

SUMMARY OF PERMIT EXTENSION STATE OF FLORIDA LAWS

NOTE: Normal Codified Monroe County Extensions still apply, i.e. 90 day permit issuance extension, 180 permit extensions, 2 year TOLLED Allocations (refer to Tiffany S.), etc.

Availability	Available		
F.S./Executive Order	<p>Section 252.363, F.S. EXECUTIVE ORDER NUMBER 17-16 (Extends Governor’s Executive Order 16-230 and Executive Order 16-274)</p> <p>The declaration of a state of emergency by the Governor tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration.</p>		STAFF ACTION
Notify authorizing agency in writing	<p>Within 90 days after the termination of the emergency declaration (on or before 03/02/17 now extended to 06/30/17 by Exec Order 17-16), the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization qualifying for extension.</p>		<i>Parcel Flag</i>
Fee	No Fee		
Qualifying Permits	<ol style="list-style-type: none"> 1. The expiration of a development order issued by a local government. 2. The expiration of a building permit. 3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373. 4. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted pursuant to s. 380.06(19)(c). 		
Permit Expiration Date between	<p>Exec Order 16-230: 10/3/16 to 3/2/17 Exec Order 16-274: N/A - Permit shall have been valid/active as of 10/03/16. Exec Order 17-16: N/A - Permit shall have been valid/active as of 10/03/16.</p>		Check EXP
Extension Provides	<p>The emergency declaration extends the period remaining under EO 16-274 to exercise the rights under a permit or other authorization for <u>60 days</u> 6 months in addition to the tolled period.</p>		If ext. no longer valid add inspection activity noting removal of ext
Total extension allowed	<p>EO 16-230: 6 months in addition to the tolled period EO 16-274: 60 days addition to the tolled period under EO 16-230 EO 16-274: 60 days addition to the tolled period under EO 16-274</p> <p>If the permit or other authorization for a phased construction project is extended, the commencement and completion dates for any required mitigation are extended such that the mitigation activities occur in the same timeframe relative to the phase as originally permitted</p>		Confirm total ext and document in Conditions of permit & inspection activity
Clarifications:	<p>This does not apply to: 252.363.(1)(d)1.,F.S. A permit or other authorization for a building, improvement, or development located outside the geographic area for which the declaration of a state of emergency applies. 252.363.(1)(d)2.,F.S. A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers. 252.363.(1)(d)3.,F.S. The holder of a permit or other authorization who is determined by the authorizing agency to be in significant noncompliance with the conditions of the permit or other authorization through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or an equivalent action.</p>		
Governing Rules: Permits continued to be governed by rules in effect at the time the permit was issued - except immediate threat to public safety	<p>Yes, Additionally: This section does not restrict a county or municipality from requiring property to be maintained and secured in a safe and sanitary condition in compliance with applicable laws, administrative rules, or ordinances.</p>		
Modification of Plans: Shall apply but not extend the time limit beyond 2 additional years	N/A		
Exclusion: If Permit extension delays court order, or Permit was established through issuance of warning letter or Notice of Violation	<p>252.363.(1)(d)4.,F.S. A permit or other authorization that is subject to a court order specifying an expiration date or buildout date that would be in conflict with the extensions granted in this section.</p>		Confirm CODE case does not exist