

1 A bill to be entitled
 2 An act relating to permit fees; amending s. 125.56,
 3 F.S.; requiring the governing body of a local
 4 government to post its permit and inspection fee
 5 schedules and a link to an annual building permit and
 6 inspection report on its website; amending s. 553.80,
 7 F.S.; requiring the governing body of a local
 8 government to publish such report and post it on the
 9 local government's 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 local government authorized
 21 under this section, s. 166.222, or s. 553.80 to issue fees shall
 22 post its permit and inspection fee schedules on its website with
 23 a link to the building permit and inspection utilization report
 24 required under s. 553.80(7).

25 Section 2. Subsection (7) of section 553.80, Florida

26 Statutes, is amended to read:

27 553.80 Enforcement.—

28 (7) (a) The governing bodies of local governments may
29 provide a schedule of reasonable fees, as authorized by s.
30 125.56(2) or s. 166.222 and this section, for enforcing this
31 part. These fees, and any fines or investment earnings related
32 to the fees, shall be used solely for carrying out the local
33 government's responsibilities in enforcing the Florida Building
34 Code. When providing a schedule of reasonable fees, the total
35 estimated annual revenue derived from fees, and the fines and
36 investment earnings related to the fees, may not exceed the
37 total estimated annual costs of allowable activities. Any
38 unexpended balances shall be carried forward to future years for
39 allowable activities or shall be refunded at the discretion of
40 the local government. The basis for a fee structure for
41 allowable activities shall relate to the level of service
42 provided by the local government and shall include consideration
43 for refunding fees due to reduced services based on services
44 provided as prescribed by s. 553.791, but not provided by the
45 local government. Fees charged shall be consistently applied.

46 1. ~~(a)~~ As used in this subsection, the phrase "enforcing
47 the Florida Building Code" includes the direct costs and
48 reasonable indirect costs associated with review of building
49 plans, building inspections, reinspections, and building permit
50 processing; building code enforcement; and fire inspections

51 associated with new construction. The phrase may also include
52 training costs associated with the enforcement of the Florida
53 Building Code and enforcement action pertaining to unlicensed
54 contractor activity to the extent not funded by other user fees.

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

57 a.1. Planning and zoning or other general government
58 activities.

59 b.2. Inspections of public buildings for a reduced fee or
60 no fee.

61 c.3. Public information requests, community functions,
62 boards, and any program not directly related to enforcement of
63 the Florida Building Code.

64 d.4. Enforcement and implementation of any other local
65 ordinance, excluding validly adopted local amendments to the
66 Florida Building Code and excluding any local ordinance directly
67 related to enforcing the Florida Building Code as defined in
68 subparagraph 1. paragraph (a).

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

74 4.~~(d)~~ The local enforcement agency, independent district,
75 or special district may not require at any time, including at

76 | the time of application for a permit, the payment of any
77 | additional fees, charges, or expenses associated with:

78 | ~~a.1.~~ Providing proof of licensure pursuant to chapter 489;

79 | ~~b.2.~~ Recording or filing a license issued pursuant to this
80 | chapter; or

81 | ~~c.3.~~ Providing, recording, or filing evidence of workers'
82 | compensation insurance coverage as required by chapter 440.

83 | (b) Before making any adjustment to a fee schedule, the
84 | governing body of a local government shall publish a building
85 | permit and inspection utilization report and post it on the
86 | local government's website. The report shall be updated annually
87 | on such website and be easily accessible to the public. The
88 | report shall include:

89 | 1. Direct and indirect costs incurred by the local
90 | government to implement the Florida Building Code, including
91 | costs related to the review of:

92 | a. Building plans.

93 | b. Building inspections.

94 | c. Building reinspections.

95 | d. Building permit processing.

96 | e. Building code enforcement.

97 | f. Building fire inspections.

98 | 2. Number of building permits requested.

99 | 3. Number of building permits issued.

100 | 4. Number of building inspections and reinspections

101 | conducted.

102 | 5. Number of personnel employed by the local government to
 103 | implement the Florida Building Code, issue building permits, and
 104 | conduct inspections.

105 | 6. Salary and related employee benefit costs incurred by
 106 | the local government to implement the Florida Building Code,
 107 | issue building permits, and conduct inspections.

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

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

110 | 9. Investment earnings derived from the local government's
 111 | investment of revenue derived from fees and fines pursuant to s.
 112 | 533.80(7).

113 | 10. Balances carried forward by the local government
 114 | pursuant to s. 553.80(7).

115 | 11. Balances refunded by the local government pursuant to
 116 | s. 553.80(7).

117 | Section 3. This act shall take effect July 1, 2018.