

ORDINANCE NO. 18-029

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5, ARTICLE VII OF THE CODE OF ORDINANCES ENTITLED "PERMIT FEES"; AMENDING SECTION 5-266, TO CLARIFY DETERMINATION OF FEES AND VALUATIONS; AMENDING SECTION 5-267, TO UPDATE FEE COLLECTION, REORGANIZE SCHEDULE AND REMOVE FEES NOT INCLUSIVE TO PERMITS; CREATING SECTION 5-268, MISCELLANEOUS FEE SCHEDULE, TO PROVIDE FOR A SCHEDULE OF MISCELLANEOUS FEES NOT INCLUSIVE TO PERMITS; CREATING SECTION 5-269, INCENTIVE AND OPTIONAL SERVICE FEE SCHEDULE, TO PROVIDE FOR A SCHEDULE OF FEES FOR INCENTIVES AND OPTIONAL SERVICES THAT THE DEPARTMENT PROVIDES; CREATING SECTION 5-270, PENALTY FEE SCHEDULE, TO PROVIDE FOR A SCHEDULE OF FEES FOR PENALTIES THAT MAY BE ASSESSED DURING CONSTRUCTION ACTIVITIES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida State Statute § 553.80(7) provides in part, that a schedule of reasonable fees shall be provided to be used solely for carrying out the local government’s responsibilities in enforcing the Florida Building Code; and

WHEREAS, Article VII, Chapter 5 Section 5-267, of the Code of Ordinances, provides for a schedule of reasonable fees as required; and

WHEREAS, said schedule of reasonable fees also provides for fees used to carry out other departmental responsibilities outside of the purview of the Florida Building Code; and

WHEREAS, said schedule shall be amended from time to time to provide adequate funding for all services provided.

NOW, THEREFORE, BE IT ORDAINED by City Commission of the City of Fort Pierce, Florida:

SECTION 1. Article VII, Chapter 5 Section 5-266 and 5-267, of the Code of Ordinances, is hereby amended to read as follows:

~~ARTICLE VII. - PERMIT FEES~~

Footnotes:

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~~Editor's note — Ord. No. 1-256, §§ 1 — 8, adopted Feb. 16, 1988, created a new Art. VII, relative to permit fees, with provisions designated for inclusion as §§ 5-247 — 5-254. Inasmuch as former reserved Art. VII contained reserved §§ 5-266 — 5-280, the provisions of Ord. No. 1-256 have been redesignated as §§ 5-266 and 5-267 at the discretion of the editor.~~

~~Sec. 5-266. - Permit fees — Payment required.~~

~~On all buildings, structures or alterations requiring a building permit as set forth in this Code, a fee shall be paid as required, at the time of the issuance of the permit, in accordance with the schedules set forth in this article.~~

~~(Ord. No. 1-256, § 1, 2-16-88) Sec. 5-267. - Same — Schedule.~~

		Fee:
(1)	New buildings	
	Commercial:	Fee is based on multiplying the value of the building by .0125. Such value shall be determined by using the most recent Building Valuation Data as compiled by the International Code Council (ICC) or on the contract price given by the applicant for the project, whichever is higher. See item #10 for Subcontractor Agreement Fees.
	Residential:	Fee is based on multiplying the value of the building by .005. Such value shall be determined by using the most recent Building Valuation Data as compiled by the International Code Council (ICC) or on the contract price given by the applicant for the project, whichever is higher. See item #10 for Subcontractor Agreement Fees.
(2)	All other construction except as noted below:	\$100.00 flat fee up to \$8,000.00 in value. Any construction value over \$8,000.00 the fee is based on multiplying the value of the work

		by .0125. See item #10 for Subcontractor Agreement Fees.
(3)	Demolitions:	\$300.00: Single family or 1 and 2 family structures \$500.00: Commercial structures \$150.00: Miscellaneous residential structures including but not limited to: Interior demolition, fences, outbuildings, pools, other attached structures \$250.00: Miscellaneous commercial structures including but not limited to: Interior demolition, fences, outbuildings under 500 sq. ft., pools, signs, other attached structures
(4)	Special inspections after working hours:	Fee is \$100.00 per hour minimum two (2) hours. Per Permit Per Trade
	Special inspection: Expired Permits—Confirmation of no work	\$75.00
(5)	Reinspections: First	Fee is: Residential \$50.00 Commercial \$100.00
	Reinspections: Second	Fee is: Residential \$75.00 Commercial \$150.00
	Reinspections: Third	Fee is: Residential \$100.00 Commercial \$200.00
	Reinspections: Fourth and thereafter	\$250.00 for each inspection
(6)	Manufactured mobile homes:	Fee: New buildings and additions
(7)	Certificate of occupancy or certificate of completion	\$50.00
(8)	Miscellaneous trade and construction permits including, but not limited to: **plumbing, **mechanical, **electrical, gas, remodeling, addition, fences, pools, sheds, signs, docks, site work, etc., shall be on a valuation basis according to the following schedule: ** See item #9 for Flat Rated Permit Fees. See item #10 for Subcontractor Agreement Fees.	
	\$100.00 flat fee up to \$8,000.00 in value. Any construction value over \$8,000.00 the fee is based on multiplying the value of the work by .0125.	
(9)	Flat Rated Permit Fees	Moving of structure \$300.00
		Temporary permit without inspection \$20.00
		Temporary permit with an inspection \$75.00
		Electrical Residential \$100.00
		Mechanical Residential—Per unit \$150.00
		*Plumbing Residential \$75.00
		*water heater replacements and re-pipes only *does not include "Tankless water heater"
(10)	Subcontractor Agreements	\$25.00 Residential per agreement \$50.00 Commercial per agreement
(11)	Generator Installation	\$100.00 flat fee up to \$8,000.00 in value. Any construction value over \$8,000.00 the fee is based on multiplying the value of the work by .0125. A separate permit shall be required for LP/Gas connection.
(12)	Development Permit:	\$100.00 for values under \$5,000.00 \$200.00 for values \$5,000.00 or more
(13)	Building Code Surcharge Per F.S. §§ 468.631 & 553.721 FS	A total of 3% on all Plan Review and Permit Fees. Minimum fee of \$4.00
(14)	Plan Review Fee: Separate from the building permit fee, to the building official at the time of submittal of the building permit application. Said plan review fee shall be figured as shown below. Fee based on total valuation. **See item #21 for revision fees **See item #15 for single opening replacements in multi-family dwelling units	
	a. Fee Minimum	\$75.00
	b. New Residential	Multiply the value of work by .003
	c. All Other permit types	Multiply the value of the work by .005

(15)	Plan Review for single opening replacement in a multi-family dwelling	When only 1 opening (window or door) is being replaced in a multi-family building or development of 10 units or more, only 1 plan review fee will be charged for a Florida product approval or Miami Dade Notice of Acceptance. Each different PA/NOA will have a separate plan review fee.
(16)	Work commencing prior to obtaining permit:	Double fee, figured by using twice the fee obtained by this article.
(17)	Stop work order:	\$100.00 before any further work may commence.
(18)	Stocking Permit	Fee is \$200.00
(19)	Appeal or variance request fee: Construction Board of Adjustments and Appeals	Fee is \$200.00
(20)	Emergency Plan Review	\$250.00 for the 1st hour \$150.00 for every hour after that
(21)	Plan Review Fee (Revisions)	
	1st Re-Review	\$25.00 per page
	2nd and 3rd Re-Review	\$50.00 per page
	4th and additional thereafter	1/3 of the building permit fee
(22)	Change of contractor	\$50.00
	Change of subcontractor	\$20.00
(23)	Research—Fee Lien/Permit Search (computer search)	\$20.00 per request
	Research—Fee Roof/Shutter information (computer search)	\$10.00 per request
	Research—Fee Plan Search	Staff's time plus copies
(24)	Research Copies	
	Permit Copy	\$20.00 per card
	Copy of C.O. or C.C.	\$20.00 per page
	Copy Fee Letter/Legal	\$0.15 per page
	Color Copies	\$0.50 per page
	Plan Size Copies	\$1.50 per page
	Copies on CD	\$5.00 per CD
	Re-Stamping of Plans	\$75.00 plus copies
(25)	Permit Extension	\$100.00 per approved extension. Extension is valid for 30 days.
(26)	Renewal Fees	\$50.00 plus current cost of permit
(27)	Routing Fee	\$15.00 per required department—Excluding Building Department— Fee will be due each time the permit is routed to required department (initial review and subsequent revisions)
(28)	Flood Review	\$15.00 Routing fee for all applications within a Special Flood Hazard Area (SFHA) If over 50% substantial improvement or damage or if new construction within SFHA, multiply the value of the work by .002 to determine the flood review fee.
(29)	Pre-Construction Meeting	\$200.00
(30)	Threshold Inspector/Private Provider	\$200.00
(31)	Business Tax Inspection	\$75.00 per inspection
(32)	Abandoned Properties	
	Annual Registration Fee	Residential fee is \$100.00 Multi-Family/Commercial Structure fee is \$150.00
(33)	Flood Letters	\$25.00
<p>Note: Value of the work means the value of all labor, material, overhead, profit, etc. regardless of whether the labor or materials are donated or obtained at discounted rates. The building official shall</p>		

~~make final determination. If there is a dispute regarding the construction value, appeal may be made to the Construction Board of Adjustments and Appeals.~~

~~(Ord. No. I-256, §§ 2-8, 2-16-88; Ord. No. I-345, § 1, 9-5-89; Ord. No. J-346, § 1, 8-4-97; Ord. No. J-526, § 1, 10-18-99; Ord. No. K-55, § 1, 2-20-01; Ord. No. K-115, § 1, 10-15-01; Ord. No. K-125, § 4, 12-17-01; Ord. No. K-205, § 1, 3-17-03; Ord. No. K-241, § 1, 10-20-03; Ord. No. K-332, § 1, 4-4-05; Ord. No. L-91, § 1, 9-21-09; Ord. No. L-137, § 1, 10-4-10; Ord. No. L-213, § 1, 6-20-11; Ord. No. L-248, § 1, 3-5-12; [Ord. No. 15-056, § 1, 1-4-16](#).) Secs. 5-268—5-280. - Reserved.~~

ARTICLE VII. - PERMIT FEE

Sec. 5-266. - Fees—Payment required.

On all buildings, structures, sites, alterations or other activities requiring a building permit as set forth in this Code and/or the Florida Building Code, a fee shall be paid as required. Plan review fees, miscellaneous fees, incentive fees and penalty fees are in addition to the permit fee. The plan review fee shall be paid at the time of permit submittal prior to review taking place. The permit fee and applicable fees shall be paid at the time of the issuance of the permit, in accordance with the schedules set forth in this article.

All incentive, optional service fees, penalty fees and miscellaneous fees shall be paid prior to such service being rendered and/or prior to final approval by the Department.

For the purposes of this article, valuation shall be defined as the total value of work or total contract price including all materials and labor, for which the permit is being issued, including but not limited to electrical, gas, mechanical and plumbing equipment, permanent systems and appurtenances including but not limited to equipment for which services and systems are designed for; regardless of whether the labor or materials are donated or obtained at discounted rates, overhead and profit. The Building Official shall make the final determination if there is a dispute regarding the valuation. The Building Official shall determine valuation by using the total contract price submitted or the most recent Building Valuation Data as compiled by the International Code Council (ICC), whichever is greater.

Sec. 5-267. Permit & Plan Review Fee Schedule:

<u>Permit Type & Fees:</u> (Plan review fees are in addition to permit fees and are listed below)	
<u>Permits based on valuation:</u>	<u>Fee:</u>
(1) <u>Additions, new buildings, manufactured buildings, mobile homes:</u>	
(a) <u>Commercial:</u>	<u>Fee is calculated by multiplying the valuation times (x) .0125.</u>
(b) <u>Residential:</u>	<u>Fee is calculated by multiplying the valuation times (x) .005.</u>
(2) <u>After the fact permit (work already started or completed):</u>	<u>Double the fee, calculated by multiplying the fee determined by this article times (x) 2</u>
(3) <u>All other construction except flat rate permits as noted below:</u>	<u>Construction valuation under \$8000.00- flat fee of \$100.00</u> <u>Or</u> <u>Construction valuation \$8,000.00 or more- the fee is calculated by multiplying the valuation times (x) .0125</u>
<u>Flat rate permits:</u>	<u>Fee:</u>
(4) <u>Demolitions:</u>	
(a) <u>Single family or 1 and 2 family structures:</u>	<u>\$300.00</u>
(b) <u>Miscellaneous residential demolition- including but not limited to interior demolition, fences, outbuildings, pools, other attached structures:</u>	<u>\$150.00</u>
(c) <u>Commercial structures:</u>	<u>\$500.00</u>
(d) <u>Miscellaneous commercial demolition- including but not limited to: interior demolition, fences, outbuildings under 500 square feet, pools, signs, other attached structures:</u>	<u>\$250.00</u>
(5) <u>Development permit:</u>	<u>\$100.00 for values under \$5,000.00</u> <u>\$200.00 for values \$5,000.00 or more</u>

(6)	<u>Moving of structure(s):</u>	\$500.00 per structure
(7)	<u>Residential Flat Fee Permits: (Regulated by the Florida Residential Code.)</u>	
(a)	<u>Electric (not including photovoltaic):</u>	\$100.00
(b)	<u>Fence:</u>	\$75.00
(c)	<u>Mechanical (a/c change out only):</u>	\$150.00
(d)	<u>Plumbing (water heater or re-pipe only):</u>	\$100.00
(8)	<u>Temporary construction trailer:</u>	\$250.00 per 6 months. (Upon approval by all required departments)
(9)	<u>Temporary power pole:</u>	Residential: \$100.00 Commercial: \$250.00
(10)	<u>Temporary tent:</u>	\$100.00 per tent
(11)	<u>Temporary miscellaneous permit with an inspection:</u>	\$75.00
	<u>Plan Review Type:</u>	<u>Fee:</u>
(1)	<u>First plan review:</u>	
(a)	<u>New residential construction or addition:</u>	The fee is calculated by multiplying the valuation times (x) .003. Minimum fee of \$75.00
(b)	<u>All other permit types:</u>	The fee is calculated by multiplying the valuation times (x) .005. Minimum fee of \$75.00
	<u>Note: plan review fee for single opening replacement in a multi-family dwelling:</u>	<u>When only 1 opening (window or door) is being replaced in a multi-family building or development of 10 units or more, only 1 plan review fee will be charged for a Florida product approval or Miami Dade Notice of Acceptance. Each different PA/NOA will have a separate plan review fee.</u>
(2)	<u>Flood review fee for structures over 50% substantial improvement, substantial damage, new construction or additions within the SFHA: (This fee will still be charged if an initial determination of substantial damage or substantial improvement is made and the scope of work is reduced, or an alternate source of market value is provided to remove the determination of substantial damage or substantial improvement.)</u>	The fee is calculated by multiplying the valuation times (x) .0025
(3)	<u>Revised plan review:</u>	
(a)	<u>1st revision:</u>	Valuation under \$5000.00- \$25.00 per page Valuation \$5000.00 or more- \$50.00 per page
(b)	<u>2nd revision:</u>	Valuation under \$5000.00 \$50.00 per page Valuation \$5000.00 or more \$100.00 per page
(c)	<u>3rd or subsequent revision: (If 3rd revision is to correct the same deficiency, refer to Section 5-270(5).)</u>	Valuation under \$5000.00 \$100.00 per page Valuation \$5000.00 or more \$200.00 per page

Sec. 5-268. – Miscellaneous Fee Schedule

	<u>Type of service or fee:</u>	<u>Fee:</u>
(1)	<u>Appeal or variance in front of the Construction Board of Adjustment & Appeals:</u>	\$500.00
(2)	<u>Building code surcharge Per F.S. §§ 468.631 & 553.721:</u>	A total of 2.5% on all plan review and permit fees. Minimum fee of \$4.00
(3)	<u>Business tax inspection:</u>	Inspection: \$75.00 Re-inspection(s): \$75.00
(4)	<u>Certificate of Occupancy (CO) or Certificate of Completion (CC):</u>	\$50.00
(5)	<u>Change of contractor:</u>	\$50.00
(6)	<u>Change of subcontractor:</u>	\$25.00

(7)	<u>Completion of DBPR probation forms:</u>	\$50.00 per request
(8)	<u>Conversion of paper plans to other format:</u>	\$25.00 per hour, \$25.00 minimum fee
(9)	<u>Electronic building permit processing fee:</u>	\$5.00
(10)	<u>Expired permit inspection to confirm that no work was performed and to close the permit:</u>	\$75.00 If it is found that work was done, the renewal fee shall apply in addition to this fee.
(11)	<u>Flood Zone Verification letter:</u>	\$25.00
(12)	<u>Liens and permits- Summary of search and findings:</u>	\$25.00 per parcel requested for the first 10 addresses or units. \$10.00 for each additional 10 addresses or units within the same parcel.
(13)	<u>Permit extension: (Justifiable cause must be demonstrated for each request.):</u>	\$100.00 for 1 st 30 day extension. \$250.00 for 2 nd 30 day extension (or renewal fee, whichever is less) \$500.00 for 3 rd and subsequent 30 day extension (or renewal fee, whichever is less)
(14)	<u>Permit renewal (First): (Justifiable cause must be demonstrated for each request.)</u>	½ of the permit fee using current fee schedule + \$50.00 renewal fee + State surcharge (based on permit fee only) Or \$75.00 permit fee +\$50.00 renewal fee +\$4.00 minimum state surcharge Whichever is greater (Minimum fee of \$129.00)
(15)	<u>Permit renewal (Second): (Justifiable cause must be demonstrated for each request.)</u>	Permit fee using current fee schedule + \$50.00 renewal fee + State surcharge (based on permit fee only)
(16)	<u>Permit renewal (Third & Subsequent): (Justifiable cause must be demonstrated for each request.)</u>	Permit fee using current fee schedule + \$100.00 renewal fee + State surcharge (based on permit fee only)
(17)	<u>Permit to comply condemnations:</u>	Permit fee using current fee schedule + \$250.00 Rehabilitation fee + State surcharge (based on permit fee only) or: Permit fee using current fee schedule + \$500.00 Demolition fee + State surcharge (based on permit fee only)
(18)	<u>Pre-application meeting: (This fee is in addition to the fee charged by Planning & Zoning)</u>	\$100.00
(19)	<u>Pre-construction meeting:</u>	\$100.00
(20)	<u>Re-issuance of Certificate of Occupancy (CO) or Certificate of Completion (CC):</u>	\$50.00 per page
(21)	<u>Re-issuance of permit card:</u>	\$25.00 per card
(22)	<u>Re-stamping of plans:</u>	Residential- \$75.00 plus cost of copies Commercial- \$150.00 plus cost of copies
(23)	<u>Routing fee:</u>	\$15.00 per required review—(Planning & Zoning, Engineering, Solid Waste, Fire Department, Urban Forester, Sea Turtle Lighting Reviewer, Flood Zone Reviewer)
(24)	<u>Subcontractor agreements:</u>	\$25.00 Residential per agreement \$50.00 Commercial per agreement
(25)	<u>Special inspector/Threshold inspector required:</u>	\$50.00

Sec. 5-269. – Incentive and Optional Service Fee Schedule

	<u>Type of service or fee:</u>	<u>Fee:</u>
(1)	<u>After-hours inspections- Other than during regular working hours:</u>	Residential: Fee is \$100.00 per hour, minimum of two (2) hours per permit, per trade

		<u>Commercial: Fee is \$250.00 per hour, minimum of two (2) hours per permit per trade</u>
(2)	<u>Early start request for construction:</u>	<u>Valuations under \$5000- \$100.00</u> <u>Valuations \$5000 or more- \$500.00</u>
(3)	<u>Expedited plan review:</u>	<u>Valuation under \$200,000- \$500.00 for the 1st hour. \$250.00 for each additional hour</u> <u>Valuation \$200,000 or more- \$1,000.00 for the 1st hour. \$250.00 for each additional hour</u>
(4)	<u>Stocking permit:</u>	<u>\$500.00</u>
(5)	<u>Temporary use agreement:</u>	<u>\$500.00</u>
(6)	<u>Temporary use agreement change or extension:</u>	<u>\$750.00</u>

Sec. 5-270. – Penalty Fee Schedule

	<u>Type of service or fee:</u>	<u>Fee:</u>
(1)	<u>Hazardous condition on construction site:</u>	<u>\$500.00</u>
(2)	<u>No construction bathroom on site 72 hours after NTC:</u>	<u>\$100.00</u>
(3)	<u>No trash container on site 72 hours after NTC:</u>	<u>\$100.00</u>
(4)	<u>Re-inspection:</u>	
(a)	<u>1st re-inspection:</u>	<u>Residential- \$50.00 per permit, per trade</u> <u>Commercial- \$100.00 per permit, per trade</u>
(b)	<u>2nd and subsequent re-inspection to correct the same deficiency in the 1st inspection and 1st re-inspection:</u>	<u>Residential- \$200.00</u> <u>Commercial- \$400.00</u>
(5)	<u>Revised plan review- 3rd or more plan revision to correct the same code violation noted in previous plan review rejections:</u>	<u>4 times (x) the plan review fee assessed</u>
(6)	<u>Stop work order:</u>	<u>\$100.00 before any further work may commence</u>
(7)	<u>Uncontained trash and debris on construction site:</u>	<u>1st offense- \$125.00</u> <u>2nd offense- \$250.00</u> <u>Additional offenses- \$500.00</u>
(8)	<u>Unlawful continuance after SWO:</u>	<u>\$500.00 before any further work may commence</u>

Secs. 5-271—5-280. - Reserved.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further course or effect whatsoever.

SECTION 4. This ordinance is and the same shall become effective October 1, 2018.

**APPROVED AS TO FORM
AND CORRECTNESS:**

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 18-029 was duly advertised by title only in the St. Lucie News Tribune on August 9, 2018; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on August 20, 2018; and was duly introduced, read by title only, and passed on second and final reading on Tuesday, September 4, 2018, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 4th day of September, 2018.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)