

1                                   A bill to be entitled  
 2           An act relating to permit fees; amending ss. 125.56  
 3           and 166.222, F.S.; requiring the governing body of a  
 4           county and of a municipality to post its permit and  
 5           inspection fee schedules and a link to an annual  
 6           building permit and inspection utilization report on  
 7           its website; amending s. 553.80, F.S.; requiring the  
 8           governing body of a local government to publish such  
 9           report and post it on its website; providing reporting  
 10          requirements; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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

16           125.56 Enforcement and amendment of the Florida Building  
 17           Code and the Florida Fire Prevention Code; inspection fees;  
 18           inspectors; etc.—

19           (4)

20           (c) The governing body of a county authorized under this  
 21           section or s. 553.80 to issue fees shall post its permit and  
 22           inspection fee schedules on its website with a link to the  
 23           building permit and inspection utilization report required under  
 24           s. 553.80(7).

25           Section 2. Section 166.222, Florida Statutes, is amended

26 | to read:

27 |       166.222 Building code inspection fees.—

28 |       (1) The governing body of a municipality may provide a  
 29 | schedule of reasonable inspection fees in order to defer the  
 30 | costs of inspection and enforcement of the provisions of its  
 31 | building code.

32 |       (2) The governing body of a municipality authorized under  
 33 | s. 553.80 to issue fees shall post its permit and inspection fee  
 34 | schedules on its website with a link to the building permit and  
 35 | inspection utilization report required under s. 553.80(7).

36 |       Section 3. Subsection (7) of section 553.80, Florida  
 37 | Statutes, is amended to read:

38 |       553.80 Enforcement.—

39 |       (7)(a) The governing bodies of local governments may  
 40 | provide a schedule of reasonable fees, as authorized by s.  
 41 | 125.56(2) or s. 166.222 and this section, for enforcing this  
 42 | part. These fees, and any fines or investment earnings related  
 43 | to the fees, shall be used solely for carrying out the local  
 44 | government's responsibilities in enforcing the Florida Building  
 45 | Code. When providing a schedule of reasonable fees, the total  
 46 | estimated annual revenue derived from fees, and the fines and  
 47 | investment earnings related to the fees, may not exceed the  
 48 | total estimated annual costs of allowable activities. Any  
 49 | unexpended balances shall be carried forward to future years for  
 50 | allowable activities or shall be refunded at the discretion of

51 the local government. The basis for a fee structure for  
52 allowable activities shall relate to the level of service  
53 provided by the local government and shall include consideration  
54 for refunding fees due to reduced services based on services  
55 provided as prescribed by s. 553.791, but not provided by the  
56 local government. Fees charged shall be consistently applied.

57 1.~~(a)~~ As used in this subsection, the phrase "enforcing  
58 the Florida Building Code" includes the direct costs and  
59 reasonable indirect costs associated with review of building  
60 plans, building inspections, reinspections, and building permit  
61 processing; building code enforcement; and fire inspections  
62 associated with new construction. The phrase may also include  
63 training costs associated with the enforcement of the Florida  
64 Building Code and enforcement action pertaining to unlicensed  
65 contractor activity to the extent not funded by other user fees.

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

68 a.1. Planning and zoning or other general government  
69 activities.

70 b.2. Inspections of public buildings for a reduced fee or  
71 no fee.

72 c.3. Public information requests, community functions,  
73 boards, and any program not directly related to enforcement of  
74 the Florida Building Code.

75 d.4. Enforcement and implementation of any other local

76 ordinance, excluding validly adopted local amendments to the  
77 Florida Building Code and excluding any local ordinance directly  
78 related to enforcing the Florida Building Code as defined in  
79 subparagraph 1. paragraph (a).

80 3.(e) A local government shall use recognized management,  
81 accounting, and oversight practices to ensure that fees, fines,  
82 and investment earnings generated under this subsection are  
83 maintained and allocated or used solely for the purposes  
84 described in subparagraph 1. paragraph (a).

85 4.(d) The local enforcement agency, independent district,  
86 or special district may not require at any time, including at  
87 the time of application for a permit, the payment of any  
88 additional fees, charges, or expenses associated with:

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

90 b.2. Recording or filing a license issued pursuant to this  
91 chapter; or

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

94 (b) Before making any adjustment to a fee schedule, the  
95 governing body of a local government shall publish a building  
96 permit and inspection utilization report and post it on the  
97 local government's website. The report shall be updated annually  
98 on such website and be easily accessible to the public. The  
99 report shall include:

100 1. Direct and indirect costs incurred by the local

101 government to implement the Florida Building Code, including  
102 costs related to the review of:

- 103 a. Building plans.
- 104 b. Building inspections.
- 105 c. Building reinspections.
- 106 d. Building permit processing.
- 107 e. Building code enforcement.
- 108 f. Building fire inspections.

109 2. Number of building permits requested.

110 3. Number of building permits issued.

111 4. Number of building inspections and reinspections  
112 conducted.

113 5. Number of personnel employed by the local government to  
114 implement the Florida Building Code, issue building permits, and  
115 conduct inspections.

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

119 7. Revenue derived from fees pursuant to s. 553.80(7).

120 8. Revenue derived from fines pursuant to s. 553.80(7).

121 9. Investment earnings derived from the local government's  
122 investment of revenue derived from fees and fines pursuant to s.  
123 533.80(7).

124 10. Balances carried forward by the local government  
125 pursuant to s. 553.80(7).

126           11. Balances refunded by the local government pursuant to  
127 s. 553.80(7).

128           Section 4. This act shall take effect July 1, 2018.