

1 A bill to be entitled
 2 An act relating to permit fees; amending ss. 125.56
 3 and 166.222, F.S.; requiring the governing bodies of
 4 counties and municipalities to post their permit and
 5 inspection fee schedules and building permit and
 6 inspection utilization reports on their websites;
 7 amending s. 553.80, F.S.; requiring the governing
 8 bodies of local governments to post their building
 9 permit and inspection utilization reports on their
 10 websites by a specified date; providing requirements
 11 for such governing bodies; providing reporting
 12 requirements; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Paragraph (c) is added to subsection (4) of
 17 section 125.56, Florida Statutes, to read:

18 125.56 Enforcement and amendment of the Florida Building
 19 Code and the Florida Fire Prevention Code; inspection fees;
 20 inspectors; etc.—

21 (4)

22 (c) The governing body of a county authorized under this
 23 section or s. 553.80 to issue fees shall post its permit and
 24 inspection fee schedules and its building permit and inspection
 25 utilization report required under s. 553.80(7) on its website.

26 Section 2. Section 166.222, Florida Statutes, is amended
 27 to read:

28 166.222 Building code inspection fees.—

29 (1) The governing body of a municipality may provide a
 30 schedule of reasonable inspection fees in order to defer the
 31 costs of inspection and enforcement of the provisions of its
 32 building code.

33 (2) The governing body of a municipality authorized under
 34 s. 553.80 to issue fees shall post its permit and inspection fee
 35 schedules and its building permit and inspection utilization
 36 report required under s. 553.80(7) on its website.

37 Section 3. Subsection (7) of section 553.80, Florida
 38 Statutes, is amended to read:

39 553.80 Enforcement.—

40 (7)(a) The governing bodies of local governments may
 41 provide a schedule of reasonable fees, as authorized by s.
 42 125.56(2) or s. 166.222 and this section, for enforcing this
 43 part. These fees, and any fines or investment earnings related
 44 to the fees, shall be used solely for carrying out the local
 45 government's responsibilities in enforcing the Florida Building
 46 Code. When providing a schedule of reasonable fees, the total
 47 estimated annual revenue derived from fees, and the fines and
 48 investment earnings related to the fees, may not exceed the
 49 total estimated annual costs of allowable activities. Any
 50 unexpended balances shall be carried forward to future years for

51 allowable activities or shall be refunded at the discretion of
52 the local government. The basis for a fee structure for
53 allowable activities shall relate to the level of service
54 provided by the local government and shall include consideration
55 for refunding fees due to reduced services based on services
56 provided as prescribed by s. 553.791, but not provided by the
57 local government. Fees charged shall be consistently applied.

58 1.~~(a)~~ As used in this subsection, the phrase "enforcing
59 the Florida Building Code" includes the direct costs and
60 reasonable indirect costs associated with review of building
61 plans, building inspections, reinspections, and building permit
62 processing; building code enforcement; and fire inspections
63 associated with new construction. The phrase may also include
64 training costs associated with the enforcement of the Florida
65 Building Code and enforcement action pertaining to unlicensed
66 contractor activity to the extent not funded by other user fees.

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

69 a.1. Planning and zoning or other general government
70 activities.

71 b.2. Inspections of public buildings for a reduced fee or
72 no fee.

73 c.3. Public information requests, community functions,
74 boards, and any program not directly related to enforcement of
75 the Florida Building Code.

76 d.4. Enforcement and implementation of any other local
77 ordinance, excluding validly adopted local amendments to the
78 Florida Building Code and excluding any local ordinance directly
79 related to enforcing the Florida Building Code as defined in
80 subparagraph 1 paragraph (a).

81 3.(e) A local government shall use recognized management,
82 accounting, and oversight practices to ensure that fees, fines,
83 and investment earnings generated under this subsection are
84 maintained and allocated or used solely for the purposes
85 described in subparagraph 1 paragraph (a).

86 4.(d) The local enforcement agency, independent district,
87 or special district may not require at any time, including at
88 the time of application for a permit, the payment of any
89 additional fees, charges, or expenses associated with:

90 a.1. Providing proof of licensure pursuant to chapter 489;

91 b.2. Recording or filing a license issued pursuant to this
92 chapter; or

93 c.3. Providing, recording, or filing evidence of workers'
94 compensation insurance coverage as required by chapter 440.

95 (b) By December 31, 2020, the governing body of a local
96 government that provides a schedule of fees shall post its
97 building permit and inspection utilization report on its
98 website. The report shall be based on the information available
99 in the most recently completed financial audit. After December
100 31, 2020, the governing body of a local government that provides

101 a schedule of fees shall update its building permit and
102 inspection utilization report on its website before making any
103 adjustments to the fee schedule. The report shall include:
104 1. Direct and indirect costs incurred by the local
105 government to enforce the Florida Building Code, including costs
106 related to:
107 a. Building plan reviews.
108 b. Building inspections.
109 c. Building reinspections.
110 d. Building permit processing.
111 e. Building code enforcement.
112 2. Number of building permits requested.
113 3. Number of building permits issued.
114 4. Number of building inspections and reinspections
115 conducted.
116 5. Number of personnel employed by the local government to
117 enforce the Florida Building Code, issue building permits, and
118 conduct inspections.
119 6. Salary and related employee benefit costs incurred by
120 the local government to enforce the Florida Building Code, issue
121 building permits, and conduct inspections.
122 7. Revenue derived from fees pursuant to paragraph (a).
123 8. Revenue derived from fines pursuant to paragraph (a).
124 9. When applicable, investment earnings derived from the
125 local government's investment of revenue derived from fees and

126 | finest pursuant to paragraph (a).

127 | 10. Balances carried forward by the local government
128 | pursuant to paragraph (a).

129 | 11. Balances refunded by the local government pursuant to
130 | paragraph (a).

131 | Section 4. This act shall take effect July 1, 2019.