

Committee on Community Affairs

CS/CS/CS/HB 267 — Building Regulations

by Commerce Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; Regulatory Reform & Economic Development Subcommittee; and Rep. Esposito and others (CS/CS/CS/SB 684 by Rules Committee; Fiscal Policy Committee; Community Affairs Committee; and Senator DiCeglie)

Building Permit Processing Timeframes

The bill provides a number of revisions to current law to adjust the statutory timeframes for local governments to process building permit applications and to notify permit applicants of any deficiencies. Specifically, the bill requires local governments to approve, approve with conditions, or deny a complete and sufficient permit application within the following timeframes:

- 30 business days for the following permits for structures that are less than 7,500 square feet: single-family residential unit or dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanism, plumbing, or roofing.
- 60 business days for the above-mentioned permits for structures more than 7,500 square feet.
- 60 business days for signs and nonresidential buildings less than 25,000 square feet.
- 60 business days for multifamily residential not exceeding 50 units, certain site-plan approvals and subdivision plats, and lot grading and site alteration.
- 12 business days for master building permits for site-specific building permit.
- 10 business days for single-family dwellings utilizing the Community Development Block Grant-Disaster Recovery Program.

If a local government fails to meet a deadline provided in the bill, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline, with certain exceptions. The bill also revises the timeframe for local governments to provide written notice to an applicant specifically stating the reasons the permit application is deficient and to provide the applicant an opportunity to resubmit revisions.

Private Providers

Current law allows property owners and contractors to hire licensed building code officials, engineers, and architects, referred to as private providers, to review building plans, perform building inspections, and prepare certificates of completion. The bill makes the following changes concerning private providers:

- Requires local governments to process a building permit application associated with a private provider who is a licensed engineer or architect within 10 days.
- Requires local governments to create standard operating private provider audit procedures in order to be able to audit the performance of building code inspection services by private providers.

- Reduces the number of times a local government can audit a private provider from four times per month to four times per year.
- Removes a provisions requiring a private provider to notify a local government by a specified day and time when performing an inspection.

Window and Door Replacements

The bill directs the Florida Building Commission to modify the Florida Building Code to state that sealed drawings by a design professional are not required for the replacement of windows, doors, or garage doors in an existing one-family or two-family dwelling or townhouse, if all of the following conditions are met:

- The replacement windows, doors, or garage doors are installed in accordance with the manufacturer's instructions for the appropriate wind zone.
- The replacement windows, doors, or garage doors meet the design pressure requirements in the most recent version of the Florida Building Code, Residential.
- A copy of the manufacturer's instructions is submitted with the permit application in a printed or digital format.
- The replacement windows, doors, or garage doors are the same size and are installed in the same opening as the existing windows, doors, or garage doors.

Unvented Attic Requirements

The bill creates a new section of law to provide thermal efficiency standards for unvented attic and unvented enclosed rafter assemblies. The Florida Building Commission must review these provisions and consider any technical changes thereto and report such findings to the Legislature by December 31, 2024.

Building Code Inspector and Plans Examiner Licensure

The bill allows an internship program for residential inspectors to satisfy the internship requirement to qualify an applicant to sit for the building code inspector or plans licensure exam.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025, except where otherwise provided.

Vote: Senate 36-0; House 83-29