



ADVISORY NOTICE TO INDUSTRY

06/26/2026

HB 803 – Clarification Regarding Minor Residential Work \$7,500 Exemption Eligibility

Effective: 7/01/2026

The City of Cape Coral Building Division has received numerous questions regarding the recently adopted provisions associated with exemption eligibility to an owner of a single-family dwelling or the owner's contractor from the requirement to obtain a building permit to perform any work valued at less than \$7,500 on the owner's property.

The Building Division would like to clarify that HB 803 does NOT create a blanket exemption from permitting requirements based solely upon project cost.

While the legislation establishes a limited exemption pathway for certain minor residential work under a \$7,500 threshold, the exemption is specifically limited in scope and does not apply to regulated construction activities involving structural, electrical, plumbing, mechanical, and or fuel & gas work regulated by the Florida Building Code.

To qualify for the exemption under the legislation, the owner or the owner's contractor must submit through the CSS portal, specific to the permit type, a written request for exemption to the local enforcement agency together with a copy of the contract or other documentation demonstrating the nature and value of the work to be performed. If a property is held out for rent, lease, or sale within one year a licensed contractor is required to submit for said request.

Exemption eligibility is not automatic and remains subject to review and determination by the local enforcement agency.

No exemption eligibility shall be considered for development located within a special flood hazard area where a permit is otherwise required by the Florida Building Code, local floodplain management regulations, or the National Flood Insurance Program (NFIP) requirements.

Link to verify flood zone determination: [Forerunner Dashboard](#)



Projects may not be artificially divided into multiple contracts, phases, invoices, or scopes of work for the purpose of evading permitting requirements or statutory thresholds.

Examples of minor residential work that may be considered for exemption eligibility review, may include:

- Interior and exterior painting
- Replacement of flooring and tile, excluding shower pans, shower receptors, or wet-area waterproofing systems
- Baseboards, crown molding, and interior trim work
- Additional blown insulation within existing attic spaces
- Stucco or plaster repairs on masonry walls where structural components are not altered
- Fence repairs or replacement not affecting structural foundations, posts, or vertical supports less than 6' in height from the bottom of the foundation to the top of the post and not part of a pool safety barrier.
- Minor soffit repairs where overhangs are less than 12 inches and no structural framing modifications occur
- Minor residential driveway or walkway flatwork repairs or replacement where no drainage patterns, accessibility features, or structural components are modified
- Prefabricated storage units not exceeding 6 feet in length, 6 feet in width, and 6 feet in height, provided no electrical, plumbing, mechanical, or structural systems are installed.

The following work generally remains subject to permitting and inspections under the Florida Building Code and local regulations, including but not limited to:

- Electrical work
- Plumbing work
- Mechanical work
- Gas systems
- Structural work
- Roofing systems
- Work affecting floodplain compliance or located within flood hazard areas
- Work impacting means of egress or accessibility requirements
- Work involving engineered systems or structural load paths
- Work affecting fire-resistance-rated assemblies
- Window and door replacements requiring product approvals or structural anchoring compliance
- Level 1, Level 2, Level 3 Alterations per the Florida Building Code, Existing Building



- Pool construction and associated bonding/grounding systems
- Work otherwise regulated by the Florida Building Code, Florida Statutes, Land Development Code, or local floodplain management regulations

It is important to understand that exemption from building permitting does not exempt work from compliance with the Florida Building Code or other applicable laws and regulations. All work must still comply with applicable code provisions, manufacturer installation instructions, floodplain regulations, wind resistance requirements, and life-safety standards. Ordinance Permits may still be required to meet compliance with local land development regulations.

Pursuant to Chapter 1 of the Florida Building Code and applicable Florida Statutes, the Building Official retains the authority and responsibility to determine permit applicability and code compliance based upon the nature and scope of work being performed.

A local government has no legal duty to the owner, contractor, or successors or assigns thereof for exempted work performed under Fs. 553.79(1)(g)

Contractors, property owners, and design professionals are strongly encouraged to contact the Building Division prior to commencing work if there are questions regarding permit applicability or exemption eligibility.

Frequently Asked Questions

Q: My project is less than \$7,500. Does that automatically exempt the work from permitting?

A: No. The value of the work alone does not determine exemption review eligibility. The nature and scope of the work, applicable code requirements, floodplain regulations, and other statutory requirements must also be considered. A written exemption review request and supporting documentation must be submitted for review prior to relying upon the exemption.

Q: I own a unit within a condominium, apartment building, or other multi-family residential building, and my project is less than \$7,500. Does that automatically exempt the work from permitting?

A: No. The minor residential work exemption is limited to qualifying work performed on single-family dwellings as provided by HB 803. Multi-family residential buildings, including condominiums, apartments, and similar occupancies, are not eligible for this exemption review and remain subject to standard permitting requirements. Additionally, the value of the work



alone does not determine exemption eligibility. Permit applicability is determined based on the nature and scope of the proposed work and applicable code requirements.

Regards,

Shane Kittendorf
Building Official