

By the Committee on Community Affairs; and Senator Bennett

578-1912-05

1 A bill to be entitled
2 An act relating to building permit
3 applications; requiring that a local government
4 automatically consider an application for a
5 building permit to be properly completed unless
6 the applicant is notified in writing within a
7 specified period that additional information is
8 required; requiring that the local government
9 notify an applicant following receipt of a
10 completed application for a building permit if
11 additional information is required and to
12 approve, approve with conditions, or deny an
13 application within a specified period;
14 specifying those building permit applications
15 to which the act applies; exempting wireless
16 communication facilities from application of
17 the act; providing that the act does not
18 supersede any other provision of law, rule, or
19 local ordinance; providing an effective date.

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21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Applications to local governments for
24 building permits.--

25 (1)(a) Within 10 days after an applicant submits an
26 application to a local government for a building permit, the
27 local government shall advise the applicant what information,
28 if any, is needed in order for the application to be properly
29 completed in compliance with the permit-application
30 requirements published by the local government. If the local
31 government does not provide written notice that the applicant

1 has failed to submit the properly completed application, the
2 applicant shall automatically be deemed to have properly
3 completed the application and the application shall be
4 accepted and available for processing.

5 (b) If additional information is required in order for
6 the local government to determine the sufficiency of the
7 application, the local government shall notify the applicant
8 within 45 days after receipt of the completed application and
9 shall specify any additional information that is required. The
10 applicant must submit the additional information to the local
11 government or request that the local government act without
12 the additional information. While the applicant responds to
13 the request for additional information, the 120-day period
14 prescribed under paragraph (c) is tolled. Both parties may
15 agree to a reasonable request for an extension of time,
16 particularly in the event of a force majeure or other
17 extraordinary circumstances.

18 (c) Within 120 days following the receipt of the
19 completed application for a building permit, the local
20 government must approve, approve with conditions, or deny the
21 application.

22 (2)(a) The procedures provided in subsection (1) apply
23 to applications for a permit for an accessory structure, an
24 alarm permit, a permit for a nonresidential building of less
25 than 25,000 square feet, an electrical permit, an irrigation
26 permit, a landscaping permit, a mechanical permit, a plumbing
27 permit, a permit for a residential unit other than a
28 single-family unit, a permit for a multifamily residential
29 unit that does not exceed 50 units, a roofing permit, a permit
30 for a sign, a permit for site-plan approval or a subdivision
31 plat that does not require a public hearing or public notice,

1 and a permit for lot grading or site alteration that is
2 associated with an application for any permit specified in
3 this paragraph.

4 (b) Subsection (1) does not apply to a permit for any
5 wireless communication facility and does not supersede any
6 other provision of law, rule, or local ordinance which
7 specifies a different timeframe for review of an application
8 for a local building permit.

9 Section 2. This act shall take effect July 1, 2005.

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11 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
12 COMMITTEE SUBSTITUTE FOR
13 Senate Bill 2286

14 The CS increases the length of time local governments have to
15 review specified building permit applications from 90 to 120
16 days.

17 The CS provides requirements relating to the completeness of
18 permit applications and notice of sufficiency by the local
19 government.

20 The CS specifies the types of building permits that are
21 subject to the 120-day processing requirement.

22 The CS provides that the 120-day permit processing timeframe
23 does not supersede any other provision of law, rule, or local
24 ordinance which specifies a different timeframe for review of
25 an application for a local building permit.
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