

HB 1059, 2021 Legislature

An act relating to construction permits, amending Sections [125.022](#), [125.56](#), [166.033](#), [553.79](#), [553.792](#), and [553.794](#) F.S. 2021

Impact on Permit Process:

State statute now requires that the county deny a permit if the applicant fails to submit corrections to a rejected application that corrects all noted deficiencies within 10 business days after receiving the corrections notice. The legal interpretation and intent of the state statute for denying an application is to require the applicant to reapply for a new permit, forfeiting any fees associated with the denied application. To avoid this negative impact on our customers, Collier County has created a waiver based on the statute language, *"...unless the applicant agrees to a longer period in writing."* Applicants may agree to waive the review period at time of application by selecting agree. When **agree** is selected or a waiver form is uploaded as part of the corrections submittal the county can continue the review process if the customer fails to meet the 10 business days or has more correction comments after addressing the first notice.

Simplified overview:

- Requiring a county that issues building permits to post all information on website, allowing electronic submission, establishing performance deadlines with fee reduction penalties for failure to meet those deadlines, requiring the applicant to take certain action within a specified time.
- For commercial permits, county to verify application within 10 days and after completed application has been paid for, county has 45 days to provide correction comments or issue permit.
- A building permit for a single-family residential dwelling must be issued within 30 business days after receiving the permit application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.
- The permit application as applied to the time deadlines identified in the amended state statutes identified in HB 1059 shall be the completed application, including payments, attachments, drawings, or other requirements.
- The applicant has 10 business days after receiving the written notice to submit revisions to correct the permit application and that failure to correct the application within 10 business days will result in a denial of the application unless the applicant agrees to a longer period in writing.
- If the applicant submits revisions within 10 business days after receiving the written notice, the local enforcement agency has 10 business days after receiving such revisions to approve or deny the building permit.

Definitions as implemented:

single-family residential dwelling: includes all building permits applied for associated with a detached one and two family dwelling property.

permit application: shall be the completed application, including payments, attachments, drawings, or other requirements.

denial, deny: means refuse to accept requiring re-submittal of new permit.

will: means shall, required to.

original amount: shall be the application fee. *"Each reduction shall be based on the original amount of the building permit fee."*

Summation of changes:

Collier County remains dedicated to processing all permits in the timeliest manner possible:

- To properly establish and monitor the start and finish of the deadlines established in section 553.79, F.S. for single-family residential dwelling permits, we have changed the over the counter and one day permits payment process to be consistent with all residential review permits.
- Section 553.79(16)(b), F.S. 2021 requires the county to deny the permit application if the applicant fails to submit revisions to correct the application within 10 business days. Applicants may agree to waive the review period at time of application by selecting agree. When **agree** is selected or a waiver form is uploaded as part of the corrections submittal the county can continue the review process if the customer fails to meet the 10 business days or has more correction comments after addressing the first notice.

Link:

[Waiver of Review Time Limits](#)