

Replacement Windows: Florida's Energy Future Is in Your Hands (Again)!

By Eric Lacey and Fred Dudley for the Responsible Energy Codes Alliance¹

The Florida Building Commission took action at its August 7th meeting that places the responsibility of enforcing the Florida Energy Conservation Code's requirements for residential window replacement back into the hands of Florida's Building Officials. In recent months, unofficial opinions of Commission Staff members and a few industry stakeholders had been issued on the subject of replacement windows, and some Building Officials who had been enforcing the Florida Energy Conservation Code's requirements for replacement windows received conflicting opinions on the subject.

While the ultimate decision about how to enforce the requirements of the code ultimately rest with the local Building Official, this article outlines the relevant parts of Florida law and the Florida Energy Conservation Code with the intent of helping Building Officials make a better informed decision about how to apply these requirements.

Replacement Window Efficiency Requirements Are New to Florida's 2010 Energy Conservation Code.

Florida law directs the Florida Building Commission to adopt the International Energy Conservation Code (IECC) as its "foundation code," and to adopt amendments only where necessary to "maintain the efficiencies of the Florida Energy Efficiency Code for Building Construction."² One important

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² Florida Statutes Ch. 553.71(7)(a).

In our view, The Florida Energy Conservation Code requirement is clear: When some or all windows are replaced, the new units must meet the same efficiency requirements that apply to new windows in the 2010 FBC-EC (U-factor 0.65, SHGC 0.30).

 National Fenestration Rating Council CERTIFIED	World's Best Window Co. Millennium 2000 ⁺ Vinyl-Clad Wood Frame Double Glazing • Argon Fill • Low E Product Type: Vertical Slider
ENERGY PERFORMANCE RATINGS	
U-Factor (U.S./I-P) 0.35	Solar Heat Gain Coefficient 0.25
ADDITIONAL PERFORMANCE RATINGS	
Visible Transmittance 0.51	Air Leakage (U.S./I-P) 0.2
<small>Manufacturer stipulates that these ratings conform to applicable NFRC procedures for determining whole product performance. NFRC ratings are determined for a fixed set of environmental conditions and a specific product size. Consult manufacturer's literature for other product performance information. www.nfrc.org</small>	

Look for the NFRC label on the window to verify compliance with the Florida Energy Conservation Code.

provision in the IECC is the replacement fenestration requirement, section 402.3.6. This provision has been in the IECC for over a decade, and has been adopted all over the country. Florida's requirement, as adopted by the Commission in the 2010 Florida Energy Conservation Code, is identical:

402.3.6 Replacement fenestration. Where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for U-factor and SHGC in Table 402.1.1.

Although most state and regional window manufacturers are familiar with this requirement, Florida Building Officials may be less familiar with it because it appears in Florida's Energy Conservation Code for the first time in the 2010 version (which became effective March 15, 2012). Like other new requirements such as high-efficacy lighting, the replacement fenestration section was adopted straight from the IECC as part of the Commission's multi-month process of meeting the Legislature's intent to make the IECC the "foundation code" for Florida's energy code.

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Harmonizing the Energy Conservation Code with Florida Law

After the publication of the 2010 Florida Energy Conservation Code, some industry stakeholders questioned the authority of Florida's Building Officials to enforce the Code's replacement window requirements in existing buildings. Although the Energy TAC and the Commission spent several meetings trying to sort out the correct application of Florida Statute and the Code, in the end, the Commission took the following position:

1. All staff comments, proposals, interpretations or opinions, written or oral, relative to window replacement issues are withdrawn and of no effect.
2. Local building officials continue to have the authority and responsibility to apply energy regulations as they apply to window replacement.

Thus, it is ultimately the decision of the local Building Official to interpret the Code requirements for replacement windows.

The Replacement Fenestration section of the Florida Energy Conservation Code can be read consistently with Florida law. The Florida Legislature delegates the authority to the Florida Building Commission to set thermal efficiency standards in the form of a statewide Energy Conservation Code.

