portion of the non-prioritized elements shall be retrofit. In all cases the cost to retrofit prioritized elements is determined first.

What this means is that:

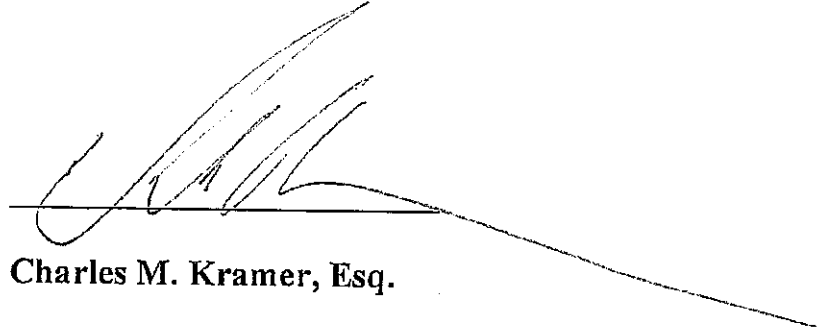
- i. If the cost of retrofitting all prioritized and non-prioritized elements is 15% or less, then both elements are to be retrofit.
- ii. If the cost of retrofitting prioritized elements is less than 15% but with the addition of non-prioritized elements the sum is greater than 15%, then only the prioritized elements are to be retrofit
- iii. If the cost of retrofitting prioritized elements is greater than 15%, then neither prioritized nor non-prioritized elements are to be retrofit.

We have attached a copy of the Declaratory Statement the Florida Building Commission CASE # DCA09-DEC-045 and note paragraph 7 wherein is stated:

7. Lastly, if fifteen percent of the cost to reroof the home is sufficient to complete all of the prioritized elements (gables for example) pursuant to Section 611.8.1.7 [* Now FBCE 706.8 et.al.] but insufficient to complete all of the other elements (hip corners), then no partial of complete retrofit of the non-prioritized element is required.

In so saying, our analysis comports with retrofit parameters established by the Florida Building Commission.

If you have any further questions please don't hesitate to contact us.



Charles M. Kramer, Esq.

**General Counsel to the Broward County
Board of Rules and Appeals
Florida Bar Board Certified
Construction Lawyer
Florida Supreme Court Qualified Arbitrator
5561 University Drive, Suite 103
Coral Springs FL 33067
Phone 954.323.1023 | Direct 954.947.2523
ckramer@bmwlawyers.net**