

STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of

ALUMINUM ASSOCIATION OF
FLORIDA,

Case #: DCA09-DEC-351

Petitioner.

_____ /**DECLARATORY STATEMENT**

The foregoing proceeding came before the Florida Building Commission (the Commission) by a Petition from Joseph Belcher representing the ALUMINUM ASSOCIATION OF FLORIDA, which was received on October 30, 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 with a substantial number of members that building structures subject to the Florida Building Code. One of the purposes served by the Petitioner is obtaining interpretations of the Code for its members.
3. The Petitioner has one particular member that is planning to construct a sunroom attached to an existing single-family dwelling.
4. The Petitioner inquires about the requirements for outlets to be provided within the sunroom, noting the differing requirements of the applicable standards adopted within the Florida Building Code (2007) [FBC], specifically NFPA 70 and AAMA 2100?

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 301.2.1.1.2, FBC, Residential Volume, provides that:

Sunrooms shall comply with AAMA/NPEA/NSA 2100 with the structural requirements and testing provisions of Chapter 5 modified to incorporate

ASCE 7. Sunrooms shall be categorized in one of the following categories by the permit applicant, design professional or the property owner where the sunroom is being constructed.

Category I: A roof or a covering of an outdoor space. The openings shall be permitted to be enclosed with insect screening or 0.5 mm (20 mil) maximum thickness plastic film. The space is defined as nonhabitable and unconditioned.

Category II: A roof or a covering of an outdoor space with enclosed walls. The openings are permitted to be enclosed with translucent or transparent plastic or glass. The space is defined as nonhabitable and unconditioned.

Category III: A roof or a covering of an outdoor space with enclosed walls. The openings are permitted to be enclosed with translucent or transparent plastic or glass. The sunroom complies with additional requirements for forced-entry resistance, air-leakage resistance and water-penetration resistance. The space is defined as nonhabitable and unconditioned.

Category IV: A roof or a covering of an outdoor space with enclosed walls. The sunroom is designed to be heated and/or cooled by a separate temperature control or system and is thermally isolated from the primary structure. The sunroom complies with additional requirements for forced-entry resistance, water penetration resistance, air-leakage resistance, and thermal performance. The space is defined as habitable and conditioned.

Category V: A roof or a covering of an outdoor space with enclosed walls. The sunroom is designed to be heated and/or cooled and is open to the main structure. The sunroom complies with additional requirements for forced-entry resistance, water-penetration resistance, air-leakage resistance, and thermal performance. The space is defined as habitable and conditioned.

3. Section 7.7.2, AAMA/NPEA/NSA 2100 (2002), provides:

Receptacle Outlets: Receptacle outlets in Category IV and V sunrooms must be installed such that no space along a wall line is in excess of 1.8 m (6 ft.) from a receptacle outlet. Any wall space that is 610 mm (24 in.) or wider must be served by a receptacle outlet in this manner. Fixed panels of sliding doors are not considered wall line. Where the installation of a typical wall receptacle outlet is not possible, a floor receptacle installed within 460 mm (18 in.) of the wall line may be installed to serve this space.

Exception: Category I, II and III sunrooms are exempt from requirements for receptacle outlets.

4. Section 3301.1, FBC Residential, generally adopts the standard NFPA 70 for the electrical requirements applicable to construction subject to that volume. Section 201.52A, NFPA 70 (2008),

states that “[i]n every kitchen, family room, dining room, living room, parlor, library, den, sunroom, bedroom, recreation room, or similar room or area of dwelling units, receptacle outlets shall be installed in accordance with the general provisions specified in 210.52(A)(1) through (A)(3).”

5. Section 102.1, FBC Building, states that “[w]here, 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 be applicable.”

6. Based upon the foregoing, the Commission concludes that AAMA 2100 is more specific than NFPA 70 with regard to the definition of sunrooms and the placement of receptacle outlets, and therefore in according to Section 102.1 of the FBC, Building, and AAMA 2100’s provisions prevail over NFPA 70 with regard to the subject in question.

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.