

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	10/25/2018
File #	2018-08696

IN RE: SUSPENSION OF STATUTES, RULES
AND ORDERS, MADE NECESSARY
BY HURRICANE MICHAEL

EMERGENCY ORDER

WHEREAS, Hurricane Michael was a major hurricane that caused significant damage to various counties in the State of Florida;

WHEREAS, the Governor, in recognition of an in response to this emergency, issued Executive Order number 18-276 on October 7, 2018, amended in Executive Order 18-277, pursuant to the authority vested in him by Article IV, Section 1(a) of the Florida Constitution, the Emergency Management Act, as amended, and all other applicable laws;

WHEREAS, the Governor, in Executive Order Number 18-276, amended in Executive Order 18-277, authorized each State agency to suspend the provisions of any regulatory statute or orders or rules of that agency, if strict compliance with that statute would in any way prevent, hinder, or delay necessary action in coping with this emergency;

NOW, THEREFORE, I, JONATHAN ZACHEM, Secretary of Florida's Department of Business and Professional Regulation, pursuant to the authority granted by Executive Order No. 18-276, amended in Executive Order 18-277, find that timely execution of the mitigation, response, and recovery aspects of the State's emergency management plan, as it relates to Hurricane Michael, is negatively impacted by the application of certain regulatory statutes related to the Department of Business and Professional Regulation. Therefore, I order the following:

1. Until November 30, 2018, unless extended by subsequent order, all time requirements applicable to the examination of an application for licensure upon receipt and

notification to the applicant of apparent errors or omissions (as set forth in s. 120.60(1), Florida Statutes are suspended and tolled.

2. Unless extended by subsequent order, the expiration of any license issued by the department, expiring in October 2018, are extended until November 30, 2018.
3. Until November 30, 2018, unless extended by subsequent order, all time requirements applicable to the submission of exceptions to recommended orders issued by a presiding officer pursuant to s. 120.57(1)(k), Florida Statutes, are extended by seven (7) calendar days.
4. Until December 31, 2018, unless extended by subsequent order, application and licensing fees required for any license are suspended for any resident displaced by Hurricane Michael.
5. For the following counties Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Leon, Liberty, Wakulla, Walton and Washington:
 - a. Until December 31, 2018, unless extended by subsequent order, the provisions of s. 489.117, Florida Statutes, are suspended to the extent that local jurisdictions are authorized to issue local specialty licenses, without additional local ordinances, for the repair and installation of flat roofs and roofs made of wood shakes, asphalt or fiberglass shingles, tiles and metal, conditioned upon the requirement that all applicants for the specialty roofing license shall provide an affidavit of competency from their local jurisdiction within Florida, to the extent that such affidavit exists, proof of compliance with applicable workers' compensation as required by Chapter 440, Florida Statutes, and liability and property damage insurance as required by s. 489.115(5)(a), Florida Statutes. Local jurisdictions

shall have disciplinary authority over these specialty contractors as provided in s. 489.131, Florida Statutes , including forwarding recommended orders for adoption by the Construction Industry Licensing Board. The provisions of s. 489.1402, Florida Statutes are waived to the extent that home owners financially injured by these licensed specialty contractors shall have access to the provisions of the Homeowners' Construction Recovery Fund.


- b. Until December 31, 2018, unless extended by subsequent order, application fees associated with relocating or reopening businesses regulated by the department or by any board, commission or division of the department, where such relocation or reopening of the business arises from damages caused by Hurricane Michael and its effects, are hereby waived. Only fees assessed by the department or by any board, commission or division of the department are waived.
- c. There is a great need for emergency repairs to roofs in the area impacted by Hurricane Michael. Concerns regarding licensure requirements for installing emergency tarps have impeded relief efforts. For clarification, the installation of non-permanent, emergency tarps to relieve damage caused by Hurricane Michael fall within the exemptions listed in s. 489.103(6), Florida Statutes. This shall not abrogate any local ordinances regarding permits or inspections that may exist.
- d. Many community centers, houses of worship, sports facilities, and other nonresidential structures dedicated to public use have been damaged by Hurricane Michael. Until December 31, 2018, unless extended by subsequent order, licensure requirements for the repair or of nonresidential structures dedicated to public use, such as community centers, houses of worship, and sports facilities,

are hereby waived provided that the conditions of s. 489.103(19), Florida Statutes, are met. This waiver shall not extend to for-profit commercial structures. This waiver shall continue to be applicable to all projects that have obtained a permit during the effective date of this Emergency Order.

- e. Unless otherwise stated herein, the provisions of this section shall be in effect until December 31, 2018, unless extended by subsequent orders. It shall continue to be applicable to all projects that have obtained a building permit during the effective date of this Emergency Order.

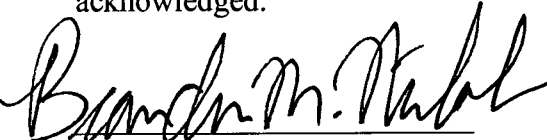
Executed this 25th day of October 2018, in Tallahassee, Leon County, Florida.

FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION



Jonathan Zachem, Secretary
2601 Blair Stone Road
Tallahassee, Florida 32399

Filed on this date, with
The designated Agency Clerk,
Receipt of which is hereby
acknowledged.



Agency Clerk's Office

Date: 10/25/2018