

Case Study

Building Consensus in Florida on a Statewide Building Code

The Problem

Following Hurricane Andrew in 1992, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, The Florida Conflict Resolution Consortium, located at Florida State University, designed and facilitated a two-year study and deliberation process with the 28 members representing a range of interests in the public and private sectors, through which the Commission evaluated the building code system.



The study revealed that building code adoption and enforcement was inconsistent throughout the state. Even local codes thought to be the strongest proved inadequate when tested by

major hurricane events. The consequences were devastation to lives and economies and a statewide property insurance crisis. The Commission recommended reform of the state building construction system that placed emphasis on uniformity and accountability.

The legislature enacted the consensus recommendations into law in 1998. In late 1998, the Consortium was asked by the Commission's chair to assist the newly created Florida Building Commission in its effort to build consensus for a uniform building code proposal. A complex consensus building process was put in place that included designing and facilitating meetings of 11 balanced technical advisory groups of 15 members each appointed by the Commission, as well as the Commission's meetings.

The Process

The Consortium designed and led a series of facilitated public workshops around the state for the Commission to receive public input on its draft products. After public comment was obtained, the Commission refined the

Code and presented it to the 2000 Florida Legislature for review and approval.

The Product

The Florida legislature enacted the new Florida Building Code and directed the Commission to continue to build consensus on key topics involved in its implementation, including product approvals and other controversial issues. The Consortium continues to assist the Commission at each of its meetings.

The Florida Building Commission is a 23 member Governor appointed stakeholder group who successfully created, implemented, and maintains the new statewide Florida Building Code. Commission Chair Rodriguez, praised the consensus process that has resulted in the code decisions thus far. “I am absolutely in awe of this process. The intent is not to compromise, because one does not compromise on issues of life safety, but to find and reach consensus on the best way to achieve results the people want.”

The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. The members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members’ support for the final decision, the Commission finds 100% acceptance or support is not achievable, decisions require at least 75% favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support. The consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues.

Next Steps

The Florida Building Commission continues to provide a forum for stakeholders representing different interests to participate in a consensus-building

process where issues affecting the construction industry are discussed and evaluated on their technical merits and cost-benefits to the citizens of the State of Florida.

For more information about this case, contact Robert Jones, FCRC Director, at rmjones@mailer.fsu.edu.



- ★ National
- ★ Policy
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This case study is published jointly by the Policy Consensus Initiative (PCI) and its applied research and development arm, the National Policy Consensus Center (NPCC). PCI is a national nonprofit organization that promotes consensus building and effective problem solving in states. NPCC is a center of expertise on consensus building for public leaders.

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