

By the Committee on Community Affairs; and Senator Perry

578-04061-19

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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.; authorizing 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.; authorizing a
10 local government that imposes permit fees to establish
11 an 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) may establish an expedited inspection process that
40 provides priority processing for such inspections. The county
41 may charge an additional fee in an amount not to exceed two
42 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) may 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 may
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 October 1, 2019.