



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 bodies of  
4 counties and municipalities to post their permit and  
5 inspection fee schedules and building permit and  
6 inspection utilization reports on their websites;  
7 amending s. 553.80, F.S.; requiring the governing  
8 bodies of local governments to post their building  
9 permit and inspection utilization reports on their  
10 websites by a specified date; providing requirements  
11 for such governing bodies; providing reporting  
12 requirements; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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

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

21 (4)

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



26 Section 2. Section 166.222, Florida Statutes, is amended  
27 to read:

28 166.222 Building code inspection fees.—

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

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

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

39 553.80 Enforcement.—

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



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

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

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

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

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

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



76 d.4. Enforcement and implementation of any other local  
77 ordinance, excluding validly adopted local amendments to the  
78 Florida Building Code and excluding any local ordinance directly  
79 related to enforcing the Florida Building Code as defined in  
80 subparagraph 1 ~~paragraph (a)~~.

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

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

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

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

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

95 (b) By December 31, 2019, the governing body of a local  
96 government that provides a schedule of fees shall post its  
97 building permit and inspection utilization report on its  
98 website. The report shall be based on the information available  
99 in the most recently completed financial audit. After December  
100 31, 2019, the governing body of a local government that provides



101 a schedule of fees shall update its building permit and  
102 inspection utilization report on its website before making any  
103 adjustments to the fee schedule. The report shall include:  
104 1. Direct and indirect costs incurred by the local  
105 government to enforce the Florida Building Code, including costs  
106 related to:  
107 a. The review of building plans.  
108 b. Building inspections.  
109 c. Building reinspections.  
110 d. Building permit processing.  
111 e. Building code enforcement.  
112 2. Number of building permits requested.  
113 3. Number of building permits issued.  
114 4. Number of building inspections and reinspections  
115 conducted.  
116 5. Number of personnel employed by the local government to  
117 enforce the Florida Building Code, issue building permits, and  
118 conduct inspections.  
119 6. Salary and related employee benefit costs incurred by  
120 the local government to enforce the Florida Building Code, issue  
121 building permits, and conduct inspections.  
122 7. Revenue derived from fees pursuant to paragraph (a).  
123 8. Revenue derived from fines pursuant to paragraph (a).  
124 9. When applicable, investment earnings derived from the  
125 local government's investment of revenue derived from fees and



126 finances pursuant to paragraph (a).

127 10. Balances carried forward by the local government  
128 pursuant to paragraph (a).

129 11. Balances refunded by the local government pursuant to  
130 paragraph (a).

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