

1 Introduced by Council Member Diamond:
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4 **ORDINANCE 2026-363**

5 AN ORDINANCE AMENDING CHAPTER 654, *ORDINANCE*
6 *CODE*, (CODE OF SUBDIVISION REGULATIONS) TO ALLOW
7 FOR PRIVATE PROVIDERS; PROVIDING FOR
8 CODIFICATION INSTRUCTIONS; PROVIDING AN
9 EFFECTIVE DATE.
10

11 **WHEREAS**, transparency, consistency and efficiency are vital to
12 local government decision making on permitting.

13 **WHEREAS**, delays and inconsistencies in permitting decisions
14 frustrate applicants and increase the cost of permitting.

15 **WHEREAS**, delays in the review and issuance of permits increase
16 the cost of housing and operating a business,

17 **WHEREAS**, requiring that professional engineers review plans and
18 permits is in the interest of the public welfare.

19 **WHEREAS**, as opposed to the review by public entities, which are
20 protected from lawsuits by sovereign immunity, private entities, in
21 undertaking review of permits, expose their license, their
22 professional reputation, their insurance coverage and their
23 livelihood.

24 **WHEREAS**, Section 553.791 Florida Statutes expressly allows for
25 "plans" to be reviewed by private providers, where the term "plans"
26 includes review of site engineering plans, site plans or their
27 functional equivalent.

28 **BE IT ORDAINED** by the Council of the City of Jacksonville:

29 **Section 1. Recitals.** The recitals above are true and
30 correct and incorporated herein by this reference.

31 **Section 2. Amending Chapter 654 (Code of Subdivision**

1 **Regulations), Ordinance Code.** Chapter 654 (Code of Subdivision
2 Regulation), *Ordinance Code*, is hereby amended to read as follows:

3 **CHAPTER 654 - Code of Subdivision Regulations**

4 * * *

5 **Sec. 654.106. - Definitions.**

6 * * *

7 Private provider means a person professionally licensed or
8 certified in their respective field.

9 Private provider firm means a business organization, including
10 a corporation, partnership, business trust, or other legal entity,
11 which offers professional services through licensees who are acting
12 as agents, employees, officers, or partners of the firm. A person who
13 is a private provider may act as a private provider for an agent,
14 employee, or officer of the private provider firm.

15 * * *

16 **Sec. 654.144.- Private Providers.**

17 (a) Notwithstanding any other law, ordinance or policy, the
18 fee owner, or the fee owner's contractor upon written
19 authorization from the fee owner, may choose to use a
20 private provider to provide review and approval of:
21 subdivision plans, engineering plans, preliminary plats,
22 plats, landscaping plans or any other items which otherwise
23 would be reviewed by the Department, Development Services
24 Division, the Director or other reviewing entity or
25 individual as authorized under the Ordinance Code which
26 concern the approval of plans or any subpart of plans as
27 said term is defined and used in Section 553.791, Florida
28 Statutes. At the fee owner or fee owner's contractor's
29 election, the review by a private provider or private
30 provider firm may include any required pre-application
31 meetings. The fee owner or fee owner's contractor may elect

1 to use a private provider for some or all of the areas of
2 review. All such services shall be the subject of a written
3 contract between the private provider, or the private
4 provider's firm, and the fee owner or the fee owner's
5 contractor, upon written authorization of the fee owner.

6 (b) A private provider or private provider firm may not conduct
7 a review of any plans for which the private provider or
8 the private provider firm is an owner of the property
9 subject to the submitted plans or provided any professional
10 services in developing the submitted plans.

11 (c) As required by Section 553.791(2)(b), Florida Statutes, if
12 an owner or contractor retains a private provider for
13 purposes of plans review services, the permit fee must be
14 reduced by the amount of cost savings realized by the
15 Department for not having to perform such services. Such
16 reduction may be calculated on a flat fee or percentage
17 basis, or any other reasonable means by which the
18 Department assesses the cost for its review services.

19 (d) If an owner or a contractor retains a private provider,
20 the Department must provide equal access to all permitting
21 and inspection documents and reports to the private
22 provider, owner, and contractor if such access is provided
23 by software that protects exempt records from disclosure.

24 (e) A private provider performing review under this section
25 shall determine compliance with the applicable codes. Upon
26 determining that the matter reviewed complies with the
27 applicable codes, the private provider shall prepare an
28 affidavit or affidavits certifying, under oath, that the
29 following is true and correct to the best of the private
30 provider's knowledge and belief:

31 (1) The matters were reviewed by the affiant, who is duly

1 authorized to perform said review pursuant to this
2 section and holds the appropriate professional license
3 or certification to conduct such review.

- 4 (2) The matters reviewed comply with the applicable codes,
5 laws and regulations.

6 Such affidavit may bear a written or electronic
7 signature and may be submitted electronically to the
8 Department or appropriate City agency. If the private
9 provider is a person professionally licensed or
10 certified and affixes his or her professional seal,
11 license number and/or certification to the affidavit
12 required under this subsection, the Department must
13 issue the requested permit or provide a written notice
14 to the permit applicant identifying how the affidavit
15 does not comply with this subsection within 10
16 calendar days after receipt of the permit application
17 and affidavit. In such written notice, the Department
18 must specifically provide the affidavit's
19 deficiencies. The local official may not replicate the
20 review performed by the private provider. If the local
21 official does not provide specific written notice to
22 the permit applicant within the prescribed 10-day
23 period, the matter is deemed approved as a matter of
24 law, and the Department must issue the approval on the
25 next business day.

26 **Section 3. Codification Instructions.** The Codifier and the
27 Office of General Counsel are authorized to make all chapter and
28 division "tables of contents" consistent with the changes set forth
29 herein. Such editorial changes and any other necessary to make the
30 *Ordinance Code* consistent with the intent of this legislation are
31 approved and directed herein, and changes to the *Ordinance Code* shall

1 be made forthwith and when inconsistencies are discovered.

2 **Section 4. Effective Date.** This Ordinance shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

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6 Form Approved:

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8 /s/ Terrence Harvey

9 Office of General Counsel

10 Legislation Prepared By: Terrence L. Harvey

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