



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

MEMORANDUM

Florida Building Commission
Raul L. Rodriguez, AIA, Chairman

Date: December 6, 2006

Re: Demonstration of Product Compliance for the High Velocity Hurricane Zone and Other Areas Accepting "NOA's"

Florida Statutes, section 553.842, govern local and state approval of building products directly related to the structural wind resistance of buildings. The law establishes specific methods for manufacturers to demonstrate compliance with the Florida Building Code but gives the manufacturer the option of obtaining either local or state approval. State approved products must be accepted by local jurisdictions within the limitations of use established by the state approval without requirement for further testing, evaluation or submission of evidence. (Florida Statute, section 553.842(4) Products or methods or systems of construction requiring approval under s. 553.77 must be approved by one of the methods established in subsection (5) before their use in construction in this state. Products may be approved by the commission for statewide use. Notwithstanding a local government's authority to amend the Florida Building Code as provided in this act, statewide approval shall preclude local jurisdictions from requiring further testing, evaluation, or submission of other evidence as a condition of using the product so long as the product is being used consistent with the conditions of its approval.) When a product is state approved the local jurisdiction's authority extends only to determining the product is being used within the conditions established by the approval.

State approval of products for use in the High Velocity Hurricane Zone (HVHZ) is commonly but not always based on a Miami-Dade Notice of Acceptance" (NOA). The law guarantees manufacturers other means of demonstrating compliance with HVHZ requirements so long as their products are tested or evaluated using the standards that apply in the HVHZ. The Miami-Dade Code Compliance Office reviews applications for state approval of HVHZ products and advise the Florida Building Commission on their compliance with HVHZ standards. Compliance can be determined by accessing the state approval online using the state approval number then checking the standards products were tested to and the "limitations of use" documentation.

Approval by the State or Miami-Dade County allows acceptance of a product for use within the HVHZ. However, the building permitting authority must determine whether products comply with the requirements of the Code specific to the building they are used in. The State or Miami-Dade approvals provide the information required for this determination. Further testing or engineering evaluation cannot be required unless the permit applicant wishes to demonstrate the product can be used outside of the approved limitations of use.

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

Florida Building Code complies with Miami-Dade county requirements

02/25/2008 12:19 PM

Dear Mr McGuinness

If there is a product approved under 9B-72 State Product Approval System, is also approved for use in HVHZ(High Velocity Hurricane Zone) then it complies with requirements of Dade and Broward counties. Hopefully this answers your question.

If you have any more concerns feel free to call me, I would be more than happy to hear from you.

Sincerely,
Azhar Khan

Building Codes and Standards
Florida Department of Community Affairs
azhar.khan@dca.state.fl.us
850.922.1870

"Steven McGuinness" <steve@acsiusa.com>

02/25/2008 12:00 PM

To <bcis.contact@dca.state.fl.us>

cc

Subject RE: Website Update Notice

I am hoping you can help me with a situation.

Does FBC approval supersede Miami-Dade approval? In other words, if we have FBC approval does that mean we are compliant with Miami-Dade?

Steve McGuinness
Energy Seal Coatings
mfg. by Advanced Coating Systems, Inc.
Atlanta, GA - USA

www.energy-seal.com