



**Informal Interpretation Report
Number 8729**



Date February 15, 2023

Edition 2021

Section 406.2.2.1 Evaluation

Question:

Does the "Florida Building Code" cited in Section 406.2.2.1 mean "Florida Building Code in effect at the time of construction" or does it mean "the CURRENT Florida Building Code"

Answer

Simple answer is: it depends on the result of the evaluation.

Sec 406.2.2.1 requires the design professional to submit his/her evaluation findings to the code official. The evaluation findings need to establish whether the damaged building, if repaired to its pre-damage state, would comply with the provisions of the "current" FBC for load combinations for wind effects

Sec 406.2.2.2 – if the evaluation establishes that the damaged building in its pre-damage condition complies with Sec 406.2.2.1, then it is permitted to be restored (repaired) to its pre-damage condition.

Sec 406.2.2.3 – if the evaluation does NOT establish that the building in its pre-damage condition complies with the provisions of Sec 406.2.2.1, then:

1. If the damage was not caused by wind, then the building can be repaired and rehabilitated under the building code in effect at the time of original construction.
2. If the damage was caused by wind, then the building must be repaired and rehabilitated under the "current" FBC.

Commentary:

None.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.