

# CITY OF GREENACRES

Council Agenda Memo  
#2016.06B7.04

TO: Mayor and City Council

THROUGH: Andrea McCue, City Manager

FROM: Michael Grimm, Director/CBO, Building Department

SUBJECT: **Ordinance No. 2016-25** Revising Membership of the Building Board of Adjustment and Appeals, City Council Agenda Item for 06-20-2016

DATE: June 13, 2016

COPIES: James D. Stokes, City Attorney  
Denise McGrew, City Clerk

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## **Background:**

Section 553.73 of the Florida Statutes established a uniform Building Code to be in effect throughout all jurisdictions in Florida known as the Florida Building Code (FBC). Local jurisdictions are allowed to amend the administrative chapter of the FBC to conform to local operational standards.

On June 15, 2015, the Greenacres Amendments to Chapter One of the Florida Building Code 5<sup>th</sup> Edition (GAFBC) was adopted by City Council through Ordinance 2015-16. Section 113 of the GAFBC establishes a Building Board of Adjustment and Appeals (BBAA) for the timely appeal of matters concerning the FBC and decisions made by the City Building Official.

Section 1.10 of the City Amendments to the Florida Fire Prevention Code (FFPC) also utilizes the previously established BBAA for the timely appeal of matters concerning the FFPC and decisions made by the City Fire Marshal.

## **Analysis:**

The current makeup of the BBAA, as determined by Section 113 of the GAFBC, is in conflict with provisions of recently passed Florida HB535. The new law clarifies that an appeals board may be utilized for issues concerning both the Florida Building Code and the Florida Fire Protection Code but requires such an appeals board to contain a member who is a fire protection contractor, a fire protection design professional, a fire department operations professional or a fire code enforcement professional. The provisions of the new law go into effect July 1, 2016.

The proposed Ordinance adopts the new 2016 Revised Greenacres Amendments to Chapter One of the Florida Building Code 5th Edition in order to revise the membership requirements of the BBAA contained in Section 113 and thereby align with Florida HB535 and Section 553.73 F.S. as amended.

**Financial:**

N/A

**Legal:**

The Ordinance has been prepared in compliance with City Codes and Florida Statutes.

**Staff Recommendation:**

*Approval* of Ordinance 2016-25 revising the membership requirements of the Building Board of Adjustment and Appeal.

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Michael Grimm CBO  
Director Building Department

Attachments:

1. Ordinance No. 2016-25
2. 2016 Revised Greenacres Amendments to Chapter One of the Florida Building Code 5<sup>th</sup> Edition