

REVISED

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “BUILDING PERMIT FEES” BY REVISING SECTION 151.11; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the Village Commission adopted Ordinance No. 2014-07 on July 8, 2014 making significant revisions to Section 151.11 of the North Bay Village Code of Ordinances pertaining to Building Permit Fees; and

WHEREAS, the Village Commission desires to further amend Chapter 151.11 to clarify certain fees.

BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Village Code Amended. Section 151.11 of the North Bay Village Code of Ordinances is amended to read as follows¹:

PERMIT; FEES.

§ 151.11 - Permits; fees.

(A) No person shall erect or construct, or proceed with the erection or construction of any building or structure, nor add to, enlarge, move, improve, alter, convert, extend or demolish any building or structure, where the cost of the work is more than \$500.00 without first obtaining a building permit.

Exception: Any construction activities, regardless of the value, that includes structural, electrical, plumbing, or mechanical work shall require a permit.

An applicant for a building permit shall tender a **non-refundable** permit fee **in the amount of \$125.00** with the application. The minimum permit fee shall be \$125.00.

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

When the base permit fee exceeds \$400.00, there shall be imposed a nonrefundable plan review fee equal to one-third of the ~~base total~~ building permit fees (including electrical, plumbing, and mechanical) ~~to be~~ paid at the time of submittal of the building permit application. This fee shall be applied to ~~deducted from~~ the total fees at the time of issuance of the building permit. Should building permit not be issued, this fee shall not be refunded.

An additional plan review fee in the amount of \$125.00 per hour or the actual cost of engineering services to the Village shall be passed through and imposed upon the contractor or owner by the Village Building Department to fully offset all fees and costs incurred by the Village in providing the structural engineering review mandated by Miami-Dade County.

An additional plan review fee in the amount of \$125.00 per hour or the actual cost of zoning services to the Village shall be passed through and imposed upon the contractor or owner by the Village Building Department to fully offset all fees and costs incurred by the Village in providing the zoning review mandated by the Village Code.

These fees shall be paid by the contractor or owner to the Village prior to the issuance of a permit and shall, if not paid, constitute a lien upon the property for which a building permit is sought. These fees shall be due and payable without regard to whether or not a permit is issued by the Building Department.

If the applicant has not picked up the resulting building permit within 90 days of receipt of notice from the Village that the application is approved and ready for pick up, then the Village may close the application out and maintain the proper records as required by Florida Statutes. An applicant wishing to ~~If the applicant wishes to~~ receive a permit after the 90-day period ~~they~~ must reapply with a new application. There ~~shall be~~ is no refund of any prior payments or fees if the application has expired.

For purposes of determining the permit fee, the value of the work to be performed under the permit shall be determined as follows:

- (1) For new construction of and additions to the Florida Building Code occupancies the construction value of the work shall be the current values established by the Miami-Dade Board of County Commission
- (2) For miscellaneous permit activity not otherwise provided for in this section, including but not limited to repair, or alterations, or changes to electrical service, the value of the work shall be the actual value of such work as determined by the applicant and approved by the Building Official. The applicant shall be responsible for accurate reporting of the value of the work, and the reported value shall be subject to review and verification by the Building Official.

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~~An additional plan review fee in the amount of \$125.00 per hour or the actual cost of zoning services to the Village shall be passed through and imposed upon the contractor or owner by the Village Building Department to fully offset all fees and costs incurred by the Village in providing the zoning review mandated by the Village Code.~~

~~These fees shall be paid by the contractor or owner to the Village prior to the issuance of a permit and shall, if not paid, constitute a lien upon the property for which a building permit is sought. These fees shall be due and payable without regard to whether or not a permit is issued by the Building Department.~~

(1) New buildings and/or additions including, but not limited to, Residential, Mixed-use Residential, Residential/Office, Mixed-use Office, Institutional, Educational, Hotels, and Condo-Hotels:

- a. Permit fee shall be the square footage of fractional part of the floor areas x times \$1.00, plus additional fees for electrical, plumbing, and mechanical and sign permits as listed herein.
 - i. Minimum fee \$125.00

(2) New Commercial construction:

- a. Permit fee shall be the square footage times a factor of \$0.75 plus additional fees for electrical, plumbing, mechanical, and sign permits as listed herein.
 - i. Minimum fee \$125.00

(3) New Industrial Construction

- a. Storage and industrial use of Group I & S (Florida Building Code) occupancies:
 - i. Permit fee shall be the square footage times a factor of \$0.75 plus additional fees for electrical, plumbing, mechanical, and sign permits as listed herein.
 - ii. Minimum fee \$125.00

- (4) New Parking garage or warehouses:
 - a. Permit fee shall be the square footage times \$0.75 plus additional fees for electrical, plumbing, mechanical, and sign permits as listed herein.
 - i. Minimum fee \$125.00
- (5) New construction other than as specified herein(water towers, pylons, bulk storage tank foundations, sea walls, bulkheads, docks and similar construction):
 - a. Permit fee shall be \$100.00 for the first 100 square feet plus \$12.00 for each additional 100 square feet plus additional fees for electrical, plumbing, mechanical, and sign permits as listed herein.
 - i. Minimum fee \$125.00
- (6) New Metal-wood and/or prefab storage sheds:
 - a. Permit fee shall be \$75.00 for the first 100 square feet plus \$10.00 for each additional 100 square feet plus additional fees for electrical, plumbing, mechanical, and sign permits as listed herein.
 - i. Minimum fee \$125.00

Section 3. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 4. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 5. Severability. If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

A motion to approve the foregoing Ordinance on first reading was offered by _____, seconded by _____.

The Votes were as follows:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Wendy Duvall	_____
Commissioner Richard Chervony	_____
Commissioner Eddie Lim	_____

A motion to approve the foregoing Ordinance on final reading was offered by _____ seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Wendy Duvall _____
Commissioner Richard Chervony _____
Commissioner Eddie Lim _____

DULY PASSED AND ADOPTED this ____ day of ____ 2015.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:**

Robert L. Switkes & Associates, P.A.
Village Attorney

Ordinance: North Bay Village Ordinance Amendment: Building Permit Fees/Section 151.11