



Item No. _____

Agenda Memorandum

Office of the Town Manager

Department

Linda Connors

Director of Development Services

COMMISSION MEETING DATE: March 24, 2017

ITEM CATEGORY: Resolution

SUBJECT TITLE: Resolution 2017-09 – Building Permit and Inspection Fees

EXPLANATION: At January 24, 2017 Commission meeting, Jeffrey Lynne spoke at public comments representing Richard Schulze, the owner of the properties at 4433 and 4437 Poinciana Street. Mr. Lynne advised that his client is seeking a refund of two building permits beyond the Town policy established in Resolution 2016-02, which provides for a 50% refund. The matter was referred to the Town Manager.

Resolution 2012-42, which took effect on October 1, 2012, established that *“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.”*

Resolution 2016-02, which took effect on June 14, 2016, established that *“After payment in full of permit fees, and prior to the commencement of construction, a refund of fifty percent (50%) of such fees may be requested for building permit fees exceeding \$400.00.”* Given that the permit applications for the two properties referenced above were submitted on May 18, 2016, prior to the effective date of Resolution 2016-02, the Town Manager has authorized refunds in accordance with Resolution 2012-42, which the Building Official determined was 80% of the building permit fees.

Further, the Building Official polled the other municipalities in Broward County and found that most of them do not have a formal refund policy. The following table provides a representative sampling of a few other municipalities refund policies (summarized for brevity).



Oakland Park	50% refund of permit fee within 60 days of issuance of permit if no work is performed. No other fees including plan review fee, fire review fee, are refunded.
Cooper City	A portion of the permit fee may be refunded as determined on a case-by-case basis.
Coconut Creek	Requires a non-refundable deposit with the application. No refunds after permit is issued.
Sunrise	No refunds

Based on the information above, it appears that the Town’s current policy of providing a 50% refund is among the more generous policies; however, given the discussion at the January 24, 2017 Commission meeting, we propose the following change in Line 134 of the attached Resolution 2017-09.

(n) Refund of Permit Fee.

- (1) For permit fees paid after March 14, 2017, the permit holder may request a refund if the project is abandoned prior to commencement of construction. The Building Official is authorized to approve a refund less the cost of work performed by the Town, administrative expenses, and nonrefundable fees paid by the Town.
- (2) There will be no refund of fees after construction begins or permit expires.

RECOMMENDATION: Approve Resolution 2017-09

Exhibits: 1. Resolution 2017-09

Reviewed by Town Attorney:

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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27 forth in the Building Permit and Inspection Fee Schedule attached hereto and incorporated
28 herein, as Exhibit "A".

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

33 **Section 4. Conflict.** Resolution Nos. 12-42 and 11-43 and all Resolutions or parts of
34 Resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

35 **Section 5. Effective Date.** This Resolution shall become effective on _____,
36 2016.

37 **PASSED AND ADOPTED** this 14th day of March 2017.

38
39 _____
40 MAYOR SCOT SASSER

41 ATTEST
42 _____
43 Tedra Allen, Town Clerk

44 APPROVED AS TO FORM:
45 _____
46 Susan L. Trevarthen, Town Attorney

RESOLUTION 2017-09
Town of Lauderdale-By-The-Sea

BUILDING PERMIT AND INSPECTION FEE SCHEDULE

Effective: March 14, 2017

49 (a) **Permit Processing Fees.**

50 (1) The full permit fee is due at time of the submission of a permit application-

51

52 (b) **Calculation of permit fee.**

53 (1) Permit valuations shall include total value of the work including labor and materials for
54 which the permit is being applied for.

55 (2) The building permit fee shall be calculated based on the cost of construction or project. This
56 cost may be determined in the following ways as determined by the Building Official:

57 a. Cost of construction as submitted by the applicant;

58 b. Copies of signed contracts for work to be permitted; or

59 c. Using the values in the most recent edition of the RS Means Construction Valuation
60 System.

61

62 (c) **Mandatory State and County fees.**

63 (1) Broward County Board of Rules and Appeals Surcharge:

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

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

71 (2) Florida Statute 553.721 - 1.5 percent of the permit fee or a minimum of \$2.00, and 468.631 –
72 1.5 percent of the permit fee or a minimum of \$2.00.

73 (3) Education fee – 0.2 percent of the permit fee.

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BUILDING PERMIT AND INSPECTION FEE SCHEDULE

Effective: March 14, 2017

74

75 (d) **Permit Fees.**

76 (1) **Minimum Permit Fee.** \$85.00

77 (2) **Building Permit Fees.**

78 The fees for each permit are calculated based on a percentage of total construction cost under
 79 the permit and plan review fees as follows:

80 a. Permit fee calculation table.

81

Permit Type	Permit Fee
New Construction	2%
Additions or Alterations	3%
Roofing Permit Fees	1.5%
Swimming Pool Permit Fees	5%
Miscellaneous Permit Fees	2%
Demolition of Buildings	1% of Total Cost of Demolition
Elevators, Escalators, and other Lift Devices	Regulated by Broward County

82

83 b. Plan review fees.

84 1. Building disciplines. The building permit fee includes review by one construction
 85 discipline. If more than one discipline must review or inspect the project, then an
 86 additional discipline fee, including zoning, of \$85.00 for each applies.

87 2. Engineering. Engineering fees are calculated at \$200 per hour.

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88 c. Miscellaneous permits include but are not limited to doors, garage doors, windows, storm
 89 shutters, fences, sheds, pool decks, paver patios, concrete slabs, driveways, screen
 90 enclosures, tents, gazebos, retaining walls, sea walls, etc. This also includes any
 91 miscellaneous electrical, plumbing, or mechanical permits covered by the Florida
 92 Building Code.

93 **(e) Plan Revisions after permit is issued.**

94 (1) Change of Plans/revisions each discipline \$85.00

95 a. Plus additional permit fees- verification of additional cost of job including all systems

96 (2) As determined by the Building Official, if the proposed change represents a major alteration
 97 of the floor plan, or configuration of the structure that requires extensive reexamination or
 98 computation, then the original permit shall be voided, and one half (1/2) of the original permit fee
 99 may be applied to the new permit.

100 (3) Change of Contractor \$85.00

101 (4) Product approval or review of shop drawings after permit is issued \$85.00

102

103 **(f) Technical Consultation**

104 (1) Plan Reviewer, per hour or portion thereof \$125.00

105 (2) Engineer \$200.00/hr.

106

107 **(g) Extension of Permit.**

108 (1) Permit Extension Prior to Initial Permit Expiration. 5% or \$85.00, whichever is greater

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110 **(h) Expired permits.**

111 (1) An expired permit cannot be re-issued and a new application for a new permit shall be made,
 112 accompanied by payment of the full fee.

113 **(i) Certificate of Occupancy/Completion:** this fee is due at time of initial building permit
 114 submission.

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BUILDING PERMIT AND INSPECTION FEE SCHEDULE

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	Certificate of Occupancy	Temporary/Partial Certificate of Occupancy	Certificate of Completion
Residential	\$150.00	\$125.00	
Multi-Unit Residential	First Unit \$85.00 Each Additional Unit \$50.00		
Commercial	\$250.00		
Shell Buildings			\$150.00
Others			\$85.00

- 115
- 116 (j) **Permit Card Replacement** \$50.00
- 117
- 118 (k) **Additional Services.**
- 119 (1) Engineering Inspection Fee \$200.00
- 120 (2) Business Tax-Building inspection (for all disciplines) \$150.00
- 121 (3) Overtime, Specialty, and After Hours Inspections: 4 hour minimum at \$97.50 per hour or
- 122 fraction thereof
- 123 (4) Re-inspections
- 124 a. First Occurrence
- 125 \$ 65.00
- 126 b. Second Occurrence \$130.00
- 127 c. Third Occurrence \$195.00
- 128 d. Fourth and all subsequent Occurrences \$260.00
- 129
- 130 (l) **40 Year Building Safety Inspection Program Fee.** \$300.00

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BUILDING PERMIT AND INSPECTION FEE SCHEDULE

Effective: March 14, 2017

- 131
- 132 (m) **Fee for work without a permit.** Double the Permit Fee
- 133
- 134 (n) **Refund of Permit Fee.**
- 135 (1) For permit fees paid after March 14, 2017, the permit holder may request a refund if
- 136 the project is abandoned prior to commencement of construction. The Building
- 137 Official is authorized to approve a refund less the cost of work performed by the
- 138 Town, administrative expenses, and nonrefundable fees paid by the Town.
- 139 (2) There will be no refund of fees after construction begins or permit expires.
- 140