



Informal Interpretation Report Number 9400



Date October 16, 2025

Edition 2023

Section 105.4.1

Question:

Is the intent of section 105.4.1 that where work that has commenced, but has not had an inspection within 6 months causing the permit to be expired, this is to be viewed as abandoned and therefore the permit is null and void? Is a replacement permit considered new work and subject to the current regulations (and fees) or may the permit be reinstated for the previously authorized work to continue?

Answer

No, the intent of 105.4.1 is that if the work has commenced within 180 days, but has not received an approved inspection, the permit becomes invalid due to lack of progress, not due to abandonment. Section 105.4.1.2 specifies that the codes in effect at the time of the initial permit must be complied with. If a new permit is not obtained within that 180 day period allowed to obtain a new permit, it is considered new work and any changes that have taken place must also be complied with.

Commentary:

This request specifically deals with a project where the work has commenced and not had a valid inspection within the 180 day period. there are options in the section relating to obtaining a new permit and provides for a 180 day time period to obtain a new permit for continuation or the work typically needs to be removed. A permit can expire and become null and void due to lack of progress or abandonment. In both cases a new permit shall be obtained before commencing work. The rest of section 105.4 addresses the other conditions, including fees and renewal, however these administrative provisions may be modified by the local jurisdiction. per FS 553.73 (4)(a).

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.