

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Brandes offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 4568 and 4569, insert:

5 Section 95. (1) Any building permit or any permit issued
6 by the Department of Environmental Protection or by a water
7 management district pursuant to part IV of chapter 373, Florida
8 Statutes, which has an expiration date from January 1, 2012,
9 through January 1, 2014, is extended and renewed for a period of
10 2 years after its previously scheduled date of expiration. This
11 extension includes any local government-issued development order
12 or building permit, including certificates of levels of service.
13 This section does not prohibit conversion from the construction
14 phase to the operation phase upon completion of construction.
15 This extension is in addition to any existing permit extension.
16 Extensions granted pursuant to this section; s. 14 of chapter
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17 2009-96, Laws of Florida, as reauthorized by s. 47 of chapter
18 2010-147, Laws of Florida; s. 46 of chapter 2010-147, Laws of
19 Florida; or s. 74 or s. 79 of chapter 2011-139, Laws of Florida,
20 may not exceed 4 years in total. However, an extension of a
21 specific development order which was granted pursuant to s.
22 380.06(19)(c)2., Florida Statutes, may not be further extended
23 pursuant to this section.

24 (2) The commencement and completion dates for any required
25 mitigation associated with a phased construction project shall
26 be extended so that mitigation takes place in the same timeframe
27 relative to the phase as originally permitted.

28 (3) The holder of a valid permit or other authorization
29 that is eligible for the 2-year extension under subsection (1)
30 must provide the authorizing agency with written notice by
31 December 31, 2012, which identifies the specific authorization
32 for which the holder intends to use the extension and the
33 anticipated timeframe for acting on the authorization.

34 (4) The extension provided under subsection (1) does not
35 apply to:

36 (a) A permit or other authorization under any programmatic
37 or regional general permit issued by the United States Army
38 Corps of Engineers.

39 (b) A permit or other authorization held by an owner or
40 operator determined to be in significant noncompliance with the
41 conditions of the permit or authorization as established through
42 the issuance of a warning letter or notice of violation, the
43 initiation of formal enforcement, or other equivalent action by
44 the authorizing agency.

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45 (c) A permit or other authorization that, if granted an
46 extension, would delay or prevent compliance with a court order.

47 (5) Permits extended under this section shall continue to
48 be governed by the rules in effect at the time the permit was
49 issued unless it is demonstrated that those rules would create
50 an immediate threat to public safety or health. This subsection
51 applies to any modification of the plans, terms, and conditions
52 of the permit which lessens the environmental impact, except
53 that any such modification may not extend the time limit beyond
54 2 additional years.

55 (6) This section does not impair the authority of a county
56 or municipality to require the owner of a property who has
57 notified the county or municipality of the owner's intent to
58 receive the extension of time granted pursuant to this section
59 to maintain and secure the property in a safe and sanitary
60 condition in compliance with applicable laws and ordinances.

61 (7) An owner shall record a current and unexpired notice
62 of commencement in accordance with s. 713.13, Florida Statutes,
63 for any construction project commenced or recommenced under a
64 building permit extended pursuant to this section. The
65 contractor shall provide a copy of the current and unexpired
66 recorded notice of commencement to the permit authority before
67 an inspection is performed in compliance with s. 713.135(1)(b),
68 Florida Statutes.

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73 Remove line 506 and insert:
74 made by the act; providing that certain building permits or
75 permits issued by the Department of Environmental Protection or
76 by a water management district are extended and renewed for a
77 specified period; requiring written notification by the holder
78 of an eligible permit; providing exceptions; requiring that an
79 owner record a current and unexpired notice of commencement for
80 any construction project commenced or recommenced under an
81 extended building permit; providing effective dates.
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