

By Senator Perry

8-01245-19

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1                   A bill to be entitled  
2       An act relating to inspections and permits; amending  
3       ss. 125.56 and 166.222, F.S.; requiring a county or  
4       municipality that imposes inspection fees to establish  
5       an expedited inspection process that provides priority  
6       processing for such inspections; authorizing the  
7       county or municipality to charge an additional fee up  
8       to a specified amount for the expedited inspection  
9       process; amending s. 553.792, F.S.; requiring a local  
10      government that imposes permit fees to establish an  
11      expedited permitting process that provides priority  
12      processing for such permits; authorizing the local  
13      government to charge an additional fee up to a  
14      specified amount for the expedited inspection process;  
15      providing that the local government must require the  
16      applicant to pay only a specified percentage of the  
17      fees due upon receipt of an application; providing for  
18      a reduction of the outstanding fees due under certain  
19      circumstances; providing for a refund of fees under  
20      certain circumstances; specifying that certain  
21      procedures apply to building permit applications for  
22      any nonresidential buildings, instead of  
23      nonresidential buildings less than a specified size;  
24      providing an effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:  
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28       Section 1. Subsection (2) of section 125.56, Florida  
29 Statutes, is amended to read:

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30 125.56 Enforcement and amendment of the Florida Building  
31 Code and the Florida Fire Prevention Code; inspection fees;  
32 inspectors; etc.—

33 (2) (a) The board of county commissioners of each of the  
34 several counties may provide a schedule of reasonable inspection  
35 fees in order to defer the costs of inspection and enforcement  
36 of the provisions of this act, and of the Florida Building Code  
37 and the Florida Fire Prevention Code.

38 (b) A county that imposes inspection fees as described in  
39 paragraph (a) must establish an expedited inspection process  
40 that provides priority processing for such inspections. The  
41 county may charge an additional fee in an amount not to exceed  
42 two times the fee for the inspection for which the applicant  
43 requests expedited processing.

44 Section 2. Section 166.222, Florida Statutes, is amended to  
45 read:

46 166.222 Building code inspection fees.—

47 (1) The governing body of a municipality may provide a  
48 schedule of reasonable inspection fees in order to defer the  
49 costs of inspection and enforcement of the provisions of its  
50 building code.

51 (2) A municipality that imposes inspection fees as  
52 described in subsection (1) must establish an expedited  
53 inspection process that provides priority processing for such  
54 inspections. The municipality may charge an additional fee in an  
55 amount not to exceed two times the fee for the inspection for  
56 which the applicant requests expedited processing.

57 Section 3. Present subsection (2) of section 553.792,  
58 Florida Statutes, is redesignated as subsection (3), subsection

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59 (1) and present subsection (2) of that section are amended, and  
60 a new subsection (2) is added to that section, to read:

61 553.792 Building permit application to local government.—

62 (1) (a) Within 10 days of an applicant submitting an  
63 application to the local government, the local government shall  
64 advise the applicant what information, if any, is needed to deem  
65 the application properly completed in compliance with the filing  
66 requirements published by the local government. If the local  
67 government does not provide written notice that the applicant  
68 has not submitted the properly completed application, the  
69 application shall be automatically deemed properly completed and  
70 accepted. Within 45 days after receiving a completed  
71 application, a local government must notify an applicant if  
72 additional information is required for the local government to  
73 determine the sufficiency of the application, and shall specify  
74 the additional information that is required. The applicant must  
75 submit the additional information to the local government or  
76 request that the local government act without the additional  
77 information. While the applicant responds to the request for  
78 additional information, the 120-day period described in this  
79 subsection is tolled. Both parties may agree to a reasonable  
80 request for an extension of time, particularly in the event of a  
81 force major or other extraordinary circumstance. The local  
82 government must approve, approve with conditions, or deny the  
83 application within 120 days following receipt of a completed  
84 application.

85 (b) A local government that imposes permit fees must  
86 establish an expedited permitting process that provides priority  
87 processing for such permits. The local government may charge an

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88 additional fee in an amount not to exceed two times the fee for  
89 the permit for which the applicant requests expedited  
90 processing.

91 (2) (a) Upon receipt of an application to the local  
92 government, the local government must require the applicant to  
93 pay only 50 percent of the fees due.

94 (b) Whenever a local government does not meet an  
95 established deadline for processing a completed application, the  
96 fee associated with such deadline must be reduced by 10 percent  
97 of the original amount for every 10 business days the local  
98 government fails to meet its established deadline.

99 (c) Upon approval of an application, the local government  
100 must notify and inform the applicant of the amount of fees due,  
101 reduced by the amount, if any, required under paragraph (b), and  
102 must require payment of such fees before the issuance of any  
103 certificate or permit.

104 (d) If the amount of fees due has been reduced by more than  
105 50 percent of the original fee, the local government must issue  
106 a refund of any fees that are due to the applicant upon issuance  
107 of the certificate or permit.

108 (3) ~~(2)~~ The procedures in this section ~~set forth in~~  
109 ~~subsection (1)~~ apply to the following building permit  
110 applications: accessory structure; alarm permit; nonresidential  
111 buildings ~~less than 25,000 square feet~~; electric; irrigation  
112 permit; landscaping; mechanical; plumbing; residential units  
113 other than a single family unit; multifamily residential not  
114 exceeding 50 units; roofing; signs; site-plan approvals and  
115 subdivision plats not requiring public hearings or public  
116 notice; and lot grading and site alteration associated with the

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117 permit application ~~set forth in this subsection~~. The procedures  
118 in this section ~~set forth in subsection (1)~~ do not apply to  
119 permits for any wireless communications facilities or when a  
120 law, agency rule, or local ordinance specifies ~~specify~~ different  
121 timeframes for review of local building permit applications.

122 Section 4. This act shall take effect July 1, 2019.