



Item No. 13a

# AGENDA ITEM MEMORADUM

**Town Manager**

**Connie Hoffmann**

Department

Department Director

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input type="checkbox"/> Oct 11, 2011	Sept 30th
<input type="checkbox"/> Oct 25, 2011	Oct 14th
<input type="checkbox"/> Nov 8, 2011	Oct 28 <sup>th</sup>
<input type="checkbox"/> Nov 29, 2011	Nov 10 <sup>th</sup>
<input checked="" type="checkbox"/> Dec 13, 2011	Dec 2 <sup>nd</sup>

\*Subject to Change

- Presentation     Reports     Consent     Ordinance  
 Resolution     Quasi-Judicial     Old Business     New Business

**FY2012 DESIGNATED HIGH PRIORITY ITEM –  
PRIORITY TOPIC- BUILDING PERMITTING FEES & CONTRACT**

**SUBJECT TITLE: RESOLUTION 2011-43: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA PROVIDING FOR ADOPTION OF A FEE SCHEDULE FOR BUILDING PERMITS AND INSPECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**EXPLANATION:** Currently anyone applying for a building permit in Lauderdale-by-the-Sea must pay permit fees under the Broward County permit fee schedule, plus a 10% surcharge to cover the Town's administrative costs. Last summer, the Commission reviewed a proposed fee schedule for building permits and inspections that was designed to make the fee structure simpler and less costly for small jobs. The Commission was satisfied with the proposed schedule of fees and it was that schedule on which the respondents to the RFP for building permitting and inspection services based their proposed revenue sharing provisions with the Town. The fee schedule now needs to be formally adopted, with an effective date of January 2, 2012, the date we will switch from County services to the contract with C.A.P. Government for services. There will no longer be a surcharge added to permit fees.

**EXHIBITS:    Resolution 2011-43  
Fee Schedule**

Reviewed by Town Attorney  
 Yes     No

Town Manager Initials CHA

**RESOLUTION 2011-43**

**A RESOLUTION OF THE TOWN COMMISSION OF THE  
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA,  
ADOPTING A BUILDING PERMIT AND INSPECTION FEE  
SCHEDULE; PROVIDING FOR SEVERABILITY,  
CONFLICTS, AND AN EFFECTIVE DATE.**

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7       **WHEREAS**, the Town of Lauderdale-By-The-Sea (the “Town”) has utilized the services  
8 of Broward County for building permit review and inspections; and

9       **WHEREAS**, Building Permit and Inspection fees have been paid under the Broward  
10 County permit fee schedule, plus a 10% surcharge for administrative costs; and

11       **WHEREAS**, the Town on November 29, 2011, the Town Commission approved C.A.P.  
12 Government to provide building permit review and inspection services to the Town beginning  
13 January 2, 2012; and

14       **WHEREAS**, the Town Commission desires to adopt a Building Permit and Inspection  
15 Fee Schedule (the “Fee Schedule”) consistent with the new services to be provided by CAP  
16 Government and eliminating the 10% surcharge, a copy of which is attached hereto as Exhibit  
17 “1”; and

18       **WHEREAS**, The Town Commission finds that the fees and charges set forth in the Fee  
19 Schedule are reasonable and necessary in light of the services provided.

20       **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF**  
21 **THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, THAT:**

22       **Section 1.**    **Recitals.**    The foregoing “**Whereas**” clauses are hereby ratified and  
23 confirmed by the Town Commission, and incorporated herein.

24       **Section 2.**    **New Fees.**    The Town Commission of the Town of Lauderdale-By-The-  
25 Sea, Florida, hereby adopts the Building Permit and Inspection Fees, as set forth in the Building

**RESOLUTION 2011- – EXHIBIT A**

26 Permit and Inspection Fee Schedule attached hereto and incorporated herein, as Exhibit “1”.

27        **Section 3.**    **Severability.** If any clause, section, or other part of this Resolution shall  
28 be held by any Court of competent jurisdiction to be unconstitutional or invalid, such  
29 unconstitutional or invalid part shall be considered as eliminated and in no way affecting the  
30 validity of the other provisions of this Resolution.

31        **Section 4.**    **Conflict.** All Resolutions or parts of Resolutions in conflict herewith are  
32 hereby repealed to the extent of such conflict.

33        **Section 5.**    **Effective Date.** This Resolution shall become effective on January 2,  
34 2012.

35 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011.

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MAYOR ROSEANN MINNET

ATTEST

\_\_\_\_\_  
June White, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Susan L. Trevarthen, Town Attorney

## Exhibit 1 to Resolution 2011-43

### LAUDERDALE BY THE SEA - BUILDING PERMIT FEE SCHEDULE

#### A. Calculation of permit fee.

The cost of construction or project may be determined in the following ways as determined by the Building Official:

1. Cost of construction as submitted by the applicant.
2. Copy of a signed contract for work to be performed
3. Using the values in the most recent edition of the RS Means Construction Valuation System.

The Building Official has the discretion to choose which one of the three methods used best reflect the true cost of work being performed.

#### B. Mandatory State and County fees.

1. Broward County Board of Rules and Appeals Surcharge - \$0.60 per \$1,000.00 cost of construction.
2. Florida Statute 553.721 - 1.5 percent of the permit fee or a minimum of \$2.00, and 468.631 - 1.5 percent of the permit fee or a minimum of \$2.00.
3. Education fee - 0.2 percent of the permit fee.

#### C. Permit Processing Fees.

The full permit fee is due at time of submission. Should work discontinue, then a prorated share of the fee may be returned as determined by the Building Official.

#### D. Building Permit Fees.

Fees for each permit that are calculated on the basis of a percentage of construction cost include fees for review by one construction discipline. If more than one discipline must review or inspect the project, then the additional discipline fees outlined apply.

1. New Construction - Residential
  - (a) 2.00 % of total construction value plus \$85.00 for each discipline.
  - (b) Minimum permit fee \$85.00
2. New Construction - Commercial
  - (a) 2.00 % of total construction value, plus \$85.00 for each discipline.
  - (b) Minimum permit fee \$85.00
3. Residential Additions or Alterations
  - (a) 3.00 % of total construction value, plus \$85.00 for each discipline.
  - (b) Minimum permit fee \$85.00

## Exhibit 1 to Resolution 2011-43

### LAUDERDALE BY THE SEA - BUILDING PERMIT FEE SCHEDULE

#### 4. Commercial Additions or Alterations

- (a) 3.00 % of total construction value, plus \$85.00 for each Discipline
- (b) Minimum permit fee \$85.00

- E. Roofing Permit Fees 1.50 % of total construction value, plus \$85.00 for each discipline.
- F. Swimming Pool Permit Fees 5.00 % of total construction value, plus \$85.00 for each discipline.
- G. Miscellaneous Permit Fees 2.00 % of total construction value, plus \$85.00 for each discipline.

Miscellaneous permits include doors, garage doors, windows, storm shutters, fences, sheds, pool decks, paver patios, concrete slabs, driveways, screen enclosures, tents, gazebos, retaining walls, sea walls, etc. This also includes any miscellaneous electrical, plumbing, or mechanical permits covered by the Florida Building Code. Should the Building Official determine that a permit is needed for work being performed and that the minimum permit fee and the percentage multiplier do not adequately assess a fee necessary to hold the City revenue neutral, then Building Official shall notify the applicant in writing of the time necessary to review and issue the permit and at what hourly rate, based on the disciplines necessary for the review.

- H. Minimum Permit Fee. \$85.00

All permits issued are subject to a minimum fee of \$85.00. Should any permit calculation result in a fee of less than \$85.00, then the minimum permit fee shall apply.

- I. Demolition of Buildings 1.00 % of Total Project Value
- J. Elevators, Escalators, and other Lift Devices Regulated by Broward County
- K. Change of Contractor \$85.00

- L. Plan Revisions after permit is issued

Plan revisions and corrections before and during application process may be assessed additional hourly fees if resubmitted.

If the proposed change represents a major alteration of the floor plan, or configuration of the structure that requires extensive reexamination or computation, then the original permit shall be voided, and one half (1/2) of the original permit fee may be applied to the new permit.

- M. Re-inspections

## Exhibit 1 to Resolution 2011-43

### LAUDERDALE BY THE SEA - BUILDING PERMIT FEE SCHEDULE

1. First Occurrence	\$65.00 except for permits pulled by an owner-builder, in which case, the first re-inspection fee will be waived.
2. Second Occurrence	\$130.00
3. Third Occurrence	\$195.00
4. Fourth and all subsequent Occurrences	\$260.00

The Building Official may waive re-inspection fees, based on extenuating circumstances.

#### N. Overtime, Specialty, and After Hours Inspections

4 hour minimum at \$97.50 per hour or fraction thereof

O. Permit Card Replacement \$ 35.00

P. Penalty for work without a permit Double the Permit Fee

#### Q. Expired permits/extensions

If the applicant applies for permit renewal within the time period stated in the Florida Building Code, the renewal fee shall be one half (1/2) of the original fee, or \$85.00, whichever is greater.

If the renewal application is made after the time period stated in the Florida Building Code, application for a new permit must be made, accompanied by payment of the full fee.

#### R. Certificate of Occupancy

1. Residential	\$150.00
2. Commercial	\$250.00

#### S. 40 Year Building Safety Inspection Program

All applications for recertification or extension	\$400.00
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