

By Senator Perry

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1                   A bill to be entitled  
2           An act relating to permit fees; amending s. 125.56,  
3           F.S.; requiring a local government authorized to  
4           charge certain fees to post its permit fee and  
5           inspection fee schedule on its website with a link to  
6           a specified building permit and inspection report;  
7           amending s. 553.80, F.S.; requiring the governing body  
8           of a local government, before making any adjustment to  
9           a fee schedule, to publish a building permit and  
10          inspection report and post it on the local  
11          government's website; requiring the report to be  
12          updated annually on such website and be easily  
13          accessible to the public; requiring the report to  
14          include specified information; providing an effective  
15          date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19           Section 1. Paragraph (c) is added to subsection (4) of  
20          section 125.56, Florida Statutes, to read:

21           125.56 Enforcement and amendment of the Florida Building  
22          Code and the Florida Fire Prevention Code; inspection fees;  
23          inspectors; etc.—

24           (4)

25           (c) A local government authorized under this section, s.  
26          166.222, or s. 553.80 to charge fees shall post its permit fee  
27          and inspection fee schedule on its website with a link to the  
28          building permit and inspection report required under s.  
29          553.80(7).

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30 Section 2. Subsection (7) of section 553.80, Florida  
31 Statutes, is amended to read:

32 553.80 Enforcement.—

33 (7) (a) The governing bodies of local governments may  
34 provide a schedule of reasonable fees, as authorized by s.  
35 125.56(2) or s. 166.222 and this section, for enforcing this  
36 part. These fees, and any fines or investment earnings related  
37 to the fees, shall be used solely for carrying out the local  
38 government's responsibilities in enforcing the Florida Building  
39 Code. When providing a schedule of reasonable fees, the total  
40 estimated annual revenue derived from fees, and the fines and  
41 investment earnings related to the fees, may not exceed the  
42 total estimated annual costs of allowable activities. Any  
43 unexpended balances shall be carried forward to future years for  
44 allowable activities or shall be refunded at the discretion of  
45 the local government. The basis for a fee structure for  
46 allowable activities shall relate to the level of service  
47 provided by the local government and shall include consideration  
48 for refunding fees due to reduced services based on services  
49 provided as prescribed by s. 553.791, but not provided by the  
50 local government. Fees charged shall be consistently applied.

51 1. ~~(a)~~ As used in this subsection, the phrase "enforcing the  
52 Florida Building Code" includes the direct costs and reasonable  
53 indirect costs associated with review of building plans,  
54 building inspections, reinspections, and building permit  
55 processing; building code enforcement; and fire inspections  
56 associated with new construction. The phrase may also include  
57 training costs associated with the enforcement of the Florida  
58 Building Code and enforcement action pertaining to unlicensed

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59 contractor activity to the extent not funded by other user fees.

60 2.~~(b)~~ The following activities may not be funded with fees  
61 adopted for enforcing the Florida Building Code:

62 a.1.~~1.~~ Planning and zoning or other general government  
63 activities.

64 b.2.~~2.~~ Inspections of public buildings for a reduced fee or  
65 no fee.

66 c.3.~~3.~~ Public information requests, community functions,  
67 boards, and any program not directly related to enforcement of  
68 the Florida Building Code.

69 d.4.~~4.~~ Enforcement and implementation of any other local  
70 ordinance, excluding validly adopted local amendments to the  
71 Florida Building Code and excluding any local ordinance directly  
72 related to enforcing the Florida Building Code as defined in  
73 subparagraph 1 ~~paragraph (a)~~.

74 3.~~(e)~~ A local government shall use recognized management,  
75 accounting, and oversight practices to ensure that fees, fines,  
76 and investment earnings generated under this subsection are  
77 maintained and allocated or used solely for the purposes  
78 described in subparagraph 1 ~~paragraph (a)~~.

79 4.~~(d)~~ The local enforcement agency, independent district,  
80 or special district may not require at any time, including at  
81 the time of application for a permit, the payment of any  
82 additional fees, charges, or expenses associated with:

83 a.1.~~1.~~ Providing proof of licensure pursuant to chapter 489;

84 b.2.~~2.~~ Recording or filing a license issued pursuant to this  
85 chapter; or

86 c.3.~~3.~~ Providing, recording, or filing evidence of workers'  
87 compensation insurance coverage as required by chapter 440.

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88        (b) Before making any adjustment to a fee schedule, the  
89 governing body of a local government shall publish a building  
90 permit and inspection report and post it on the local  
91 government's website. The report must be updated annually on  
92 such website and be easily accessible to the public. The report  
93 must include:

94        1. Direct and indirect costs incurred by the local  
95 government to implement the Florida Building Code, including  
96 costs related to the review of:

97            a. Building plans.

98            b. Building inspections.

99            c. Building reinspections.

100           d. Building permit processing.

101           e. Building code enforcement.

102           f. Building fire inspections.

103        2. Number of building permits requested.

104        3. Number of building permits issued.

105        4. Number of building inspections and reinspections  
106 conducted.

107        5. Number of personnel employed by the local government to  
108 implement the Florida Building Code, issue building permits, and  
109 conduct inspections.

110        6. Salary and related employee benefit costs incurred by  
111 the local government to implement the Florida Building Code,  
112 issue building permits, and conduct inspections.

113        7. Revenue derived from fees pursuant to this subsection.

114        8. Revenue derived from fines pursuant to this subsection.

115        9. Investment earnings derived from the local government's  
116 investment of revenue derived from fees and fines pursuant to

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117 this subsection.

118 10. Balances carried forward by the local government  
119 pursuant to this subsection.

120 11. Balances refunded by the local government pursuant to  
121 this subsection.

122 Section 3. This act shall take effect July 1, 2018.