

COVID-19's Impact on Building and Development Permits

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This term is defined in Florida Statutes section 252.34(8) as:

“Natural emergency” means an emergency caused by a natural event, including, but not limited to, a hurricane, a storm, a flood, severe wave action, a drought, or an earthquake.

The statute goes on to define “manmade emergency” and “technological emergency.” For COVID-19, while it is not a storm or an earthquake, it is clearly a “natural event” that is neither manmade nor technological in nature. While the governor’s executive orders issued to date do not appear to specifically address this nuance, given the potentially tremendous economic impact of the virus and its impact on development projects, we expect to be working with government agencies throughout Florida seeking extensions of time to complete projects.

The types of approvals that can usually be extended are:

- The expiration of a development order issued by a local government.
- The expiration of a building permit.
- The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373, Florida Statutes.
- The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted.

Please contact any of the authors of this alert, or any of our colleagues at Carlton Fields, to work through these important issues.

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