

PROCEDURES TO CLOSE, EXTEND, RENEW OR WITHDRAW CONSTRUCTION APPLICATIONS AND PERMITS

 11 North Third Street, Jacksonville Beach, FL 32250
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FBC 7TH EDITION (2020)

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The purpose of this document is to provide information related to the existence of Open and Expired construction applications and/or permits recorded in a property's permanent history. It is not intended to serve as or provide professional legal advice.

Background

Permits are required to control the quality of construction and to help ensure that our City continues to be a safe, beautiful area in which we all can live, work, and play. When performing due diligence related to property insurance, real estate and/or financial transactions, it is not uncommon for open or expired building permits to be discovered. In 2019, the Florida Legislature passed a bill creating remedies for property owners to finalize building permits and prohibiting local enforcement agencies from taking certain actions related to open and expired building permits that were applied for but not closed by the Contractor or Owner of Record. Expired Building Permits can be closed using the procedures set forth under [F.S. 553.79](#) and/or [FBC-Building, Chapter 105](#).

In 2022, the Jacksonville Beach Building Division launched [COAST](#), our Customer Online Application Services Tool which allows permit applicants and the general public access to view historical permit records, schedule inspections, check the status of inspection results, track the plan review status of active applications and to access application forms online. However, other City agencies also use our permitting software for tracking applications which are NOT considered building permits. Unless otherwise stated, the subsequent terms shall have the following meanings:

ABANDONED APPLICATION. A permit application for proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless the application has been pursued in good faith or a permit has been issued.

APPLICATION FOR PERMIT. Documents submitted for review and approval that consist of completed permit application form(s) and construction documents, drawings, statements, reports, data and other supporting documents that provide sufficient clarity to indicate the location, nature and extent of work proposed AND shows in detail that the work conforms to the provisions of the FBC and relevant laws, ordinances, rules and regulations.

APPLICATION TO CLOSE, EXTEND, RENEW OR WITHDRAW APPLICATION AND/OR PERMIT. A request to close, extend, renew or withdraw an application and/or permit shall be submitted in writing. The Building Official will review your request and determine whether the action requested can be granted and/or if it requires additional documentation and/or permits. Processing fees will be assessed and outstanding fees, if applicable, shall be paid.

CERTIFICATE OF USE AND/OR CERTIFICATE OF OCCUPANCY. The presence of a Certificate of Use, Completion and/or Certificate of Occupancy shall not be construed as approval of defective work or acceptance of any work which fails to meet all building, zoning, and/or fire code requirements or other applicable laws or regulations.

CLOSED PERMIT. A permit is considered closed when final inspections(s) demonstrate the requirements of a permit have been satisfied. At the end of the project: 1) Adequate final administrative documents are on file; 2) The permitted work was inspected for compliance with applicable local, state or federal code requirements; and/or 3) All outstanding fees owed to the City have been paid.

EXPIRED PERMIT, CLOSED-REQUIREMENTS SUBSTANTIALLY COMPLETED. In the absence of a final inspection and upon payment of all outstanding fees, a field evaluation shall be conducted by the Building Official to determine if the contractor listed on a permit substantially completed a project. If the conditions of a permit are adequately satisfied to the point where a structure and/or property can be used for its intended purpose, then the permit status will be updated to reflect 'SC: CLOSED-SUBSTNTL/FBC 105.5'.

EXPIRED PERMIT, CLOSED-NO APPARENT SAFETY HAZARDS EXIST. In the absence of a final inspection and upon payment of all outstanding fees, a field evaluation shall be conducted by the Building Official to determine if any apparent safety hazards or documented code violations exist. If no apparent safety hazards are revealed, then the permit status will be updated to reflect '6Y: CLOSED-6 YEARS 553.79(3)(C)'.

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EXPIRED PERMIT, NO WORK COMMENCED. A permit is considered expired when no work has commenced and there have been NO documented inspections performed within 180 days of permit issuance. Paying outstanding applicable fees owed to the City and requesting to withdraw (cancel) the permit application/scheduling a field evaluation to verify not work appears to have commenced are the only allowable actions that can occur.

EXPIRED PERMIT, WORK COMMENCED. A permit is considered expired when the requirements of a permit have not been satisfied within 180 days of permit issuance or the last approved inspection. These requirements include but are not limited to: missing inspection(s), failed required final inspections, outstanding code violations, and/or inadequate final administrative documents on file. With the exception of paying outstanding applicable fees owed to the City, no further work can be performed and no additional inspections can be scheduled until the permit is renewed or a new permit covering the proposed work is obtained.

FIELD EVALUATION. An inspection conducted by the Building Official for the purposes of determining: 1) If any work requiring a permit actually commenced; 2) If the contractor listed on a permit substantially completed the requirements of a project for a one or two-family residence, townhome, or accessory structure OR an individual residential condominium or cooperative unit; and/or 3) If any apparent safety hazards exist. This evaluation does not verify or imply that completed work, if any, was inspected for compliance with applicable local, state and/or federal code requirements.

INSPECTIONS. The presence and/or absence of recorded inspections conducted by the City, its successors and assigns, shall not be construed as approval of defective work or acceptance of any work which fails to meet all code requirements which may thereafter be discovered.

INVALID PERMIT. A permit becomes invalid when: 1) The work authorized is not commenced within 6 months after issuance; or 2) The work is suspended or abandoned for a period of 6 months after the time work is commenced. A new permit covering the proposed construction shall be obtained before proceeding with the work.

MUNICIPAL LIEN CERTIFICATE. A [certificate](#) prepared by the Jacksonville Beach [City Clerk](#) in response to a municipal lien search initiated by a private external entity to find unrecorded liens, open or expired permits, code violations, and/or special assessments, taxes, fees, or other charges owed to the City that are associated with real estate. The Planning and Development Department is not required to approve private property real estate transactions. You may need to contact other agencies within the City to resolve outstanding issues, including but not limited to the [Finance Department](#), [Planning Division](#), and/or [Public Works Department](#).

PERMIT. Approval by the Building Official to proceed with permitted work that conforms to the requirements of the FBC and NOT as authorization to violate, cancel, alter or set aside any of the provisions of technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring correction(s) of error(s) in plans, construction or violations of said code. The absence [or presence] of permit application records does not guarantee that: 1) Planned improvements to a property requiring a permit actually commenced; 2) All work performed complies with all building, zoning, and/or fire code requirements, applicable laws and/or regulations; 3) Required inspections were performed; and/or 4) The existence of a Certificate of Occupancy (CO) or Certificate of Use (COU) for a premise and/or structure.

PERMIT CARD AND APPROVED CONSTRUCTION DOCUMENTS. Official documents authorizing work to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, connect or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system to proceed which shall be kept (posted) on site until the completion of a project.

PERMIT EXTENSION AND RENEWAL FEES. The [fee for renewal reissuance and extension](#) of a permit shall be set forth by the administrative authority.

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PERMIT FEES. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the [fee schedule](#) established by the applicable governing authority.

PLAN CHECK FEES. In addition to a building permit fee, a non-refundable plan checking fee, equal to one-half of the building permit fee shall be paid, even in the event a permit is not approved ([Resolution No. 2114-2022](#)).

TITLE SEARCH. A report conducted and completed by a licensed real estate attorney to assess the legal status and ownership of a property to disclose encumbrances such as liens, mortgages, easements, restrictions, and tax information. Title companies can close the sale on a property with an open permit on it, and may never even conduct an open permit search; it's not the same as a lien search.

VALID/OPEN/ACTIVE PERMIT. A permit becomes [valid](#) when the fees prescribed by law are certified paid and the permit card is posted on site. Permits are considered open when work is considered to be in [active progress](#), is actively pursued and has received an approved inspection within 180 days after permit issuance or the last approved inspection on file.

WITHDRAWN. Applications for permits may be canceled, either following submission, approval, or after a permit is issued. The application and/or permit will remain recorded in a property's permanent history. All outstanding fees owed to the City related to the application or permit shall be paid before the application for permit will be canceled.

Application Request Type

CLOSE EXPIRED PERMIT-WORK SUBSTANTIALLY COMPLETED. If work performed under an expired permit has been [substantially completed](#), **the current property owner** may request to close the permit without obtaining a new permit. A safety hazard field evaluation is required to determine if any apparent safety hazards exists. All outstanding fees owed to the City (including but not limited to plan check, permit and inspection fees) related to the expired permit shall be paid *before* scheduling the field evaluation inspection. This evaluation does not verify or imply that any work completed complies with applicable local, state and/or federal code requirements. If the evaluation reveals no apparent safety hazards exist, then the permit status will be updated to reflect 'SC: CLOSED-SUBSTNTL/FBC 105.5'.

CLOSE EXPIRED PERMIT-WORK INCOMPLETE. The current property owner may request to close an expired permit by renewing the initial permit. The owner may retain the original contractor, assume the role of an ownerbuilder, or hire a different contractor to proceed with the permitted work and to obtain all required inspections to demonstrate the requirements of the permit have been satisfied. New permit application forms, applicable construction documents, and/or additional administrative forms may be required. Applicable fees will be assessed in accordance with the City's current fee schedule resolution in effect. All outstanding fees owed to the City (including but not limited to plan check, permit and inspection fees) related to the expired permit shall be paid before a renewed permit becomes *valid*.

EXTEND ABANDONED APPLICATION. Written requests to [extend abandoned permit applications](#) shall state/demonstrate justifiable cause. If an extension is granted, all outstanding related application and/or plan review fees owed to the City shall be paid before the Building Official authorizes a 90-day extension.

EXTEND ACTIVE PERMIT. Written requests to extend an open/active permit *submitted within 15 days of the expiration date* and shall state the reason for the delay, such as the unavailability or delay in delivery of construction supplies or materials due to fire, weather conditions, civil commotions or strike. Increased costs of building materials or supplies or financial hardships shall not be considered as cause for continuation. If an extension is granted, applicable fees will be assessed in accordance with the City's current fee schedule resolution in effect. Failure to pay all outstanding fees owed to the City related to the active permit may revoke the granted extension.

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RENEW EXPIRED PERMIT UNDER *CURRENT* CODE CYCLE. If a permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, [a new permit covering the proposed construction](#) shall be obtained before proceeding with the work. If the Building Official authorizes a 180-day renewal reissuance of the initial permit, updated/new permit application forms, applicable construction documents, and additional plan check fees may be required. Applicable fees will be assessed in accordance with the City's current fee schedule resolution in effect. Any and all outstanding fees owed to the City shall be paid before a renewed permit becomes *valid*.

RENEW EXPIRED PERMIT UNDER *PREVIOUS* CODE CYCLE(S). If a new permit is not obtained within 180 days from the date the initial permit became null and void, the building official is authorized to [require any work commenced or completed be removed from the building site](#). Permits approved under previous code cycle(s) will not be renewed except under extenuating circumstances. If the Building Official authorizes a 180-day renewal reissuance of the initial permit, updated/new permit application forms, applicable construction documents, and additional plan check fees may be required. Otherwise, a new application for permit that shows compliance with all current codes and regulations will be required to be submitted, reviewed, approved, and obtained before proceeding with the work. Applicable fees will be assessed in accordance with the City's current fee schedule resolution in effect. Any and all outstanding fees owed to the City related to the expired permit shall be paid before submitting a new permit application package and/or before a renewed permit becomes *valid*.

WITHDRAW/CANCEL APPLICATION FOR PERMIT – NO WORK COMMENCED. Application for permits may be canceled in the event that work has not/will not commence and no inspections were performed. A field evaluation is required to verify that work requiring a permit did not commence. Applicable non-refundable plan check fee and field evaluation fees shall be paid before the status will be updated to reflect 'WD: Withdrawn'.