

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Toledo offered the following:

Amendment

5 Remove lines 367-452 and insert:
 6 application, or by 2 p.m. local time, 2 no less than 7 business
 7 days prior to the first scheduled inspection by the local
 8 building official or building code enforcement agency for a
 9 private provider performing required inspections of construction
 10 under this section, on a form to be adopted by the commission.

11 This notice shall include the following information:

12 (a) The services to be performed by the private provider.

13 (b) The name, firm, address, telephone number, and
 14 facsimile number of each private provider who is performing or
 15 will perform such services, his or her professional license or
 16 certification number, qualification statements or resumes, and,

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17 | if required by the local building official, a certificate of
18 | insurance demonstrating that professional liability insurance
19 | coverage is in place for the private provider's firm, the
20 | private provider, and any duly authorized representative in the
21 | amounts required by this section.

22 | (c) An acknowledgment from the fee owner in substantially
23 | the following form:

24 | I have elected to use one or more private providers to provide
25 | building code plans review and/or inspection services on the
26 | building or structure that is the subject of the enclosed permit
27 | application, as authorized by s. 553.791, Florida Statutes. I
28 | understand that the local building official may not review the
29 | plans submitted or perform the required building inspections to
30 | determine compliance with the applicable codes, except to the
31 | extent specified in said law. Instead, plans review and/or
32 | required building inspections will be performed by licensed or
33 | certified personnel identified in the application. The law
34 | requires minimum insurance requirements for such personnel, but
35 | I understand that I may require more insurance to protect my
36 | interests. By executing this form, I acknowledge that I have
37 | made inquiry regarding the competence of the licensed or
38 | certified personnel and the level of their insurance and am
39 | satisfied that my interests are adequately protected. I agree to
40 | indemnify, defend, and hold harmless the local government, the
41 | local building official, and their building code enforcement

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42 personnel from any and all claims arising from my use of these
43 licensed or certified personnel to perform building code
44 inspection services with respect to the building or structure
45 that is the subject of the enclosed permit application.
46 If the fee owner or the fee owner's contractor makes any changes
47 to the listed private providers or the services to be provided
48 by those private providers, the fee owner or the fee owner's
49 contractor shall, within 1 business day after any change, update
50 the notice to reflect such changes. A change of a duly
51 authorized representative named in the permit application does
52 not require a revision of the permit, and the building code
53 enforcement agency shall not charge a fee for making the change.
54 In addition, the fee owner or the fee owner's contractor shall
55 post at the project site, prior to the commencement of
56 construction and updated within 1 business day after any change,
57 on a form to be adopted by the commission, the name, firm,
58 address, telephone number, and facsimile number of each private
59 provider who is performing or will perform building code
60 inspection services, the type of service being performed, and
61 similar information for the primary contact of the private
62 provider on the project.

63 (5) After construction has commenced and if the local
64 building official is unable to provide inspection services in a
65 timely manner, the fee owner or the fee owner's contractor may
66 elect to use a private provider to provide inspection services

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67 by notifying the local building official of the owner's or
68 contractor's intention to do so by 2 p.m. local time, 2 no less
69 ~~than 7~~ business days prior to the next scheduled inspection
70 using the notice provided for in paragraphs (4) (a)-(c).

71 (7) (a) No more than 20 ~~30~~ business days after receipt of a
72 permit application and the affidavit from the private provider
73 required pursuant to subsection (6), the local building official
74 shall issue the requested permit or provide a written notice to
75 the permit applicant identifying the specific plan features that
76 do not comply with the applicable codes, as well as the specific
77 code chapters and sections. If the local building official does
78 not provide a written notice of the plan deficiencies within the
79 prescribed 20-day ~~30-day~~ period, the permit application shall be
80 deemed approved as a matter of law, and the permit shall be
81 issued by the local building official on the next business day.

82 (b) If the local building official provides a written
83 notice of plan deficiencies to the permit applicant within the
84 prescribed 20-day ~~30-day~~ period, the 20-day ~~30-day~~ period shall
85 be tolled pending resolution of the matter. To resolve the plan
86 deficiencies, the permit applicant may elect to dispute the
87 deficiencies pursuant to subsection (13) or to submit revisions
88 to correct the deficiencies.

89 (c) If the permit applicant submits revisions, the local
90 building official has the remainder of the tolled 20-day ~~30-day~~