

EFFECTIVE APRIL 1, 2007

RESOLUTION NO. 07-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ESTABLISHING REVISED BUILDING PERMIT AND BUILDING PERMIT RELATED FEES; ESTABLISHING MINIMUM AND MAXIMUM FEES; ESTABLISHING PERMIT FEES FOR NEW BUILDINGS AND ADDITIONS; ESTABLISHING FEES FOR ELECTRICAL WORK; ESTABLISHING FEES FOR GAS WORK; ESTABLISHING FEES FOR MECHANICAL WORK; ESTABLISHING FEES FOR PLUMBING WORK; MISCELLANEOUS PERMITS AND SERVICES; ESTABLISHING FEES FOR UNSPECIFIED WORK; ESTABLISHING EARLY START FEES FOR WORK UNDERTAKEN PRIOR TO ISSUANCE OF A BUILDING PERMIT; ESTABLISHING TEMPORARY USE PERMIT FEES; ESTABLISHING PLAN SUBMITTAL AND RESUBMITTAL REVIEW FEES; ESTABLISHING PLAN REVIEW FEES; ESTABLISHING PLAN MODIFICATION FEES; ESTABLISHING MASTER FILE-RELATED FEES; ESTABLISHING FEES FOR NON-ROUTINE INSPECTIONS; ESTABLISHING PERMIT FEES FOR CLOSEOUT INSPECTIONS; ESTABLISHING PERMIT RENEWAL FEES; ESTABLISHING PERMIT REPLACEMENT FEES; ESTABLISHING PERMIT FEE REFUND SCHEDULE; ESTABLISHING AN ARCHIVE FEE TO PAY FOR PLANS AND RECORDS ESTABLISHING PERMIT SURCHARGE FEE FOR EDUCATION AND TRAINING FOR CODE REQUIREMENTS; SUPERSEDING PRIOR RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.222, Florida Statutes (2006), authorizes the governing body of a municipality to provide a schedule of reasonable inspection fees in order to defer the costs of inspection and enforcement of the provisions of the municipal building code; and

WHEREAS, Article III of Chapter 14 of the Code of Ordinances, City of Port Orange, Florida, provides for the establishment of building and related permit fees by resolution of the City Council; and

WHEREAS, the City of Port Orange Building Official has reviewed and

recommended approval of the fees proposed in this resolution; and

WHEREAS, the City Council has determined that the fees established in this resolution are necessary to defray the costs of inspections and enforcement of the City's building code, and are adequate in allocating the costs of processing applications, reviewing plans, and providing inspection services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. Pursuant to Article III of Chapter 14 of the Code of Ordinances, City of Port Orange, Florida (hereinafter the "Code of Ordinances"), the following fees are established as minimum and maximum amounts for any building or building related permit or service:

Minimum fee	\$ 50.00 unless otherwise specified in this resolution
Maximum fee	No limit unless otherwise specified in this resolution

Section 2. Pursuant to Section 14-47 of the Code of Ordinances, the following building permit fees are established for any new building or enclosed addition regardless of the method of construction, manner of placement, or relocation from another site:

(a) Fees shall be based on a percentage of the value of construction except where specifically provided otherwise. Unless specified otherwise in this Resolution, fees other than for new construction or additions shall be based on "value of construction," defined by the Florida Building Code as "estimated cost to replace in kind."

The minimum permit fee shall be \$50.00 dollars. The Minimum Fee will cover Value of construction from \$0.00 to \$3,000.00. Greater than \$3,000.00 value of construction building permit fee will be \$50.00 plus 1% of the value over \$3,000.00 for commercial (or residential buildings other than single family or 2-family dwellings) and \$50.00 plus 0.80% of the value over \$3,000.00 for residential single family and 2- family dwellings.

The percentage of value shall be broken down in the following increments:

(1) .05% of the value of construction shall be charged to cover costs of education and training for building code requirements, continuing education, building code development, building code change hearings, memberships in the various associated code and trade organizations, and the associated Florida Statutes and Administrative Rules. These funds shall be used solely for the purpose of travel and training for staff of the Building Division.

(2) 0.20% of the value of construction for the review of the plans associated with the permit.

(3) 0.35% of the value of construction for the permit processing and administration related to the project for commercial (or residential buildings other than single family or 2-family dwellings.) and 0.25% of the value of construction for single family or two family dwellings.

(4) 0.40% of the value of construction shall be for inspection of the project for commercial (or residential buildings other than single family or 2-family

dwellings.) and

(5) 0.30% of the value of construction for single family or two family dwellings.

(b) In determining value of construction for purposes of the preceding subsection, the value shall be determined with reference to the applicable Building Valuation Data, for all areas under roof according to type of construction and occupancy classification, as provided by the International Code Council Inc. as published in the most current, edition of ICC Building Valuation Data Applicable copy of *Building Valuation Data* shall be available for inspection and review at all times in the building department or viewed on line at <http://www.iccsafe.org/cs/techservices>.

(c) For those types of structures which are not covered by the Building Valuation Data listed by the International Code Council, Inc, valuations shall be based on either the average cost per square foot as listed below, or, if not listed, shall be based on the contractor's cost estimate subject to subsection (d):

Type of Structure	Average Cost per Square Foot
Aluminum Carport	\$10.00
Aluminum Screen Room/Porch	\$15.00
Aluminum Pool Enclosure	\$8.00
Aluminum Vinyl Room	\$8.00
Concrete Slab (Driveway, Sidewalk, Patio) or Uncovered Wood Deck	\$6.50

Roof (Shingle or Shakes)	\$200.00 per Square (100 Sq. Ft.)
Roof (Metal)	\$300.00 per Square (100 Sq. Ft.)
Roof (Tile)	\$400.00 per Square (100 Sq. Ft.)
Roof (Built-up or Other Types Not Noted Herein)	\$350.00 per Square (100 Sq. Ft.)
Swimming Pool (Above Ground)	\$10.00 per Square Foot of Water Surface Area
Swimming Pool (In Ground)	\$35.00 per Square Foot of Water Surface Area

All accessory structures, tenant build-out and interior alterations (unless otherwise noted) shall fall under the Utility Occupancy listing for value of construction.

(d) In those instances in which valuation is based on the contractor's estimate, the contractor shall provide such verification as the building official may require, such as the written contract between the contractor and owner. If the contractor fails to provide such verification, the building official may, in his or her sole discretion, determine the valuation based on value of construction of the proposed work.

Section 3. Pursuant to Section 14-47 of the Code of Ordinances, the following permit fees are established for electrical work:

Minimum Permit Fee:	Residential	\$50.00
	Commercial	\$90.00

(a) Fees shall be based on the following schedule to the extent listed:

Type of Work	Fee
Mobile Home or Recreational Vehicle	\$50.00 per Unit
New Service	

Single Phase	\$0.75 per Ampere
3-Phase (240 Volts or Less)	\$1.00 per Ampere
3-Phase (Greater than 240 Volts)	\$1.50 per Ampere
Swimming Pool (Residential)	\$75.00
Swimming Pool (Commercial)	\$200.00
Temporary Power Poles	
First Pole	Included with building permit for new building and/or structure.
Additional Poles	
Residential	\$60.00
Commercial	\$100.00
Upgrade of Service	Same fee schedule as new service, but only the increased amperage from the original service is to be included.

(b) Low voltage wiring, and other kinds of electrical work not listed above shall be assessed a fee based on the value of construction schedule set forth in Section 2(a) of this resolution. The valuation shall be the contractor's estimate; provided, however, that the contractor shall provide such verification as the building official may require, such as the written contract between the contractor and owner. If the contractor fails to provide such verification, the building official shall determine, in his or her sole discretion, the value of construction of the proposed work.

(c) For pre-power inspections the following fees shall be added to the electrical permit fee:

- **Mandatory Pre-Power** (Power prior to the final) All New Residential structures, New Commercial structures, Commercial Addition/Alterations, Residential Addition/Alterations, and/or any project requiring a change of service, new service, or upgrade of existing service. (For the pre-power inspection the electrical system shall be completed with all devices installed or safely terminated and blanked off) *Pre-power will require a pre-power agreement signed by the Contractor, Electrical Sub-contractor, and the Owner.*

Pre-power fees:

Type of Structure	Fee
Single-Family or Two-Family Dwelling	\$50.00
Commercial (or residential buildings other than single family or 2-family dwellings.)	\$125.00

Section 4. Pursuant to Section 14-47 of the Code of Ordinances, the following permit fees are established for the installation of fuel gas piping systems and utilization equipment.

Minimum Permit Fee:	Residential	\$50.00
	Commercial	\$90.00

(a) Fees shall be based on the following to the extent listed:

Type of Work	Fee
Installation of Appliance or Outlet	\$6.00 per Appliance or Outlet
Installation of Gas Tank	\$50.00 per Tank

(b) Other kinds of gas work not listed above shall be assessed a fee based on the value of construction schedule referenced in Section 2(a) of this resolution. The valuation shall be based on the contractor's estimate; provided, however, that the contractor shall provide such verification as the building official may require, such as the

written contract between the contractor and owner. If the contractor fails to provide such verification, the building official shall determine, in his or her sole discretion, the value of construction of the proposed work

Section 5. Pursuant to Section 14-47 of the Code of Ordinances, the following permit fees are established for mechanical work:

Minimum Permit Fee:	Residential	\$50.00
	Commercial	\$90.00

(a) Fees shall be based on the following where applicable:

Type of Work	Fee
Installation of New Systems (Includes ducts and ancillary components or equipment.)	
0 to 3 tons	\$75.00
Above 3 tons to 10 tons	\$75.00 plus \$12.00 per ton above 3 tons.
Above 10 tons to 25 tons	\$159.00 plus \$10.00 per ton above 10 tons.
Above 25 tons to 50 tons	\$309.00 plus \$6.50 per ton above 25 tons.
Above 50 tons	\$471.50 plus \$5.50 per ton above 50 tons.
Replacement of equipment (No change to duct system.)	\$5.00 per ton.

(b) Other kinds of mechanical work not listed above shall be assessed a fee based on the value of construction schedule set forth in Section 2(a) of this resolution. The valuation shall be based on the contractor's estimate; provided, however, that the

contractor shall provide such verification as the building official may require, such as the written contract between the contractor and owner. If the contractor fails to provide such verification, the building official may, in his or her sole discretion, determine the value of construction of the proposed work.

Section 6. Pursuant to Section 14-47 of the Code of Ordinances, the following permit fees are established for plumbing work:

Minimum Permit Fee:	Residential	\$ 50.00
	Commercial	\$90.00

(a) Fees shall be based on the following to the extent listed:

Type of Work	Fee
Individual fixture or appliance connection to water or sewer system.	\$6.00 per fixture or appliance
Mobile Home, RV, or Modular Building	
First sewer lateral	\$12.00
Additional sewer laterals	\$8.00 per lateral

(b) Other kinds of plumbing work not listed above shall be assessed a fee based on the value of construction schedule set forth in Section 2(a) of this resolution. The valuation shall be based on the contractor's estimate; provided, however, that the contractor shall provide such verification as the building official may require, such as the written contract between the contractor and owner. If the contractor fails to provide such verification, the building official may, in his or her sole discretion, determine the value of construction of the proposed work.

Section 7. Pursuant to Section 14-47 of the Code of Ordinances, the following fees are established for miscellaneous permits and services not otherwise covered in this resolution:

(a) Fees shall be based on the following to the extent listed:

<b>Type of Work</b>	<b>Fee</b>
Amendment Fee (Application and/or Permit)	\$30.00
Demolition (or partial removal of building or structure)	\$0.15 per square foot of structure footprint under roof.
Duplicate Placard	\$10.00 per placard
Inspections of existing buildings. (Residential or commercial.)	\$45.00 (for each type of inspection)
Fence Permits (Residential)	\$30.00 plus \$0.10 per lineal foot over 100 feet
Fire suppression sprinklers Fire Alarm System Fire suppression system (Non sprinkler) Underground Fire Main	Based on building permit fee minimum plus percentage of value.
Fuel Tanks or Pumps	\$ 50.00 per tank or pump
Mobile/Manufactured Home or Modular Building Set-up	\$350.00 per unit
Moving (House)	\$300.00 per house
Moving (Other Structure)	\$465.00 per structure
Roof/Re-Roof Permit	\$125.00 or \$4.00 per square, whichever is greater
Tents	\$65.00

(b) Other kinds of miscellaneous permits and services, which by ordinance

may be the subject of a separate fee and not listed above, shall be assessed a fee based on the value of construction schedule referenced in Section 2(a) of this resolution. The valuation shall be based on the contractor's estimate; provided, however, that the contractor shall provide such verification as the building official may require, such as the written contract between the contractor and owner. If the contractor fails to provide such verification, the building official may, in his or her sole discretion, determine the value of construction of the proposed work.

Section 8. Pursuant to Paragraph 14-47(c)(3) of the Code of Ordinances, City of Port Orange, Florida, the following fees are established for early start permits prior to issuance of a building permit: (These fees shall be paid at the time of application submittal.

Type of Structure	Fee
Single-Family or Two-Family Dwelling	\$ 200.00
Commercial (or residential buildings other than single family or 2-family dwellings.)	\$ 400.00

Section 9. Pursuant to Paragraph 14-47(c)(9) of the Code of Ordinances, City of Port Orange, Florida, the following fees are established for temporary use permits for commercial buildings:

<b>Time Period</b>	<b>Fee</b>
First 30 days	\$ 500.00
Each additional day beyond 30	\$ 50.00 per day

Section 10. Pursuant to Section 14-48 of the Code of Ordinances, City of Port Orange, Florida, the following penalty fees are established *in addition to the applicable permit fee*, for any work commenced prior to issuance of a permit: (These fees shall be paid at the time of application submittal.)

<b>Commencement Period</b>	<b>Fee</b>
Before submittal of permit application.	\$500.00 or double the applicable permit fee whichever is greater.
After submittal of permit application but before permit is issued.	\$300.00 or the applicable permit fee whichever is greater.

Section 11. Pursuant to Section 14-49 of the Code of Ordinances, City of Port Orange, Florida, the following fees are established for plan submittal and resubmittal:

(a) Plan submittal fee will be 0.02% of the value of construction of the project or the system. (This fee shall be paid at the time of application submittal)

(b) Plan re-submittal shall be 0.01% of the value of construction for each re-submittal. (This fee shall be paid at the time of re-submittal)

Section 12. Pursuant to Section 14-49 of the Code of Ordinances, City of Port Orange, Florida, fees for plan review shall be based on 0.20% of the value of

construction. A fee of Four (4) times the Plans Review Fee shall be charged for the 3<sup>rd</sup> re-submittal and subsequent submittals for the same item pursuant to Section 553.80, Florida Statutes.

Section 13. Pursuant to Section 14-49 of the Code of Ordinances, City of Port Orange, Florida, the fee for review of plan modifications shall be a \$50.00 minimum for one & two family dwelling, \$100.00 minimum for multi-family and commercial. or 25% of original Plan submittal fee fee, whichever is greater. However, for review of minor plan modifications (those requiring one half hour or less in processing time, as determined by the building official) the Minimum Fees shall apply. (This fee shall be paid at the time modification is submitted)

Section 14. Pursuant to Section 14-49 of the Code of Ordinances, City of Port Orange, Florida, the following plan submittal/review fees are established for the review and establishment of master files: (These fees shall be paid at the time of application)

Type of Structure or Component	Fee
Single-Family or Two-Family Dwelling	\$100.00 per model
Accessory Structures and/or Building Components (Includes among others, garages, sheds, swimming pools, doors, and shutters.)	\$50.00 per structure or component.

Section 15. Pursuant to Section 14-50 of the Code of Ordinances, City of Port Orange, Florida, the following fees are established for non-routine inspections:

## (a) For after hours inspections:

<b>Time of Inspection</b>	<b>Fee</b>
Before 7:00 a.m. or after 3:30 p.m. on weekday	\$80.00 per hour, with a minimum of 2 hours.
Saturday, Sunday or Holiday	\$80.00 per hour, with a minimum of 4 hours.

(These fees shall be paid at the time of scheduling the after hours inspections.)

## (b) For re-inspections:

<b>Reinspection Sequence</b>	<b>Fee</b>
First Reinspection	\$50.00
Second Reinspection	\$100.00
Third or Subsequent Reinspection	\$200.00 (Third or subsequent inspection for same code violation or noncompliance shall be charged a penalty fee equal to 4 times the applicable inspection fee in accordance to Section 553.80 of the Florida Statutes).

Section 16. Pursuant to Section 14-51 of the Code of Ordinances, City of Port Orange, Florida, the following fees are established for closeout inspections:

<b>Type of Building or Structure</b>	<b>Fee</b>
Building or Addition	\$250.00
Pool (In-Ground)	\$120.00
Other Work or Improvement	\$50.00

Section 17. Pursuant to Section 14-52 of the Code of Ordinances, City of Port Orange, Florida, the following fee is established for permit renewals:

Permit Renewal (90 day extension prior to expiration).	\$50.00
--	---------

Section 18. Pursuant to Section 14-52 of the Code of Ordinances, City of Port Orange, Florida, the following fee is established for reissuing of permits (Permits expired less than 180 days):

The amount of the permit replacement fee shall be based on a percentage of the permit fees paid as follows:

Stage of Construction	Fee
No inspections or only first inspection made and approved.	100% of permit fees in effect at time of replacement with no credit for previously paid fees.
Plumbing and foundation inspections completed and approved, concrete slab poured. (Mobile home setup)	60% of the permit fees previously paid.
Lintel inspection (if masonry construction) completed and approved. (Pool deck, Dry-in Flashing inspection, MH setup W/trades)	50% of the permit fees previously paid.
Framing inspection completed and approved.	40% of the permit fees previously paid.
All inspections except final completed and approved.	20% of the permit fees previously paid.

Permits which have expired more than 180 days shall be required to be reissued with a

new application and will be subject to all current codes and fees with no credit being given for the old permit fees.

Section 19. Pursuant to Section 14-53 of the Code of Ordinances, City of Port Orange, Florida, when the permit holder withdraws the application, fees paid for building permits shall be refunded as follows:

Time of Request for Refund (Plan Submittal Fees are non-Refundable)	Refund (No refund shall be given for the Plan Submittal Fee unless permit was issued in error by Building Division.)
After issuance of permit and before commencement of work.	80% (Provided permit was issued within the 6 months immediately preceding request.)
After commencement of work and before 1 <sup>st</sup> inspection.	75% (Provided permit was issued within the 6 months immediately preceding request and all work included in scope of work and already performed on site is removed.)
Permit issued for 181 days or longer, regardless of stage of construction.	No refund.

Section 20. Pursuant to Section 14-47, Code of Ordinances, City of Port Orange, Florida, an Education and Training Fee at the rate of .05% of the value of construction shall be added to the permit to cover costs of education and training for building code requirements, continuing education, building code development and building code change hearings. These funds shall be used solely for the purpose of travel and training for staff of the Community Development Department.


Section 21: Pursuant to Section 14-55, Code of Ordinances, City of Port Orange, Florida, an Archive Fee at the rate of five dollars (\$5.00) per permit shall be charged at time of permit issuance to cover the cost of record retention. (This fee shall be paid at the time of application submittal for a permit.)

Section 22 . The fees established herein shall become effective immediately upon adoption of this resolution.



MAYOR ALLEN GREEN

ATTEST:



Kenneth W. Parker, City Manager

Adopted this 6th day of March, 2007

Reviewed and Approved:

  
City Attorney