

RESOLUTION NO. 05-2024

A RESOLUTION OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA, IMPLEMENTING SECTION 103-11, TOWN CODE; AMENDING THE APPLICATION AND PERMIT RATE SCHEDULE FOR APPLICATION, PLAN REVIEW, ADMINISTRATIVE AND INSPECTION FEES; MAKING FINDINGS; SETTING FEES FOR BUILDING, PLUMBING, ELECTRICAL, MECHANICAL AND GAS PERMITS; REPEALING ALL PREVIOUS RESOLUTIONS RELATING TO SECTION 103-11; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, it is in the public's best interest to set user fees so that individuals that utilize a certain service pay directly for that service; and

WHEREAS, a review of established Town fees reflects that current fees do not cover the work involved in processing applications for certain permits; and

WHEREAS, if service users fail to pay the cost for permit issuance the burden of funding permit issuance costs falls to all taxpayers – even those not utilizing the service; and

WHEREAS, the application, plan review, administrative and inspection fee schedule and charges for mechanical and gas permits was adopted on December 1, 2022 by Town Council Resolution No. 13-2022; and

WHEREAS, the Town Council deems it necessary to further amend the fee schedule to provide for the recoupment of expenses paid to Town consultants for Development and Development Permit review, analysis, and processing, See Section 2.E. of this Resolution; and

WHEREAS. The Town Council finds that this resolution will assist in balancing the budget with regard to specific services provided for individuals, and it will assist in providing for Development and Development Permit review, analysis, and processing, which is revenue/expense neutral to the Town for provision of this service; and

WHEREAS, as such the Town Council finds that this will promote the economic order of the Town by providing a revenue/expense neutral service and will promote the public safety by providing for compensation of an additional facet of Development and Development Permit analysis, review, and processing.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Indialantic, Florida, that:

SECTION 1. That Res. 92-7, Res. 05-08, Res. 07-02, Res. 09-06, Res. 10-05, Res. 11-03, Res 13-05, Res 15-09, Res 17-06, Res 01-2020 and any other previous resolutions relating to Sec. 103-11 are hereby repealed. Each and all of the recitals ("WHEREAS" clauses) above are hereby incorporated herein. As used in this Resolution the terms "Development" and "Development Permit" shall be defined as set forth in Section 163.3164, Florida Statutes, as amended from time to time.

SECTION 2. PERMIT/APPLICATION FEES SET. The Town of Indialantic shall charge the following rates for the following types of permits:

- A) Permit Fees by Valuation: On all buildings, structures or alterations requiring a building permit, a fee set forth below shall be paid at the time that the permit is issued [this includes, but is not limited to, pools (which includes all related electrical, plumbing, and concrete deck work), spa, screen room, shed, fence, wall, sea wall, dock/wharf, roof, parking lot, driveway]:

<u>Valuation</u>	<u>Fee Amount</u>
\$500.00 or less	\$45.00
\$501.00 to and including \$1,000.00	\$60.00
\$1,001.00 to and including \$2,000.00	\$75.00
\$2,001.00 to and including \$20,000.00	\$75.00 for the first \$2,000.00 and \$5.00 for each additional \$1,000.00 or fraction thereof to and including \$20,000.00
\$20,001.00 to and including \$100,000.00	\$165.00 for the first \$20,001.00 and \$5.00 for each additional \$1,000.00 or fraction thereof to and including \$100,000.00
\$100,001.00 to and including \$500,000.00	\$565.00 for the first \$100,001.00 and \$4.00 for each additional \$1,000.00 or fraction thereof to and including \$500,000.00
\$500,001.00 and up	\$2,165.00 for the first \$500,001.00 and \$3.00 for each additional \$1,000.00 or fraction thereof

The total valuation for assessment of permit fees for new structures shall be based on the latest valuation data published by the International Code Council (I.C.C.).

For construction work not addressed in the latest valuation data published by the I.C.C., such valuation shall be based upon the actual construction contract price, with satisfactory evidence of same being submitted to the building official, or a construction cost estimate made by the building official, except as otherwise provided in this section.

B) Plan Checking Fee: In addition to any fee or fees charged in Section A "Permit Fees by Valuation" as noted above, a plan checking fee equal to ½ (one-half) of the building permit fee shall be charged when the valuation of the proposed construction exceeds \$1,000.00 and plans/specifications are required to be submitted. A "Plan Checking Fee" in the amount of the actual expense incurred shall apply when plans/specifications are reviewed by the Town Engineer and/or third party review agency. A "Plan Checking Fee" shall apply only to commercial, professional office, institutional, and residential construction.

C) Miscellaneous Fees: In addition to any fee or fees as required in sections A and/or B as noted above, the following fee(s) shall be paid at the time that the permit is issued [note: re-roofing,

remodeling, alterations, additions, and repair permits (except for mechanical repairs) be paid in accordance with sections A and B as noted above].

<u>Item</u>	<u>Fee</u>
Plumbing (new) residential per bathroom	\$60.00
Plumbing (new) hotel/motel per unit	\$60.00
Plumbing (new) commercial per bathroom	\$60.00
Electrical (new) single family	\$100.00
Electrical (new) multi-family per unit	\$75.00
Electrical (new) hotel/motel per unit	\$60.00
Electrical (new) commercial per unit	\$60.00
Mechanical (new) residential per unit	\$75.00
Mechanical (new) hotel/motel per unit	\$50.00
Mechanical (new) commercial per system	\$50.00

Plumbing and/or electrical work proposed within the existing structure and not included in an addition will have the fee determined based on valuation. Mechanical work proposed within the existing structure and not included in an addition will have a \$75.00 fee. Plumbing, electrical, and/or mechanical work proposed for an addition, or for adding a bathroom within an existing structure, will be assessed a permit fee based on valuation as well as for fees as reflected in Section C as noted above.

New address assignment fee per request	\$100.00
Moving of Building	\$150.00
Demolition of Building	\$100.00
Construction Office Trailer Installation	\$100.00
Fire Alarm Permit	(fee included in the valuation schedule)
Fire Sprinkler Permit	(fee included in the valuation schedule)
LP/Natural Gas connection	(fee included in the valuation schedule)

Re-inspection fee (required when extra inspection trips are necessary due to partial inspections, wrong address, second call on rejected or condemned work, additional work done after inspection has been made, or work not ready for inspection when called—the fee shall be paid in advance for each additional inspection trip)

First re-inspection	\$50.00
Second re-inspection	\$75.00
Third re-inspection	\$100.00
Temporary Electrical Service	\$15.00
Re-permitting (a new permit issued to replace an expired permit for the same project)	(fee shall equal 50% of the original permit fee)
Work started prior to issuance of required permit	double permit fee
Final Inspection (Fine for failure to obtain a final approved inspection for a permit before it expires—no further permits may be issued to any contractor or permit applicant with an outstanding fine or to any contractor with an expired permit due to failure to obtain a final inspection)	\$100.00
Plan revision after permit issued	\$50.00
Pre-build/Pre-plan conference	\$50.00 per hour
Contractor/subcontractor/owner change	\$30.00
Permit extension prior to expiration	\$30 per 30 day extension maximum 3 extensions
Signs	fee to be determined based on valuation in accordance with schedule in Section A
Surcharge fee:	3.0% or minimum of \$4.00

Should a dispute arise with regard to the fee amount that is required, the applicant may request a hearing before the Town's Board of Adjustment.

All subcontractors intended for use will be listed with each subcontractor's State License Number on the application. When a change in subcontractor is made, it is the responsibility of the permit applicant to notify the Building Department in writing, on a "Notice of Contractor Change" form.

D) Zoning and Planning: the following fees and charges in connection with matters pertinent to Comprehensive Plan amendment requests, zoning petitions, interpretations, variances and appeals are established:

- a) Application for amendment to Comprehensive Plan, \$4,000.00
- b) Application for rezoning to the Zoning and Planning Board/Local Planning Agency and the Town Council, \$4000.00
- c) Application for a variance to the Board of Adjustment, \$500.00

- d) Appeal of administrative decision (e.g. appeals from the final decisions of the Building Official or of the Town Manager with regard to the color code) to the Board of Adjustment, \$250.00
- e) Appeal of decision of the Zoning and Planning Board, \$350.00
- f) Determinations as to the exact meaning, intent and purpose (aka interpretation) of the provisions of Code Chapter 113 and determinations as to the exact location of boundaries of zoning districts, \$350.00
- g) Application for site plan commercial or multifamily \$500.00
- h) Site plan modification \$250.00

E) Attorney, Engineer, Surveyor, or other Town independent Consultant Review Related To A Development Project. With regard to the review of any application, research or work undertaken to assist in processing of any application, surveying, engineering, or creation of a document, which takes more than 15 total minutes of time, the applicant for a Development Permit shall be responsible for reimbursing the Town for the Town's payment of fees to the Town's engineering, surveying, legal/attorney, or other independent consultant. The fees shall be passed-thru to the applicant at exactly the rate charged to the Town, for which the rate is usually much lower than private sector clients may have to pay. A non-all inclusive list of examples of work might include review and certification of a proposed plat by the Town's surveyor, architectural analysis by an architect, stormwater engineering analysis by the Town engineer, or preparation of a stormwater maintenance agreement or plat/subdivision review by the Town's attorney.

The Town may require the Development Permit applicant to make a deposit of funds for any Development project, the review of which by the Town's attorney, engineer, surveyor, or other consultant, is estimated by the Town Manager, or said Manager's designee, to exceed \$250. The deposit amount shall be estimated by the Town Manager, or said Manager's designee, based on the type of review anticipated, the rates then in effect to compensate the Town's consultant, and similar types of expenses previously made by a consultant . At the completion of Development project review and receipt of the final billing related to the Development project from the Town's consultants and settlement of said billings from funds on deposit, any remaining funds of the Development Permit applicant on deposit shall be returned to the Development Permit applicant.

SECTION 3. Severability/Interpretation Clause.

In the event that any term, provision, clause, sentence or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist. Language underlined is new text added to the Resolution.

SECTION 4. Effective Date. This Resolution shall become effective upon adoption on January 10, 2024.

PASSED and ADOPTED this 10th day of January, 2024.

TOWN OF INDIALANTIC



Mark McDermott, Mayor

ATTEST:



Mollie Carr, Town Clerk

