

STATE OF FLORIDA
BUILDING COMMISSION

FILED	
<small>Department of Business and Professional Regulation</small>	
<small>Deputy Agency Clerk</small>	
CLERK	Erandon Nichols
Date	9/28/2017
File #	2017-07688

In the Matter of

STRUCTA WIRE CORP.

Petitioner.

DS 2017-036

DECLARATORY STATEMENT

The foregoing proceeding came before the Florida Building Commission (Commission) by a Petition from Janice Littler Finseth, for Structa Wire Corp. (Petitioner) that was received May 31, 2017. Based on the statements in the petition, the material subsequently submitted and the subsequent request by the Petitioner, the Commission states the following:

Findings of Fact

1. The Petition is filed pursuant to, and must conform to the requirements of Rule 28-105.002, Florida Administrative Code.
2. Petitioner's representative in this matter is Janice Littler Finseth, 1395 North Grandview Hwy., Vancouver, BC Canada V5N 1N2.
3. Petitioner engineers, manufactures, and markets welded wire stucco lathing products throughout North America, including Florida. Petitioner states that the following products are non-structural reinforcing compounds for use in stucco wall systems, and asserts that they have been tested and approved by IAPMO ER 2017: Structalath III No. 17 SFCR, Structalath III SFCR 316, Structalath No. 17 SFCR twin Trac 2.5, Structa Mega Lath, and Structa V Truss WC Lath II.
4. Petitioner seeks clarification of whether Rule 61G20-3.001, Florida Administrative Code, applies to its products.

5. Specifically, the Petitioner requests an answer to the following question based upon projects described within the petition for declaratory statement:

Does Structa Wire require a separate Florida Building Report# to meet Florida Building requirements as per Rule 61G20 -3?

Conclusions of Law

6. The Commission has the specific statutory authority pursuant to Section 553.775(3)(a), Florida Statutes (2017) to interpret the provisions of the Florida Building Code by issuing a declaratory statement.

7. Rule 61G20-3.002(31), Florida Administrative Code, defines “structural component” as “any part or assembly of buildings that comprises the main wind force resisting system and components or cladding.”

8. Rule 61G20-3.002(33)(g), Florida Administrative Code, further specifies that subcategories of structural components include “truss plates, wood connectors, anchors, exterior coolers-freezers, insulation form systems, engineered lumber, pre-engineered air conditioner stands, structural wall components, and roof deck, and products introduced as a result of new technology.”

9. Section 2507, Florida Building Code, Building, 5th Edition (2014), states:

LATHING AND PLASTERING

2507.1 General.

Lathing and plastering materials and accessories shall be marked by the manufacturer’s designation to indicate compliance with the appropriate standards referenced in this section and stored in such a manner to protect them from the weather.

2507.2 Standards.

Lathing and plastering materials shall conform to the standards listed in Table 2507.2 and Chapter 35 and, where required for fire protection, shall also conform to the provisions of Chapter 7.

TABLE 2507.2
LATH, PLASTERING MATERIALS AND ACCESSORIES

MATERIAL	STANDARD
Accessories for gypsum veneer base	ASTM C 1047
Blended cement	ASTM C 595
Exterior plaster bonding compounds	ASTM C 932
Gypsum casting and molding plaster	ASTM C 59
Gypsum Keene's cement	ASTM C 61
Gypsum plaster	ASTM C 28
Gypsum veneer plaster	ASTM C 587
Interior bonding compounds, gypsum	ASTM C 631
Lime plasters	ASTM C 5; C 206
Masonry cement	ASTM C 91
Metal lath	ASTM C 847
Plaster aggregates	
Sand	ASTM C 35; C 897
Perlite	ASTM C 35
Vermiculite	ASTM C 35
Plastic cement	ASTM C 1328
Portland cement	ASTM C 150
Steel screws	ASTM C 1002; C 954
Steel studs and track	ASTM C 645; C 955
Welded wire lath	ASTM C 933
Woven wire plaster base	ASTM C 1032

10. Section 553.8425(6), Florida Statutes (2017), states that “[u]pon review of the compliance documentation, and a finding that the product complies with the code, the authority having jurisdiction or a local building official shall deem the product approved for use in accordance with its approval and limitation of use.”

11. In response to Petitioner’s question, the answer is no, pursuant to Rule 61G-3.001 Scope and Rule 61G-3.002 Definitions, Structa Wire product is not a structural component and

therefore does not fall within the scope of Rule 61G20-3 State Product Approval. However, the product in question is subject to approval by the local authority having jurisdiction.

DONE AND ORDERED this 26th day of September, 2017, in Jacksonville,
Duval County, State of Florida.


RICHARD S. BROWDY
Chairman, Florida Building Commission

NOTICE OF RIGHT TO APPEAL

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), Florida Statutes (2017), and Florida Rules of Appellate Procedure 9.110(a) and 9.030(b)(1)(C). To initiate an appeal, a Notice of Appeal must be filed with the Agency Clerk, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-2203 and with the appropriate District Court of Appeal not later than thirty (30) days after this Order is filed with the Clerk of the Department of Business and Professional Regulation. A Notice of Appeal filed with the District Court of Appeal shall be accompanied by the filing fee specified by Section 35.22(3), Florida Statutes (2017).

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing order has been filed with the undersigned and furnished by U. S. Mail to the persons listed below this 28th day of September, 2017.



Agency Clerk's Office
Department of Business and Professional Regulation
& Florida Building Commission
2601 Blair Stone Road
Tallahassee, Florida 32399-2203

Via U.S. Mail

Structa Wire Corp.
Attn: Janice Littler Finseth
1395 North Grandview Hwy.
Vancouver, BC Canada V5N 1N2

Via Inter-Office or Email Delivery

Mo Madani, Planning Manager
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Regulation
2601 Blair Stone Road
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