

ORDINANCE NO. 740-17

AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, AMENDING CHAPTER 6 – BUILDINGS AND BUILDING REGULATIONS; OF THE VILLAGE'S CODE OF ORDINANCES BY REPEALING THE CONTENTS OF SECTION 6-4 THROUGH SECTION 6-7 IN THEIR ENTIRETY AND ADOPTING NEW SECTIONS 6-4 THROUGH 6-7, EXEMPTING RESIDENTIAL SOLAR PHOTOVOLTAIC SYSTEMS FROM BUILDING PERMIT FEE REQUIREMENTS, REMOVING THE REQUIREMENT FOR PAINT PERMITS AND UPDATING BUILDING PERMIT FEES CONSISTENT WITH STATE STATUTES AND COUNTY LAWS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the last update to the Chapter 6 Buildings and Building Regulations fees schedule was over a decade ago; and,

WHEREAS, it is in the best interest of the village to update Chapter 6 Buildings and Building Regulations to comply with State Statutes and County Laws; and

WHEREAS, the ordinance exempts residential solar photovoltaic systems from building permit fee requirements and eliminates the requirement for paint permits for single family residences; and

WHEREAS, the ordinance updates building permit fees to make them consistent with state and county statutes and reflect actual costs of service; and,

NOW, THEREFORE, BE IT ORDAINED BY THE MIAMI SHORES VILLAGE COUNCIL, that:

Section 1. The provisions and language currently contained in the Chapter 6 Buildings and Building Regulations, Section 6-4 through 6-7 of the Miami Shores Village Code of Ordinances are hereby repealed in their entirety.

Section 2. Simultaneously with the repeal effectuated by Section 1 above, Chapter 6 Buildings and Building Regulations, Section 6-4 through 6-7 is hereby amended by adopting a new Chapter 6 Buildings and Building Regulations, Section 6-4 through 6-7, as set forth in Exhibit A, attached hereto and made a part thereof.

Section 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance, which shall be deemed to be severable therefrom.

Section 4. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith, are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with this Ordinance.

Section 5. This Ordinance shall become effective immediately upon second and final reading.

78 EXHIBIT A

79 Chapter 6 – BUILDINGS AND BUILDING REGULATIONS

80

81 Sec. 6-4. - Permits—Application generally.

82 (a) *Required.* No person shall erect or construct or proceed with the erection or construction of
83 any building or structure, nor add to, enlarge, move, improve, alter, convert, extend or
84 demolish any building or structure, or any group of buildings and/or structures under one or
85 joint ownership whether on one or more lots or tracts of land; or cause the same to be done
86 where the cost of the work is \$100.00 or more in value; and on any remodeling or alteration
87 job of any value; without first obtaining a permit therefor from the building department, except
88 no permit shall be required to paint a single family residence and notwithstanding anything to
89 the contrary herein, no Village permit fees shall be charged in connection with permits for
90 residential solar photovoltaic systems. The provisions of this subsection which eliminate the
91 Village permit fees for residential solar photovoltaic systems, and only those provisions, shall
92 sunset, expire and stand repealed on December 31, 2022, (after which date fees shall be
93 charged in accordance with the remainder of this Chapter for permits for residential solar
94 photovoltaic systems) unless such provisions are reviewed and saved from repeal through
95 reenactment by the Village Council.

96 (b) *Sketches of parking, driveway and drainage plans.* Prior to the issuance of any building,
97 paving, grading and leveling or other permits, a suitable sketch must be presented to the
98 building and zoning department indicating the parking layout, proposed drainage on the
99 premises and indicating all driveways extending beyond the property line into the public right-
100 of-way. The drainage plan for premises shall meet with the approval of the department of
101 public works. The driveway plan must meet with the approval of the director of the building
102 and zoning department and the director of the public works department on all roads, and in
103 approving or rejecting the plan the directors shall determine that their decision is in the
104 interest of public safety and welfare, taking into consideration the volume of traffic to be
105 generated, its pattern and conflict with the adjacent road traffic; the number of driveways
106 proposed and their proximity to others in the area; location and proximity of median cuts;
107 visual clearances or obstruction at the driveways; angle and location of the driveway and its
108 intersection with the road; elevation of the driveway in reference to the road, and any other
109 such factors that may affect the safety and welfare of the public. In addition, all driveways
110 extending into state roads shall meet with the approval of the state road department.

111 (c) *Parking restrictions.* Applications for building or use permits shall indicate the area to be used
112 for parking and permits shall be issued stating that such area shall be so reserved and
113 developed. Recordable restrictions so reserving such area shall be required. Such area
114 reserved for parking area will be marked on the zoning maps and no permits for additional
115 use of such area shall be issued. Area reserved for parking in connection with any use shall
116 be under the same ownership as that of the use itself.

117 Sec. 6-5. - Same—Surveyor's certificate and plan required.

118 As a requirement of the application for and the issuance of a building permit for a new
119 structure, an addition to an existing structure or for the moving of a building, there shall be
120 attached to the building plans a registered land surveyor's certificate and plan, on which plan
121 there shall be shown property corner stakes; property line dimensions; interior property line
122 angles; existing structures, their dimensions and relation to property lines; general elevation of

property; all existing utilities and related data; existing rights-of-way of streets, avenues, alleys, courts, lanes, terraces; all easements of record; existing sidewalks, street zoning of record; property zoning of record; building setbacks required by law; general block plan and other pertinent survey data which may be required.

Sec. 6-6. - Same—Issuance conditioned on compliance with zoning ordinance.

Before any permit is issued, all provisions of the Miami Shores Village Zoning Ordinance No. 270 and any amendments thereto shall be complied with, and the provisions of the building code shall not be construed to repeal, supersede or modify any part of the Zoning Ordinance No. 270 or amendments thereto.

Cross reference— Zoning, App. A.

Sec. 6-7. - Same—Fees.

Building permit fees: The building director or designee is authorized to charge and collect the fees as were in existence prior to the effective date of this amended fee schedule for those subcontract permits, i.e. electrical, plumbing, mechanical, etc., where the master building permit was issued prior to the effective date of this amended fee schedule, and where there is submitted written evidence such as a signed and dated copy of the subcontract entered into prior to the effective date of this amended fee schedule.

GENERAL FEE SCHEDULE

- (1) The building department shall charge and collect fees for permits and services in accordance with the general schedule set forth below. In addition, the building department shall charge and collect such other fees and surcharges as may be required by applicable law, which, for example, at the time of adoption of this section would include, but not be limited to the following.

(a) Dade County Surcharge: \$0.60 per \$1,000.00 cost of construction.

(b) Radon Gas Surcharge: \$0.01 per square foot on new construction.

(c) Dept. of Community Affairs Surcharge: 1.0 percent of permit fee w/\$2.00 Minimum

(d) Dept. of Business and Professional Reg.: 1.5 percent of permit fee w/\$2.00 Minimum

The building department is also authorized to charge and collect the following municipal fees and charges for the purposes set forth below in an amount determined by the building department and authorized by the village manager.

- (a) Training and Education Surcharge: \$0.20 per \$1,000.00 cost of construction, fee to be used only to train Building Department personnel.
- (b) Technology Fee: All permit fees for new construction, alterations or additions shall be accompanied by a payment of a technology fee of 2.5% of the permit fee. All fees collected pursuant hereto shall be set aside to offset the cost of computer system purchases or technology expenditures within the Building Department.

- (c) A \$3.00 per sheet scanning fee for plans.

Where fees are based on estimated cost documentation requirement, the building department may require the permit applicant to submit appropriate documentation as proof of estimated cost of construction used to compute fees. Where fees are based upon "value", the

164 building department may determine same based upon generally accepted published authorities,
165 and material, labor overhead and profit.

166 (2) *Minimum permit fee, all disciplines* \$100.00

167 *Exception: Re-occupancy* \$60.00

168 (3) *Renewal of Expired Permit*

169 (a) 50% of original building permit fee if renewed within 6 month of prior permit
170 expiration date.

171 (b) 100% of original building permit fee if renewed after 6 moth from expiration date
172 of prior permit.

173 (4) *Re-inspection fees:*

174 (a) First occurrence \$75.00

175 (b) Second occurrence \$100.00

176 (c) Third occurrence (the qualifier must meet inspector on job for re-inspection)
177 150.00

178 (5) *Inspection fee (all disciplines)* \$75.00

179 (a) After hour, and weekends\$125.00/Hr. Minimum of 3 Hours.
180 Must be paid in advance (before 3:00PM) and approved by Building Official.

181
182 (6) *Administrative Fee/Special Projects and Flood reviews*.....\$60.00
183 minimum.

184 (7) *Change of contractor (after permit has been issued):* \$110.00

185 (8) *Certificates of occupancy/certificates of completion—Mandatory for all work over*
186 *\$15,000.00.*

187 (a) Residential \$150.00

188 (b) Commercial \$200.00

189 (c) Emergency C.O. (without 24 hours processing) additional fee \$80.00

190 (d) Temporary or partial C.O. (90 days maximum) \$75.00

191 (1) Renewal of temporary C.O. (additional 90 days maximum) \$500.00

192 (2) Each additional 30 day period \$1,000.00

193 (e) Certificate of completion for single family and duplex..... \$50.00

194 (9) *Work commenced without permit: :-----Double the permit fee + \$100.00, in no*
195 *event shall the applicant pay less than \$130.00.*

196 2nd offence by same contractor, double permit fee + \$200.00

197
198 The payment of the required fee shall not relieve any person, firm or corporation
199 from fully complying with all of the requirements of all applicable regulations and
200 codes, nor shall it relieve them from being subject to any of the penalties therein.

201 (10) *Lost plans review:* Whenever plans are lost by the owner or contractor, a
202 recertification fee will be assessed to review, stamp and approve a new set of plans

203 as a field copy, or otherwise, in the amount of the lesser of 50 percent of the original
204 permit fee or \$250.00.

205 (11) *Permit card replacement* \$26.50

206 (12) *Change to plans after permit is issued:*

207 (a) Minor changes (less than one hour of review time per discipline) \$40.00

208 (b) Major change of plans/submittal, per discipline (per hour) \$ 90.00

209 If the proposed change represents a major alteration of floor plan and/or the
210 configuration of the structure involving extensive reexamination computation, the
211 original permit shall be voided, and a new permit applied for, one-half of the original
212 permit fee collected may be applied to the new permit.

213 (13) *Application fee:* Will be credited towards permit fee (non-refundable)

214 (a) Residential: Single family or duplex (per unit) \$200.00

215 Three units or more (per unit) \$150.00

216 (b) Commercial: Up to 2,500 square feet \$200.00

217 Each additional 1,000 square feet or fraction thereof \$100.00

218 (c) All other applications \$50.00

219 (d) Maximum fee \$10,000.00

220 (14) *Preliminary plan review (If contractors are not known and/or all county agencies*
221 *have not reviewed and approved plans):* This is a one-time service; the fee is non-
222 refundable and will not be credited towards permit fee.

223 (a) Residential: Single family or duplex (per unit) \$360.00

224 3 units or more (per unit) \$150.00

225 (b) Commercial: Up to 2,500 square feet \$500.00

226 Each additional 1,000 square feet or fraction thereof \$100.00

227 (15) *Correction resubmission:* Not credited towards permit fee; paid at time of third and
228 on all subsequent resubmissions of plans when plans have the same deficiencies
229 and have not been corrected per plans examiner's comments. \$40.00 per
230 discipline or \$10.00/sheet
231 whichever is
232 greater

233 (16) *Remodeling, alterations, additions and general repairs will be charged a permit fee*
234 *based on a percentage of the value of the work including material, labor, overhead*
235 *and profit:*

236 (a) Residential

237 (1) Structural 3.0 percent

238 (2) Electrical 3.5 percent

239 (3) Plumbing/gas 3.5 percent

240 (4) Mechanical 3.5 percent

241 (b) Commercial

242 (1) Structural 3.0 percent

243 (2) Electrical 3.0 percent

244 (3) Plumbing/gas 3.0 percent

245 (4) Mechanical 3.0 percent

246 (17) *New construction—residential:*

247 (a) Structural 3.0 percent

248 (b) Electrical 3.0 percent

249 (c) Plumbing/gas 3.0 percent

250 (d) Mechanical 3.0 percent

251 (18) *New construction—commercial or industrial:*

252 (a) Structural 3.0 percent

253 (b) Electrical 3.0 percent

254 (c) Plumbing/gas 3.0 percent

255 (d) Mechanical 3.0 percent

256 (19) *Demolition permits:*

257 (a) Buildings (0 to 500 square feet) \$250.00

258 Plus per each additional 500 square feet or portion thereof \$50.00

259 (b) Walls, signs and all other \$50.00

260 (c) Electric, plumbing, mechanical, and gas permits \$100.00

261 (20) *New business certificate of occupancy safety inspections* \$95.00

262 (21) *Structural engineer plan review fee* \$120.00/hr.

263 (22) *Land clearing and grubbing* \$100.00 fee plus \$100.00 for each acre or portion

264 thereof.

265 (23) Building Certification (Miami-Dade Ord. 8-11) \$350.00

266 Additional fee for submittals 90 days to 179 days after due date \$100.00

267 Additional fee for submittals 180 days to 363 days after due date... \$300.00

268 Additional fee for submittal 364 days after due date

269 \$400.00/year.....

270 (24) *Truss plan, or product approval review submitted after permit issued: (per item) ...120/hr.*

271 (25) *Windows/hurricane shutters* \$100.00

272 Plus per wall opening \$10.00

273 (26) *Concrete/asphalt/pavers, slabs, driveways, sidewalks:*

274 0 to 500 square feet \$100.00

275 Plus per each additional 500 square feet or fraction thereof \$25.00

276 (27) *Roofing:*

277 New roofing, replacing old roof, or repairs to existing roof

278 0 to 1,000 square feet \$250.00

279 Plus per each additional 1,000 square feet or fraction thereof \$25.00

280 (28) *Awnings, canopies, and tents:*

281 (a) Window awnings \$25.00 each

282 (b) Canvas and metal awnings 3.0 percent of cost

283 (c) Trellises (each) 3.0 percent of cost

284 (d) Tents and canopies \$100.00

285 (29) Sheds..... \$100.00

286 Shed with concrete slab

287 \$150.00 (30)Screen Enclosures, Screen

288 Rooms 3.0 percent

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290 (31) Swimming Pools, Whirlpools, and Hot Tubs3.0 percent

291 Bond required from pool contractor on residential in ground pools, bond refunded

292 when final inspection has passed\$500.00

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294 (32) *Fences and walls:*

295 (a) All wire and wood fences:

296 \$1.00 per linear foot minimum of \$100.00

297 (b) Concrete precast and masonry types

298 \$2.00 per linear foot minimum of \$230.00

299 (33) *Retaining walls and seawalls* 3.0 percent

300 (34) *Docks (add subsection (33) if seawall)* 3.0 percent of cost

301 (35) *Towers, poles, antennas* 3.0 percent of cost

302 (36) *Sign erection permits* 3.0 percent of cost

303 (37) *Physical building relocation:* \$500.00

304 (38) *Decks, gazebos, trellises, pergolas:*

305 (a) Decks (wood)

306 (1) 0 to 100 square feet \$100.00

307 (2) Each additional 100 square feet or fraction thereof \$25.00

308 (b) Gazebos, trellises, pergolas

309 (1) 0 to 100 square feet \$250.00

310 (2) Each additional 100 square feet or fraction thereof \$25.00

- 311 (39) *Temporary trailers:*
312 (a) Set-up and tie-downs \$150.00
- 313 PLUMBING/GAS FEE SCHEDULE
- 314 (40) *Remodeling, alterations, additions and general repairs:*
315 (a) Residential plumbing/gas 3.5 percent
316 (b) Commercial plumbing/gas 3.0 percent
317 (41) *New construction—residential plumbing/gas* 3.0 percent
318 (42) *New construction—commercial or industrial plumbing/gas* 3.0 percent
319 (43) *Sprinkler systems:*
320 (a) Lawn sprinkler hook-up to water—up to 12 heads \$50.00
321 (b) Each additional head over original 12 \$1.00
322 (44) *Swimming pools:*
323 (a) Residential \$150.00
324 (b) Commercial \$200.00
325 (c) Above ground pools, Jacuzzis \$50.00
326 (45) *Temporary trailer plumbing hook-up, sewer, back flow, water* \$100.00

327 MECHANICAL FEE SCHEDULE

328 Note—If H.P. not known, substitute B.T.U.H.

- 329 (46) *Remodeling, alterations, additions and general repairs:*
330 (a) Residential mechanical 3.5 percent
331 (b) Commercial mechanical 3.0 percent
332 (47) *New construction—residential mechanical* 3.0 percent
333 (48) *New construction-commercial or industrial mechanical* 3.0 percent
334 (49) *Smoke control/management system test, per zone, each test* \$500.00
335 (50) *Test and balance submittal:*
336 (a) First ten pages \$40.00
337 (b) Each page over ten \$3.25
- 338 (51) BOILERS
339 (a) The following fees apply to each boiler to be installed:
340 (b) Boilers less than 837 MBTU (up to 25 hp), Each.....
341 \$150.00
342 (c) Boilers 837 MBTU to 6,695 MBTU (26 hp to 200 hp), Each
343 \$180.00
344 (d) Boilers 6,696 MBTU and up (over 200 hp), Each
345 \$250.00

346	(e) Steam driven machinery, Each	
347	\$130.00	
348	(f) Boiler Repair, (per \$1,000 value).....	
349	\$20.00	
350	(g) Unfired pressure vessels (compressors)	
351	\$100.00	
352		
353	(52) FEES FOR PERIODIC INSPECTIONS (Minimum Fee \$130.00)	
354	(a) Steam Boilers, each	\$
355	250.00	
356	(b) Hot Water Boilers, each	\$
357	130.00	
358	(c) Unfired Pressure Vessels (compressors), each	\$
359	130.00	
360	(d) Miniature Boilers, each	\$
361	130.00	
362	(e) Certificate of inspection (where inspected by insurance company), each	
363	\$150.00	
364	(f) Piping (per 1,000.00 of value).....	\$
365	20.00	
366	(g) Air Compressor (operating at pressures in excess of 60 PSI and having volume	
367	of more than 5 CU-FT), each pressure vessel.....	\$
368	150.00	

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370 ELECTRICAL FEE SCHEDULE

371	(53) Remodeling, alterations, additions and general repairs:	
372	(a) Residential electrical 3.5 percent	
373	(b) Commercial electrical 3.0 percent	
374	(54) <i>New construction—residential electrical</i> 3.0 percent	
375	(55) <i>New construction—commercial or industrial electrical</i> 3.0 percent	
376	(56) <i>Refunds (cancelled permits):</i>	
377	A portion of the fees charged and collected pursuant to this schedule, provided	
378	the same are for a permit required by the Florida Building Code, may be refunded	
379	by director of the building department.	
380	Percentage of permit fee (for canceled jobs) to be refunded with the following	
381	stipulations: 50.0 percent	
382	(a) Refund request shall be submitted in writing by permit applicant.	
383	(b) No refunds for:	
384	1. Permit fees \$100.00 or under.	
385	2. Plan review.	
386	3. Permits, if any inspections scheduled or logged.	

387 4. Permits on jobs that expired prior to request.
388 5. Fees collected for state or county.
389 (57) *Installation, repair, or excavation of sanitary and storm sewers, waterlines,*
390 *gas lines, buried electric, telephone, CATV or other underground utilities:*
391 (a) \$1.00 per linear foot minimum of \$100.00
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53 APPROVED on first reading this 17th day of October, 2017.

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55 PASSED AND APPROVED on second reading this 7th day of November, 2017.

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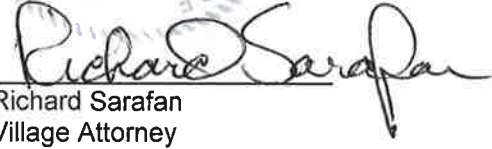
MacAdam Glinn, Mayor

ATTEST:



Ysabely Rodriguez, CMG
Village Clerk

APPROVED AS TO FORM:



Richard Sarafan
Village Attorney