



**BROWARD COUNTY
BOARD OF RULES AND APPEALS
FBC 6th Edition (2017)
FORMAL INTERPRETATION (#20)**

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broward.org/CodeAppeals

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Board Administrative Director

James DiPietro

—ESTABLISHED 1971—

DATE: October 12, 2017
TO: All Building Officials
FROM: James DiPietro 
Administrative Director
SUBJECT: Two-Way Radio Communication Enhanced Public Safety
Signal Booster Systems.

At its regular meeting of October 12, 2017, the Board of Rules and Appeals approved an interpretation of Chapter I, Section I 18, titled Two-Way Radio Communication Enhanced Public Safety Signal Booster Systems, as follows:

Plans shall be signed and sealed by a licensed professional engineer. The engineer of record shall be responsible for the system. The engineer of record shall specify the brand and the model number of the bi-directional amplifier (BDA), the antenna and the component parts.

It is recognized that presently there is no listing approval for BDA systems by a nationally recognized testing laboratory.

This Formal Interpretation shall remain in effect until six (6) months after the UL sets this listing approval

Adopted Date: October 12, 2017

Effective Date: October 13, 2017

Re-Adopted : January 1, 2018

******PLEASE POST AT YOUR PERMIT COUNTER******

**AUGUST 28, 2017 JOINT AD HOC BI-DIRECTIONAL AMPLIFIER & ELECTRICAL
COMMITTEE MEETING - MINUTES EXCERPT**

Rice: Broward County Board of Rules and Appeals was contacted by the County to see what we could do as far as looking at existing codes, what we would have to do to modify existing codes, what would it take so this doesn't happen again. Basically we started the BOA Committee and came up with a number of recommendations. Basically what we found was that the codes themselves were adequate. They gave us what we needed. What was not adequate was the follow-up and how to enforce it. So we made some changes to the administrative process for Broward County and we have been going forward since then. The BOA Committee was disbanded. I think we had one meeting a few months later just to discuss any other issues that came up. It has been quite a while since we've had a meeting. The reason for this meeting is basically we are going through the installation process and we have some obstacles to overcome.

Rice: You mentioned that the code, we had changed it a few months ago, as far as the requirements for the plans. My question is to solve this problem, we require the plans to be signed and sealed by an electrical engineer with experience. He is supposed to define what BOA could be used. Could we write a formal interpretation to clarify this to get it out to all the building inspectors, the chiefs, basically defining this? If the engineer of record specifies the brand and the model number for that BOA, he is liable for that, he is responsible for that. There is no UL listing for it. I'll throw this back to the inspectors. Mr. Gray (sp? 1:40:10:0) would you accept that as an alternative to going out for the third-party inspection?

Gray: Absolutely.

Rice: Sir from Miramar, would you accept it?

Inaudible

Rice: And from Fort Lauderdale, would you accept that?

Unidentified: Yes

Rice: From Deerfield Beach?

Kropp: Yes I will. I can't specify pieces of equipment in these designs. For me to give somebody a list of what they can use if it is more than ...

Rice: The engineer that designed it.

Kropp: What I am seeing with a lot of these submittals for permits and I do the permit reviews on them. I see a lot of bogus emails being sent in. I know they are bogus because when I look at them, they are all on solid color. They don't show the gradation of signal strength. They don't show the blocking of the various internal components. That's an issue that needs to be addressed too.

Unidentified: Next meeting. Let's solve this one first.

Kropp: Even having engineers sign those plans with those bogus drawings in there does not provide a proper submittal. I bounce those.

Rice: I hate to rat on anybody, but I am a professional engineer and the thing that irks me more than anything else to see my competition put a piece of trash in, signed and sealed. You know

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what I think you should do. Send it to DPR (Department of Professional Regulation). That's the best thing you could do for the community. Mr. DiPietro, what about a formal interpretation? What is the process for doing that?

DiPietro: The first answer is the short answer, yes. Hopefully the longer answer will end up at yes. The short answer is you can interpret anything in the code. So we put it in a code section. The Committee could recommend an interpretation of that code section just as you described. Now, since we don't have a written document ahead of us. In other words, sometimes the Committee will have a proposed interpretation and the Committee adopts that. I think obviously what we would do as we just disclosed, somebody could move what you've said that be written up as an interpretation. The staff and yourself would sign off on the draft. I'll send it to the attorney. In our report to the board, the board would vote on this in October, we'd simply disclose the truth. We had an hour and a half meeting. A lot of people spoke. At the end of it there was a general motion to put this into a formal interpretation which the Committee chair approved and we are presenting it tonight for review. Of course it is a public meeting and anybody can come and comment. That is probably the best option. There are alternatives. Another one is we do a draft and send it out to the joint Committee and go through a process of getting feedback. You have to be careful with that because under the Sunshine Law, one committee member cannot talk to another one. But, we could solicit comments and they all come into the staff, it's a little more unworkable, but you could do that. That is a second alternative. The third alternative is we can prepare what you said Mr. Chair and then put it on the agenda for another meeting a month from now and then this Committee could vote it. Any one of those would work. The Committee can delegate it to you and then we could run it by the attorney and put it on the agenda.

Rice: First of all what I'd like to do if I could get a motion.

Kropp: I make a motion that the Electrical and Ad Hoc Committee form a formal interpretation on allowing the BOA systems to be signed, sealed by a professional engineer and the engineer of record designing that system be responsible for the system as it is designed and installed.

Unidentified: Can you change that slightly?

Rice: The next question, ok, do you want to go the long process and have another meeting or authorize myself and staff, two members of staff, Mr. DiPietro, to write the report.

Kropp: That is the motion I thought I just made. Maybe I worded it wrong.

Melamed: Ok, I second that motion.

Unidentified: Before we vote on that, I'd like to hear from Mr. Castronovo because

Castronovo: No that's ok. I'm glad we are here.

Unidentified: Does that meet your essential request?

Castronovo: No listen, it is up to the individual AHJ (Authority Having Jurisdiction). I don't sign on permits. I'm getting a lot of questions from the vendors. I'm getting questions from board members and other people and I just take it all in because I am not out in the field. I am not the person who signs it. My goal is to make it not just clear but uniform. I don't want you going to Fort Lauderdale and he saying one thing and him going, that's not what I do. I have really no, I mean I can give my input. I can't vote on anything on this board. So, what's happening here is

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good.

Kropp: One fear as an inspector is, that we have, is we don't want to do something and then Ken come knocking on our door, saying what are you guys doing. The key point is there is a lot of inspectors here, we are all meeting.

Rice: That is the purpose of the formal interpretation.

Melamed: I just want to make sure that doesn't take away the responsibility of the electrical inspector to ensure that the unit's ? is properly connected (inaudible - multiple people speaking) it only has to do with the BDA... so that it doesn't have to be UL

Parks: Mr. Chairman, I believe the motion is already covered in code, what are you asking to interpret?

Rice: I want to have a formal interpretation sent out to all of the electrical chiefs.

Parks: That plans have to be drawn and engineer sealed?

Rice: That's already said but basically this refers specifically to BDAs. When he specifies the BOA, that's his approval on that BOA.

Unidentified: And that is part of the inspection process.

Rice: And the inspector would take that.

Unidentified: And we are really asking for it to be county-wide.

Rice: That is the purpose of the formal interpretation.

Travers: Just remind the subcommittees that are here today a year ago we had an issue with mechanical equipment and we formed two special subcommittees, one structural and one mechanical chaired by Dan Lavrich. We used the same process to come up with ? informed considering wind load calculations and fastening devices, we were able to resolve it at this level. It went through the interpretation level, distributed to all of the municipalities in Broward County and it made it clear that we could do things in a standard and uniform way throughout the county.

Parks: Ok, so we have a motion and it was seconded, Mr. Chairman.

Rice: Ok, any other discussion from board members?

Castronovo: We are just talking about BOAs. We are not talking about installation.

Rice: BOA only.

Unidentified: This eliminates the UL question.

Rice: Ok, all those in favor, raise your hand and say aye.

Rice: Ok, that is unanimous.