

BCAB

Building Code Advisory Board of Palm Beach County

TECHNICAL ADVISORY

Issued on 1-17-07
by Building Code Advisory Board

Subject: Pre-engineered Roof Access Hatch

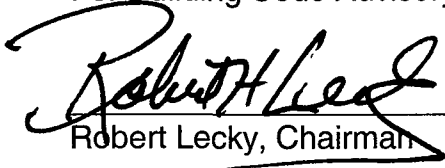
The Florida Building Commission was asked if pre-engineered roof access hatches require State or Local Product Approval.

Declaratory Statement # DEC04-DCA-161 was issued in confirmation of the product approval requirement. It stated that "A pre-engineered roof access hatch attached to the structure meets the definition of structural component as per Rule 9B-72.010(28), Florida Administrative Code and is subject to the requirements for product approval."

This Technical Advisory is intended to provide for uniform understanding and enforcement of the State or Local Product Approval requirements for pre-engineered roof access hatches.

Note: The Florida Product Approval System was implemented on October 1, 2003. For more information about State or Local Product Approval see The Florida Department of Community Affairs web site http://floridabuilding.org/pr/pr_default.aspx.

For Building Code Advisory Board



Robert Lecky, Chairman

Revised: 1/07

The Building Code Advisory Board of Palm Beach County was created by a Special Act of the Florida Legislature, at the request of the building code enforcement and construction industries. The purpose of the Board is to advise the Board of County Commissioners and local governments concerning the adoption of building codes and their enforcement throughout the County. The Act also granted Palm Beach County special powers concerning building codes, in the interest of the public's health, safety and general welfare.

2300 North Jog Road · West Palm Beach, Florida 33411-2741 · 561-233-5101 · FAX 561-233-5020

BCAB

Building Code Advisory Board of Palm Beach County

January 17, 2007

Re: Product Approval for Pre-engineered Roof Access Hatch

To whom it may concern: (manufacturers, designer and contractor organizations)

It has come to the attention of the Building Code Advisory Board of Palm Beach County that no pre-engineered roof access hatch manufacturers have State Product Approval.

The Florida Product Approval System was implemented on October 1, 2003 and requires product approval for pre-engineered roof access hatches. The Florida Building Commission issued Declaratory Statement # DEC04-DCA-161 in confirmation of this requirement. See attached Technical Advisory and copy of Declaratory Statement.

This letter is intended to advise all manufacturers, designers and builders that State or Local Product Approval is required for pre-engineered roof access hatches and will be enforced in Palm Beach County.

Manufacturers please advise this Board on how you plan to comply with these requirements.

Revised: 1/07

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STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of

PALM BEACH COUNTY,
BUILDING DIVISION,

Case #: DEC04-DEC-161

Petitioner.

DECLARATORY STATEMENT

The foregoing proceeding came before the Florida Building Commission (the "Commission") by a petition from Robert Boyer of PALM BEACH COUNTY, BUILDING DIVISION (the "Petitioner"), which was received on August 17, 2004. Based upon the statements in the Petition, the materials subsequently submitted and the proceedings before the Commission, it is hereby ORDERED:

Findings of Fact

1. The petition is filed pursuant to section 120.565, Florida Statutes, and must conform to the requirements of Rule 28-105.002, *Florida Administrative Code*.
- 2.. The Petitioner is an authority having jurisdiction to enforce the Florida Building Code and perform local approval of products pursuant to Rule 9B-72, Florida Administrative Code.
3. The Petitioner has been presented plans showing a pre-engineered, roof access hatch that is part of the envelope of the building.
4. The Petitioner inquires whether a roof access hatch fall under a category of product covered in Rule 9B-72, Florida Administrative Code?

Conclusions of Law

5. The Florida Building Commission has the jurisdiction and authority to enter a Declaratory Statement interpreting the requirements of Rule 9B-72, Florida Administrative Code.

6. §553.842(6), Florida Statutes (2003), requires that structural components be approved in accordance with the procedures adopted by the Commission.

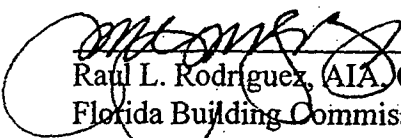
7. Rule 9B-72.010(28), Florida Administrative Code, defines "structural component" as "any part or assembly of a building or structure used or intended to support or shelter any use or occupancy, and which affects the safety of such building or structure or which supports any dead or designed live load and the removal of which part, material or assembly could cause, or be expected to cause, all or any portion to collapse or to fail, or both."

8. A pre-engineered roof access hatch attached to the structure meets the definition of structural component as per Rule 9B-72.010(28), Florida Administrative Code and is subject to the requirements for product approval.

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), Fla. Stat. (1999), and with Fla. R. App. P. 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, Florida 32399-2100, and with the appropriate District Court of Appeal not later than thirty (30) 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), Fla. Stat. (1999).

DONE AND ORDERED this 24th of February, 2005, in Coral Gables,

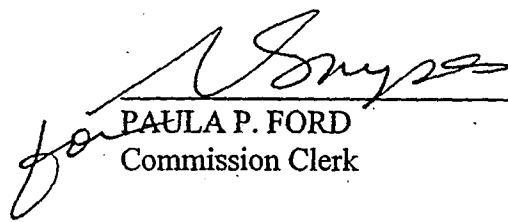
Miami-Dade County, State of Florida.


Raul L. Rodriguez, AIA, Chair
Florida Building Commission
Department of Community Affairs
Sadowski Building
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to the following by

the method indicated on this 25th day of Feb, 2005.


PAULA P. FORD
Commission Clerk

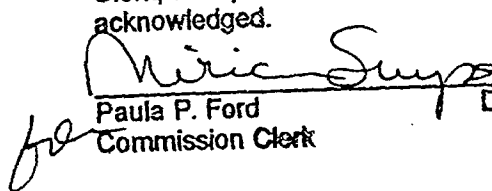
Via U.S. Mail:

Robert Boyer
Palm Beach County Building Division
100 Australian Avenue
West Palm Beach, Florida 33406

Via Hand Delivery:

Mo Madani, CBO
Codes and Standards Section
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Clerk, receipt of which is hereby
acknowledged.


Paula P. Ford
Commission Clerk
Date 2/25/05