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LEGISLATIVE ACTION

Senate

.

House

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Floor: 6/AD/2R

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03/01/2012 12:01 PM

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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 1163 and 1164

insert:

Section 13. Subsections (1) and (2) of section 553.79, Florida Statutes, are amended to read:

553.79 Permits; applications; issuance; inspections.-

(1) After the effective date of the Florida Building Code adopted as herein provided, it shall be unlawful for any person, firm, corporation, or governmental entity to construct, erect, alter, modify, repair, or demolish any building within this state without first obtaining a permit therefor from the appropriate enforcing agency or from such persons as may, by



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14 appropriate resolution or regulation of the authorized state or
15 local enforcing agency, be delegated authority to issue such
16 permits, upon the payment of such reasonable fees adopted by the
17 enforcing agency. The enforcing agency is empowered to revoke
18 any such permit upon a determination by the agency that the
19 construction, erection, alteration, modification, repair, or
20 demolition of the building for which the permit was issued is in
21 violation of, or not in conformity with, the provisions of the
22 Florida Building Code. Whenever a permit required under this
23 section is denied or revoked because the plan, or the
24 construction, erection, alteration, modification, repair, or
25 demolition of a building, is found by the local enforcing agency
26 to be not in compliance with the Florida Building Code, the
27 local enforcing agency shall identify the specific plan or
28 project features that do not comply with the applicable codes,
29 identify the specific code chapters and sections upon which the
30 finding is based, and provide this information to the permit
31 applicant. Installation, replacement, removal, or metering of
32 any load management control device is exempt from and shall not
33 be subject to the permit process and fees otherwise required by
34 this section.

35 (2) Except as provided in subsection (6), an enforcing
36 agency may not issue any permit for construction, erection,
37 alteration, modification, repair, or demolition of any building
38 or structure until the local building code administrator or
39 inspector has reviewed the plans and specifications required by
40 the Florida Building Code, or local amendment thereto, for such
41 proposal and found the plans to be in compliance with the
42 Florida Building Code. If the local building code administrator



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43 or inspector finds that the plans are not in compliance with the
44 Florida Building Code, the local building code administrator or
45 inspector shall identify the specific plan features that do not
46 comply with the applicable codes, identify the specific code
47 chapters and sections upon which the finding is based, and
48 provide this information to the local enforcing agency. The
49 local enforcing agency shall provide this information to the
50 permit applicant. In addition, an enforcing agency may not issue
51 any permit for construction, erection, alteration, modification,
52 repair, or demolition of any building until the appropriate
53 firesafety inspector certified pursuant to s. 633.081 has
54 reviewed the plans and specifications required by the Florida
55 Building Code, or local amendment thereto, for such proposal and
56 found that the plans comply with the Florida Fire Prevention
57 Code and the Life Safety Code. Any building or structure which
58 is not subject to a firesafety code shall not be required to
59 have its plans reviewed by the firesafety inspector. Any
60 building or structure that is exempt from the local building
61 permit process may not be required to have its plans reviewed by
62 the local building code administrator. Industrial construction
63 on sites where design, construction, and firesafety are
64 supervised by appropriate design and inspection professionals
65 and which contain adequate in-house fire departments and rescue
66 squads is exempt, subject to local government option, from
67 review of plans and inspections, providing owners certify that
68 applicable codes and standards have been met and supply
69 appropriate approved drawings to local building and firesafety
70 inspectors. The enforcing agency shall issue a permit to
71 construct, erect, alter, modify, repair, or demolish any



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72 building or structure when the plans and specifications for such
73 proposal comply with the provisions of the Florida Building Code
74 and the Florida Fire Prevention Code and the Life Safety Code as
75 determined by the local authority in accordance with this
76 chapter and chapter 633.

77
78 ===== T I T L E A M E N D M E N T =====

79 And the title is amended as follows:

80 Delete line 69

81 and insert:

82 hunting from the Florida Building Code; amending s.
83 553.79, F.S.; requiring that a building code enforcing
84 agency, administrator, and inspector provide certain
85 information to a permit applicant upon a finding of
86 noncompliance with the Florida Building Code; amending
87 s.