

# ADMINISTRATION

## SECTION 101 GENERAL

**101.1 Scope.** The provisions of this chapter shall govern the administration and enforcement of the *Florida Building Code*.

**101.2 Title.** The provision of the following chapters shall constitute and be known and be cited as the “*Florida Building Code*” hereinafter known as “this code”

### 101.3 Code remedial

**101.3.1 General.** This code is hereby declared to be remedial and shall construed to secure the beneficial interests and purposes thereof, which are public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition use and occupancy of buildings structures or premises and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems which may be referred to as service systems.

**101.3.2 Quality control.** Quality control of materials and workmanship is not within the purview of this code except as it relates to the purpose stated herein.

### 101.4 Applicability

**101.4.1 General.** Where 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.

**101.4.2 Building.** The provision of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment use and occupancy, location, maintenance removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all building and structures shall comply with the provision provided in Chapter 34 of this code. The following buildings, structures and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the Legislature and provided by law.

- (a) Building and structures specifically related and precepted by the Federal Government
- (b) Railroads and ancillary facilities associated with the railroad
- (c) Nonresidential farm buildings on farms
- (d) Temporary building or sheds used exclusively for construction purposes
- (e) Mobile homes used as temporary offices except that the provisions of part V ss 553.501.553.513 FSI relating to accessibility by person with disabilities shall apply to such mobile homes
- (f) Those structures or facilities of electric utilities as defined in s 366.02 Florida Statutes, which are directly involved in the generation, transformation, or distribution of electricity
- (g) Temporary sets assemblies, or structures used in commercial motion picture or television production or any sound-recording equipment used in such production on or off the premises
- (h) Chickees constructed by the Miccosukee Tribes of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palms or palmetto or other traditional materials, and that does not incorporate any electricity plumbing or other nonwood features.

**101.4.2.1** The *Florida Building Code* does not apply to and no code enforcement action shall be brought with respect to zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction erection alteration, modification, repair or demolition of public building of public or private buildings structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code* Building to prevent the sitting of any publicly owned facility including but not limited to correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities as provide by law.

**101.4.2.2.** In addition to the requirements of ss. 553.79 and 553.80 Florida Statutes facilities subject to the provisions of chapter 395 Florida Statutes and part II of chapter 400 Florida Statutes shall have facilities plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of chapter 395 Florida Statutes and part II of chapter 400 Florida Statutes and certification requirements of Federal Government.

**101.4.2.3** Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building