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LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

Sess. Law #	21-2	Sec. #	LOF cite
Prime Bill #	587	Comp./Sim. Bills	112 999
JLMC Hist. Cites	Senate 31 House 333	Comms. of Ref.	Senate ECCA House 2 KM file

COMMITTEE RECORDS

H/S	Committee	Year	Record Series: Folder title, etc.	Loc. Cite	v
H	J.M. Aff	1978	Meeting file	14/1910-11	NC
"	"	"	Meeting file	19/1915	✓
S	ECCA	1988	Bill file - SB 1	18/1629	✓
"	"	"	Meeting file	15/1630	NC
<input type="checkbox"/> continued on reverse					

Senate/House Journals

Page #	?	Date	Page #	?	Date
SJ. 224		July 3, 1988			

Committee/Floor Tapes

H/S	c/f	Committee/subcommittee name	Date	#	Location Cite

Other Documentation

Record Series Title, folder title, etc.	Location Cite

By Senator D. Childers

This publication was produced at an average cost of 1.5 cents per page for the information of members of the Legislature and the public.

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A bill to be entitled
 An act relating to building construction standards; amending s. 553.73, F.S.; prescribing additional conditions upon adoption of local standards which are more stringent than those in the State Minimum Building Codes; amending s. 553.79, F.S.; requiring building permit applications to be acted on within a specified time; providing an effective date.

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

Section 1. Subsection (3) of section 553.73, Florida Statutes, as amended by section 1, chapter 87-287, Laws of Florida, is amended to read:

553.73 State Minimum Building Codes.--

(3) After January 1, 1978, local governments and state agencies with building construction regulation responsibilities may provide for more stringent requirements than those specified in the State Minimum Building Codes, provided:

(a) ~~There is a determination by~~ The local governing body determines, following a public hearing which has been advertised in a newspaper of general circulation at least 10 days before the hearing, that there is of a need to strengthen the requirements of the State Minimum Building Codes adopted by such governing body. The determination must be based upon a review of local conditions ~~demonstrations~~ by the local governing body, which review demonstrates that local conditions justify more stringent requirements than those

1 specified in the State Minimum Building Codes therefor for the
2 protection of life and property, ~~and~~

3 (b) Such additional requirements are not
4 discriminatory against materials, products, or construction
5 techniques of demonstrated capabilities.

6 Section 2. Subsection (12) is added to section 553.79,
7 Florida Statutes, as amended by section 2, chapter 87-287,
8 Laws of Florida, to read:

9 553.79 Application.--

10 (12) A building permit for a single-family residential
11 dwelling must be issued within 45 days of application therefor
12 unless unusual circumstances require a longer time for
13 processing the application or unless the permit application
14 fails to satisfy the enforcing agency's laws, ordinances, or
15 codes.

16 Section 3. This act shall take effect upon becoming a
17 law.

18 *****

19
20 SENATE SUMMARY

21 Provides that, when an agency adopts building
22 construction standards more stringent than the State
23 Minimum Building Codes it must have the decision to do so
24 based on a study of local conditions which justifies the
25 requirements. Requires that a public hearing be held
26 before a determination that more stringent standards are
27 required may be made. Requires building permit
28 applications to be acted on within 45 days, in the
29 absence of certain circumstances.
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By Representative C. F. Jones

1 A bill to be entitled
2 An act relating to building construction
3 standards; amending s. 553.73, F.S.;
4 prescribing additional conditions upon adoption
5 of local standards which are more stringent
6 than those in the State Minimum Building Codes;
7 amending s. 553.79, F.S.; requiring building
8 permit applications to be acted on within a
9 specified time; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida;

12
13 Section 1. Subsection (3) of section 553.73, Florida
14 Statutes, as amended by section 1, chapter 87-287, Laws of
15 Florida, is amended to read:

16 553.73 State Minimum Building Codes.--

17 (3) After January 1, 1978, local governments and state
18 agencies with building construction regulation
19 responsibilities may provide for more stringent requirements
20 than those specified in the State Minimum Building Codes,
21 provided:

22 (a) ~~There is a determination by~~ The local governing
23 body determines, following a public hearing which has been
24 advertised in a newspaper of general circulation at least 10
25 days before the hearing, that there is of a need to strengthen
26 the requirements of the State Minimum Building Codes adopted
27 by such governing body, The determination must be based upon
28 a review of local conditions demonstrations by the local
29 governing body, which review demonstrates that local
30 conditions justify more stringent requirements than those

1 specified in the State Minimum Building Codes therein, for the
2 protection of life and property, ~~and~~

3 (b) Such additional requirements are not
4 discriminatory against materials, products, or construction
5 techniques of demonstrated capabilities.

6 Section 2. Subsection (12) is added to section 553.79,
7 Florida Statutes, as amended by section 2, chapter 87-287,
8 Laws of Florida, to read:

9 553.79 Application.--

10 (12) A building permit for a single-family residential
11 dwelling must be issued within 45 days of application therefor
12 unless unusual circumstances require a longer time for
13 processing the application or unless the permit application
14 fails to satisfy the enforcing agency's laws, ordinances, or
15 codes.

16 Section 3. This act shall take effect upon becoming a
17 law.

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19
20 SENATE SUMMARY

21 Provides that, when an agency adopts building
22 construction standards more stringent than the State
23 Minimum Building Codes it must have the decision to do so
24 based on a study of local conditions which justifies the
25 requirements. Requires that a public hearing be held
26 before a determination that more stringent standards are
27 required may be made. Requires building permit
28 applications to be acted on within 45 days, in the
29 absence of certain circumstances.

30 This publication was produced at an average cost of 1.12 cents
31 per single page in compliance with the Rules and for
the information of members of the Legislature and the public.

Florida House of Representatives - 1988

By the Committee on Community Affairs and Representative
C. F. Jones

1 A bill to be entitled

2 An act relating to building construction
3 standards; amending s. 553.73, F.S.;
4 prescribing additional conditions upon adoption
5 of local standards which are more stringent
6 than those in the State Minimum Building Codes;
7 amending s. 553.79, F.S.; requiring building
8 permit applications to be acted on within a
9 specified time; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Subsection (3) of section 553.73, Florida
14 Statutes, as amended by section 1, chapter 87-287, Laws of
15 Florida, is amended to read:

16 553.73 State Minimum Building Codes.--

17 (3) After January 1, 1978, local governments and state
18 agencies with building construction regulation
19 responsibilities may provide for more stringent requirements
20 than those specified in the State Minimum Building Codes,
21 provided:

22 (a) ~~There is a determination by~~ The local governing
23 body determines, following a public hearing which has been
24 advertised in a newspaper of general circulation at least 10
25 days before the hearing, that there is of a need to strengthen
26 the requirements of the State Minimum Building Codes adopted
27 by such governing body. ~~The determination must be~~ based upon
28 a review of local conditions demonstrations by the local
29 governing body, which review demonstrates that local
30 conditions justify more stringent requirements than those
31

1 specified in the State Minimum Building Codes therein, for the
2 protection of life and property, and

3 (b) Such additional requirements are not
4 discriminatory against materials, products, or construction
5 techniques of demonstrated capabilities.

6 (c) Paragraphs (a) and (b) shall apply to the
7 enforcing agency's adoption of more stringent requirements
8 than those specified in the State Minimum Building Codes and
9 to the adoption of building construction related codes that
10 have the effect of amending building construction standards
11 contained in the State Minimum Building Codes. Upon request,
12 the enforcing agency shall provide a person making application
13 for a building permit a listing of all said requirements and
14 codes.

15 Section 2. Subsection (12) is added to section 553.79,
16 Florida Statutes, as amended by section 2, chapter 87-287,
17 Laws of Florida, to read:

18 553.79 Application.--

19 (12) A building permit for a single-family residential
20 dwelling must be issued within 30 days of application therefor
21 unless unusual circumstances require a longer time for
22 processing the application or unless the permit application
23 fails to satisfy the enforcing agency's laws, ordinances, or
24 codes.

25 Section 3. This act shall take effect upon becoming a
26 law.

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Bradley</u> <i>AB</i>	Buck <i>DB</i>	1. <u>ECCA</u>	_____
2. _____	_____	2. <u>AP</u>	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Building Construction Standards

BILL NO. AND SPONSOR:

SB 7 by Senator Don Childers

1629
18

I. SUMMARY:

A. Present Situation:

Part VI of ch.553, F.S., the Florida Building Codes Act, provides for the adoption of State Minimum Building Codes which contain standards flexible enough to cover all phases of construction and which provide reasonable protection of the public health, safety, and welfare. As of October 1, 1984, each local government was required to adopt one of the State Minimum Building Codes as its building code to cover all types of construction. Such codes must include the provisions of parts I through VII of the chapter, relating to plumbing, electrical requirements, glass, manufactured buildings, accessibility by handicapped persons, and thermal efficiency.

Pursuant to s.553.73(3), F.S., local governments may provide for more stringent requirements than those specified in the State Minimum Building Codes. The local governing body must base such a decision on a demonstration of local conditions which justify the need for stricter code requirements for the protection of life and property and the expanded requirements may not be discriminatory against otherwise acceptable materials, products, or construction techniques.

Pursuant to s.553.79, F.S., it is prohibited for any person to engage in building construction in Florida without first obtaining a permit from the appropriate agency.

B. Effect of Proposed Changes:

Section 553.73(3), F.S., is amended to revise the conditions under which a local governing body may adopt more stringent requirements than those in the State Minimum Building Codes. The local governing body must hold a public hearing prior to determining the need for increased code requirements and must provide notice of the hearing at least 10 days in advance in a newspaper of general circulation. The governing body's determination must be based on a review of local conditions which justifies the need for expanded requirements to protect life and property.

Section 553.79, F.S., is amended to require that building permits for single-family residential structures be issued within 45 days of application unless unusual circumstances require more time for application processing or the application fails to comply with the enforcing agency's laws or codes.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

To the extent that the requirements of the bill preclude the adoption of unnecessarily stringent building code requirements

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Bradley <i>ARB</i></u>	<u>Buck <i>DB</i></u>	1. <u>ECCA</u>	<u>FAV</u>
2. _____	_____	2. <u>AP</u>	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Building Construction Standards

BILL NO. AND SPONSOR:

SB 7 by Senator Don Childers

I. SUMMARY:

A. Present Situation:

Part VI of ch.553, F.S., the Florida Building Codes Act, provides for the adoption of State Minimum Building Codes which contain standards flexible enough to cover all phases of construction and which provide reasonable protection of the public health, safety, and welfare. As of October 1, 1984, each local government was required to adopt one of the State Minimum Building Codes as its building code to cover all types of construction. Such codes must include the provisions of parts I through VII of the chapter, relating to plumbing, electrical requirements, glass, manufactured buildings, accessibility by handicapped persons, and thermal efficiency.

18 *1629*

Pursuant to s.553.73(3), F.S., local governments may provide for more stringent requirements than those specified in the State Minimum Building Codes. The local governing body must base such a decision on a demonstration of local conditions which justify the need for stricter code requirements for the protection of life and property and the expanded requirements may not be discriminatory against otherwise acceptable materials, products, or construction techniques.

Pursuant to s.553.79, F.S., it is prohibited for any person to engage in building construction in Florida without first obtaining a permit from the appropriate agency.

B. Effect of Proposed Changes:

Section 553.73(3), F.S., is amended to revise the conditions under which a local governing body may adopt more stringent requirements than those in the State Minimum Building Codes. The local governing body must hold a public hearing prior to determining the need for increased code requirements and must provide notice of the hearing at least 10 days in advance in a newspaper of general circulation. The governing body's determination must be based on a review of local conditions which justifies the need for expanded requirements to protect life and property.

Section 553.79, F.S., is amended to require that building permits for single-family residential structures be issued within 45 days of application unless unusual circumstances require more time for application processing or the application fails to comply with the enforcing agency's laws or codes.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

To the extent that the requirements of the bill preclude the adoption of unnecessarily stringent building code requirements

and prevent delays in the granting of building permits, builders and purchasers of structures will realize a savings.

B. Government:

To the extent that reviews of local conditions required before adopting more stringent building code provisions necessitate additional staff and public hearings, local governments will incur costs.

III. COMMENTS:

No companion bill has been filed in the House.

IV. AMENDMENTS:

None.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Bradley</u>	<u>Buck</u>	1. <u>ECCA</u>	<u>Favorable</u>
2. <u>Barrett</u>	<u>Smith</u>	2. <u>AP</u>	<u>Fav/1 amend.</u>
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Building Construction
Standards

BILL NO. AND SPONSOR:

SB 7 by
Senator Don Childers

I. SUMMARY:

A. Present Situation:

Part VI of ch.553, F.S., the Florida Building Codes Act, provides for the adoption of State Minimum Building Codes which contain standards flexible enough to cover all phases of construction and which provide reasonable protection of the public health, safety, and welfare. As of October 1, 1984, each local government was required to adopt one of the State Minimum Building Codes as its building code to cover all types of construction. Such codes must include the provisions of parts I through VII of the chapter, relating to plumbing, electrical requirements, glass, manufactured buildings, accessibility by handicapped persons, and thermal efficiency.

Pursuant to s.553.73(3), F.S., local governments may provide for more stringent requirements than those specified in the State Minimum Building Codes. The local governing body must base such a decision on a demonstration of local conditions which justify the need for stricter code requirements for the protection of life and property and the expanded requirements may not be discriminatory against otherwise acceptable materials, products, or construction techniques.

Pursuant to s.553.79, F.S., it is prohibited for any person to engage in building construction in Florida without first obtaining a permit from the appropriate agency.

B. Effect of Proposed Changes:

Section 553.73(3), F.S., is amended to revise the conditions under which a local governing body may adopt more stringent requirements than those in the State Minimum Building Codes. The local governing body must hold a public hearing prior to determining the need for increased code requirements and must provide notice of the hearing at least 10 days in advance in a newspaper of general circulation. The governing body's determination must be based on a review of local conditions which justifies the need for expanded requirements to protect life and property.

Section 553.79, F.S., is amended to require that building permits for single-family residential structures be issued within 45 days of application unless unusual circumstances require more time for application processing or the application fails to comply with the enforcing agency's laws or codes.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

To the extent that the requirements of the bill preclude the adoption of unnecessarily stringent building code requirements

and prevent delays in the granting of building permits, builders and purchasers of structures will realize a savings.

B. Government:

To the extent that reviews of local conditions required before adopting more stringent building code provisions necessitate additional staff and public hearings, local governments will incur costs.

III. COMMENTS:

This act shall take effect upon becoming a law.

IV. AMENDMENTS:

Amendment #1 by Appropriations

Requires that building permits for single-family residential dwellings be issued within 30 working days of application.

SENATE COMMITTEE AMENDMENT

s0007

No. 1
(reported favorably)

HB _____

The Committee on...Appropriations...recommended the following amendment which was moved by Senator.....and adopted: and failed:

1 Senate Amendment

2

3 On page2....., line11....., strike

4 45

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9 If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes
			-	

11 and insert:

12 30 working

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CODING: Words stricken are deletions; words underlined are additions.

* Amendment No. 1, taken up by committee: Adopted X *

* Offered by Senator Don Childers Failed _ *

(Amendment No. _____ Adopted ___ Failed ___ Date __/__/__)

HOUSE OF REPRESENTATIVES
COMMITTEE ON COMMUNITY AFFAIRS
STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HE 779

RELATING TO: Building Construction Standards

SPONSOR(S): Rep. C.F. Jones 19 1915

EFFECTIVE DATE: Upon Becoming a Law

COMPANION BILL(S): Similar SB 7

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2) _____

I. SUMMARY:

A. PRESENT SITUATION:

Part VI of chapter 553, Florida Statutes, (Florida Building Codes Act) provides for the adoption of State Minimum Building Codes which contain standards flexible enough to cover all phases of construction and which provide reasonable protection of the public health, safety, and welfare. As of October 1, 1984, each local government was required to adopt one of the four State Minimum Building Codes as its building code to cover all types of construction. Such codes must include the provisions of parts I through VII of the chapter, relating to plumbing, electrical requirements, glass, manufactured buildings, accessibility by handicapped persons and thermal efficiency.

Section 553.73(3), Florida Statutes, states that local governments may provide for more stringent requirements than those specified in the State Minimum Building Codes Act. The local governing body must base such a decision on a demonstration of local conditions which justify the need for stricter code requirements for the protection of life and property. If the requirements are expanded, they may not be discriminatory against otherwise acceptable materials, products or construction techniques.

Section 553.79, Florida Statutes prohibits any person to engage in building construction in Florida without first obtaining a permit from the appropriate agency.

B. EFFECT OF PROPOSED CHANGES:

The bill amends subsection (3) of section 553.73 Florida Statutes, as amended by section 1, chapter 87-287, Laws of Florida and adds subsection (2) to section 553.79 (Section 553.79 Part IV relates to the State Minimum Building Codes)

The bill requires local governments desirous of applying more stringent requirements to the State Minimum Building Code to:

- (1) Advertise for a public hearing (10 days in advance)
- (2) Hold a public hearing
- (3) Review conditions which necessitate a change to more stringent applications than those in the State Minimum Building Code

The bill also adds new language to the application process which requires that:

- (1) The permit for a single-family residential home must be issued within 45 days applying unless (a) unusual circumstances require longer; or (b) the permit application fails to satisfy current laws, ordinances or codes.

2. SECTION-BY-SECTION ANALYSIS:

Section 1. Requires a local public hearing before any changes can be made to the building code and there must be valid reasons as to why the changes are needed.

Section 2. Requires that a building permit for a single-family residential dwelling must issued within 45 after applying. Exceptions provided.

Section 3. Effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

N/A

2. Recurring or Annualized Continuation Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

4. Appropriations Consequences:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

N/A

2. Recurring or Annualized Continuation Effects:

To the extent that reviews of local conditions required before adopting more stringent building code provisions necessitate additional staff and public hearings local governments will incur costs.

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR

1. Direct Private Sector Costs:

2. Direct Private Sector Benefits:

Should local governments choose to adopt more stringent building codes, it is conceivable that private businesses in the building and construction industry would be involved, therefore profiting from this act.

3. Effects on Competition, Private Enterprise and Employment Markets:

See 1. above

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

Those who choose to adopt more stringent requirements than set forth in the State Minimum Building Codes Act would more than likely be providing better and longer lasting buildings and structures for their citizens therefore minimizing the costs of repairs and renovations.

IV. COMMENTS:

Senate Bill 7 has passed the Senate Economic Community and Consumer Affairs Committee and the Senate Appropriations Committee (with 1 amendment - strikes 45 days and replaces it with 30).

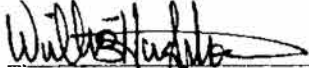
V. AMENDMENTS:

None

VI. SIGNATURES

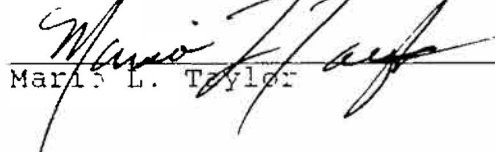
SUBSTANTIVE COMMITTEE

Prepared by:



William B. Hightower

Staff Director:



Marjorie L. Taylor

FINANCE & TAXATION:

Prepared by:

Staff Director:

APPROPRIATIONS

Prepared by:

Staff Director:

STORAGE NAME: h0779s.ca
Date: 4-27-88

HOUSE OF REPRESENTATIVES
COMMITTEE ON COMMUNITY AFFAIRS
STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

CS/HB 779

BILL #: CS/HB 779
RELATING TO: Building Construction Standards
SPONSOR(S): Rep. C.F. Jones
EFFECTIVE DATE: Upon Becoming a Law
COMPANION BILL(S): Similar SB 7
OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2) _____

I. SUMMARY:

A. PRESENT SITUATION:

Part VI of chapter 553, Florida Statutes, (Florida Building Codes Act) provides for the adoption of State Minimum Building Codes which contain standards flexible enough to cover all phases of construction and which provide reasonable protection of the public health, safety, and welfare. As of October 1, 1984, each local government was required to adopt one of the four State Minimum Building Codes as its building code to cover all types of construction. Such codes must include the provisions of parts I through VII of the chapter, relating to plumbing, electrical requirements, glass, manufactured buildings, accessibility by handicapped persons and thermal efficiency.

Section 553.73(3), Florida Statutes, states that local governments **may** provide for more stringent requirements than those specified in the State Minimum Building Codes Act. The local governing body must base such a decision on a demonstration of local conditions which justify the need for stricter code requirements for the protection of life and property. If the requirements are expanded, they may not be discriminatory against otherwise acceptable materials, products or construction techniques.

Section 553.79, Florida Statutes, prohibits any person to engage in building construction in Florida without first obtaining a permit from the appropriate agency.

B. EFFECT OF PROPOSED CHANGES:

The bill amends subsection (3) of section 553.73, Florida Statutes, as amended by section 1, chapter 87-287, Laws of Florida, and adds subsection (12) to section 553.79. (Section 553.79 Part IV relates to the State Minimum Building Codes)

215 MAY 31 1988

The bill requires local governments desirous of applying more stringent requirements to the State Minimum Building Code to:

- (1) Advertise for a public hearing (10 days in advance)
- (2) Hold a public hearing
- (3) Review conditions which necessitate a change to more stringent applications than those in the State Minimum Building Code.

The bill also adds new language to the application process which requires that:

- (1) Any person applying for a building permit, is entitled to a listing of all requirements, codes and amendments to any requirements and/or codes;
- (2) The permit for a single-family residential home must be issued within 30 days of application unless (a) unusual circumstances require longer; or (b) the permit application fails to satisfy current laws, ordinances or codes.

C. SECTION-BY-SECTION ANALYSIS:

Section 1. Requires a local public hearing before any changes can be made to the building code and there must be valid reasons as to why the changes are needed. This section also requires that any person applying for a building permit is entitled to a listing of all requirements, codes and amendments to any requirements and/or codes.

Section 2. Requires that a building permit for a single-family residential dwelling must issued within 30 after applying. Exceptions provided.

Section 3. Provides an effective date of upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

N/A

2. Recurring or Annualized Continuation Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Appropriations Consequences:

N/A

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B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

N/A

2. Recurring or Annualized Continuation Effects:

To the extent that reviews of local conditions required before adopting more stringent building code provisions necessitate additional staff and public hearings, local governments will incur costs.

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

2. Direct Private Sector Benefits:

Should local governments choose to adopt more stringent building codes, it is conceivable that private businesses in the building and construction industry would be involved, therefore profiting from this act.

3. Effects on Competition, Private Enterprise, and Employment Markets:

See 2. above

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

Those who choose to adopt more stringent requirements than set forth in the State Minimum Building Codes Act would more than likely be providing better and longer lasting buildings and structures for their citizens therefore minimizing the costs of repairs and renovations.

IV. COMMENTS:

Senate Bill 7 has passed the Senate Economic Community and Consumer Affairs Committee and the Senate Appropriations Committee (with 1 amendment - strikes 45 days and replaces it with 30).

2117

V. AMENDMENTS:

None

VI. SIGNATURES:


SUBSTANTIVE COMMITTEE:

Prepared by:



William B. Hightower

Staff Director:



Mario L. Taylor

FINANCE & TAXATION:

Prepared by:

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director:

STORAGE NAME: h0779s-f.ca
Date: July 18, 1988

HOUSE OF REPRESENTATIVES
COMMITTEE ON COMMUNITY AFFAIRS
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: CS/HB 779 (SB 7)

RELATING TO: Building Construction Standards

SPONSOR(S): Community Affairs; Rep. C.F. Jones

EFFECTIVE DATE: Upon becoming a law

DATE BECAME LAW: July 1, 1988

CHAPTER #: 88-142, Laws of Florida

COMPANION BILL(S): HB 1617, SB 7

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2) _____

I. SUMMARY:

House Bill 779 passed the House Community Affairs Committee as a Committee Substitute on 4-27-88, was withdrawn from the House Appropriations Committee and was subsequently substituted for Senate Bill 7 which passed both Houses and is now Chapter 88-142, Laws of Florida.

Senate Bill 7 is identical to CS/H 779 with the exception of the phrase "working" in Section 2 of the bill relating to the length of time for which a building permit must be issued. Committee Substitute for House Bill 779 states "30 days" and Senate Bill 7 states "30 **working** days".

A. PRESENT SITUATION:

Part VI of chapter 553, Florida Statutes, (Florida Building Codes Act) provides for the adoption of State Minimum Building Codes which contain standards flexible enough to cover all phases of construction and which provide reasonable protection of the public health, safety, and welfare. As of October 1, 1984, each local government was required to adopt one of the four State Minimum Building Codes as its building code to cover all types of construction. Such codes must include the provisions of parts I through VII of the chapter, relating to plumbing, electrical requirements, glass, manufactured buildings, accessibility by handicapped persons and thermal efficiency.

Section 553.73(3), Florida Statutes, states that local governments **may** provide for more stringent requirements than those specified in the State Minimum Building Codes Act. The local governing body must base such a decision on a demonstration of local conditions which justify the need for stricter code requirements for the protection of life and property. If the requirements are expanded, they may not be discriminatory against otherwise acceptable materials, products or construction techniques.

Section 553.79, Florida Statutes, prohibits any person to engage in building construction in Florida without first obtaining a permit from the appropriate agency.

B. EFFECT OF PROPOSED CHANGES:

The bill amends subsection (3) of section 553.73, Florida Statutes, as amended by section 1, chapter 87-287, Laws of Florida, and adds subsection (12) to section 553.79. (Section 553.79 Part IV relates to the State Minimum Building Codes)

The bill requires local governments desirous of applying more stringent requirements to the State Minimum Building Code to:

- (1) Advertise for a public hearing (10 days in advance)
- (2) Hold a public hearing
- (3) Review conditions which necessitate a change to more stringent applications than those in the State Minimum Building Code.

The bill also adds new language to the application process which requires that:

- (1) Any person applying for a building permit, is entitled to a listing of all requirements, codes and amendments to any requirements and/or codes;
- (2) The permit for a single-family residential home must be issued within 30 working days of application unless (a) unusual circumstances require longer; or (b) the permit application fails to satisfy current laws, ordinances or codes.

C. SECTION-BY-SECTION ANALYSIS:

Section 1. Requires a local public hearing before any changes can be made to the building code and there must be valid reasons as to why the changes are needed. This section also requires that any person applying for a building permit is entitled to a listing of all requirements, codes and amendments to any requirements and/or codes.

Section 2. Requires that a building permit for a single-family residential dwelling must issued within 30 working days after applying. Exceptions provided.

Section 3. Provides an effective date of upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

N/A

2. Recurring or Annualized Continuation Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Appropriations Consequences:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

N/A

2. Recurring or Annualized Continuation Effects:

To the extent that reviews of local conditions required before adopting more stringent building code provisions necessitate additional staff and public hearings, local governments will incur costs.

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

2. Direct Private Sector Benefits:

Should local governments choose to adopt more stringent building codes, it is conceivable that private businesses in the building and construction industry would be involved, therefore profiting from this act.

3. Effects on Competition, Private Enterprise, and Employment Markets:

See 2. above

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

Those who choose to adopt more stringent requirements than set forth in the State Minimum Building Codes Act would more than likely be providing better and longer lasting buildings and structures for their citizens therefore minimizing the costs of repairs and renovations.

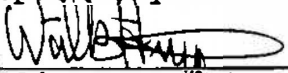
IV. COMMENTS:

None

V. SIGNATURES:

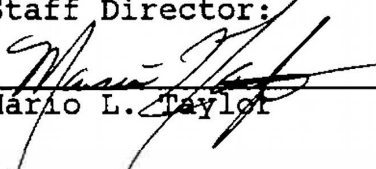
SUBSTANTIVE COMMITTEE:

Prepared by:



William B. Hightower

Staff Director:



Mario L. Taylor

FINANCE & TAXATION:

Prepared by:

withdrawn

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director:
