

RESOLUTION NO. 2020-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CANAVERAL, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX B, SCHEDULE OF FEES OF THE CITY CODE RELATED TO CHAPTER 82 BUILDING PERMITS AND CHAPTER 22 COMMUNITY APPEARANCE BOARD APPLICATIONS; REPEAL OF PRIOR INCONSISTENT RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Canaveral is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Sections 166.22 and 553.80, Florida Statutes, enables the City to provide a schedule of fees for carrying out the City's responsibility to enforce the Florida Building Code, which shall be based on direct costs and reasonable indirect costs, including training costs, associated with review of building plans, building inspections and building permit processing; building code enforcement; and fire inspections associated with new construction; and

WHEREAS, Section 166.201, Florida Statutes authorizes a municipality to impose user charges or fees which are necessary for the conduct of municipal government; and

WHEREAS, the City Council desires to update its permit application fees to more efficiently recover the costs associated with building and Community Appearance Board services; and

WHEREAS, the City Council believes updating the City's permit application fees will more accurately reflect the cost of providing these services and recovering the financial burden placed upon the General Fund for providing permit services to the public; and

WHEREAS, the City Council finds this Resolution to be in the best interest of the public health, safety and welfare of the citizens of Cape Canaveral.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPE CANAVERAL, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are deemed true and correct and are incorporated herein by this reference as part of this Resolution.

Section 2. Amendment to Appendix B, Schedule of Fees. Appendix B, Schedule of Fees, to the Cape Canaveral Code of Ordinances related to Chapters 22 (Community Development) and 82 (Buildings and Building Regulations) is hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions, while Chapters not stated below, and type not underlined or struckout shall remain the same as the language existing prior to adoption of this Resolution):

Appendix B - SCHEDULE OF FEES

Printed herein are the fees, rates and charges established by resolution of the city council.

Subpart A. General Ordinances

Chapter 22. Community Development

Article III. Community Appearance Review

	Amount	Code Section
1. Level I		
a. Commercial and industrial projects 850 square feet or less	75.00	22-42
b. One to three residential units	75.00	22-42
c. All signs	35.00	22-42
d. Fences 1—3 residential units	0	22-42
e. Single-family residential addition 850 square feet or less	35.00	22-42
f. <u>Wall Mural</u>	<u>75.00</u>	<u>22-42</u>
g. <u>Accent Lighting</u>	<u>50.00</u>	<u>22-42 (94-1)</u>
2. Level II		
a. Commercial and industrial projects over 850 square feet	75.00 750.00	22-42
b. Four or more residential units	75.00 750.00	22-42
c. Commercial fences	75.00	22-42

Subpart B. Land Development Code

Chapter 82. Buildings and Building Regulations

Code Section 82-2

(A) Building permit fees. On all buildings, structures or alterations requiring a building permit, a fee set forth below shall be paid at the time the permit is issued:

Permit fees by total valuation:

Valuation	Fee
\$500.00 or less	\$70.00 <u>\$50.00</u>
\$501.00 to and including \$1,000.00 <u>\$1,500.00</u>	\$90.00 <u>\$65.00</u>
\$1,001.00 <u>1,501.00</u> to and including \$2,000.00 <u>\$3,000.00</u>	\$125.00 <u>\$80.00</u>
\$2,001.00 <u>\$3,001.00</u> to and including \$20,000.00	\$125.00 <u>\$80.00</u> for the first \$2,000.00 and \$5.00 <u>\$7.00</u> for each additional \$1,000.00 or fraction thereof to and including \$20,000.00
\$20,001.00 to \$100,000.00	\$215.00 <u>\$206.00</u> for the first \$20,000.00 and \$5.00 for each additional \$1,000.00 or fraction thereof to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$615.00 <u>\$606.00</u> for the first \$100,000.00 and \$4.00 <u>\$4.50</u> for each additional \$1,000.00 or fraction thereof to and including \$500,000
\$500,001.00 and up	\$2475.00 <u>\$2,406.00</u> for the first \$500,000.00 and \$3.00 for each additional \$1,000.00 or fraction thereof

The total valuation for assessment of permit fees shall be based upon the actual construction contract price for the work required to be permitted including the contract price for any new structure(s), with satisfactory evidence of same being submitted to the building official, or a construction cost estimate made by the building official, using the latest valuation data published by the International Code Council (I.C.C.), whichever is greater, except as otherwise provided in this section. In no case shall the valuation be less than that determined by using the latest valuation data published by the I.C.C.

(B) *Plan checking fee.* In addition to any fee or fees charged in subsection (a) above: When the valuation of the proposed construction exceeds \$1,000.00 and plans and/or specifications are required to be submitted, a plan checking fee shall be paid at the time the permit is issued.

The plan checking fee shall be equal to one-half the building permit fee. Such plan checking fee shall be in addition to the building permit fee.

When the valuation of the proposed construction exceeds \$500,001.00, a nonrefundable plan review deposit shall be paid at the time of permit application submittal. Such deposit may not exceed the anticipated plan review fee.

When a dispute exists in the review of the plans and specifications for construction, the applicant may request a hearing before the construction board of adjustment.

(C) In addition to any fee or fees charged in subsections (A) and (B), a fee set forth below shall be paid at the time the permit is issued. Note: Reroofing, remodeling, alterations, additions and repairs permit fees shall be paid in accordance with subsections (A) and (B) only.

Plumbing, new, residential, per bathroom	\$70.00
Plumbing, new, hotel/motel, per unit	\$70.00
Plumbing, new, commercial, per bathroom	\$70.00
Sewer tap inspection fee	\$70.00
Electrical, new, single-family	\$110.00
Electrical, new, multifamily, per unit	\$85.00
Electrical, new, hotel/motel, per unit	\$70.00
Electrical, new, commercial, per unit	\$70.00
Mechanical, new, residential, per unit	\$85.00
Mechanical, new, hotel/motel, per unit	\$60.00
Mechanical, new, commercial, per system	\$60.00
Well, deep or shallow	\$60.00

Moving of building	\$160.00
Demolition of building	\$110.00

(D) *Other fees:*

Fire alarm permit	Per valuation table "A" plus fire department fee calculation
Fire sprinkler permit	Per valuation table "A" plus fire department fee calculation
Preliminary review of construction plans	\$50.00 per hour or portion thereof
Change of Contractor/Sub-Contractor	\$30.00
Permit Revision Fee. Minimum half-hour charge	\$25.00 per half hour
Stormwater Review Fee	\$55.00 per hour
Non-Refundable Application Processing Fee	\$35.00
Reinspection fee—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, a charge of \$45.00 shall be paid in advance for each additional inspection or at the discretion of the building official on large projects prior to issuance of a certificate of occupancy or completion	\$50.00
Certificate of Occupancy	\$50.00

Failure to Obtain an approved Final Inspection	\$110.00
Work started prior to issuance of permit (ref. building code adopted by chapter 82 of this Code)	Double Permit Fee
Special Inspection (after-hours, weekend, holiday, arranged two days in advance). Minimum four-hour charge for weekends and holidays	\$50.00 per hour
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.	\$110.00

Article V. Registration and Maintenance of Properties in Foreclosure

	Amount	Code Section
Registration and re-registration fee	200.00	82-119

Section 3. Repeal of Prior Inconsistent Resolutions. All prior inconsistent resolutions adopted by the City Council are hereby expressly repealed to the extent of the conflict.

Section 4. Incorporation Into Appendix B, Schedule of Fees. This Resolution shall be incorporated into **Appendix B**, Schedule of Fees, to the City of Cape Canaveral City Code and any section or paragraph, number or letter and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and like errors may be corrected and additions, alterations and omissions, not affecting the construction or meaning of this Resolution and the City Code may be freely made.

Section 5. Severability. If any section, clause, phrase, word or provision is for any reason held invalid or unconstitutional by a court of competent jurisdiction, whether for substantive or procedural reasons, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 6. Effective Date. This Resolution shall become effective on October 1, 2020.

ADOPTED in a Regular Meeting of the City Council of the City of Cape Canaveral, Florida, this 16th day of June 2020.





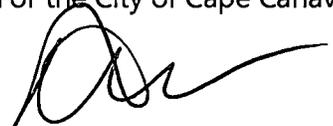
Bob Hoog, Mayor

ATTEST:


Mia Goforth, CMC
City Clerk

Name	FOR	AGAINST
Mike Brown	<u> X </u>	_____
Bob Hoog	<u> X </u>	_____
Mickie Kellum	<u> Second </u>	_____
Wes Morrison	<u> Motion </u>	_____
Angela Raymond	<u> X </u>	_____

Approved as to legal form and sufficiency
For the City of Cape Canaveral only by:



Anthony A. Garganese, City Attorney