

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

EMERGENCY ORDER 2023-07

WHEREAS, Hurricane Idalia made landfall on Florida’s Gulf Coast as a major hurricane and caused significant damage to various counties in the State of Florida; and

WHEREAS, Hurricane Idalia and the damage it caused poses a significant threat to the entire State of Florida and, as such, it requires that timely precautions are taken to protect the communities, critical infrastructure, and general welfare of this State; and

WHEREAS, the Governor, in recognition of and in response to this emergency, issued Executive Order 23-171 on August 26, 2023, as amended by Executive Order 23-172 on August 28, 2023 and Executive Orders 23-174 and 23-175 on August 29, 2023, 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; and

WHEREAS, the Governor, in Executive Order 23-171, as amended by Executive Orders 23-172, 23-174, and 23-175, has authorized each state agency to suspend the provisions of any regulatory statute, order, or rule if strict compliance with the provision would in any way prevent, hinder, or delay necessary action in coping with this emergency;

NOW, THEREFORE, I, MELANIE S. GRIFFIN, Secretary of Florida’s Department of Business and Professional Regulation (“Department”), pursuant to the authority granted to me by Executive Order 23-171, as amended by Executive Orders 23-172, 23-174, and 23-175, find that timely execution of the mitigation, response, and recovery aspects of the State’s emergency management plan, as it relates to Hurricane Idalia, is negatively impacted by the application of certain regulatory statutes related to the Department. Therefore, I order the following:

1. For the following counties: Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hardee, Hernando, Hillsborough, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion,

Nassau, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, Sumter, Suwanee, Taylor, Union, Volusia, and Wakulla:

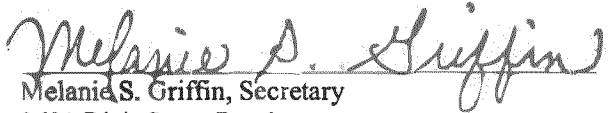
- a. The provisions of section 489.113(3), Florida Statutes, are suspended to the following extent: a certified or registered general, building, or residential contractor is not required to subcontract roofing work for the repair and installation of any roof type;
- b. The provisions of section 489.117, Florida Statutes, are suspended to the extent that registered contractors are not subject to the geographical scope limitations or requirements as provided in section 489.117(1)(b) and (c), Florida Statutes, when providing contracting services within the aforementioned counties. Registered contractors shall provide their state registration, proof of compliance with applicable workers' compensation as required by Chapter 440, Florida Statutes, and liability and property damage insurance as required by section 489.115(5)(a), Florida Statutes, to the jurisdiction in which the work is being performed. Additionally, registered contractors working outside the geographical scope of their registration in compliance with this order are not guilty of unlicensed contracting, as defined in section 489.13(1), Florida Statutes, for the time period that this Order is in effect;
- c. The provisions of section 489.513, Florida Statutes, are suspended to the extent that registered contractors are not subject to the geographical scope limitations or requirements as provided in section 489.513(5), Florida Statutes, when providing contracting services within the aforementioned counties. Registered contractors shall provide their state registration, proof of compliance with applicable workers' compensation as required by section 440.09, Florida Statutes, and otherwise required within Chapter 440, Florida Statutes, and liability and property damage insurance as required by section 489.515(1)(b), Florida Statutes, to the jurisdiction in which the work is being performed. Additionally, registered contractors working outside the geographical scope of their registration in compliance with this order are not committing an act of unlicensed contracting, as described in section 489.532, Florida Statutes, or practicing beyond the scope of a certification or registration, as specified under section 489.533(1)(s), Florida Statutes, for the time period that this Order is in effect; and
- d. This provision shall continue to be applicable to all projects for which a building permit has been applied for or obtained during the time period that this Order is in effect.

2. There is a great need for emergency repairs to roofs in the area impacted by Hurricane Idalia. For clarification, the installation of non-permanent, emergency tarps to relieve damage caused by Hurricane Idalia fall within the exemptions listed in section 489.103(6), Florida Statutes. This shall not abrogate any local ordinances regarding permits or inspections that may exist.

The effective date of this Order shall correspond with the effective date of Executive Order 23-171, as amended by Executive Orders 23-172, 23-174, and 23-175, and any amendments, and shall expire on October 25, 2023 unless extended by subsequent order.

Executed this 31st day of August 2023, in Tallahassee, Leon County, Florida.

FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION



Melanie S. Griffin, Secretary
2601 Blair Stone Road
Tallahassee, Florida 32399

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

Ronda L. Bryan

Agency Clerk's Office
Date: August 31, 2023