MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Alina T. Hudak, City Manager

DATE: October 11, 2023

SUBJECT: **DISCUSS A PROPOSED LOCAL TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE, IN ACCORDANCE WITH SECTION 553.73(4), FLORIDA STATUTES, WHICH WOULD REQUIRE EXISTING BUILDINGS AND NEW CONSTRUCTION TO PROVIDE AIR CONDITIONING IN THE ENTIRE BUILDING RATHER THAN MERELY PROVIDING VENTILATION, AS CURRENTLY REQUIRED BY THE FLORIDA BUILDING CODE.**

HISTORY

On September 13, 2023, at the request of Commissioner Alex Fernandez, the City Commission referred the subject discussion item (C4 F) to the Land Use and Sustainability Committee (LUSC).

ANALYSIS

The attached referral memo is submitted for discussion by the LUSC.

CONCLUSION

The Administration recommends that the Land Use and Sustainability Committee discuss the item and provide any applicable recommendations to the City Commission.

ATH/EC/TRM

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MIAMIBEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: September 13, 2023

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS A PROPOSED LOCAL TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE, IN ACCORDANCE WITH SECTION 553.73(4), FLORIDA STATUTES, WHICH WOULD REQUIRE EXISTING BUILDINGS AND NEW CONSTRUCTION TO PROVIDE AIR CONDITIONING IN THE ENTIRE BUILDING RATHER THAN MERELY PROVIDING VENTILATION, AS CURRENTLY REQUIRED BY THE FLORIDA BUILDING CODE.

RECOMMENDATION

Incredibly, Florida is the "Sunshine State," known for its warm (and humid) climate throughout the year, and yet the Florida Building Code only requires buildings to have heating systems, and not cooling systems. In this new era of daily Excessive Heat Warnings issued by the National Weather Service throughout the summer, this anomaly in the Florida Building Code needs to be corrected.

Accordingly, please place on the September 13, 2023 City Commission agenda a referral to the Land Use and Sustainability Committee (LUSC) to discuss the process for a local technical amendment to the Florida Building Code for both existing and new construction, to require air conditioning in all rooms and enclosed hallways of buildings located in the City of Miami Beach.

Section 553.73(4), F.S. authorizes local governments to adopt amendments to the administrative provisions of the Florida Building Code which are more stringent than the minimum standards contained in the Florida Building Code, following the process and procedure codified in section 553.73(4), F.S. for local technical amendments. The Florida Building Code currently requires heat and ventilation (i.e. open windows) but does not require air-conditioning in many rooms or areas of a building.
This summer, the National Weather Service issued Excessive Heat Warnings on a routine basis, whenever temperatures were expected to exceed 105 degrees for sustained periods of more than 2 hours. In light of this "new normal", a local technical amendment to the Florida Building Code is needed to protect the general public, especially the City's most vulnerable populations, such as the elderly and others susceptible to heat-related illnesses.

As part of this referral, I request for the Administration and the City Attorney's Office to be prepared to present options and an analysis of what is needed to proceed with a technical

amendment to the Florida Building Code, for either new construction and/or for existing buildings as they come up for either rehabilitation or renovations, and to address potential issues, such as setback requirements for installation of cooling systems, historic preservation issues, and the like.

Furthermore, as part of this referral, I would like the Administration to study whether, as part of the 40 year building recertification, a property owner could be required to install air conditioning units.
Should you have any questions or concerns about any of the foregoing, please do not hesitate to contact me.

SUPPORTING SURVEY DATA

na

FINANCIAL INFORMATION

na

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?	**Does this item utilize G.O. Bond Funds?**
Yes	No

Legislative Tracking

Commissioner Alex Fernandez

ATTACHMENTS:

	Description
🗋	Amendment to FBC to Require AC

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COMMISSION MEMORANDUM

TO: Honorable Members of the City Commission

FROM: Alex J. Fernandez

DATE: September 13, 2023

SUBJECT: **Referral to the Land Use And Sustainability Committee to discuss a proposed local technical amendment to the Florida Building Code, in accordance with Section 553.73(4), Florida Statutes, which would require existing buildings and new construction to provide air conditioning in the entire building rather than merely providing ventilation, as currently required by the Florida Building Code.**

Incredibly, Florida is the "Sunshine State," known for its warm (and humid) climate throughout the year, and yet the Florida Building Code only requires buildings to have heating systems, and not cooling systems. In this new era of daily Excessive Heat Warnings issued by the National Weather Service throughout the summer, this anomaly in the Florida Building Code needs to be corrected.

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