

RESOLUTION NO. 2012 - 031

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, PROVIDING FOR AN UPDATED FEE SCHEDULE FOR BUILDING PERMIT FEES, FIRE FEES, AND PUBLIC WORKS FEES ASSOCIATED WITH PERMITTING AND INSPECTIONS; ESTABLISHING AN ADMINISTRATIVE, TRAINING AND TECHNOLOGY FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 2011-02 establishes that permit fees are set by Resolution of the Town Council; and

WHEREAS, the Town Council passed Resolution 2007-001 to establish fees charged by consultants;

WHEREAS, the Town currently contracts with CSA Group, know known as C.A.P. Government, Inc., for building department services via Resolutions 2007-01, 2010-009, 2010-031, 2010-036, 2011-045, 2011-038, 2012-10; and

WHEREAS, the Town has contracted with Pembroke Pines for fire department permit review via Resolution 2011-068; and

WHEREAS, the Town recently hired an in-house engineer for the review of building and engineering permits in an effort to provide better customer service and support the Town's general infrastructure needs; and

WHEREAS, it has been determined that providing contractual services for certain technical needs of the Town provides the most cost effective methods for the residents; and

WHEREAS, the Town Council believes that the fees charged for building, engineering and fire fees should account for, at a minimum, the time staff spent reviewing and issuing permits, and

WHEREAS, it has been determined that certain staff and consultants time charges associated with the completion of many services are not being fully recovered by the Town and in other cases certain permit charges result in additional compensation to the Town; and

WHEREAS, it has been determined that certain fees necessary to fully recover the cost of some services provided were not reflective of actual and/or anticipated costs, consequently a revised fee schedule has been established for such services; and

WHEREAS, it has been determined that there are certain intangible costs related to administrative overhead, staff training, and use of technology in the processing of permits that are not being recovered by the Town; and

WHEREAS, the creation of the fees to offset the costs related to administration, training and technology are reasonable; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town to update the fee schedules for review of Building and Fire permits and to establish fees for Engineering and Public Works review of permits; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town to amend the fee schedule for the Building Division, the Fire Department, and the Engineering and Public Works Department to establish fee amounts for new construction and additions and other services based upon square foot improvements and also providing for flat fee, as appropriate based upon the anticipated time and energy expended per permit type; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to adopt a fee schedule in order to protect the health, safety, welfare and well-being of the Town, its residents and the environment.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Town Council hereby approves the Fee Schedules attached as Exhibits "A", "B", and "C" and which are attached hereto and incorporated herein by reference.

Section 3. Administrative Fees, Technology Fee, and Training Fee.

The Town Council has determined that the following fees are reasonable fees to charge due to the amount of involvement by Town staff in the intake, processing and handling of permits and shall be included in the cost of a permit and paid prior to the issuance of such permit.

- 1) Administrative Fee for residential permits are 15%; non-residential permits are 25% of the cost of each permit which includes the costs for training and the provision of technology.
- 2) All fees recovered above by the Town's building services contract's required compensation amounts and the administrative fee shall be designated as reserve funds.

Section 4. Severability. If any word, phrase, clause, sentence, or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 5. This Resolution shall take effect immediately upon its adoption.


PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 22nd day of March, 2012, on a motion made by Council Member Fisikelli and seconded by Council Member Breitkreuz.

Nelson	<u>YES</u>
McKay	<u>YES</u>
Breitkreuz	<u>YES</u>
Fisikelli	<u>YES</u>
Jablonski	<u>YES</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>


Jeff Nelson, Mayor

ATTEST:


Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:


Keith M. Poliakoff, J.D., Town Attorney

EXHIBIT "A"**Fire Department Permit Fees
Non-Residential Only**

A permit approved by the Fire Department shall be required for the following types of construction or placement of materials whether in the public right-of-way or on private property. A permit fee shall be charged all persons performing such construction or placement. However, permit fees will be waived on construction by public utility companies operating under a franchise agreement granted by the Town and on construction of projects under contract with the Town.

FIRE FEES	
Fire Standpipe (per test)	
	(a) Minimum fee \$50.00
	(b) Fee per residential unit or \$2.50 per 1,000 sq.ft. of gross floor area in non-residential structures \$2.50.
Fire sprinkler system (per test)	
	(a) Minimum fee \$25.00
	(b) Fee per 1,000 sq.ft. of gross floor area \$3.50
	(c) Fee per each 1,000 sq.ft. of gross floor area in excess of 50,000 sq.ft. \$2.50.
Billed to Occupancies or Buildings with sprinkler/standpipe belonging to them	
If an occupancy or building has both a sprinkler and standpipe system, only the sprinkler charge shall apply during the annual inspections	
Sprinkler system backflow preventor	
	\$25.00
Billed to Occupancies or Buildings with backflow preventor belonging to them	
Fire Alarm	
	\$35.00

Billed to Occupancies or Buildings with fire alarm system belonging to them	
Plan Review and Inspection: The permit fee shall be charged according to the percentage of the Contract price for the cost of the job.	
1. First \$50,000 of Contract Price	4.64%
2. \$50,001 to \$1,000,000 of Contract Price	2.32%
3. Over \$1,000,000 of Contract price	1.74%
4. Minimum Fee	\$99.15
Annual Fire Inspections	
	This fee in additional to all applicable fees above
Residential: Hotels, Multiple Family dwelling units (3 or more units)	
	Up to 50 units \$6.00 per unit
	51 to 100 units \$4.75 per unit
	101 or more units 2.50 per unit
Billed to Building Owner/Property Management	
Commercial Buildings	
	Flat fee \$50.00 per building
Commercial Occupancies: including all Businesses, Family Day Care, Group Homes, Institutional living facilities	
	Up to 2,500 sq.ft. \$40.75
	2,501 to 5,000 sq.ft. \$66.75
	Each additional 1,000 sq.ft. \$4.75
Re-inspection fee	
	\$30.00

I. Penalties.

It shall be unlawful for any person to violate any of the provisions of the Florida Fire Code adopted in or fail to comply with any order made thereunder, or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or fail to comply with such an order as affirmed or modified by the Broward County Board of Rules and Appeals, or by a court of competent jurisdiction, within the time fixed herein, and where no specific penalty is otherwise provided, the violation of any provision of this code shall be punishable by a fine not exceeding \$500, or by imprisonment for a term not exceeding 60 days, or by both fine and imprisonment provided, however, that no penalty shall be imposed that is greater than the penalty imposed by state statutes regulating similar conduct.

The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy the violations or defects within a reasonable time. When not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

EXHIBIT "B"

Building Permit Fees

STRUCTURES

A. Valuation.

The Building Permit Fee shall be based upon the cost of construction as attested to by the applicant on the submitted permit application. The Building Official, in addition to verifying the completeness and accuracy of the application, shall review the application for the cost of construction. If the Building official determines that the cost of construction attested to does not accurately reflect the cost of construction for the scope of the work covered by the permit, he or she can use any of the following to calculate the fee:

1. Copy of assigned contract for work to be completed under the requested permit.
2. Apply the values in the most current edition of the RS Means construction Valuation system.

The greatest of the methods of the applicant's statement of value, or (1) or (2) above shall be used in calculating the permit fee.

3. When a permit is issued by an owner builder and for which no subcontractors are used – the permit cost shall reflect the actual costs of material excluding labor.

B. Permit Fees

1. General permit fees shall be as stated below. The minimum fee for all general permits shall be \$75 unless otherwise set forth herein.

	Residential	Non-Residential
Master plan permits	\$ 450	\$500
Roofing (per square foot)	0 to 1,000 sq.ft. \$225.00 1 ,000 sq.ft. and over, plus each additional 1,000 sq.ft. or fraction thereof\$18.00	0 to 1,000 sq.ft. \$250.00 1 ,000 sq.ft. and over, plus each additional 1,000 sq.ft. or fraction thereof\$20.00
Backflow annual test:	First two: \$90, Each additional unit: \$9	First two: \$100, Each additional unit: \$10

Turn on electrical inspection fee	\$45	\$50
Temporary electrical service	\$45	\$50
ADDITIONAL SERVICES AND REFUNDS		
Certificate of Completion, Certificate of Occupancy/Temporary CO	\$67.50	\$75.00
Electric Meter Release Certificate	\$45	\$50.00
Change of contractor, (per discipline)	\$67.50	\$75
Permit card replacement	\$67.50	\$75
Replacement plans.	\$90	\$100 plus cost of reproduction and staff hourly rate.
Renewal of expired permit – for renewal within six (6) months of permit expiration for the same permit, same plans on the same property, provided no refund has been made	50% of original fee 100% of the original fee (after six (6) months)	50% of original fee 100% of the original fee (after six (6) months)
Re-inspections*: Single Family – each per trade All other – each per trade * F.S. 553.80.2(b) and re- inspections fee shall not be charged for the first re-inspection	\$100.00	\$200.00
Fences and Walls:	(a) Pre-cast concrete Per lineal foot \$.90	(a) Pre-cast concrete Per lineal foot \$1.00 Minimum

	Minimum.....\$90.00\$100.00
	(b) Masonry Walls	(b) Masonry Walls
	Per lineal foot	Per lineal foot
\$1.80\$2.00
	Minimum	Minimum
\$180.00\$200.00
	(c) All other types	(c) All other types
	Per lineal foot	Per lineal foot
\$.074\$.075
	Minimum	Minimum
\$90.00\$100.00

2. Construction cost (Base Permit Fee) – per structure per trade, plus applicable category below.....\$200.00

Residential construction cost 1.75% of the cost of construction

Non-residential Construction costs less than \$999,000.00.....1.85% of the cost of construction

Non-residential Construction costs greater than \$1,000,000.00 to \$1,499,999.00.....2.0% of the cost of construction

Non-residential Construction costs greater than \$1,500,000.00 and up to \$24,999,999.002.6% of the cost of construction

For construction cost greater than \$25,000,000 the Town shall meet with the applicant and determine a fee schedule based upon the specific project requirements, such as but not limited to hiring of special inspectors, additional inspection review, etc. Such fee schedule shall be approved by Town Council via Resolution.

3. The submittal fee for all permits shall be a non-refundable one time fee to be paid at time of permit application. The Building Official shall for residential permits only, have the discretion to modify the initial submittal amount of permit application fee. For example half the permit fee at time of submittal and the second half at time of permit issuance. Such discretion shall be limited to situations of extenuating circumstances and shall be provided for in writing. The total fee amount is still required.
4. Permit fee for general maintenance shall be 2.0% for non-residential and 1.8% for residential of the estimated in place cost of construction but shall not be less than \$7 for non-residential and \$6.30 for residential for each discipline. However, no permit shall be

required for general maintenance repairs which do not change the occupancy, and the value of which does not exceed the exemption set forth in § 105.2 (A) of the Florida Building Code in labor and materials, as determined by the Building Official.

5. Temporary tents and temporary fabric canopies for special events and public events:

Tents

under 500 sq.ft.	n/a
over 500 sq.ft.	\$300.00

Canopies

Up to 500 sq.ft.	n/a
500 sq.ft. to 1,000 sq.ft	\$300.00
Over 1,000 sq.ft.	\$500.00

NOTE: Multiple canopies and tents, all erected on the same property and for the same event, shall be charged as if they were a single canopy or tent with an area equal to the sum of the areas of the individual canopies or tents.

6. The issuance of a foundation-only permit shall be determined by the Building Official.

Foundation-only permit is to be paid at issuance of the foundation-only permit (only if complete set of plans are available for review.) This fee shall be in addition to total building fees.

Permit fee for a foundation-only permit shall be \$1.00 per sq. ft

7. Swimming Pools, spas, hot tubs, (including all trades)

In ground single family residential pool.....	\$1,350.00
Above ground single family residential pool.....	no fee
All other pools	\$3,000.00
Spas - in-ground independent of pool	\$500.00 non-res
	\$450.00 residential
Above ground (if permit required).....	\$250.00 non-res
	\$225.00 residential
Above ground no permit required.....	no fee

8. Permit Fee Schedule – Double Permit Fee: Permit fees shall be paid whenever a permit shall be required under the provisions of the building code of the Town in accordance with the foregoing schedule of fees. In the event any work for which a permit is required is started or proceeded with prior to the issuance of a permit by the duly authorized person, the permit application shall be liable for and pay to the Town a double permit fee for the work. The payment of the double permit fee shall be made before any further permits shall be issued to the person owing the double permit fee. The payment of the double permit fee shall not relieve any person from fully complying with the requirements specified by resolution or ordinance nor from any other penalties prescribed therein.

C. Electrical, Plumbing, Structural and Mechanical Permit Fees, unless otherwise provided for herein.

Minimum base permit fee \$100.00 non-residential,
\$90.00 residential

The permit fee shall be charged at the rate of 1.85% of the job value or in accordance with the fees in section 2 as may be applicable for non-residential or 1.75 of the job value for residential.

D. Extensive Review - Plans examination fees.

1. The fees identified in section A.2. above cover the initial plans examination after the plans are first submitted, plus two reviews after the designer(s) have made corrections. When failure of the designer(s) to make corrections results in additional plan review time being spent on a given project, the extra time will be charged as set forth F.S. § 553.80.2(b), as may be amended.
2. Extensive review for changes of plans or documents, shop drawings, or product approvals after permit issuance shall be at \$50 per hour. The word extensive shall mean any review that requires more than 15 minutes.
3. Overtime for Florida Building Code Inspections, Building Officials, and/or Plan Reviews. For an inspections and/or plan reviews requested to be performed before 8:00 AM and after 4:30 PM Monday through Friday, or any hour during a holiday, a special overtime fee will be charged for each inspector and/or plan reviewed of each trade required for the inspection and/or plan review and added to the permit fee. Minimum charge per hour or fraction thereof:

- (a) Inspector..... \$100.00
- (b) Plans Examiner \$105.00
- (c) Building Official \$125.00

E. Work without a Permit

First offense	Double the required permit fee
Second offense	Double the required permit fee plus \$400.00 penalty
Each offense thereafter.	Double the required permit fee plus \$750.00 penalty

F. County and State and Additional Fees.

1. Board of Rules and appeals Fee – per each \$1,000 or any fraction thereof of the total cost of construction.....\$.060
2. Florida Department of Business and Professional Regulation Surcharge – (per F.S. 553.721)1.5% of the total cost of permit (minimum of \$2.00)
3. Florida Building Code Administrators and Inspectors Fund Surcharge – (per F.S. 468.631)1.5% of the total cost of permit (minimum \$2.00)
4. Permit fees include a \$30.00 plan processing fee paid to CAP.
5. Copy Fees.
 - Building, Code services 11" x 17" each \$1.00
 - Microfilms per sheet.....\$1.00
 - Photocopiesfirst 50 copies N/C
 - Each additional copy single side - 0.15
 - Each additional copy double side - 0.15, first side, .05 second side
 - Scanned copies \$3.00 per sheet

Assistance to be charged at the rate of \$50.00 per hour for research, processing, formulation or printing computer generated reports from automated data, including but not limited to chronological listing of permit applications, historical reports, etc.

Public Works Permit Fees

LANDSCAPING

A. EXOTICS AND INVASIVE PLANT MATERIAL

1. Permit exemptions.

(A) The following plant material shall not require a permit for its removal.

Acacia auriculaeformis: Earleaf Acacia

Araucaria excelsia: Norfolk Island Pine

Bischofia javanica: Bischofia, Toog, Bishopwood

Casuarina spp.: Australian Pine (all species)

Melaleuca quinquenervia: Melaleuca, Punk Tree, Paperbark [Paperbark]

Shinus Terebinthifolius: Brazilian Pepper, Florida Holly

(B) The following plant material shall require a permit for its removal at no cost to the applicant. The Town shall issue such permit within 24 hours of any such require. Said permit shall be valid for 12 months from the date of issuance.

Ardisia solanacea: Shoebuttton, Ardisia

Brassia actinophylla: Schefflera

Leucanea leucocephala: Lead Tree, Jummie Bean

Metopium toxiferum: Poison Wood

Rhodomyrtus tomentose: Downy Rose Myrtle

And including All Category I invasive exotic plants listed on the Florida Exotic Pest Council's most recent list not listed in (A) above, as may be amended from time to time.

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