

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

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4
5 **ORDINANCE 2019-803-E**

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, AND TO CREATE A
21 NEW SECTION 321.110 TO CROSS REFERENCE
22 DEFINITIONS, AS A LOCAL TECHNICAL AMENDMENT TO
23 THE FLORIDA BUILDING CODE (6TH EDITION (2017));
24 AMENDING CHAPTER 652 (FLOODPLAIN MANAGEMENT),
25 SECTION 652.904 (DEFINITIONS), *ORDINANCE CODE*,
26 TO REFERENCE THE FLORIDA BUILDING CODE, AS A
27 LOCAL TECHNICAL AMENDMENT TO THE FLORIDA
28 BUILDING CODE (6TH EDITION (2017)); AMENDING
29 CHAPTER 652 (FLOODPLAIN MANAGEMENT), SECTION
30 652.1207 (ELEVATION REQUIREMENTS), *ORDINANCE*

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

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

22 **WHEREAS**, the City Council approved Ordinance 2013-309-E on May
23 28, 2013, to address requirements for the National Flood Insurance
24 Program; and

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

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

29 **WHEREAS**, to implement Ordinance 2019-331-E, Ordinance 2013-
30 309-E, Ordinance 2019-392-E, and Ordinance 2019-464-E, the City of
31 Jacksonville must adopt local technical amendments to the Florida

1 Building Code (6th Edition (2017)), pursuant to Section 553.73,
2 *Florida Statutes*; and

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

7 **WHEREAS**, the Land Use and Zoning Committee held a public
8 hearing and has provided its recommendation regarding the local
9 technical amendments to the Florida Building Code (6th Edition
10 (2017)) adopted herein; now, therefore

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

12 **Section 1. Findings of Fact pursuant to Section**
13 **553.73(4)(b) and Section 553.73(5), *Florida Statutes*, regarding**
14 **Ordinance 2019-331-E and Ordinance 2013-309-E.** Based on the
15 testimony and evidence in the record for Ordinance 2019-331-E,
16 Ordinance 2013-309-E, and this Ordinance, and after holding an
17 advertised public hearing, the City Council adopts the following
18 findings of fact pursuant to Section 553.73(4)(b) and Section
19 553.73(5), *Florida Statutes*:

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

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

29 (3) The City of Jacksonville is adopting additional elevation
30 (freeboard) above certain minimums required by the Florida Building
31 Code (6th Edition (2017)) as a local technical amendment to the

1 Florida Building Code (6th Edition (2017)), as more particularly
2 described in Section 2 of this Ordinance, for the purpose of
3 participating in the National Flood Insurance Program's Community
4 Rating System promulgated pursuant to 42 U.S.C. s. 4022.

5 (4) The City of Jacksonville is adopting definitions for
6 substantial damage and substantial improvement, as already adopted
7 in Chapter 652 (FLOODPLAIN MANAGEMENT), *Ordinance Code*, as a local
8 technical amendment to the Florida Building Code (6th Edition
9 (2017)), as more particularly described in Section 2 and Section 3
10 of this Ordinance, for the purpose of participating in the National
11 Flood Insurance Program's Community Rating System promulgated
12 pursuant to 42 U.S.C. s. 4022.

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

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

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

1 Florida Building Code.

2 (8) As codified as directed in this Ordinance, the local
3 technical amendments to the Florida Building Code (6th Edition
4 (2017)) adopted in Section 2 and Section 3 of this Ordinance are
5 readily available to the public, in a usable format.

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

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

27 **Section 2. Amending Chapter 321 (ADOPTION OF BUILDING**
28 **CODE), *Ordinance Code*, to create new Section 321.109 (Elevation**
29 **requirements) and new Section 321.110 (Substantial damage and**
30 **substantial improvement definitions).** Chapter 321 (ADOPTION OF
31 BUILDING CODE), *Ordinance Code*, is amended to create a new Section

1 321.109 (Elevation requirements) and a new Section 321.110
2 (Substantial damage and substantial improvement definitions) to
3 read as follows, with the underlined text remaining underlined upon
4 codification to comply with Section 553.73(5), *Florida Statutes*:

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

6 * * *

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

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

17 **1612.4.2 Elevation requirements.** The minimum elevation
18 requirements shall be as specified in ASCE 24 or the base flood
19 elevation plus 2 feet (610 mm), whichever is higher.

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

23 **R322.2.1 Elevation requirements.**

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

29 2. In areas of shallow flooding (AO Zones), buildings and
30 structures shall have the lowest floor (including basement)
31 elevated to a height above the highest adjacent grade of not less

1 than the depth number specified in feet (mm) on the FIRM plus 2
2 feet (610 mm) ~~1 foot (305 mm)~~, or not less than 4 feet (1220 mm) ~~3~~
3 ~~feet (915 mm)~~ if a depth number is not specified.

4 3. Basement floors that are below grade on all sides shall
5 be elevated to or above base flood elevation plus 2 feet (610 mm) ~~1~~
6 ~~foot (305 mm)~~, or the design flood elevation, whichever is higher.

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

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

13 **R322.3.2 Elevation requirements.**

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

21 2. Basement floors that are below grade on all sides are
22 prohibited.

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

24 4. Minor grading, and the placement of minor quantities of
25 fill, shall be permitted for landscaping and for drainage purposes
26 under and around buildings and for support of parking slabs, pool
27 decks, patios and walkways.

28 5. Walls and partitions enclosing areas below the design flood
29 elevation shall meet the requirements of Sections R322.3.4 and
30 R322.3.5.

31 **Sec. 321.110. - Substantial damage and substantial improvement**

1 **definitions.** The definitions for "substantial damage" and
2 "substantial improvement" in Chapter 652 (Floodplain Management),
3 Part 9 (Definitions), Section 652.904 (Definitions) are adopted in
4 this Chapter 321 by reference, as a local technical amendment to
5 the Florida Building Code (6th Edition (2017)), as more particularly
6 stated in Section 652.904.

7 **Section 3. Amending Chapter 652 (FLOODPLAIN MANAGEMENT),**
8 **Section 652.904 (Definitions), Ordinance Code.** Chapter 652
9 (FLOODPLAIN MANAGEMENT), Section 652.904 (Definitions), *Ordinance*
10 *Code*, is amended to read as follows, with the underlined text
11 remaining underlined upon codification to comply with Section
12 553.73(5), *Florida Statutes*, except for the deletion of the word
13 "100" and the addition of the word "alteration":

14 **Chapter 652 - FLOODPLAIN MANAGEMENT**

15 * * *

16 **PART 9. - DEFINITIONS**

17 * * *

18 **Sec. 652.904. - Definitions.**

19 * * *

20 *Substantial damage.* Damage of any origin sustained by a
21 building or structure whereby the cost of restoring the building or
22 structure to its before-damaged condition would equal or exceed 50
23 percent of the market value of the building or structure before the
24 damage occurred. The term also includes flood-related damage
25 sustained by a structure on two separate occasions during a 100
26 ten-year period for which the cost of repairs at the time of each
27 such flood event, on average, equals or exceeds 25 percent of the
28 market value of the structure before the damage occurred.

29 This definition is adopted as a local technical amendment to
30 the Florida Building Code (6th Edition (2017)) in Florida Building
31 Code, Building, Section 1612.2, and in Florida Building Code,

1 Existing Building, Section 202 (with the addition of "For the
2 purpose of determining compliance with the flood provisions of this
3 code," at the beginning of the definition, as necessary to reflect
4 the slight differentiation in wording between Florida Building
5 Code, Building, and Florida Building Code, Existing Building). The
6 underlined text identifies the specific modifications to the
7 Florida Building Code.

8 *Substantial improvement.* Any combination of repair, alteration
9 reconstruction, rehabilitation, addition, or other improvement of a
10 building or structure taking place during a ten-year period, the
11 cumulative cost of which equals or exceeds 50 percent of the market
12 value of the building or structure before the improvement or repair
13 is started. For each building or structure, the ten-year period
14 begins on the date of the first improvement or repair of that
15 building or structure. If the structure has incurred "substantial
16 damage," any repairs are considered substantial improvement
17 regardless of the actual repair work performed. The term does not,
18 however, include either:

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

23 (b) Any alteration of a historic structure provided the
24 alteration will not preclude the structure's continued designation
25 as a historic structure.

26 This definition is adopted as a local technical amendment to
27 the Florida Building Code (6th Edition (2017)) in Florida Building
28 Code, Building, Section 1612.2, and in Florida Building Code,
29 Existing Building, Section 202 (with the addition of "For the
30 purpose of determining compliance with the flood provisions of this
31 code," at the beginning of the definition, as necessary to reflect

1 the slight differentiation in wording between Florida Building
2 Code, Building, and Florida Building Code, Existing Building). The
3 underlined text identifies the specific modifications to the
4 Florida Building Code.

5 * * *

6 **Section 4. Amending Chapter 652 (FLOODPLAIN MANAGEMENT),**
7 **Section 652.1207 (Elevation requirements), Ordinance Code.** Chapter
8 652 (FLOODPLAIN MANAGEMENT), Section 652.1207 (Elevation
9 requirements), *Ordinance Code*, is amended to read as follows:

10 **Chapter 652 - FLOODPLAIN MANAGEMENT**

11 * * *

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

13 * * *

14 **Sec. 652.1207. - Elevation requirements.** As provided in
15 Section 321.109, Buildings buildings and structures in special
16 flood hazard areas and adjusted special flood hazard areas shall
17 have the lowest floors elevated to or above the base flood
18 elevation plus two feet, or the design flood elevation, whichever
19 is higher. In order to elevate the finished floor to this level,
20 off-grade or stem wall construction techniques shall be used such
21 that the lot itself is not filled more than one foot above base
22 flood elevation at the site of any structure, to the extent
23 possible, as permitted by the current edition of the Florida
24 Building Code. This Section 652.1207 shall not be effective until
25 the City of Jacksonville adopts a Local Technical Amendment to the
26 Florida Building Code, pursuant to F.S. § 553.73.

27 * * *

28 **Section 5. Findings of Fact pursuant to Section**
29 **553.73(4)(b), Florida Statutes, regarding Ordinance 2019-392-E**
30 **(baby-changing table requirements).** Based on the testimony and
31 evidence in the record for Ordinance 2019-392-E, and this

1 Ordinance, and after holding an advertised public hearing, the City
2 Council adopts the following findings of fact pursuant to Section
3 553.73(4) (b), *Florida Statutes*:

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

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

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

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

28 (5) The local technical amendment to the Florida Building
29 Code (6th Edition (2017)) adopted in Section 6 of this Ordinance
30 does not introduce a new subject not addressed in the Florida
31 Building Code (6th Edition (2017)).

1 (6) As codified as directed in this Ordinance, the local
2 technical amendment to the Florida Building Code (6th Edition
3 (2017)) adopted in Section 6 of this Ordinance is readily available
4 to the public, in a usable format.

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

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

22 **Section 6. Amending Chapter 321 (ADOPTION OF BUILDING**
23 **CODE), Section 321.103 (Baby-changing table requirements),**
24 **Ordinance Code.** Chapter 321 (ADOPTION OF BUILDING CODE), Section
25 321.103 (Baby-changing table requirements), *Ordinance Code*, is
26 amended to read as follows:

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

28 * * *

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

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

31 (a) "Baby-changing table" means a table or other device

1 that is installed in a separate, designated location for the
2 purpose of changing an infant's or child's diaper or clothing.

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

- 4 1. A theater.
- 5 2. A sports arena or stadium.
- 6 3. A convention center, auditorium, or exhibition
7 hall.
- 8 4. A public library.
- 9 5. A passenger terminal.
- 10 6. An amusement park in a permanent location.
- 11 7. A restaurant with a seating capacity of at
12 least 50 persons, except when there is a baby-changing table within
13 300 feet of the restaurant's entrance.
- 14 8. A shopping center or shopping mall larger than
15 25,000 square feet.
- 16 9. A retail store larger than 5,000 square feet.

17 (2) Pursuant to Section 56.103, *Ordinance Code*, the Building
18 Codes Adjustment Board shall adopt by rule a requirement that,
19 except as provided in paragraph (3)(d), a baby-changing table be
20 available in any building that is newly constructed or undergoes
21 substantial renovation on or after the effective date of the Local
22 Technical Amendment to the Florida Building Code, adopted pursuant
23 to Section 553.73, Florida Statutes, or October 1, 2019, whichever
24 date is later, and that has a restroom open to the public. As used
25 in this ~~subsection~~ Subsection (2), the term "substantial
26 renovation" means any reconstruction, rehabilitation, addition, or
27 other improvement that involves more than 50 percent of the gross
28 floor area occupied by the building, and that includes structural
29 changes to any existing public restroom.

30 (3) The rules adopted by the ~~Council~~ Building Codes Adjustment
31 Board pursuant to this ~~section~~ Section 321.103 must require or

1 provide at least all of the following:

2 (a) On each floor that contains a restroom, the building
3 must have at least one baby-changing table accessible to women and
4 at least one baby-changing table accessible to men, or at least one
5 baby-changing table accessible to both women and men.

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

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

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

15 This Section 321.103 shall not be effective until the City of
16 Jacksonville adopts a Local Technical Amendment to the Florida
17 Building Code, pursuant to Section 553.73, Florida Statutes. The
18 effective date of this Section 321.103 may be obtained from the
19 Chief of the Building Inspection Division.

20 * * *

21 **Section 7. Findings of Fact pursuant to Section**
22 **553.73(4)(b), Florida Statutes, regarding Ordinance 2019-464-E**
23 **(adult changing table requirements).** Based on the testimony and
24 evidence in the record for Ordinance 2019-464-E, and this
25 Ordinance, and after holding an advertised public hearing, the City
26 Council adopts the following findings of fact pursuant to Section
27 553.73(4)(b), *Florida Statutes*:

28 (1) Section 553.73(4)(b), *Florida Statutes*, authorizes local
29 governments to adopt amendments to the technical provisions of the
30 Florida Building Code which apply solely within the jurisdiction of
31 such government, and which provide more stringent requirements than

1 those specified in the Florida Building Code.

2 (2) The City of Jacksonville is adopting adult changing table
3 requirements as a local technical amendment to the Florida Building
4 Code (6th Edition (2017)), as more particularly described in Section
5 6 of this Ordinance.

6 (3) The City of Jacksonville is adopting the local technical
7 amendment to the Florida Building Code (6th Edition (2017)) in
8 Section 8 of this Ordinance because there is a need to strengthen
9 the requirements of the Florida Building Code based upon a review
10 of local conditions, and such review demonstrates that the
11 geographical jurisdiction governed by the City of Jacksonville
12 exhibits a local need to strengthen the Florida Building Code
13 beyond the needs or regional variation addressed by the Florida
14 Building Code, and the local need is addressed by such local
15 technical amendment, and the local technical amendment is no more
16 stringent than necessary to address the local need.

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

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

25 (6) As codified as directed in this Ordinance, the local
26 technical amendment to the Florida Building Code (6th Edition
27 (2017)) adopted in Section 8 of this Ordinance is readily available
28 to the public, in a usable format.

29 (7) As required by Section 553.73(4)(b)7, *Florida Statutes*,
30 if the local technical amendment to the Florida Building Code (6th
31 Edition (2017)) adopted in Section 8 of this Ordinance is

1 challenged by a substantially affected party for failure to comply
2 with Section 553.73(4)(b), *Florida Statutes*, the City of
3 Jacksonville will establish a countywide compliance review board.

4 (8) In compliance with the fiscal impact statement
5 requirement in Section 553.73(4)(b)(9), *Florida Statutes*, the local
6 technical amendment to the Florida Building Code (6th Edition
7 (2017)) adopted in Section 8 of this Ordinance will have a de
8 minimis impact to the City of Jacksonville relative to enforcement,
9 and a de minimis impact to property and building owners, as well as
10 to the industry, relative to the cost of compliance. In terms of
11 design, plan application review, construction, and inspection of
12 buildings and structures, the cost impact as an overall average is
13 negligible because of the size of the buildings regulated by the
14 local technical amendment.

15 **Section 8. Amending Chapter 321 (ADOPTION OF BUILDING**
16 **CODE), Section 321.103.1 (Changing table requirements), Ordinance**
17 **Code.** Chapter 321 (ADOPTION OF BUILDING CODE), Section 321.103.1
18 (Changing table requirements), *Ordinance Code*, is amended to read
19 as follows:

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

21 * * *

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

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

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

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

- 28 1. A theater.
- 29 2. A sports arena or stadium.
- 30 3. A convention center, auditorium, or exhibition
31 hall.

1 4. A public library.

2 5. A passenger terminal.

3 6. An amusement park in a permanent location.

4 7. A restaurant with a seating capacity of at
5 least 150 persons, except when there is a changing table within 300
6 feet of the restaurant's entrance.

7 8. A shopping center or shopping mall.

8 9. A retail store larger than 15,000 square feet.

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

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

26 (a) Each building must have at least one changing table
27 accessible to women and at least one changing table accessible to
28 men, or at least one changing table accessible to both women and
29 men. A changing table installed pursuant to this Section may also
30 serve as one of the baby-changing tables required by Section
31 321.103, *Ordinance Code*.

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

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

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

11 This Section 321.103.1, *Ordinance Code*, shall not be effective
12 until the City of Jacksonville adopts a Local Technical Amendment
13 to the Florida Building Code, pursuant to Section 553.73, *Florida*
14 *Statutes*, or January 1, 2020, whichever date is later. Plans
15 approved by the City prior to January 1, 2020 shall not be subject
16 to this Section 321.103.1. The effective date of this Section
17 321.103.1 may be obtained from the Chief of the Building Inspection
18 Division.

19 **Section 9. Transmittal to the Florida Building**
20 **Commission.** The Office of General Counsel is directed to transmit
21 the local technical amendments to the Florida Building Code (6th
22 Edition (2017)) adopted by this Ordinance to the Florida Building
23 Commission pursuant to Section 553.73, *Florida Statutes*, including
24 copies of all testimony and evidence submitted in support of this
25 Ordinance and Ordinance 2019-331-E, Ordinance 2013-309-E, Ordinance
26 2019-392-E, and Ordinance 2019-464-E.

27 **Section 10. Codification Instructions.** The codifier and
28 the Office of General Counsel are authorized to make all chapter
29 and division "tables of contents" consistent with the changes set
30 forth herein. Such editorial changes and any others necessary to
31 make the *Ordinance Code* consistent with the intent of this

1 legislation are approved and directed herein, and changes to the
2 *Ordinance Code* shall be made forthwith and when inconsistencies are
3 discovered. Pursuant to Section 2 of this Ordinance, new Section
4 321.109 (Elevation requirements), *Ordinance Code*, shall be codified
5 with the underlined text remaining underlined upon codification to
6 comply with Section 553.73(5), *Florida Statutes*. Pursuant to
7 Section 3 of this Ordinance, the changes to Section 652.904
8 (Definitions), *Ordinance Code*, shall be codified with the
9 underlined text remaining underlined upon codification to comply
10 with Section 553.73(5), *Florida Statutes*, except for the deletion
11 of the word "100" and the addition of the word "alteration".

12 **Section 11. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

15
16 Form Approved:

17
18 /s/ Shannon K. Eller

19 Office of General Counsel

20 Legislation prepared by: Shannon K. Eller

21 GC-#1334888-v1-2019-803-E