

1 Introduced by the Land Use and Zoning Committee and Co-Sponsored by
2 Council Member Becton:

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4
5 **ORDINANCE 2019-803**

6 AN ORDINANCE ADOPTING LOCAL TECHNICAL
7 AMENDMENTS TO THE FLORIDA BUILDING CODE (6TH
8 EDITION (2017)) PURSUANT TO SECTION 553.73,
9 *FLORIDA STATUTES*, TO IMPLEMENT ORDINANCE 2019-
10 331-E REGARDING ELEVATION REQUIREMENTS IN
11 CERTAIN FLOOD HAZARD AREAS, TO IMPLEMENT
12 ORDINANCE 2013-309-E REGARDING DEFINITIONS FOR
13 THE NATIONAL FLOOD INSURANCE PROGRAM, TO
14 IMPLEMENT ORDINANCE 2019-392-E REGARDING BABY-
15 CHANGING TABLES, AND TO IMPLEMENT ORDINANCE
16 2019-464-E REGARDING ADULT CHANGING TABLES;
17 AMENDING CHAPTER 321 (ADOPTION OF BUILDING
18 CODE), *ORDINANCE CODE*, TO CREATE A NEW SECTION
19 321.109 REGARDING ELEVATION REQUIREMENTS IN
20 CERTAIN FLOOD HAZARD AREAS, AS A LOCAL
21 TECHNICAL AMENDMENT TO THE FLORIDA BUILDING
22 CODE (6TH EDITION (2017)); AMENDING CHAPTER 652
23 (FLOODPLAIN MANAGEMENT), SECTION 652.904
24 (DEFINITIONS), *ORDINANCE CODE*, TO REFERENCE
25 THE FLORIDA BUILDING CODE, AS A LOCAL
26 TECHNICAL AMENDMENT TO THE FLORIDA BUILDING
27 CODE (6TH EDITION (2017)); AMENDING CHAPTER 652
28 (FLOODPLAIN MANAGEMENT), SECTION 652.1207
29 (ELEVATION REQUIREMENTS), *ORDINANCE CODE*, TO
30 REFERENCE SPECIAL AND ADJUSTED FLOOD HAZARD
31 AREAS AND THE FLORIDA BUILDING CODE, AS A

1 LOCAL TECHNICAL AMENDMENT TO THE FLORIDA
2 BUILDING CODE (6TH EDITION (2017)); AMENDING
3 CHAPTER 321 (ADOPTION OF BUILDING CODE),
4 SECTION 321.103 (BABY-CHANGING TABLE
5 REQUIREMENTS), *ORDINANCE CODE*, TO ADOPT
6 SECTION 321.103 AS A LOCAL TECHNICAL AMENDMENT
7 TO THE FLORIDA BUILDING CODE (6TH EDITION
8 (2017)); AMENDING CHAPTER 321 (ADOPTION OF
9 BUILDING CODE), SECTION 321.103.1 (CHANGING
10 TABLE REQUIREMENTS), *ORDINANCE CODE*, TO ADOPT
11 SECTION 321.103.1 AS A LOCAL TECHNICAL
12 AMENDMENT TO THE FLORIDA BUILDING CODE (6TH
13 EDITION (2017)); PROVIDING FOR TRANSMITTAL TO
14 THE FLORIDA BUILDING COMMISSION; PROVIDING
15 CODIFICATION INSTRUCTIONS; PROVIDING AN
16 EFFECTIVE DATE.

17
18 **WHEREAS**, the City Council approved Ordinance 2019-331-E on
19 June 11, 2019, to address floodplain management issues; and

20 **WHEREAS**, the City Council approved Ordinance 2013-309-E on May
21 28, 2013, to address requirements for the National Flood Insurance
22 Program; and

23 **WHEREAS**, the City Council approved Ordinance 2019-392-E on
24 June 25, 2019, to address baby-changing table requirements; and

25 **WHEREAS**, the City Council approved Ordinance 2019-464-E on
26 July 23, 2019 to address adult changing table requirements; and

27 **WHEREAS**, to implement Ordinance 2019-331-E, Ordinance 2013-
28 309-E, Ordinance 2019-392-E, and Ordinance 2019-464-E, the City of
29 Jacksonville must adopt local technical amendments to the Florida
30 Building Code (6th Edition (2017)), pursuant to Section 553.73,
31 *Florida Statutes*; and

1 **WHEREAS**, pursuant to Section 56.103, *Ordinance Code*, the
2 Building Codes Adjustment Board has provided its recommendation
3 regarding the local technical amendments to the Florida Building
4 Code (6th Edition (2017)) adopted herein; and

5 **WHEREAS**, the Land Use and Zoning Committee held a public
6 hearing and has provided its recommendation regarding the local
7 technical amendments to the Florida Building Code (6th Edition
8 (2017)) adopted herein; now, therefore

9 **BE IT ORDAINED** by the Council of the City of Jacksonville:

10 **Section 1. Findings of Fact pursuant to Section**
11 **553.73(4)(b) and Section 553.73(5), Florida Statutes, regarding**
12 **Ordinance 2019-331-E and Ordinance 2013-309-E.** Based on the
13 testimony and evidence in the record for Ordinance 2019-331-E,
14 Ordinance 2013-309-E, and this Ordinance, and after holding an
15 advertised public hearing, the City Council adopts the following
16 findings of fact pursuant to Section 553.73(4)(b) and Section
17 553.73(5), *Florida Statutes*:

18 (1) Section 553.73(4)(b), *Florida Statutes*, authorizes local
19 governments to adopt amendments to the technical provisions of the
20 Florida Building Code which apply solely within the jurisdiction of
21 such government, and which provide more stringent requirements than
22 those specified in the Florida Building Code.

23 (2) Section 553.73(5), *Florida Statutes*, authorizes local
24 governments to adopt administrative or technical amendments to the
25 Florida Building Code relating to flood resistance in order to
26 implement the National Flood Insurance Program or incentives.

27 (3) The City of Jacksonville is adopting additional elevation
28 (freeboard) above certain minimums required by the Florida Building
29 Code (6th Edition (2017)) as a local technical amendment to the
30 Florida Building Code (6th Edition (2017)), as more particularly
31 described in Section 2 of this Ordinance, for the purpose of

1 participating in the National Flood Insurance Program's Community
2 Rating System promulgated pursuant to 42 U.S.C. s. 4022.

3 (4) The City of Jacksonville is adopting definitions for
4 substantial damage and substantial improvement, as already adopted
5 in Chapter 652 (FLOODPLAIN MANAGEMENT), *Ordinance Code*, as a local
6 technical amendment to the Florida Building Code (6th Edition
7 (2017)), as more particularly described in Section 3 of this
8 Ordinance, for the purpose of participating in the National Flood
9 Insurance Program's Community Rating System promulgated pursuant to
10 42 U.S.C. s. 4022.

11 (5) The City of Jacksonville is adopting the local technical
12 amendments to the Florida Building Code (6th Edition (2017)) in
13 Section 2 and Section 3 of this Ordinance because there is a need
14 to strengthen the requirements of the Florida Building Code based
15 upon a review of local conditions, and such review demonstrates
16 that the geographical jurisdiction governed by the City of
17 Jacksonville exhibits a local need to strengthen the Florida
18 Building Code beyond the needs or regional variation addressed by
19 the Florida Building Code (6th Edition (2017)), and the local need
20 is addressed by such local technical amendments, and the local
21 technical amendments are no more stringent than necessary to
22 address the local need.

23 (6) The local technical amendments to the Florida Building
24 Code (6th Edition (2017)) adopted in Section 2 and Section 3 of this
25 Ordinance are not discriminatory against materials, products, or
26 construction techniques of demonstrated capabilities.

27 (7) The local technical amendments to the Florida Building
28 Code (6th Edition (2017)) adopted in Section 2 and Section 3 of this
29 Ordinance do not introduce a new subject not addressed in the
30 Florida Building Code.

31 (8) As codified as directed in this Ordinance, the local

1 technical amendments to the Florida Building Code (6th Edition
2 (2017)) adopted in Section 2 and Section 3 of this Ordinance are
3 readily available to the public, in a usable format.

4 (9) As required by Section 553.73(4)(b)7, *Florida Statutes*,
5 if the local technical amendments to the Florida Building Code (6th
6 Edition (2017)) adopted in Section 2 and Section 3 of this
7 Ordinance are challenged by a substantially affected party for
8 failure to comply with Section 553.73(4)(b), *Florida Statutes*, the
9 City of Jacksonville will establish a countywide compliance review
10 board.

11 (10) In compliance with the fiscal impact statement
12 requirement in Section 553.73(4)(b)(9), *Florida Statutes*, the local
13 technical amendments to the Florida Building Code (6th Edition
14 (2017)) adopted in Section 2 and Section 3 of this Ordinance will
15 have a de minimis impact to the City of Jacksonville relative to
16 enforcement, and a de minimis impact to property and building
17 owners, as well as to the industry, relative to the cost of
18 compliance. In terms of design, plan application review,
19 construction, and inspection of buildings and structures, the cost
20 impact as an overall average is negligible because all development
21 has been subject to the City of Jacksonville floodplain regulations
22 adopted for participation in the National Flood Insurance Program.
23 In terms of the lower potential for flood damage, there will be
24 continued savings and benefits to consumers.

25 **Section 2. Amending Chapter 321 (ADOPTION OF BUILDING**
26 **CODE), *Ordinance Code*, to create new Section 321.109 (Elevation**
27 **requirements).** Chapter 321 (ADOPTION OF BUILDING CODE), *Ordinance*
28 *Code*, is amended to create a new Section 321.109 (Elevation
29 requirements) to read as follows, with the underlined text
30 remaining underlined upon codification to comply with Section
31 553.73(5), *Florida Statutes*:

1 Chapter 321 - ADOPTION OF BUILDING CODE

2 * * *

3 **Sec. 321.109. - Elevation requirements.** The elevation
4 requirements in this Section 321.109 are adopted as local technical
5 amendments to the Florida Building Code (6th Edition (2017)). The
6 underlined text identifies the specific modifications to the
7 Florida Building Code. For the purposes of this Section 321.109,
8 the term "flood hazard area" shall mean "special flood hazard area"
9 and "adjusted flood hazard area" as those terms are defined in
10 Section 652.904.

11 (a) A new Section 1612.4.2 in the Florida Building Code,
12 Building, (6th Edition (2017)), is adopted to read as follows:

13 **1612.4.2 Elevation requirements.** The minimum elevation
14 requirements shall be as specified in ASCE 24 or the base flood
15 elevation plus 2 feet (610 mm), whichever is higher.

16 (b) Section 322.2.1 (Elevation requirements) in the Florida
17 Building Code, Residential, (6th Edition (2017)), is amended to read
18 as follows:

19 **R322.2.1 Elevation requirements.**

20 1. Buildings and structures in flood hazard areas including
21 flood hazard areas designated as Coastal A Zones, shall have the
22 lowest floors elevated to or above the base flood elevation plus 2
23 feet (610 mm) ~~1 foot (305 mm)~~, or the design flood elevation,
24 whichever is higher.

25 2. In areas of shallow flooding (AO Zones), buildings and
26 structures shall have the lowest floor (including basement)
27 elevated to a height above the highest adjacent grade of not less
28 than the depth number specified in feet (mm) on the FIRM plus 2
29 feet (610 mm) ~~1 foot (305 mm)~~, or not less than 4 feet (1220 mm) ~~3~~
30 ~~feet (915 mm)~~ if a depth number is not specified.

31 3. Basement floors that are below grade on all sides shall

1 be elevated to or above base flood elevation plus 2 feet (610 mm) ~~±~~
2 ~~foot (305 mm)~~, or the design flood elevation, whichever is higher.

3 Exception: Enclosed areas below the design flood elevation,
4 including basements with floors that are not below grade on all
5 sides, shall meet the requirements of Section 322.2.2.

6 (c) Section 322.3.2 (Elevation requirements) in the Florida
7 Building Code, Residential, (6th Edition (2017)), is amended to read
8 as follows:

9 **R322.3.2 Elevation requirements.**

10 1. Buildings and structures erected within coastal high-hazard
11 areas and Coastal A Zones, shall be elevated so that the bottom of
12 the lowest horizontal structure members supporting the lowest
13 floor, with the exception of pilings, pile caps, columns, grade
14 beams and bracing, is elevated to or above the base flood elevation
15 plus 2 feet (610 mm) ~~± foot (305 mm)~~ or the design flood elevation,
16 whichever is higher.

17 2. Basement floors that are below grade on all sides are
18 prohibited.

19 3. The use of fill for structural support is prohibited.

20 4. Minor grading, and the placement of minor quantities of
21 fill, shall be permitted for landscaping and for drainage purposes
22 under and around buildings and for support of parking slabs, pool
23 decks, patios and walkways.

24 5. Walls and partitions enclosing areas below the design flood
25 elevation shall meet the requirements of Sections R322.3.4 and
26 R322.3.5.

27 **Section 3. Amending Chapter 652 (FLOODPLAIN MANAGEMENT),**
28 **Section 652.904 (Definitions), Ordinance Code.** Chapter 652
29 (FLOODPLAIN MANAGEMENT), Section 652.904 (Definitions), *Ordinance*
30 *Code*, is amended to read as follows, with the underlined text
31 remaining underlined upon codification to comply with Section

1 553.73(5), *Florida Statutes*, except for the deletion of the word
2 "100" and the addition of the word "alteration":

3 **Chapter 652 - FLOODPLAIN MANAGEMENT**

4 * * *

5 **PART 9. - DEFINITIONS**

6 * * *

7 **Sec. 652.904. - Definitions.**

8 * * *

9 *Substantial damage.* Damage of any origin sustained by a
10 building or structure whereby the cost of restoring the building or
11 structure to its before-damaged condition would equal or exceed 50
12 percent of the market value of the building or structure before the
13 damage occurred. The term also includes flood-related damage
14 sustained by a structure on two separate occasions during a ~~100~~
15 ten-year period for which the cost of repairs at the time of each
16 such flood event, on average, equals or exceeds 25 percent of the
17 market value of the structure before the damage occurred.

18 This definition is adopted as a local technical amendment to
19 the Florida Building Code (6th Edition (2017)) in Florida Building
20 Code, Building, Section 1612.2, and in Florida Building Code,
21 Existing Building, Section 202. The underlined text identifies the
22 specific modifications to the Florida Building Code.

23 *Substantial improvement.* Any combination of repair, alteration
24 reconstruction, rehabilitation, addition, or other improvement of a
25 building or structure taking place during a ten-year period, the
26 cumulative cost of which equals or exceeds 50 percent of the market
27 value of the building or structure before the improvement or repair
28 is started. For each building or structure, the ten-year period
29 begins on the date of the first improvement or repair of that
30 building or structure. If the structure has incurred "substantial
31 damage," any repairs are considered substantial improvement

1 regardless of the actual repair work performed. The term does not,
2 however, include either:

3 (a) Any project for improvement of a building required to
4 correct existing health, sanitary, or safety code violations
5 identified by the building official and that are the minimum
6 necessary to assure safe living conditions.

7 (b) Any alteration of a historic structure provided the
8 alteration will not preclude the structure's continued designation
9 as a historic structure.

10 This definition is adopted as a local technical amendment to
11 the Florida Building Code (6th Edition (2017)) in Florida Building
12 Code, Building, Section 1612.2, and in Florida Building Code,
13 Existing Building, Section 202. The underlined text identifies the
14 specific modifications to the Florida Building Code.

15 * * *

16 **Section 4. Amending Chapter 652 (FLOODPLAIN MANAGEMENT),**
17 **Section 652.1207 (Elevation requirements), Ordinance Code.** Chapter
18 652 (FLOODPLAIN MANAGEMENT), Section 652.1207 (Elevation
19 requirements), *Ordinance Code*, is amended to read as follows:

20 **Chapter 652 - FLOODPLAIN MANAGEMENT**

21 * * *

22 **PART 10. - FLOOD RESISTANT DEVELOPMENT**

23 * * *

24 **Sec. 652.1207. - Elevation requirements.** As provided in
25 Section 321.109, Buildings ~~Buildings~~ buildings and structures in special
26 flood hazard areas and adjusted special flood hazard areas shall
27 have the lowest floors elevated to or above the base flood
28 elevation plus two feet, or the design flood elevation, whichever
29 is higher. In order to elevate the finished floor to this level,
30 off-grade or stem wall construction techniques shall be used such
31 that the lot itself is not filled more than one foot above base

1 flood elevation at the site of any structure, to the extent
2 possible, as permitted by the current edition of the Florida
3 Building Code. This Section 652.1207 shall not be effective until
4 the City of Jacksonville adopts a Local Technical Amendment to the
5 Florida Building Code, pursuant to F.S. § 553.73.

6 * * *

7 **Section 5. Findings of Fact pursuant to Section**
8 **553.73(4)(b), Florida Statutes, regarding Ordinance 2019-392-E**
9 **(baby-changing table requirements)**. Based on the testimony and
10 evidence in the record for Ordinance 2019-392-E, and this
11 Ordinance, and after holding an advertised public hearing, the City
12 Council adopts the following findings of fact pursuant to Section
13 553.73(4)(b), *Florida Statutes*:

14 (1) Section 553.73(4)(b), *Florida Statutes*, authorizes local
15 governments to adopt amendments to the technical provisions of the
16 Florida Building Code which apply solely within the jurisdiction of
17 such government, and which provide more stringent requirements than
18 those specified in the Florida Building Code.

19 (2) The City of Jacksonville is adopting baby-changing table
20 requirements as a local technical amendment to the Florida Building
21 Code (6th Edition (2017)), as more particularly described in Section
22 6 of this Ordinance.

23 (3) The City of Jacksonville is adopting the local technical
24 amendment to the Florida Building Code (6th Edition (2017)) in
25 Section 6 of this Ordinance because there is a need to strengthen
26 the requirements of the Florida Building Code based upon a review
27 of local conditions, and such review demonstrates that the
28 geographical jurisdiction governed by the City of Jacksonville
29 exhibits a local need to strengthen the Florida Building Code
30 beyond the needs or regional variation addressed by the Florida
31 Building Code, and the local need is addressed by such local

1 technical amendment, and the local technical amendment is no more
2 stringent that necessary to address the local need.

3 (4) The local technical amendment to the Florida Building
4 Code (6th Edition (2017)) adopted in Section 6 of this Ordinance is
5 not discriminatory against materials, products, or construction
6 techniques of demonstrated capabilities.

7 (5) The local technical amendment to the Florida Building
8 Code (6th Edition (2017)) adopted in Section 6 of this Ordinance
9 does not introduce a new subject not addressed in the Florida
10 Building Code (6th Edition (2017)).

11 (6) As codified as directed in this Ordinance, the local
12 technical amendment to the Florida Building Code (6th Edition
13 (2017)) adopted in Section 6 of this Ordinance is readily available
14 to the public, in a usable format.

15 (7) As required by Section 553.73(4)(b)7, *Florida Statutes*,
16 if the local technical amendment to the Florida Building Code (6th
17 Edition (2017)) adopted in Section 6 of this Ordinance is
18 challenged by a substantially affected party for failure to comply
19 with Section 553.73(4)(b), *Florida Statutes*, the City of
20 Jacksonville will establish a countywide compliance review board.

21 (8) In compliance with the fiscal impact statement
22 requirement in Section 553.73(4)(b)(9), *Florida Statutes*, the local
23 technical amendment to the Florida Building Code (6th Edition
24 (2017)) adopted in Section 6 of this Ordinance will have a de
25 minimis impact to the City of Jacksonville relative to enforcement,
26 and a de minimis impact to property and building owners, as well as
27 to the industry, relative to the cost of compliance. In terms of
28 design, plan application review, construction, and inspection of
29 buildings and structures, the cost impact as an overall average is
30 negligible because of the size of the buildings regulated by the
31 local technical amendment.

1 **Section 6. Amending Chapter 321 (ADOPTION OF BUILDING**
2 **CODE), Section 321.103 (Baby-changing table requirements),**
3 **Ordinance Code.** Chapter 321 (ADOPTION OF BUILDING CODE), Section
4 321.103 (Baby-changing table requirements), *Ordinance Code*, is
5 amended to read as follows:

6 **Chapter 321 - ADOPTION OF BUILDING CODE**

7 * * *

8 **Sec. 321.103. - Baby-changing table requirements.**

9 (1) As used in this ~~section~~ Section 321.103, the term:

10 (a) "Baby-changing table" means a table or other device
11 that is installed in a separate, designated location for the
12 purpose of changing an infant's or child's diaper or clothing.

13 (b) "Building" means any of the following:

- 14 1. A theater.
- 15 2. A sports arena or stadium.
- 16 3. A convention center, auditorium, or exhibition
17 hall.
- 18 4. A public library.
- 19 5. A passenger terminal.
- 20 6. An amusement park in a permanent location.
- 21 7. A restaurant with a seating capacity of at
22 least 50 persons, except when there is a baby-changing table within
23 300 feet of the restaurant's entrance.
- 24 8. A shopping center or shopping mall larger than
25 25,000 square feet.
- 26 9. A retail store larger than 5,000 square feet.

27 (2) Pursuant to Section 56.103, *Ordinance Code*, the Building
28 Codes Adjustment Board shall adopt by rule a requirement that,
29 except as provided in paragraph (3)(d), a baby-changing table be
30 available in any building that is newly constructed or undergoes
31 substantial renovation on or after the effective date of the Local

1 Technical Amendment to the Florida Building Code, adopted pursuant
2 to Section 553.73, Florida Statutes, or October 1, 2019, whichever
3 is later, and that has a restroom open to the public. As used in
4 this ~~subsection~~ Subsection 2, the term "substantial renovation"
5 means any reconstruction, rehabilitation, addition, or other
6 improvement that involves more than 50 percent of the gross floor
7 area occupied by the building, and that includes structural changes
8 to any existing public restroom.

9 (3) The rules adopted by the ~~Council~~ Building Codes Adjustment
10 Board pursuant to this ~~section~~ Section 321.103 must require or
11 provide at least all of the following:

12 (a) On each floor that contains a restroom, the building
13 must have at least one baby-changing table accessible to women and
14 at least one baby-changing table accessible to men, or at least one
15 baby-changing table accessible to both women and men.

16 (b) The building must have signage indicating the
17 location of each baby-changing table.

18 (c) For any building that has a central directory and
19 multiple establishments, such as a shopping center or shopping
20 mall, the directory must indicate the location of all baby-changing
21 tables on the premises.

22 (d) An exemption for buildings when the cost of
23 installation of the required baby-changing table would exceed 10
24 percent of the total construction or renovation costs.

25 This Section 321.103 shall not be effective until the City of
26 Jacksonville adopts a Local Technical Amendment to the Florida
27 Building Code, pursuant to Section 553.73, *Florida Statutes*. The
28 effective date of this Section 321.103 may be obtained from the
29 Chief of the Building Inspection Division.

30 * * *

31 **Section 7. Findings of Fact pursuant to Section**

1 **553.73(4)(b), Florida Statutes, regarding Ordinance 2019-464-E**
2 **(adult changing table requirements).** Based on the testimony and
3 evidence in the record for Ordinance 2019-464-E, and this
4 Ordinance, and after holding an advertised public hearing, the City
5 Council adopts the following findings of fact pursuant to Section
6 553.73(4)(b), *Florida Statutes*:

7 (1) Section 553.73(4)(b), *Florida Statutes*, authorizes local
8 governments to adopt amendments to the technical provisions of the
9 Florida Building Code which apply solely within the jurisdiction of
10 such government, and which provide more stringent requirements than
11 those specified in the Florida Building Code.

12 (2) The City of Jacksonville is adopting adult changing table
13 requirements as a local technical amendment to the Florida Building
14 Code (6th Edition (2017)), as more particularly described in Section
15 6 of this Ordinance.

16 (3) The City of Jacksonville is adopting the local technical
17 amendment to the Florida Building Code (6th Edition (2017)) in
18 Section 8 of this Ordinance because there is a need to strengthen
19 the requirements of the Florida Building Code based upon a review
20 of local conditions, and such review demonstrates that the
21 geographical jurisdiction governed by the City of Jacksonville
22 exhibits a local need to strengthen the Florida Building Code
23 beyond the needs or regional variation addressed by the Florida
24 Building Code, and the local need is addressed by such local
25 technical amendment, and the local technical amendment is no more
26 stringent than necessary to address the local need.

27 (4) The local technical amendment to the Florida Building
28 Code (6th Edition (2017)) adopted in Section 8 of this Ordinance is
29 not discriminatory against materials, products, or construction
30 techniques of demonstrated capabilities.

31 (5) The local technical amendment to the Florida Building

1 Code (6th Edition (2017)) adopted in Section 8 of this Ordinance
2 does not introduce a new subject not addressed in the Florida
3 Building Code (6th Edition (2017)).

4 (6) As codified as directed in this Ordinance, the local
5 technical amendment to the Florida Building Code (6th Edition
6 (2017)) adopted in Section 8 of this Ordinance is readily available
7 to the public, in a usable format.

8 (7) As required by Section 553.73(4)(b)7, *Florida Statutes*,
9 if the local technical amendment to the Florida Building Code (6th
10 Edition (2017)) adopted in Section 8 of this Ordinance is
11 challenged by a substantially affected party for failure to comply
12 with Section 553.73(4)(b), *Florida Statutes*, the City of
13 Jacksonville will establish a countywide compliance review board.

14 (8) In compliance with the fiscal impact statement
15 requirement in Section 553.73(4)(b)(9), *Florida Statutes*, the local
16 technical amendment to the Florida Building Code (6th Edition
17 (2017)) adopted in Section 8 of this Ordinance will have a de
18 minimis impact to the City of Jacksonville relative to enforcement,
19 and a de minimis impact to property and building owners, as well as
20 to the industry, relative to the cost of compliance. In terms of
21 design, plan application review, construction, and inspection of
22 buildings and structures, the cost impact as an overall average is
23 negligible because of the size of the buildings regulated by the
24 local technical amendment.

25 **Section 8. Amending Chapter 321 (ADOPTION OF BUILDING**
26 **CODE), Section 321.103.1 (Changing table requirements), Ordinance**
27 **Code.** Chapter 321 (ADOPTION OF BUILDING CODE), Section 321.103.1
28 (Changing table requirements), *Ordinance Code*, is amended to read
29 as follows:

30 **Chapter 321 - ADOPTION OF BUILDING CODE**

31 * * *

1 **Sec. 321.103.1. - Changing table requirements.**

2 (1) As used in this Section 321.103.1, the term:

3 (a) "Changing table" means a table or other device that
4 is installed in a separate, designated location for the purpose of
5 changing a diaper or the clothing of an adult.

6 (b) "Building" means any of the following:

- 7 1. A theater.
- 8 2. A sports arena or stadium.
- 9 3. A convention center, auditorium, or exhibition
10 hall.
- 11 4. A public library.
- 12 5. A passenger terminal.
- 13 6. An amusement park in a permanent location.
- 14 7. A restaurant with a seating capacity of at
15 least 150 persons, except when there is a changing table within 300
16 feet of the restaurant's entrance.
- 17 8. A shopping center or shopping mall.
- 18 9. A retail store larger than 15,000 square feet.

19 (2) Pursuant to Section 56.103, *Ordinance Code*, the Building
20 Codes Adjustment Board shall adopt by rule a requirement that,
21 except as provided in paragraph (3)(d), a changing table be
22 available in any building that is newly constructed or undergoes
23 substantial renovation on or after the effective date ~~the City~~ of
24 ~~Jacksonville adopts a the~~ Local Technical Amendment to the Florida
25 Building Code, adopted pursuant to Section 553.73, *Florida*
26 *Statutes*, or January 1, 2020, whichever date is later, and that has
27 a restroom open to the public. As used in this Subsection (2), the
28 term "substantial renovation" means any reconstruction,
29 rehabilitation, addition, or other improvement that involves more
30 than 50 percent of the gross floor area occupied by the building,
31 and that includes structural changes to any existing public

1 restroom.

2 (3) The rules adopted by the Building Codes Adjustment Board
3 pursuant to this Section 321.103.1 must require or provide at least
4 all of the following:

5 (a) Each building must have at least one changing table
6 accessible to women and at least one changing table accessible to
7 men, or at least one changing table accessible to both women and
8 men. A changing table installed pursuant to this Section may also
9 serve as one of the baby-changing tables required by Section
10 321.103, *Ordinance Code*.

11 (b) The building must have at least one sign indicating
12 the location of the changing tables, and such sign shall be located
13 at, and visible from, the main entrance.

14 (c) For any building that has a central directory and
15 multiple establishments, such as a shopping center or shopping
16 mall, the directory must indicate the location of all changing
17 tables on the premises.

18 (d) An exemption for buildings when the cost of
19 installation of the required changing table would exceed 10 percent
20 of the total construction or renovation costs.

21 This Section 321.103.1, *Ordinance Code*, shall not be effective
22 until the City of Jacksonville adopts a Local Technical Amendment
23 to the Florida Building Code, pursuant to Section 553.73, *Florida*
24 *Statutes*, or January 1, 2020, whichever date is later. Plans
25 approved by the City prior to January 1, 2020 shall not be subject
26 to this Section 321.103.1. The effective date of this Section
27 321.103.1 may be obtained from the Chief of the Building Inspection
28 Division.

29 **Section 9. Transmittal to the Florida Building**
30 **Commission.** The Office of General Counsel is directed to transmit
31 the local technical amendments to the Florida Building Code (6th

1 Edition (2017)) adopted by this Ordinance to the Florida Building
2 Commission pursuant to Section 553.73, *Florida Statutes*, including
3 copies of all testimony and evidence submitted in support of this
4 Ordinance and Ordinance 2019-331-E, Ordinance 2013-309-E, Ordinance
5 2019-392-E, and Ordinance 2019-464-E.

6 **Section 10. Codification Instructions.** The codifier and
7 the Office of General Counsel are authorized to make all chapter
8 and division "tables of contents" consistent with the changes set
9 forth herein. Such editorial changes and any others necessary to
10 make the *Ordinance Code* consistent with the intent of this
11 legislation are approved and directed herein, and changes to the
12 *Ordinance Code* shall be made forthwith and when inconsistencies are
13 discovered. Pursuant to Section 2 of this Ordinance, new Section
14 321.109 (Elevation requirements), *Ordinance Code*, shall be codified
15 with the underlined text remaining underlined upon codification to
16 comply with Section 553.73(5), *Florida Statutes*. Pursuant to
17 Section 3 of this Ordinance, the changes to Section 652.904
18 (Definitions), *Ordinance Code*, shall be codified with the
19 underlined text remaining underlined upon codification to comply
20 with Section 553.73(5), *Florida Statutes*, except for the deletion
21 of the word "100" and the addition of the word "alteration".

22 **Section 11. Effective Date.** This Ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

25
26 Form Approved:

27
28 /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation prepared by: Shannon K. Eller

31 GC-#1318688-v1-FBC_Technical_Amendment