

BUILDING PERMIT FEES

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "ENTITLED "BUILDING REGULATIONS," DIVISION 2, "PERMIT FEES," AT SECTIONS 14-61, 14-62, 14-66, 14-67, 14-68, 14-70, AND 14-72 IN ORDER TO UPDATE CERTAIN BUILDING FEES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach amended its fee code and implemented the new fee schedule on June 2, 2014; and

WHEREAS, in implementation of the City's building permit software system, it was determined, that certain fees could not be entered into the system; and

WHEREAS, certain other fees were reviewed and modified to better reflect actual costs; and

WHEREAS, the amendments set forth below are necessary to accomplish the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 14, "Building Regulations," Article II, "Construction Fees," Division, "Permit Fees," is hereby amended as follows:

* * *

Sec. 14-61 Permit fees, generally.

(a) *Levied.* Permits, inspections and other fees of the building department of the city are hereby levied and imposed and shall apply to building, plumbing, electrical and mechanical permits and other activities undertaken by that department. Permit fee line items include, but are not limited to: building, plumbing, electrical, and mechanical as well as those line items associated with planning, fire, and public works. In addition, all permits will include line items for outside agencies; State of Florida, Department of Business and Professional Regulation (DBPR), Building Code Administrators and Inspectors (BCAI), and Miami Dade County Building Code Compliance Office (BCCO). The City Manager is authorized to waive City building permit fees that include building, planning, public works, parking, and fire permits that are directly related to City projects.

(b) *Double fees.* Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the required permit fee, in addition to the required permit fees, plus a penalty for the first, second and subsequent offenses as outlined in appendix A.

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~~(g) *Inspection fee hourly rate.* The inspection fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the building department's approved overhead and indirect costs and the resources assigned to the inspection program.~~

~~(h) *Plans re-review fee.* When extra plans reviews are due to the failure to correct Florida Building Code violations discipline requirements specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, in compliance with F.S. § 553.80(2)(b), each time after the third such review that plans are rejected for the same code requirement violation, a fee shall be charged, per discipline, as delineated in appendix A. four times the amount of the proportion of the permit fee shall be attributed to plans review.~~

~~(i) *Expedited plans review and inspection fee.* Upon request from the applicant, the department may schedule an expedited plans review or inspection, on an overtime basis by city staff. When such service is provided, a fee as specified in appendix A shall be charged, in addition to the regular permit fee and other applicable fees. Expedited plan review service may be requested by the applicant at a charge, per discipline, as delineated in appendix A, ~~of with a cost plus fee incurred in addition to the other applicable fees required for the work.~~ regular permit fee and other applicable fees.~~

~~* * *~~

~~(m) *Electronic concurrent plan processing.* In order to create a more efficient permitting process, the building department ~~will~~ may be implementing procedures to process plans electronically via an automated workflow. Once implemented, the department ~~will~~ may request that applicants submit plans in an electronic format. If the applicant chooses to submit paper plans, the director, or his designee has the authority to invoice for reimbursement of the conversion of documents submitted to an electronic format~~

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~~(p) *Photovoltaic waiver.* In order to promote the use of photovoltaic energy, all photovoltaic related building permit fees will be waived.~~

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Sec. 14-62. Building permits.

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~~(b) *Refunds, time limitations, cancellations, change of contractor.* The fees charged pursuant to the schedule in appendix A, provided the same are for a permit required by Section 105.1 of the Florida Building Code, may be refunded by the building official subject to the following:~~

- ~~(1) No refunds shall be made on requests involving:
 - a. ~~Permit fees of the m~~ Minimum permit fee(s) and upfront fee(s) [14-62(a)] as specified in appendix A ~~or less; or~~
 - b. Permits for which plans review has commenced or inspections performed; or
 - e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department ~~City,~~ unless the refund is due to an overcharge by the city.~~

* * *

- (2) Permits under which no inspections were performed are entitled to a 50 percent refund of the building permit fee line item if requested within 90 days of permit issuance. No refund shall be provided after 90 days expires.

~~A full refund less the minimum up-front permit fee and any outside-agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that no plan review has commenced.~~

~~A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside-agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that a permit has not been issued.~~

~~A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside-agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing within one year of payment, provided:-~~

- ~~a. That the permit holder makes a written request prior to the permit expiration date; and~~
- ~~b. That no work as evidenced by any recorded inspection has commenced under such permit~~

* * *

- (7) Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1 of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional processing fee equivalent to the minimum permit fee as specified in appendix A, shall be charged for a renewal under these circumstances. No additional fees for outside agency line items will be imposed.

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SECTION 2. Attached to this Ordinance is amended Appendix A, amending certain building permit fees.

SECTION 3. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 4. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

Philip Levine, Mayor

ATTEST:

Rafael E. Granado, City Clerk

First Reading: _____, 2017

Second Reading: _____, 2017

Underline = new language
~~Strikethrough~~ = deleted language
(Sponsored by Commissioner Ricky Arriola)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

R. Levine
City Attorney

4-11-17
Date

[Handwritten signature]

"EXHIBIT A"

APPENDIX A - FEE SCHEDULE

FEE SCHEDULE

This appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances:

<u>Section this Code Code Section</u>	Description	Amount
	Subpart a. General Ordinances	
	Chapter 2. Administration	
	Article V. Finance	

<u>Section this Code Code Section</u>	Description	Amount (Effective June 2, 2014)
	Division 2. Permit Fees	
14-61(b)	Double fees for starting work prior to issuance of permit, plus the following penalty:	
	First offense	100.00 <u>500.00</u>
	Second offense	250.00 <u>1000.00</u>
	Subsequent offenses	1,000.00 <u>2000.00</u>
14-61(c)(1)	Reinspection fee:	<u>200.00</u>
	In compliance with F.S § 553.80(2)(c), any subsequent reinspection after the first reinspection shall be charged four times the cost of first inspection or first reinspection, whichever is greater. The cost of inspections is calculated based on the actual time spent by the inspector multiplied by the inspection fee hourly rate, as specified in subsection 14-61(g). The actual time of inspection is rounded up to the hour	
	First Inspection	0.00
	Second and subsequent reinspection(s): Based on four times the cost of first inspection or first reinspection, whichever is greater at a rate pursuant to 14-61 (g)	<u>200.00</u>
	Reinspection of existing building to determine compliance with the applicable Building Code: Based on four times the cost of first inspection or first reinspection, whichever is greater. The cost of inspections is calculated based on the actual time spent by the inspector multiplied by the inspection fee hourly rate, as specified in subsection 14-61(g). The actual time of inspection is rounded up to the hour.	

14-61(e)	Commercial major revisions 6 to 30 or more pages	500.00
14-61(f)	Commercial total revision 31 + pages When determined by the Building Official	50% of Original Permit Fee
	Residential major revision 6 to 15 or more pages	200.00
	Residential total revision 16 + pages When determined by the Building Official	50% of Original Permit Fee
14-61(h)	Plans re-review fee:	
	First and second re-review	0.00
	Plans re-review fee. Pursuant to the Florida Building Commission, and in compliance with F.S. § 553.80(2) (b), when extra plans reviews are due to the failure to correct code violations <u>rejections</u> specifically and continuously noted in each rejection, each time after the third such review that plans are rejected for the same code violations <u>rejections</u> , a fee of four times the amount of the proportion of the permit fee <u>\$250 per discipline</u> shall be attributed to plans review.	
14-61(i)	Expedited plan review and inspection fee: upon request from the applicant, the department may schedule an expedited plans review or inspection on an overtime basis by department staff. Fee for each review or inspection <u>category</u> requested.	250.00
14-61(n)	Phase permits:	
	Commercial new construction	2,000.00 <u>5000.00</u>
	Commercial alteration	1,500.00 <u>4000.00</u>
	Residential new construction Single Family Residence	1,000.00 <u>2000.00</u>
14-62(a)	Up-front processing fee: Percent of estimated permit fee o the minimum processing fee, whichever is greater.	
	Percent of estimated permit fee rounded up to the nearest \$5.00 increment	20 <u>50</u> %
	Minimum up-front fee	50.00
14-62(b)(4)	Change of contractor	100.00
14-62(b)(5)	Change of architect or engineer	100.00
14-62(b)(6)	One time request for building permit extension (permit must not be expired)	100.00
14-62(b)(6)	Additional request for building permit extension (permit must not be expired): Percent of building permit fee line item <u>only</u>	100 <u>50</u> %
	Minimum permit fee	
	<u>The valuation of permit fees shall be based on the following minimum cost per square ft</u>	
	Commercial Permit Fees for Building Permits:	
	<u>New Construction</u>	<u>140.00</u>
	<u>Alterations</u>	<u>100.00</u>
	Permit fee for a building whose estimated construction cost is equal to or less than \$30 million is 2.0% of the cost	

	of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$30 million <u>but less than or equal to \$100 million and 0.2% of costs exceeding \$100 million as approved by the Building Official or his designee.</u>	
	Residential Permit Fees for Building Permits:	
	<u>New Construction</u>	<u>120.00</u>
	<u>Alterations</u>	<u>90.00</u>
	Temporary and Special Event Fees	
	Temporary platforms for public assembly, first approval	150.00
	Temporary bleachers for public assembly, first approval	95.00 150.00
	Temporary platforms or bleachers for public assembly, re-approval	20.00 100.00
	Tents excluding electric and plumbing, per tent	
	• Up to 1,000 square feet	104.00 150.00
	• Each additional 1,000 square feet over 1,000	28.00 50.00
	Temporary structure/trusses/statues (no electrical or plumbing included)	104.00 150.00
	Temporary chiller	462.00 500.00
	Temporary generator	237.00 500.00
	Construction trailer, per trailer	568.00 500.00
	Office trailer, per trailer	686.00 500.00
	Temporary power for construction	225.00 300.00
	Temporary power for test	189.00 200.00
	Temporary multi-seat toilet trailer, per trailer	80.00 100.00
	Temporary individual toilet, per event	17.00 50.00
	Amusement Rides	60.00
	Temporary electric work on circuses, carnivals, per show	312.00
14-66(1)	Certificate of occupancy fees:	
	Residential units R-1, R-2, and R-3, per unit	110.00 150.00
	All commercial occupancies except R-1 and R-2, per square foot	0.05 0.07
14-66(1)	Temporary certificate of occupancy or completion fees:	
	100 percent of final certificate of occupancy or completion <u>and letter of final completion</u> fee plus the cost of any additional required inspections. Additional required inspections will be charge based on actual time spent on inspection multiplied by the hourly rate, as specified in section 14-61(h).	<u>200.00</u>
14-66(1)	Certificate of completion fees:	
	Certificate of completion fees for residential	100.00
	Certificate of completion fees for commercial	250.00
	Forty year recertification program fee:	
14-67(a)	Per building	600.00
	Building official approval of 6 month extension for building recertifications	600.00

14-67(b)	Late compliance fee, regular fee, plus	260.00
14-67(c)	New inspection report fee if recertification not completed within 90 days of building's being declared unsafe	312.00 300.00
14-69	Employee training, education, safety, and technology procurement and implementation for service enhancement surcharge is 6 percent of each and every Building permit fee	
	Chapter 66. Marine Structures, Facilities and Vehicles	
	Article III. Piers, Docks and Boat Ramps	
66-114(a)	Plans review fee shall be consistent with 14-64(h)98-93(a),(b). Up-front processing fee shall be consistent with 14-62(a),	