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# Town of Jupiter

## Building Department

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**3/3/2021**

**SOP: Standard Operating Procedure**

**Subject: Expired Applications, Expired Permits**

**Reference: Florida Building Code Section 105**

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### **Time limitation of Application:**

An application for a permit for any proposed work shall be deemed to have been abandoned, becoming null and void:

- 180 days after the date of filing or
- for any 180 day period of abandonment or suspension during the application process (unless such application has been pursued in good faith or a permit has been issued)

### **Exception:**

- One or more extensions of time for additional periods, not exceeding 90 days each, may be granted.
- The extension shall be requested in writing prior to the abandonment date, with justifiable cause demonstrated.
- Abandoned applications shall be subject to destruction in accordance with state law.

### **Process:**

- After receipt of a written application extension request, the case manager shall consult with the plans examiner assigned to the project to determine if an extension can be granted.
- The application extension request shall be on the contractor's letterhead and signed by the qualifier.

### **Time limitation of a Permit:**

Every permit issued shall become invalid unless:

- Work on the site authorized by such permit is commenced within 180 days after its issuance
- Work authorized on the site by such permits is suspended or abandoned for a period of 180 days after the time the work is commenced.

Work shall be considered to be in “active progress” when the permit has received an approved inspection within six months. This provision shall not be applicable for the following:

- Case of civil commotion or strike.
- If work is halted due directly to judicial injunction, order or similar process.
- If work is halted due to action by an environmental or archeological agency having jurisdiction.

### **Exception:**

Prior to expiration

- One or more extensions of time, for periods not more than 3 months each may be granted.

### **Process for Permit Extension before permit expires.**

- After receipt of a written extension request, the case manager shall extend the permit for periods not more than 3 months each for the first two extensions.
- Case manager shall consult with the Chief Inspector to determine if an extension can be granted after the first two extensions are granted.
- The application extension request shall be on the contractor’s letterhead and signed by the qualifier.

- **No fee for renewal:**

### **Process for Permit Extension Less than 180 days expired:**

- Once case manager receives a written extension request on the contractor’s letterhead and signed by the qualifier
- The case manager shall extend the permit for periods not more than 180 days each for the first two extensions.
- Case manager shall consult with the Chief Inspector to determine if an extension can be granted after the first two extensions are granted.

### **Process for Permit Extension More than 180 days expired:**

- A new permit or revalidation (renewal) of the original permit may be issued on application providing:
  1. The work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void
  2. Structure meets any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.
  3. Plans must be reviewed again to insure the project complies with the codes in effect at the time the initial permit issuance and any new codes that may have become effective between the date of expiration and the date of issuance of the new permit.
  
- **fee for renewal:**

### **Additional options for closing a permit**

- a) Pursuant to 553.79 (15) Florida Statutes, A property owner may close a building permit by complying with the following requirements.
  1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspections in order to close the permit. If a contractor other than the original contractor listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
  2. The property owner may assume the role of an owner-builder, in accordance with ss. 489.103(7) and 489.503(6).
    - When completing the requirements of a building permit, where the contractor listed on the permit substantially completed the project as determined by the chief inspector, for a one-family or two-family residence, townhome, or an accessory structure of a one-family or two-family residence or townhome or an individual residential condominium unit or cooperative unit. Prior to qualifying for the exemption, the owner must receive approval from the chief, and the chief must determine that the contractor listed on the permit substantially completed the project. An owner who qualifies for the exemption under this subparagraph is not required to occupy the dwelling or unit for at least 1 year after the completion of the project.

b) If a building permit is expired and its requirements have been substantially completed, as determined by the chief inspector, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the permit, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design, or method of construction.

- **No fee for renewal:**

c) A building permit may close 6 years after the issuance of the permit, even in the absence of a final inspection, if the Chief inspector determines that no apparent safety hazards exist.

**an arms-length purchaser of a property may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize, sanction, or assess fees against for value solely because a building permit applied for by a previous owner of the property was not closed. The property owner and contractor listed on the permit are the sole entities responsible the expired permit.**