



838754

LEGISLATIVE ACTION

Senate

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House

Floor: 1c/RE/2R

05/01/2014 03:18 PM

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Senator Richter moved the following:

1           **Senate Amendment to Amendment (494350) (with title**  
2 **amendment)**

3  
4           Between lines 1760 and 1761  
5 insert:

6           Section 43. (1) Any building permit, and any permit issued  
7 by the Department of Environmental Protection or by a water  
8 management district pursuant to part IV of chapter 373, Florida  
9 Statutes, which has an expiration date from January 1, 2014,  
10 through January 1, 2016, is extended and renewed for a period of  
11 2 years after its previously scheduled date of expiration. This



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12 extension includes any local government-issued development order  
13 or building permit including certificates of levels of service.  
14 This section does not prohibit conversion from the construction  
15 phase to the operation phase upon completion of construction.  
16 This extension is in addition to any existing permit extension.  
17 Extensions granted pursuant to this section; s. 14 of chapter  
18 2009-96, Laws of Florida, as reauthorized by s. 47 of chapter  
19 2010-147, Laws of Florida; s. 46 of chapter 2010-147, Laws of  
20 Florida; s. 73 or s. 79 of chapter 2011-139, Laws of Florida; or  
21 s. 24 of chapter 2012-205, Laws of Florida, may not exceed 4  
22 years in total. Further, specific development order extensions  
23 granted pursuant to s. 380.06(19)(c)2., Florida Statutes, may  
24 not be further extended by this section.

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

29 (3) The holder of a valid permit or other authorization  
30 that is eligible for the 2-year extension must notify the  
31 authorizing agency in writing by December 31, 2014, identifying  
32 the specific authorization for which the holder intends to use  
33 the extension and the anticipated timeframe for acting on the  
34 authorization.

35 (4) The extension provided in subsection (1) does not apply  
36 to:

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

40 (b) A permit or other authorization held by an owner or



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41 operator determined to be in significant noncompliance with the  
42 conditions of the permit or authorization as established through  
43 the issuance of a warning letter or notice of violation, the  
44 initiation of formal enforcement, or other equivalent action by  
45 the authorizing agency.

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

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

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

64  
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete line 1864

68 and insert:

69 references to changes made by the act; extending and



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70           renewing building permits and certain permits issued  
71           by the Department of Environmental Protection or a  
72           water management district, including any local  
73           government-issued development order or building permit  
74           issued pursuant thereto; limiting certain permit  
75           extensions to a specified period of time; extending  
76           commencement and completion dates for required  
77           mitigation associated with a phased construction  
78           project; requiring the holder of an extended permit or  
79           authorization to provide notice to the authorizing  
80           agency; providing exceptions to the extension and  
81           renewal of such permits; providing that extended  
82           permits are governed by certain rules; providing  
83           applicability; providing an