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LEGISLATIVE ACTION

Senate

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House

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Floor: 1a/RE/2R

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Senator DiCeglie moved the following:

1 **Senate Amendment to Amendment (741396) (with directory and**
2 **title amendments)**

3
4 Delete lines 247 - 302

5 and insert:

6 (g)1. A local government that issues building permits shall
7 exempt an owner of a single-family dwelling or the owner's
8 contractor from the requirement to obtain a building permit to
9 perform any work valued at less than \$7,500 on the owner's
10 property.

11 2. The exemption under subparagraph 1. does not apply to



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12 any of the following:

13 a. Work on a property that is partially or entirely located
14 in a flood hazard area as defined by the Florida Building Code.

15 b. Any electrical, plumbing, structural, mechanical, or gas
16 work performed on property containing a single-family dwelling.

17 A construction project may not be divided into more than one
18 project for the purpose of evading the requirements of this
19 paragraph.

20 3. To qualify for the exemption under subparagraph 1., the
21 owner or the owner's contractor must submit a written request
22 for exemption to the local enforcement agency with a copy of the
23 contract or other documentation demonstrating the nature and the
24 value of the work to be performed.

25 4. A local government has no legal duty to the owner,
26 contractor, or successors or assigns thereof for exempted work
27 performed under this paragraph.

28 (h)1. A local government that issues building permits shall
29 exempt an owner of a single-family dwelling or the owner's
30 contractor from the requirement to obtain a building permit for
31 the installation of temporary residential hurricane and flood
32 protection walls or barriers that meet all of the following
33 conditions:

34 a. The wall or barrier is nonhabitable and non-load-
35 bearing.

36 b. The wall or barrier is installed on the residential
37 property of a single-family or two-family dwelling or townhouse.

38 c. The wall or barrier is constructed to mitigate or
39 prevent storm surge or floodwaters from entering a structure or
40 property.



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- 41 d. The wall or barrier is installed by a contractor
42 licensed under part I of chapter 489.
- 43 e. The wall or barrier complies with applicable local
44 zoning, drainage, easement, and setback requirements.
- 45 2. The exemption under subparagraph 1. does not apply to
46 work on a property that is partially or entirely located in a
47 flood hazard area as defined by the Florida Building Code.
- 48 3. To qualify for the exemption under subparagraph 1., the
49 owner or the owner's contractor must submit a written request
50 for exemption to the local enforcement agency with a copy of the
51 contract or other documentation demonstrating the nature of the
52 work to be performed.
- 53 4. A local government has no legal duty to the owner,
54 contractor, or successors or assigns thereof for work performed
55 under this paragraph.
- 56 5. The commission may adopt rules under s. 120.54 to
57 incorporate necessary standards to implement this paragraph.
- 58 (i) If a retaining wall spans more than one lot or parcel,
59 a local government that issues building permits must issue a
60 permit for a retaining wall for the project as a whole and may
61 not require a building permit for each lot or parcel upon which
62 a retaining wall is installed on the property of a single-family
63 or two-family residential dwelling or a townhouse.

64
65 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

66 And the directory clause is amended as follows:

67 Delete line 168

68 and insert:

69 Florida Statutes, are amended, and paragraphs (g), (h), and (i)



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

And the title is amended as follows:

Delete lines 1166 - 1182

and insert:

prohibitions for inspection fees; requiring a local government to exempt certain owners and contractors from building permit requirements for work valued below a specified amount; providing exceptions; prohibiting a construction project from being divided into multiple projects for a certain purpose; requiring certain owners and contractors to submit a written request for exemption to the local enforcement agency with specified documentation; providing that local governments do not have a duty to certain persons; requiring local governments to exempt certain owners and contractors from requiring a building permit for the installation of temporary residential hurricane and flood protection walls or barriers that meet certain requirements; providing an exception; requiring certain owners and contractors to submit a written request for exemption to the local enforcement agency with specified documentation; providing that local governments do not have a duty to certain persons; authorizing the Florida Building Commission to adopt rules; requiring certain local governments to issue a building permit for the installation of certain retaining walls as a whole; prohibiting such local governments from requiring building permits for



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each lot or parcel under certain circumstances;
prohibiting a