

Permit Extensions Available: All Floridians May be Able to Extend Open Permits and Authorizations after Hurricane Ian Declared a State-Wide Emergency

The impacts of Hurricane Ian will impact construction throughout the state as manpower, supplies, and reliable infrastructure may be in short supply. Homeowners, developers, and contractors throughout the state may find their projects delayed through forces beyond their control. But in the days leading up to Hurricane Ian, Governor DeSantis issued [Executive Order 22-218](#) and [Executive Order 22-219](#), declaring a state of emergency for the entire State of Florida. These Executive Orders open an avenue to extend existing building permits, development orders, development agreements, and certain Department of Environmental Protection and water management district permits so project authorizations do not expire as the state recovers from the storm. Florida Statutes provide these extensions are available in every county covered by the emergency declaration. State-wide declarations like the two listed above mean the extensions are available in every county in Florida.

The extensions are not automatic. Homeowners must provide notice the government authority that issued the permit or authorization, but pursuant to Section 252.363, *Florida Statutes*, governments do not have authority to deny the extension for a permit upon receiving the notice. When notice is properly provided, the relevant government authorities can be required to extend the permit for six months plus the length of the declared emergency. Applicants must submit the notice prior to the permit's current expiration date and within 90 days of the end of the declared emergency.

Although not every permit is subject to extension and certain conditions apply, anyone seeking to extend their permit should explore the possibility of using the Executive Orders to do so.

For more information, contact info@llw-law.com.