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Florida Legislature Passes Bill Requiring Stricter Inspections for Condominiums

New legislation includes language from the International Code Council's guide "Ensuring the Safety of Existing Buildings in Florida"

Washington, D.C. – On May 25, 2022, the Florida Legislature passed SB 4-D which is anticipated to be signed by the Governor. The bill comes nearly one year after the Champlain Towers South condominium collapse in Surfside, Florida that killed 98 people and sparked the demand for stricter requirements for the inspection and maintenance of condominiums and other high-rise buildings throughout the state.

The newly passed legislation will require milestone inspections of condominiums three stories in height and within three miles of the coast when the buildings reach 25 years of age and of buildings more than three miles inland when they reach 30 years of age. Buildings will then be required to have an inspection every 10 years thereafter with inspection records made available to buyers, renters and unit owners. For buildings occupied before July 1, 1992, the first inspection must be completed by Dec. 31, 2024. After Dec. 31, 2024, condo associations will be prohibited from waiving the collection of reserve funds to pay for routine or additional maintenance and repairs.

"Tragedies like the Surfside building collapse underscore the importance of regular maintenance and inspections," said International Code Council Chief Executive Officer Dominic Sims, CBO. "The Code Council stands ready to advise and assist building departments with the resources needed to follow the requirements of this new law."

Directly following the Champlain Towers collapse, the Code Council, the National Institute of Building Sciences, the Building Owners and Managers International (BOMA) and the Building Officials of Florida (BOAF) convened a group of experts in West Palm Beach to advise policymakers and create guidelines that could be used to help prevent future catastrophic building collapses. During the discussions, participants addressed the frequency of building inspections, the structural safety of existing buildings, building maintenance and the application and enforcement of current building codes and standards.

With the insight gained from the panel discussions, the Code Council created the guide [Ensuring the Safety of Existing Buildings in Florida](#). The guide was created specifically for Florida, as many

jurisdictions within the state did not have their own standards for re-inspection. It is based on the Florida Building Code and the International Building Code (IBC) and outlines re-inspection requirements at specific milestones during a building's lifespan. The guide was developed for use by building owners, building inspectors, code officials and building departments with recommendations for sound practices to ensure buildings are safe for continued use and occupancy. Now that the legislation has passed, the Code Council will be updating the current guide for Florida and plans to release a national version of the guide later this year. The guide complements the [International Property Maintenance Code \(IPMC\)](#), which requires buildings to be maintained in good repair, [structurally](#) sound and in sanitary condition so as to not pose a threat to the public health, safety or welfare.

According to a Code Council analysis, roughly 20% of Florida jurisdictions adopt the IPMC, which is updated every three years to stay current with building science, best practices, and lessons learned. Forty percent of Florida jurisdictions have no property maintenance code in place or have adopted a property maintenance code developed in the late 1970s. Roughly 3% of Florida jurisdictions have implemented a periodic recertification or inspection safety program for existing buildings.

“We commend Florida for passing this legislation and emphasizing the critical importance of continued inspection and enforcement of modern building codes to keep buildings and their occupants safe and healthy,” said Sims. “Some jurisdictions in Florida are already in a good position to implement the milestones laid out in the Code Council’s inspection guide as well as the new legislation and we are here to help those that need it. This is an opportunity for other countries, states, and municipalities everywhere to see the steps that have been taken in the wake of this tragedy and make necessary changes to ensure safety for their own communities.”

For more information on SB 4-D, [visit here](#).

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About the International Code Council

The [International Code Council](#) is the leading global source of model codes and standards and building safety solutions. Code Council codes, standards and solutions are used to ensure safe, affordable and sustainable communities and buildings worldwide.