

# MEMORANDUM

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Agenda Item No. 3(A)

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**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** October 15, 2026

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution rescinding  
Administrative Order No.  
10-3, Building Product  
Approval Procedures, and  
approving Implementing Order  
No. 10-3, building product  
approval procedures

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The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.

  
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Geri Bonzon-Keenan  
County Attorney

GBK/uw

MDC001

# Memorandum



**Date:** November 17, 2026

**To:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava *Daniella Levine Cava*  
Mayor

**Subject:** Resolution to Rescind Administrative Order 10-3 and to Approve Implementing Order 10-3 Relating to Building Product Approval Procedures

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## **Executive Summary**

The purpose of this legislative item is to rescind Administrative Order (AO) 10-3 and to approve Implementing Order (IO) 10-3, *Building Product Approval Procedures*, to enhance the efficiency and effectiveness of the product approval process for construction products used within Miami-Dade County. The updates that are proposed aim to delete references to an obsolete office, effect changes to align County policy with state law, and align County policy with recent amendments to the Board of Rules and Appeals' jurisdiction, which reduces costs for product manufacturers renewing their product approval with Miami Dade County. The implementation of changes to the age of test reports in AO 10-3 would align with the State's Product Approval requirements, minimizing costs for manufacturers. In sum, IO 10-3 maintains the high standards of product quality and compliance with the Florida Building Code.

## **Recommendation**

It is recommended that the Board of County Commissioners approve the attached resolution rescinding AO 10-3, Building Product Approval Procedures, and approving IO 10-3, which revises existing building product approval procedures to ensure building code compliance and to streamline the overall Miami-Dade County product approval process.

## **Scope**

The revised IO 10-3, Building Product Approval Procedures, is being proposed for consistency with Section 8.40 of the Code of Miami-Dade County and Sections 553.842 and 553.8425, Florida Statutes. IO 10-3 would be applicable countywide.

## **Delegation of Authority**

There is no delegation of authority associated with this item.

## **Fiscal Impact/Funding Source**

The proposed revisions for IO 10-3 do not require the allocation of new funding and will be implemented using existing departmental proprietary fee resources. Therefore, there is no fiscal impact on the County created by the approval of the revised IO 10-3.

## **Track Record/Monitor**

This IO will be monitored for countywide applicability by the Department of Regulatory and Economic Resources' Board and Code Administration Division Director Jaime D. Gascon, who oversees the Product Control Section of the Division that provides the product review services outlined in IO 10-3.

**Background**

The Miami-Dade product review process, authorized under Chapter 8, Section 8-40, safeguards the built environment through a systematic approach. Established in 1957 with the South Florida Building Code, it has a rich history with product approvals dating back to its inception and its renowned use nationally and internationally. Enhancements in 1994 included Testing Protocols, Roofing Application Standards, Impact Tests, and adherence to the American Society of Civil Engineers wind design standards. These provisions became a key component of the High Velocity Hurricane Zone (HVHZ) for Miami-Dade and Broward Counties. Product Evaluation and Approval became a key component of the Florida Building Code, with optional State Product Approval implemented in 2003.

The comprehensive process of reviewing construction products and systems ensures code compliance, expedites plan review and inspection, documents limitations of use, includes approved installation details, and provides third-party independence and quality assurance. The applicable laws governing product approval include: (1) Section 553.8425, Florida Statutes, for Local Product Approvals; (2) Section 553.842, Florida Statutes, for Optional State Approval; (3) Section 8-40 of the Code for Product Approvals; and AO 10-3 for Product Approval. These regulations ensure products meet stringent safety and performance standards.

The revised IO 10-3 applies to the approval of construction products such as panel walls, exterior doors, roofing materials and systems, skylights, windows, shutters, and structural components used in construction within Miami-Dade County. Manufacturers selling these building envelope construction products and seeking to install them in Miami-Dade County must obtain product approval that complies with the HVHZ. The IO outlines the procedures for submissions of product approvals for review and issuance of a Notice of Acceptance, the performance of quality assurance audits, the administration of Notice of Acceptance renewals and revisions, and other related processes. The proposed modifications are intended to improve the efficiency and effectiveness of the overall product approval process, ensuring that only products meeting or exceeding the standards of the Florida Building Code are authorized for use within the county. Additionally, the revision harmonizes the Miami-Dade County retesting requirement with the State of Florida's Product Approval Process, which in accordance with Sections 553.842(1)(f) and 553.8425(7), Florida Statutes, only requires retesting when the product standard changes, which reduces the cost impact of compliance to product manufacturers when renewing their Miami-Dade County NOAs.

Specifically, the key updates delineated in the proposed IO 10-3 include:

1. Alignment with State Standards for Test Report Validity
  - New Policy: Test reports are no longer required to be updated based solely on age. Instead, retesting is only required if the standard itself changes, aligning with the State of Florida's Product Approval process.
  - Impact: Reduces unnecessary costs for manufacturers and improves efficiency in the approval process.
2. Updates references to the "Building Code Compliance Office" to the "Department of Regulatory and Economic Resources".
3. Revised provisions to reflect this Board's recent amendments to the Board of Rules and Appeals procedures in Ordinance No. 24-9.
4. Clarified Timeframes and Validity Periods and Alignment with State Law
  - Product approvals are valid for five years, unless:
    - a. The product changes in a way that reduces performance;

- b. Florida Building Code standards change in such a manner as to require increased performance; or
- c. The approval is suspended or revoked.

IO 10-3 will also have a positive impact on various stakeholders involved in the product review process. The change to the age of test reports will minimize retesting costs, making it easier for manufacturers to renew their NOAs and maintain compliance. It does not diminish the national and international integrity or performance of the product approval process Miami-Dade County is known for. The revisions will continue ensuring that only high-quality, compliant products are available for use in construction projects within Miami-Dade County. Ultimately, these updates and stringent product approval standards in IO 10-3 will ensure that construction products used within the County continue to meet or exceed safety and performance standards, which benefit the safety and well-being of the public.



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Roy Coley  
Deputy Mayor



## MEMORANDUM

(Revised)

**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** November 17, 2026

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- \_\_\_\_\_ **"3-Day Rule" for committees applicable if raised**
- \_\_\_\_\_ **6 weeks required between first reading and public hearing**
- \_\_\_\_\_ **4 weeks notification to municipal officials required prior to public hearing**
- \_\_\_\_\_ **Decreases revenues or increases expenditures without balancing budget**
- \_\_\_\_\_ **Budget required**
- \_\_\_\_\_ **Statement of fiscal impact required**
- \_\_\_\_\_ **Statement of social equity required**
- \_\_\_\_\_ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**
- \_\_\_\_\_ **No committee review**
- \_\_\_\_\_ **Requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, majority plus one \_\_\_\_, CDMP 7 votes (majority of membership) \_\_\_\_, CDMP 2/3 members present but not less than 7 votes (majority of membership) \_\_\_\_, CDMP 9 votes (2/3 membership) \_\_\_\_ ) to approve**
- \_\_\_\_\_ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING ADMINISTRATIVE ORDER NO.  
10-3, BUILDING PRODUCT APPROVAL PROCEDURES, AND  
APPROVING IMPLEMENTING ORDER NO. 10-3, BUILDING  
PRODUCT APPROVAL PROCEDURES

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board rescinds Administrative Order No. 10-3, Building Product Approval Procedures, and approves the attached Implementing Order No. 10-3, Building Product Approval Procedures.

The foregoing resolution was offered by Commissioner \_\_\_\_\_ ,  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

|                                 |                        |
|---------------------------------|------------------------|
| Anthony Rodriguez, Chairman     |                        |
| Kionne L. McGhee, Vice Chairman |                        |
| Marleine Bastien                | Juan Carlos Bermudez   |
| Sen. René García                | Oliver G. Gilbert, III |
| Roberto J. Gonzalez             | Keon Hardemon          |
| Danielle Cohen Higgins          | Vicki L. Lopez         |
| Natalie Milian Orbis            | Raquel A. Regalado     |
| Micky Steinberg                 |                        |

The Chairperson thereupon declared this resolution duly passed and adopted this 17<sup>th</sup> day of November, 2026. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read 'CJW', is written over a horizontal line.

Christopher J. Wahl

## **Administrative Implementing Order**



### **Administrative Implementing Order No.: 10-3**

**Title:** Building Product Approval Procedures

**Ordered:** ~~10/7/2003~~

**Effective:** ~~10/17/2003~~

#### **AUTHORITY:**

~~Section 4.02 of the~~The Miami-Dade County Home Rule Amendment and Charter, including among others, Sections 1.01 and 2.02; Sections 553.842 and 553.8425 of the Florida Statutes; Chapter 61G20-3 of the Florida Administrative Code; and Sections 8-4(d)(109) and 8-40 of the Code of Miami-Dade County, Florida Chapter 9B-7261G20-3 F.A.C. and F.S. Sections 553.842 and 553.8425.

#### **SUPERSEDES:**

This Administrative Implementing Order supersedes previous Administrative Order 10-3, ordered ~~May 7, 2002~~October 7, 2003 and effective ~~May 17, 2002~~October 17, 2003.

#### **POLICY:**

This Administrative Implementing Order governs the procedure for approval of the following categories of construction products for use within Miami-Dade County: panel walls, exterior doors, roofing, skylights, windows, shutters, and structural components, and for approval of alternate materials of construction. Only those products and materials which meet or exceed the standards set forth in the Florida Building Code shall be authorized for use in Miami-Dade County.

#### **APPLICABILITY:**

This Administrative Implementing Order shall be of county-wide application. All panel walls, exterior doors, roofing, skylights, windows, shutters, and structural components to be utilized within the boundaries of Miami-Dade County, including any to be used within any of the municipalities, shall be subject to review and approval in the manner set forth in this Order.

#### **CERTIFICATION OF CONSTRUCTION PRODUCTS:**

### **Product Control Division**

There shall be within the Department of Regulatory and Economic Resources or successor department (the Department) ~~Building Code Compliance Office~~ a Product Control Division. Subject to the provisions of this Administrative Implementing Order and applicable provisions of the Florida Building Code the function of the Product Control Division shall be to review and recommend the approval or disapproval of the following categories of construction products: panel walls, exterior doors, roofing, skylights, windows, shutters, and structural components. In connection with this function, the Department ~~Building Code Compliance Office~~, through its Product Control Division, shall be authorized to perform the following activities:

1. Preparing product approvals for use within Miami-Dade County.
2. Accrediting testing laboratories by issuing a Certificate of Approval.
3. Auditing of quality assurance programs of manufacturers and auditing the production quality of products by inspection of manufacturing facilities, inspection of products at construction sites, inspection of products at a state distribution facility or testing of regular production items. Such auditing shall be performed at intervals not to exceed 12 months.
4. Designing, performing or witnessing of tests, and studying standard or industry reports and tests.
5. Investigating field problems.
6. Rendering assistance to municipalities in the areas of product approvals.
7. Rendering assistance to professionals and the public by providing technical information in relation to product approval.
8. Issuing Manufactures' Certificate of Compliance.
9. Issuing specific approval for unique products or unique situations
10. Developing product-specific "check lists."
11. Issuing manufactures' association product approval.
12. Developing listing programs for construction products and materials.
13. Accrediting quality agencies by issuing a Certificate of Approval.

### **Product Approvals**

Products shall be approved or disapproved in accordance with the following procedure:

1. Application shall be made by the interested party by completing an application form to be developed for this purpose by the Department ~~Building Code Compliance Office~~. The application form shall be submitted to the Product Control Division together with such other information as the Product Control Division may reasonably require to determine compliance of the product with applicable standards. The additional information may include, but not be limited to, the following:
  - a. Engineering drawings and calculations by a Florida Registered engineer or architect, bearing his or her impressed seal;
  - b. Test reports from approved independent laboratories;
  - c. Recognition or approvals for other building departments or code authorities;

- and  
d. Samples or product to be approved.

The above shall be submitted by the applicant together with the application fee then current.

### **Review by Product Control Division**

The Product Control Division shall review the application and supporting documentation to determine compliance with the applicable standards. The Product Approval Division shall request from the applicant any additional information it may need to determine compliance, including the performance of additional tests. In the event that the Product Approval Division reasonably determines that it must perform tests to determine compliance, the Product Approval Division shall be authorized to request from the applicant that the cost of performing those tests be borne by the applicant.

Upon completion of review and analysis, the ~~Department Building Code Compliance Office~~ shall issue a Notice of Proposed Action in connection with the acceptance of the product. The Notice shall be dated, bear the signature of the Chief of the Product Control Division ~~and the Chief Code Compliance Officer~~, and contain the recommendation of the office for use of the product. The ~~Department Building Code Compliance Office~~ may recommend to approve or disapprove the product, or to approve the product subject to conditions or limitations, which must be expressly stated in the Notice of Proposed Action. Within 5 days following the recommendation, the Notice shall be mailed or electronically transmitted to the applicant ~~and to all members of the Board of Rules and Appeals~~. If the applicant wishes to make corrections to the Notice of Proposed Action, the applicant shall deliver a request to consider the matter to the ~~Department Building Code Compliance Office~~. This request shall be made within 20 days following the date of mailing of the Notice of Proposed Action.

### **Review by Board of Rules and Appeals**

~~Together with the Notice of Proposed Action, the Building Code Compliance Office shall mail to all members of the Board of Rules and Appeals such additional information as may be relevant or necessary for such persons to review the proposed action and recommendation. The Building Code Compliance Office shall also provide to any member of the Board of Rules and Appeals any information such person may require in connection with any Notice of Proposed Action, and, if such information is not immediately available, shall endeavor to obtain the same from the applicant. Such request for additional information shall be made in writing to the Building Code Compliance Office within 20 days following the date of mailing of Notice of Proposed Action.~~

The applicant ~~or any member of the Board of Rules and Appeals~~ who wishes to

~~exercise~~invoke the ~~Board's~~ jurisdiction of the Board of Rules and Appeals to review any product, testing laboratory accreditation, or quality assurance accreditation, shall deliver a request to consider the matter to the ~~Department~~Building Code Compliance Office. Such request shall be made within 20 days following the date of mailing of the Notice of Proposed Action, or within 10 days following the receipt of any additional information requested by timely request made in the same manner set forth above, whichever is later. In the event that request for Board of Rules and Appeals consideration is not made in the manner set forth in this paragraph, the action recommended ~~by the Building Code Compliance Office~~ in the Notice of Proposed Action shall be final.

The ~~Department Building Code Compliance Office~~ shall schedule the matter for consideration by the Board of Rules and Appeals not later than 30 days following a timely filed request. Notice of the scheduled matter shall be sent to all members of the Board of Rules and Appeals and the applicant. ~~In accordance with Section 8-4 (d)(11) of the Code of Miami Dade County, the Board of Rules and Appeals may delegate, by rule, its product approval function to a committee of the Board of Rules and Appeals, to be established in accordance with the aforesaid Section.~~ The decision of the Board of Rules and Appeals with respect to whether the product, testing laboratory accreditation, or quality assurance agency accreditation satisfies the Florida Building Code shall be final.

## **Effectiveness**

### **1. Period of effectiveness**

Upon finality of any action, a notice shall be sent to the applicant. A Notice of Acceptance of a product shall be valid for a period of five years from the date of Notice unless the product changes in such a manner as to decrease the product's performance, or the standards or provisions of the Florida Building Code affecting the product change in such a manner as to require increased performance, or the approval are otherwise suspended or revoked. In addition, the manufacturer shall maintain during the period of effectiveness a quality assurance program, which shall be audited at periods not to exceed 12 months by the Product Control Division. By exception, products in the experimental stage may be approved for a period of one year with an option for extending the approval for an additional four years upon a finding of satisfactory performance.

### **2. Renewals**

Expired approvals are transferred to inactive files, where they shall be kept for a period of one year, during which time an applicant may request that the product approval be reactivated. For this purpose the applicant must:

- a. Provide the Product Control Division with updated information.
- b. Complete an application form, mentioning the expired approval number of the acceptance to be renewed, and accompany it with the renewal fee in accordance with the current fee schedule for new submittals along with the items listed in the renewal checklist.

- c. Maintain during the period of renewal a quality assurance program, which shall be audited at periods not to exceed 12 months by the Product Control Division.
- d. Provide written documentation that testing reports for the purpose of renewals ~~shall have been performed~~ and remain in compliance with the latest Florida Building Code adopted standards~~within the previous eight years from date of renewal application.~~

The renewal application shall be handled in the same manner as a new approval.

### 3. Revisions

Any change in materials or design automatically invalidates a Product Approval unless the applicant has obtained from the Department Building Code Compliance Office a revision of the original Notice of Acceptance. For this purpose the applicant must:

- a. Provide the Product Control Division with updated information; and
- b. Complete an application form, identifying the prior approval, and accompany it with the then current fee.

The application for a revision shall be handled in the same manner as a new approval. A Notice of Acceptance for a revision shall be issued with a new number, but with no change in the date of expiration.

### 4. Rescission of Product Approval

A product approval may be rescinded at any time, and shall become null and void for any of the following reasons:

- a. Unsatisfactory performance of the material or system when put to the test of time or of environmental conditions;
- b. Deviations from the original approved design through changes, substitutions, omissions or alterations;
- c. Discovery of harmful side effects, toxicity, incompatibility with surrounding materials, or other information which would render the product unsafe or unsuitable for its intended purpose; or
- d. Use is non-conforming to the scope of the Product Approval Notice of Acceptance or in violation of any of the conditions of a conditional acceptance.
- e. Failure to maintain during the period of approval or renewal of a quality assurance program, which shall be audited at periods not to exceed 12 months by the Product Control Division

Notice of a proposed rescission shall be mailed to the parties receiving the original approval ~~and the members of the Board of Rules and Appeals~~ through a Notice of Proposed Action, and shall be handled in the same fashion as the approval or

disapproval of a new product.

**INSPECTIONS:**

Inspections may be performed of products as installed on site and of manufacturing facilities. Notices of Proposed Action to Remove Products Approval may be issued where there is non-compliance with the requirements of the uniform Building Code or failure to follow the approved Notice of Acceptance.

**MANUFACTURER'S CERTIFICATE OF COMPLIANCE:**

In some cases, ~~at the discretion of the Building Code Compliance Officer~~, a Product Approval would not be practical. This is limited to those situations where the product is of expendable nature, as in the case of ready-mixed concrete, or is custom-designed and built, as in the case of structural steel fabrication or prefabricated wood trusses; or as required by the uniform Building Code. In those cases a Manufacturer's Certificate of Compliance shall be issued by the ~~Department~~Building Code Compliance Office upon application by an interested party in forms to be developed for that purpose. Such application shall contain, at a minimum, the following information: names of key personnel and professional background; main items of equipment; and plant location and offices. Quality control in connection with these certificates shall be accomplished by periodic plant inspections by Product Control inspectors, laboratories and engineers, and by selecting and analyzing random samples.

This ~~Administrative~~Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

~~George M. Burgess~~  
~~County Manager~~  
Daniella Levine Cava  
Mayor