



City of Key West Staff Report NR: 010-2026

Subject: Local Government Operations – Building Permits and Inspections
Bill Numbers: CS/CS/HB 803
Effective Date: July 1, 2026
Reference Documents: CS/CS/HB 803

I. BILL SUMMARY

CS/CS/HB 803 revises Florida law governing building permits, inspections, private providers, permit exemptions, and permit processing by local governments. If signed by the Governor, the bill would take effect July 1, 2026, and would impose several new statewide requirements on county and municipal building departments.

The bill's primary effect is to standardize and streamline local permitting practices by shortening or clarifying review timelines, expanding the use of private providers, limiting the fees and documents local governments may require in certain circumstances, requiring acceptance of electronic permit submissions, and creating new permit exemptions for certain residential work.

For the City of Key West, the most significant issue is that the bill further limits local discretion in building permit administration. If enacted, the City would likely need to review and amend its permitting procedures, forms, fee practices, private-provider policies, notice requirements, and internal review timelines to ensure compliance with the new statutory framework.

II. PRESENT SITUATION

Building Permits and Inspections Generally

Counties and municipalities currently administer building permit review, inspections, permit expiration, fees, and related enforcement through local building departments under the Florida Building Code and applicable state statutes. Local governments also coordinate with private providers when applicants elect to use them for plan review or inspections under section 553.791, Florida Statutes.

Under current law, local governments maintain substantial responsibility for determining permit application completeness, assessing permit and inspection fees, reviewing construction documents, issuing permits, coordinating inspections, and issuing certificates of occupancy or completion. Local governments also establish local administrative practices for application forms, electronic submissions, processing timelines, and customer notifications, subject to state law.

Key Operational Context for Municipalities

CS/CS/HB 803 continues the Legislature's trend toward greater statewide uniformity in local permit administration. The bill would reduce local flexibility in several areas, including when permits are required, what supporting documentation may be requested, how quickly a permit application must be processed, and what fees may be imposed where a private provider is used.

Because Key West administers permits in a high-demand environment involving floodplain issues, historic areas, resilience-related improvements, and complex redevelopment, any statutory changes affecting timelines, fees, private provider coordination, and permit exemptions may require careful legal and operational review before implementation.

III. EFFECT OF THE BILL

CS/CS/HB 803 makes several substantive changes to building permit and inspection law affecting local governments.

Permit Expiration and Notice Requirements

For certain single family residential permits issued by a county or municipality, the bill provides that a permit expires 1 year after issuance or upon the effective date of the next edition of the Florida Building Code, whichever is later, unless otherwise extended. The bill also requires local governments to provide written notice at least 30 days before expiration to the property owner and contractor. Effect: This provision would require local review of permit tracking systems, expiration practices, and notice procedures.

Permit Exemptions for Certain Residential Work

The bill requires local governments to exempt owners or contractors from permit requirements for certain work on single-family residential property with a value under \$7,500, except for electrical, plumbing, structural, mechanical, or gas work and except in flood hazard areas. The bill also prohibits dividing projects into components to avoid the threshold. Effect: This provision may reduce permit volume for smaller residential work but also narrows local discretion over when permits may be required.

Temporary Flood and Hurricane Protection Barriers

The bill prohibits local governments from requiring permits for certain temporary, uninhabitable, non-load bearing walls or barriers used for residential flood or hurricane protection if statutory conditions are met. Effect: This provision appears intended to remove local permitting obstacles for temporary residential resilience measures while preserving applicable zoning, drainage, easement, and setback requirements.

Retaining Wall Permit Consolidation

Where a retaining wall project spans multiple lots, the bill requires issuance of a single permit for the overall project and prohibits requiring separate permits for each parcel. Effect: This change would streamline permitting for qualifying retaining wall projects but may require adjustment to current permit processing practices.

Restrictions on Required Permit Documentation and Fee Practices

The bill prohibits local governments from requiring construction contracts, letters of intent, labor and material cost breakdowns, or profit and overhead statements as a condition of permit issuance. The bill also provides that inspection fees may not be based on total project cost and may not exceed actual inspection costs. Effect: This provision may require review of current fee methodologies and application requirements to ensure they conform to the new statute.

Electronic Permit Submittals

The bill requires local governments to allow completed permit applications and required attachments to be submitted electronically, including by email PDF or web-based form. Effect: If enacted, the City should confirm that current systems and procedures satisfy the bill's minimum electronic submission requirements.

Private Provider Revisions

The bill substantially expands and clarifies provisions governing private providers and private provider firms. Among other changes, it limits fees when an applicant uses a private provider, restricts additional verification requirements, clarifies authority and responsibilities, requires registration systems with specified capabilities, revises notice requirements, limits local audits in certain respects, and provides immunity to local governments and officials for acts or omissions of private providers in specified circumstances. Effect: This is one of the most operationally significant parts of the bill and would likely require legal, building, and administrative review of current private-provider procedures.

Permit Processing Deadlines and Deemed Approval

The bill establishes or revises timeframes for acting on certain completed permit applications, including shorter deadlines for specified residential permits and other permit categories. It also authorizes tolling when a timely written deficiency notice is issued and, in some circumstances, provides that an application may be deemed approved by operation of

law if the local government fails to act within the statutory timeframe. Effect: This provision may require the City to closely review staffing, workflow, and quality-control processes in order to avoid missed deadlines and unintended permit approvals.

Uniform Statewide Permit Applications

The bill requires the Florida Building Commission to develop uniform commercial and residential building permit applications for statewide use by July 1, 2027. Effect: This may eventually require local form revisions or software adjustments to accommodate state-standardized applications.

Inspection Service Contracts and Emergency Certification by Endorsement

The bill directs the Department of Management Services to maintain state term contracts for building code inspection services and creates certification by endorsement during a state of emergency for certain inspection-related personnel. Effect: These provisions appear intended to improve inspection capacity and emergency response flexibility, although the direct day-to-day impact on the City may be limited unless additional staffing support is needed.

Offsite Constructed and Certain Manufactured Residential Dwellings

The bill provides additional protections for offsite constructed residential dwellings and limits circumstances in which permit placement may be denied for certain department certified residential manufactured buildings. Effect: These provisions may affect local zoning, land development, and permit administration practices to the extent local standards treat such units differently from comparable site-built homes.

Homeowners' Association Review

The bill prohibits an association or certain architectural, construction, or improvement committees from requiring that a governmental building permit be issued before the association reviews a parcel owner's proposed improvement. Effect: Although this provision is directed primarily at private associations, it reflects the bill's broader intent to reduce delay in the construction approval process.

IV. FISCAL IMPACT

Local Governments

Potential impacts include staff time and possible outside legal or consulting assistance to review and revise application forms, permit procedures, fee practices, private-provider protocols, software workflows, expiration notices, and internal timelines. Additional operational pressure may arise if shorter statutory review windows require adjustments in staffing, internal routing, or quality control procedures.

Potential benefits could include a more uniform and predictable permitting process, reduced disputes over submittal requirements, and greater reliance on private providers or outside inspection resources in limited circumstances.

City of Key West

The exact fiscal impact on the City of Key West is uncertain at this time. However, the bill may require administrative and legal review by the Building Department, Planning Department, Finance Department, Information Technology staff, and the City Attorney's Office. Potential impacts may include software or process changes for permit intake, private-provider administration, fee calculations, and permit expiration notices.

State Government

The bill imposes implementation responsibilities on the Florida Building Commission, the Department of Management Services, the Department of Business and Professional Regulation, and other state entities involved in building permitting and inspections.

V. POLICY CONSIDERATIONS

Home Rule and Local Administrative Authority

CS/CS/HB 803 continues the Legislature's trend of constraining local discretion in permitting and development administration by replacing local practices with statewide standards. Although the bill does not remove local permitting authority, it narrows local control over how that authority is exercised.

Private Provider Oversight

The bill's treatment of private providers may improve speed and certainty for applicants, but it may also reduce the City's administrative flexibility in areas where staff would otherwise require additional review, documentation, or verification. Clear internal procedures and legal guidance would be important if the bill becomes law.

Implementation and Risk Management

Because the bill includes statutory deadlines and potential deemed approval consequences, implementation would require particular attention to workflow management, tracking systems, and written deficiency notices. The City may wish to review whether current staffing and permit software are sufficient to support strict compliance.

Floodplain, Resilience, and Compatibility Issues

The bill's new residential permit exemptions and barrier exemptions may interact with local concerns involving flood hazard areas, resilience improvements, life safety review, and

neighborhood compatibility. Although the bill preserves certain exceptions, staff may need to clarify how those exceptions apply in practice.

VI. DRAFTING ISSUES OR AMBIGUITIES

The full operational effect of the bill may depend on legal interpretation of how specific deadline, tolling, and deemed approval provisions apply to different permit categories and submittal conditions.

Additional legal review may be warranted regarding the scope of the bill's limitations on local fee practices, administrative review, permit documentation requirements, and private-provider audits.

Implementation questions may also arise concerning how local governments should distinguish exempt residential work from work that remains subject to permits, particularly in flood hazard areas or where multiple trades are involved.

Further guidance may be needed regarding the interaction between statewide permit standardization and local software, forms, or code administration practices already in place.

VII. EFFECTIVE DATE

The act takes effect July 1, 2026.

The requirement for the Florida Building Commission to adopt uniform commercial and residential permit applications is due by July 1, 2027.