



LAUDERDALE • BY • THE • SEA

Agenda Memorandum

Office of the Town Manager

Bud Bentley

Assistant Town Manager *BB*

COMMISSION MEETING DATE - 7:00 PM	September 24, 2012
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Agenda Type: Resolution

SUBJECT TITLE: Resolution 2012-42, Increasing a Mandatory Broward County Building Permit Fee

EXPLANATION: Broward County requires all government authorities within the County that issues permits pursuant to the Broward County Edition of the Florida Building Code to charge a County fee. On August 28, 2012, the County adopted Resolution 2012-487, which increased the mandatory County fee we collect on their behalf from \$0.60 to \$0.68 for each \$1,000 of Total Construction Cost. The fee increase is effective October 1, 2012.

The new fee and text is as follows:

Broward County Board of Rules and Appeals Surcharge: A fee equal to the greater of \$2.00 or \$0.68 for each \$1,000.00, or fraction thereof of "Total Construction Cost" shall be collected for any building electrical, plumbing, mechanical, engineering, and liquefied petroleum permit issued, including but not limited to permits issued for alternations, repair, installation and demolition.

"Total Construction Cost" shall be provided by the permit applicant or designer of record and approved by the Building Official using contracts, current R.S. Means catalog, or other methods.

The Fee is in Section B. Mandatory State and County fees, which can be found on page 1 of Exhibit "A to Resolution 2012-42 (**Exhibit 1**).

RECOMMENDATION: We recommend the Commission approve Resolution 2012-42 (**Exhibit 1**).

- EXHIBITS:**
1. Resolution 2012-42 with Exhibit "A"
 2. County Resolution 2012-487

Reviewed by Town Attorney

Town Manager Initials *CB*

Yes No

RESOLUTION 2012 – 42

1 **A RESOLUTION OF THE TOWN COMMISSION OF THE**
2 **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA,**
3 **AMENDING AND ADOPTING A REVISED BUILDING**
4 **PERMIT AND INSPECTION FEE SCHEDULE;**
5 **PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN**
6 **EFFECTIVE DATE.**

7
8 **WHEREAS,** the Town of Lauderdale-By-The-Sea (the “Town”) adopted Resolution
9 2011-43, establishing building permit and inspection fees.

10 **WHEREAS,** Broward County, by their Resolution 2012-487, requires governmental authorities
11 issuing permits pursuant to the Florida Building Code, Broward County Edition, to charge a fee in
12 connection with such permits, effective October 1, 2012.

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

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

17 **Section 2.** **Fees.** The Town Commission of the Town of Lauderdale-By-The-Sea,
18 Florida, hereby adopts the Building Permit and Inspection Fees set forth in the Building Permit
19 and Inspection Fee Schedule attached hereto as Exhibit “1” and incorporated herein, including
20 the revisions reflected thereon.

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

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

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27 **Section 5.** **Effective Date.** This Resolution shall become effective on October 1,
28 2012.

29 **PASSED AND ADOPTED** this ____ day of _____, 2012.

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MAYOR ROSEANN MINNET

ATTEST

June White, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

RESOLUTION 2012 – 42

Town of Lauderdale-By-The-Sea

BUILDING PERMIT FEE SCHEDULE

Effective October 1, 2012

47 **A. Calculation of permit fee.**

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

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

54
55 The Building Official has the discretion to choose which one of the three methods used best
56 reflect the true cost of work being performed.

57
58 **B. Mandatory State and County fees.**

- 59 1. Broward County Board of Rules and Appeals Surcharge: A fee equal to the greater of
60 \$2.00 or \$0.68 for each \$1,000.00, or fraction thereof of "Total Construction Cost" shall
61 be collected for any building electrical, plumbing, mechanical, engineering, and liquefied
62 petroleum permit issued, including but not limited to permits issued for alternations,
63 repair, installation and demolition.

64 "Total Construction Cost" shall be provided by the permit applicant or designer of record
65 and approved by the Building Official using contracts, current R.S. Means catalog, or
66 other methods.

- 67 2. Florida Statute 553.721 - 1.5 percent of the permit fee or a minimum of \$2.00, and
68 468.631 – 1.5 percent of the permit fee or a minimum of \$2.00.
- 69 3. Education fee – 0.2 percent of the permit fee.

70
71 **C. Permit Processing Fees.**

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

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75 **D. Building Permit Fees.**

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

- 79 1. Residential - new construction
80 (a) 2.00 % of total construction value plus \$85.00 for each discipline.

81

Exhibit "A"

RESOLUTION 2012 – 42
Town of Lauderdale-By-The-Sea

BUILDING PERMIT FEE SCHEDULE

Effective October 1, 2012

82	(b) Minimum permit fee	\$85.00
83		
84	2. Commercial - new construction –	
85	(a) 2.00 % of total construction value, plus \$85.00 for each discipline.	
86	(b) Minimum permit fee	\$85.00
87		
88	3. Residential Additions or Alterations	
89	(a) 3.00 % of total construction value, plus \$85.00 for each discipline.	
90	(b) Minimum permit fee	\$85.00
91		
92	4. Commercial Additions or Alterations	
93	(a) 3.00 % of total construction value, plus \$85.00 for each Discipline	
94	(b) Minimum permit fee	\$85.00
95		
96	E. Roofing Permit Fees	1.50 % of total construction value, plus
97		\$85.00 for each discipline.
98		
99	F. Swimming Pool Permit Fees	5.00 % of total construction value, plus
100		\$85.00 for each discipline.
101		
102	G. Miscellaneous Permit Fees	2.00 % of total construction value, plus
103		\$85.00 for each discipline.
104		
105	Miscellaneous permits include doors, garage doors, windows, storm shutters, fences, sheds, pool	
106	decks, paver patios, concrete slabs, driveways, screen enclosures, tents, gazebos, retaining walls,	
107	sea walls, etc. This also includes any miscellaneous electrical, plumbing, or mechanical permits	
108	covered by the Florida Building Code. Should the Building Official determine that a permit is	
109	needed for work being performed and that the minimum permit fee and the percentage multiplier	
110	do not adequately assess a fee necessary to hold the City revenue neutral, then Building Official	
111	shall notify the applicant in writing of the time necessary to review and issue the permit and at	
112	what hourly rate, based on the disciplines necessary for the review.	
113		
114	H. Minimum Permit Fee.	\$85.00
115		
116	All permits issued are subject to a minimum fee of \$85.00. Should any permit calculation result	
117	in a fee of less than \$85.00, then the minimum permit fee shall apply.	
118		
119	I. Demolition of Buildings	1.00 % of Total Project Value
120		

Exhibit "A"

RESOLUTION 2012 – 42 *Town of Lauderdale-By-The-Sea*

BUILDING PERMIT FEE SCHEDULE

Effective October 1, 2012

121	J. Elevators, Escalators, and other Lift Devices	Regulated by Broward County
122		
123	K. Change of Contractor	\$85.00
124		
125	L. Plan Revisions after permit is issued	
126	Plan revisions and corrections before and during application process may be assessed additional	
127	hourly fees if resubmitted.	
128	If the proposed change represents a major alteration of the floor plan, or configuration of the	
129	structure that requires extensive reexamination or computation, then the original permit shall be	
130	voided, and one half (1/2) of the original permit fee may be applied to the new permit.	
131		
132	M. Re-inspections	
133	1. First Occurrence	\$65.00 except for permits pulled by an
134		owner-builder, in which case, the first
135		re-inspection fee will be waived.
136	2. Second Occurrence	\$130.00
137	3. Third Occurrence	\$195.00
138	4. Fourth and all subsequent Occurrences	\$260.00
139		
140	The Building Official may waive re-inspection fees, based on extenuating circumstances.	
141		
142	N. Overtime, Specialty, and After Hours Inspections	
143		4 hour minimum at \$97.50 per hour or
144		fraction thereof
145		
146	O. Permit Card Replacement	\$ 35.00
147		
148	P. Penalty for work without a permit	Double the Permit Fee
149		
150	Q. Expired permits/extensions	If the applicant applies for permit renewal within the
151		time period stated in the Florida Building Code, the
152		renewal fee shall be one half (1/2) of the original fee, or
153		\$85.00, whichever is greater.
154		
155		If the renewal application is made after the time period
156		stated in the Florida Building Code, application for a

Exhibit "A"

RESOLUTION 2012 – 42
Town of Lauderdale-By-The-Sea

BUILDING PERMIT FEE SCHEDULE

Effective October 1, 2012

157 new permit must be made, accompanied by payment of
158 the full fee.
159

160 **R. Certificate of Occupancy**

- | | | |
|-----|----------------|----------|
| 161 | 1. Residential | \$150.00 |
| 162 | 2. Commercial | \$250.00 |

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164 **S. 40 Year Building Safety Inspection Program**

165	All applications for recertification or extension	\$400.00
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Exhibit 2

RESOLUTION NO. 2012-487

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2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 AMENDING CHAPTER 43, "FEES AND OTHER
5 CHARGES, MISCELLANEOUS," PART I, "BOARD OF
6 RULES AND APPEALS FEES," SECTION 43.1, "FEE IN
7 CONNECTION WITH PERMITS," ESTABLISHING FEES
8 TO BE CHARGED IN RELATION TO BUILDING PERMITS;
9 PROVIDING FOR SEVERABILITY, INCLUSION IN THE
10 CODE, AND AN EFFECTIVE DATE.

11 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
12 BROWARD COUNTY, FLORIDA:

13 Section 1. Chapter 43, "Fees and Other Charges, Miscellaneous" Part I,
14 "Board of Rules and Appeals Fees," Section 43.1, "Fee in Connection with Permits," is
15 hereby amended to read as follows:

16 **43.1. Fee in Connection with Permits.**

17 In compliance with Article IX, Section 9.02D, Broward County Charter, as
18 amended, each governmental authority within Broward County which is required to
19 issue permits pursuant to the Florida Building Code, Broward County Edition, shall
20 charge a fee in connection with permits issued pursuant to that Code according to the
21 following formula:

- 22 a. A fee equal to the greater of \$2.00 or ~~\$0.60~~ 0.68 for each \$1,000.00, or
23 any fraction thereof, of "Total Construction Cost" shall be collected for any
24 building, electrical, plumbing, mechanical, engineering, and liquefied
petroleum permit issued, including but not limited to permits issued for
alteration, repair, installation, and demolition.

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

1 b. "Total Construction Cost" shall be provided by the permit applicant or
2 designer of record and approved by the Building Official using contracts,
3 current R.S. Means catalog, or other methods.

4 Section 2. SEVERABILITY.

5 If any portion of this Resolution is determined by any Court to be invalid, the
6 invalid portion shall be stricken, and such striking shall not affect the validity of the
7 remainder of this Resolution. If any Court determines that this Resolution, or any
8 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),
9 property(ies), or circumstance(s), such determination shall not affect the applicability
10 hereof to any other individual, group, entity, property or circumstance.

11 Section 3. INCLUSION IN CODE.

12 It is the intention of the Board of County Commissioners that the provisions of
13 this Resolution shall become and be made a part of the Broward County Administrative
14 Code; and that the sections of this Resolution may be renumbered or re-lettered and the
15 word "ordinance" may be changed to "section," "article," or such other appropriate word
16 or phrase in order to accomplish such intention.

17 Section 4. EFFECTIVE DATE.

18 This Resolution shall become effective on October 1, 2012.

19
20 Adopted this 28th day of August, 2012. # 5-20M
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22

23 MA/gmb
24 5/14/12
#12-049

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