



26 provide certain information to a permit applicant if  
 27 building plans do not comply with the Florida Fire  
 28 Prevention Code or Life Safety Code; prohibiting a  
 29 municipality, county, or special district from making  
 30 or requiring substantive changes to building plans  
 31 after a permit has been issued; providing exceptions;  
 32 requiring a local fire official to provide certain  
 33 information to the permitholder if a municipality,  
 34 county, or special district requires substantive  
 35 changes to building plans after a permit is issued;  
 36 providing that a local fire official who is a  
 37 certified firesafety inspector is subject to  
 38 disciplinary action under certain circumstances;  
 39 providing an effective date.

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

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43 Section 1. Subsection (2) of section 553.79, Florida  
 44 Statutes, is amended and subsection (25) is added to that  
 45 section, to read:

46 553.79 Permits; applications; issuance; inspections.—

47 (2) (a)1. Except as provided in subsection (8), an  
 48 enforcing agency may not issue any permit for construction,  
 49 erection, alteration, modification, repair, or demolition of any  
 50 building or structure until the local building code

51 administrator or inspector has reviewed the plans and  
52 specifications required by the Florida Building Code, or local  
53 amendment thereto, for such proposal and found the plans to be  
54 in compliance with the Florida Building Code. If the local  
55 building code administrator or inspector finds that the plans  
56 are not in compliance with the Florida Building Code, the local  
57 building code administrator or inspector shall identify the  
58 specific plan features that do not comply with the applicable  
59 codes, identify the specific code chapters and sections upon  
60 which the finding is based, and provide this information to the  
61 local enforcing agency. If the building code administrator or  
62 inspector requests another person to review the plans and such  
63 person identifies specific plan features that do not comply with  
64 the applicable codes, the building code administrator or  
65 inspector must provide this information to the local enforcing  
66 agency. The local enforcing agency shall provide this  
67 information to the permit applicant.

68 2. ~~In addition,~~ An enforcing agency may not issue any  
69 permit for construction, erection, alteration, modification,  
70 repair, or demolition of any building until the appropriate  
71 firesafety inspector certified pursuant to s. 633.216 has  
72 reviewed the plans and specifications required by the Florida  
73 Building Code, or local amendment thereto, for such proposal and  
74 found that the plans comply with the Florida Fire Prevention  
75 Code and the Life Safety Code. Any building or structure which

76 | is not subject to a firesafety code shall not be required to  
 77 | have its plans reviewed by the firesafety inspector.

78 |     3. Any building or structure that is exempt from the local  
 79 | building permit process may not be required to have its plans  
 80 | reviewed by the local building code administrator. Industrial  
 81 | construction on sites where design, construction, and firesafety  
 82 | are supervised by appropriate design and inspection  
 83 | professionals and which contain adequate in-house fire  
 84 | departments and rescue squads is exempt, subject to local  
 85 | government option, from review of plans and inspections,  
 86 | providing owners certify that applicable codes and standards  
 87 | have been met and supply appropriate approved drawings to local  
 88 | building and firesafety inspectors.

89 |     4. The enforcing agency shall issue a permit to construct,  
 90 | erect, alter, modify, repair, or demolish any building or  
 91 | structure when the plans and specifications for such proposal  
 92 | comply with the Florida Building Code and the Florida Fire  
 93 | Prevention Code and the Life Safety Code as determined by the  
 94 | local authority in accordance with this chapter and chapter 633.

95 |         (b) After the local enforcing agency issues a permit, the  
 96 | local enforcing agency may not make or require any substantive  
 97 | changes to the plans or specifications except changes required  
 98 | for compliance with the Florida Building Code, the Florida Fire  
 99 | Prevention Code, or the Life Safety Code, or local amendments  
 100 | thereto. If a local enforcing agency makes or requires

101 substantive changes to the plans or specifications after a  
102 permit is issued, the local enforcing agency must identify the  
103 specific plan features that do not comply with the applicable  
104 codes, identify the specific code chapters and sections upon  
105 which the finding is based, and provide the information to the  
106 permitholder.

107 (c)1. A plans reviewer or inspector who fails to provide  
108 the building code administrator with the reasons for making or  
109 requiring substantive changes to the plans or specifications is  
110 subject to disciplinary action against his or her certificate  
111 under s. 468.621(1)(i).

112 2. A building code administrator who fails to provide a  
113 permit applicant or permitholder with the reasons for making or  
114 requiring substantive changes to the plans or specifications is  
115 subject to disciplinary action against his or her certificate  
116 under s. 468.621(1)(i).

117 (25)(a) A local law, ordinance, or regulation may not  
118 prohibit or otherwise restrict the ability of a private property  
119 owner to obtain a building permit to demolish his or her single-  
120 family residential structure located in a coastal high-hazard  
121 area, moderate flood zone, or special flood hazard area  
122 according to a Flood Insurance Rate Map issued by the Federal  
123 Emergency Management Agency for the purpose of participating in  
124 the National Flood Insurance Program if the lowest finished  
125 floor elevation of such structure is at or below base flood

126 elevation as established by the Florida Building Code or a  
127 higher base flood elevation as may be required by local  
128 ordinance, whichever is higher, provided that such permit  
129 otherwise complies with all applicable Florida Building Code,  
130 Florida Fire Prevention Code, and Life Safety Code requirements,  
131 or local amendments thereto.

132 (b) An application for a demolition permit sought under  
133 this subsection may only be reviewed administratively for  
134 compliance with the Florida Building Code, the Florida Fire  
135 Prevention Code, and the Life Safety Code, or local amendments  
136 thereto, and any regulations applicable to a similarly situated  
137 parcel. Applications may not be subject to any additional local  
138 land development regulations or public hearings. A local  
139 government may not penalize a private property owner for a  
140 demolition that is in compliance with the demolition permit.

141 (c) If a single-family residential structure is demolished  
142 pursuant to a demolition permit, a local government may not  
143 impose additional regulatory or building requirements on the new  
144 single-family residential structure constructed on the site of  
145 the demolished structure which would not otherwise be applicable  
146 to a similarly situated vacant parcel.

147 (d) This subsection does not apply to any of the  
148 following:

149 1. A structure designated on the National Register of  
150 Historic Places.

151        2. A privately owned single-family residential structure  
 152 designated historic by a local, state, or federal governmental  
 153 agency on or before January 1, 2022.

154        3. A privately owned single-family residential structure  
 155 designated historic after January 1, 2022, by a local, state, or  
 156 federal governmental agency with the consent of its owner.

157        Section 2. Subsection (2) of section 633.208, Florida  
 158 Statutes, is amended to read:

159        633.208 Minimum firesafety standards.—

160        (2) (a) Pursuant to subsection (1), each municipality,  
 161 county, and special district with firesafety responsibilities  
 162 shall enforce the Florida Fire Prevention Code as the minimum  
 163 firesafety code required by this section.

164        (b) If a municipality, county, or special district  
 165 determines that the building plans for a building permit  
 166 application do not comply with the Florida Fire Prevention Code  
 167 or Life Safety Code, or local amendments thereto, the local fire  
 168 official must identify the specific plan features that do not  
 169 comply with the applicable codes, identify the specific code  
 170 chapters and sections upon which the determination is based, and  
 171 provide this information to the permit applicant.

172        (c) After a municipality, county, or special district  
 173 issues a building permit, it may not make or require any  
 174 substantive changes to the building plans except those required  
 175 for compliance with the Florida Fire Prevention Code or Life

176 Safety Code, or local amendments thereto. If a municipality,  
177 county, or special district makes or requires substantive  
178 changes to building plans after a permit is issued, the local  
179 fire official must identify the specific plan features that do  
180 not comply with the Florida Fire Prevention Code or Life Safety  
181 Code, or local amendments thereto, identify the specific code  
182 chapters and sections upon which the finding is based, and  
183 provide this information to the permit holder.

184 (d) A local fire official, who is also a certified  
185 firesafety inspector, who fails to comply with paragraph (b) or  
186 paragraph (c) is subject to disciplinary action against his or  
187 her certificate under s. 633.216(6)(f).

188 Section 3. This act shall take effect July 1, 2022.