What a Florida private provider can and cannot do

A short guide for contractors and owner-builders under Florida Statute 553.791 (2026).

Disclaimer. Informational only — not legal advice. This document is provided according to the information provided and is not a substitute for the Florida Building Code, local amendments, or a decision by the local building official. Confirm requirements with your local building department before you apply, inspect, or start work.

What a private provider is — and is not

Section 553.791 is titled “Alternative plans review and inspection.” It is an alternative path for **building code** plan review and required inspections. It does not let anyone skip the permit, zoning, floodplain administration, or fire-prevention review.

The statute’s definition of “applicable codes” is the Florida Building Code and local technical amendments to that code. It does **not** include the minimum fire-prevention and fire-safety codes adopted under Chapter 633. Those reviews stay with the authorities that enforce them.

- The local building department still issues the permit and the certificate of occupancy or completion.
- The local building official may not review plans a private provider has already determined to be code-compliant, except as needed to check local ordinances, floodplain management, site-review requirements, and other administrative or life-safety review unrelated to building-code compliance. The official may review the private-provider forms for completeness only.
- Local governments and building officials “may not prohibit or discourage the use of a private provider or a private provider firm,” and may not adopt standards more stringent than the statute.
- Hiring a private provider does not “bypass the city.” Zoning, fire, and flood reviews still go through the local department.

Who may serve and who may hire one

A private provider is a person licensed as a building code administrator under part XII of Chapter 468, as an engineer under Chapter 471, or as an architect under Chapter 481. For inspections of additions and alterations of 1,000 square feet or less to residential buildings, a person who holds a standard certificate under part XII of Chapter 468 may also serve as a private provider.

- The provider and any duly authorized representative may only perform services within the disciplines covered by that person’s license or certification.
- A private provider may not provide these services on a building designed or constructed by the provider or the provider’s firm.
- The fee owner of the building, or the fee owner’s contractor upon explicit written authorization from the fee owner, may choose a private provider and may pay the provider directly. A copy of that written authorization must be submitted to the local building official. The local agency may not require the contract itself as a condition of issuing the permit.
- The owner may use a private provider for plan review, for required inspections, or for both. If the owner uses a private provider for plan review, the local building official may, under duly adopted local policies, also require a private provider to perform the required building inspections.

Notice to the building official

If a private provider will perform required inspections, the fee owner or the fee owner’s contractor must notify the local building official in writing at the time of permit application, or by **2 p.m. local time, 2 business days** before the first scheduled inspection by the local building official or building code enforcement agency.

- The notice must be on the form adopted by the Florida Building Commission. The local enforcement agency may not alter that form.
- If the listed providers or services change, the notice must be updated within 1 business day after the change or within 2 business days before the next scheduled inspection.
- After construction has started, an owner or contractor may still switch to a private provider for a single-trade inspection on a single-family or two-family dwelling by giving that same form of notice before the next scheduled inspection.
- Use the version of the Notice to Building Official form your building department is accepting, and confirm it against the Florida Building Commission's current posting on floridabuilding.org.

Permit clocks after a private-provider plan review

When a private provider performs the plan review, the provider must review the plans for compliance with the applicable codes and prepare an affidavit, under oath, that the affiant is authorized to perform the review and that the plans comply. The local agency must accept electronically submitted affidavits.

From receipt of a complete permit application and the affidavit, the local building official has **10 business days** (or **5 business days** for a single-trade plan review on a single-family or two-family dwelling) to give written notice that required forms or documents are incomplete. If that notice is not given in time, the permit is deemed approved as a matter of law and must be issued the next business day. After the applicant submits revisions responding to a timely incompleteness notice, the remainder of the original period plus 5 business days applies; each later revision cycle is an additional 5 business days.

These are completeness and issuance clocks in the statute. They are not a promise about how long a particular city takes to process zoning, fire, or other outside approvals.

Permit fee reductions

If a private provider is retained for plan review or inspections, the local jurisdiction must reduce the permit fee by the amount of cost savings realized by not performing those services. The statute says the local jurisdiction may not charge fees for plan review or building inspections if the owner or contractor hires a private provider to perform those services, and may not charge punitive administrative fees for using a private provider.

For a commercial construction project, the statute also sets minimum reductions: at least **25 percent** of the portion of the permit fee attributable to plan review or to building inspection services, as applicable, when a private provider is retained for one of those services; and at least **50 percent** of the amount otherwise charged for those services when a private provider is retained for all required plan review and building inspection services. If the local agency does not reduce the fee by at least those percentages, it forfeits the ability to collect any fees for that commercial project. Ask the jurisdiction how it publishes its reduced private-provider fee schedule.

Inspections, records, and certificates

- A private provider must inspect each phase of construction required by the applicable codes. The inspection, including a single-trade inspection, may be performed in person or virtually unless a virtual inspection is prohibited by an applicable code.
- The local building official may not prohibit a private provider from inspecting outside the department's normal hours, including after hours, weekends, or holidays.
- When a noncomplying item is found, a deficiency notice must be posted, physically at the job site or electronically. After corrections, the item must be reinspected before it is concealed.
- Completed inspection records, showing pass or fail, must be provided to the local building official within **4 business days**, unless the official waives that timing because the records are posted or transmitted electronically or posted at the site and will be submitted with the certificate of compliance.
- When all required inspections are finished, the private provider firm prepares a certificate of compliance on the commission form, under oath. After a request for a certificate of occupancy or completion, the certificate of compliance, other required government approvals, and payment of outstanding fees, the local building official has no more than **10 business days**, or **2 business days** for single-family or two-family dwellings, to issue the certificate or give notice of incomplete forms or documents.

Insurance, in brief

A private provider may perform these services only if the provider maintains professional liability insurance covering all services performed as a private provider, written by an insurer authorized in Florida with a minimum A.M. Best rating of A: at least **$1 million** per occurrence and **$2 million** in the aggregate for a project with a construction cost of $5 million or less, and at least **$2 million** per occurrence and **$4 million** in the aggregate when the construction cost is over $5 million. If the coverage is claims-made, the statute requires it to be maintained for a minimum of 5 years after the services are performed. A certificate of insurance must be provided to the local building official before services are performed in that jurisdiction.

The Florida Building Code edition in effect

The Florida Building Code, 8th Edition (2023), is currently in effect. The Florida Building Commission published an effective date of December 31, 2023. The Florida Building Code, 9th Edition (2026), is scheduled to take effect **December 31, 2026**. Applications filed on or after that date generally must meet the new edition. Confirm the cutoff with your local building department, because intake timing can matter if a project straddles the change.

Sources: Florida Building Commission, 2023 effective dates (floridabuilding.org); Miami-Dade County notice on the 9th Edition; Highlands County effective-dates page. The controlling statute for this guide is F.S. 553.791 (2026) on the Florida Senate and Online Sunshine sites.

Work with Next Step Building Solutions

Next Step Building Solutions LLC offers licensed private provider plan review and inspections, statewide in Florida, under F.S. 553.791. Qualifying agent Joshua Lynn Seis holds DBPR licenses BU2373 (Building Code Administrator), PX4781 (Standard Plans Examiner, B/M/P/E), and BN8471 (Standard Inspector, M/B/P/E). Verify current status on MyFloridaLicense.com.

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