

Meeting Date: June 28, 2016

Agenda Item 12

REQUESTED COMMISSION ACTION:

Consent	X	Ordinance	Resolution	Consideration/ Discussion	Presentation
_____	_____	_____	_____	_____	_____

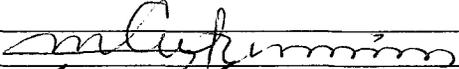
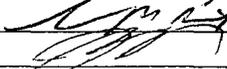
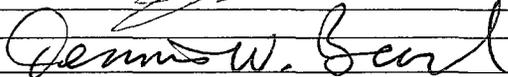
SHORT TITLE

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO MODIFY REQUIREMENTS AND FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

Pursuant to House Bill 535 (2016), the Florida Legislature recently amended Section 553.79, Florida Statutes, to modify requirements and fees attendant to the issuance of building permits and necessary to revise Section 152.12, "Building Permit Fees," of the City of Pompano Beach Code of Ordinances.

- (1) Origin of request for this action: Development Services Dept.
- (2) Primary staff contact: Miguel Nunez Ext. 7774
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Building Div	5/24/16	Approval	
Dev. Services	5/24/16	Approval	
City Attorney	5/24/16		
X City Manager			

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 st Reading <u>6/14/16</u>	1 st Reading _____	Results: _____
Approved		
2 nd Reading <u>6/28/16</u>	_____	_____
_____	_____	_____
_____	_____	_____



City Attorney's Communication #2016-817

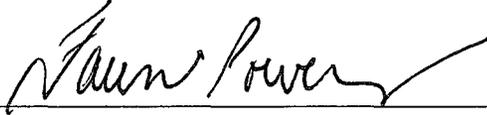
May 16, 2016

TO: Miguel Nunez, Building Official
FROM: Fawn Powers, Assistant City Attorney
RE: Ordinance Amending Chapter 152, "Buildings"

Pursuant to your request, I have prepared and attached the following form of Ordinance:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO MODIFY REQUIREMENTS AND FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to call me if I may be of further assistance.



FAWN POWERS

/jrm
L:cor/bldg/2016-817

Attachment

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO MODIFY REQUIREMENTS AND FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to House Bill 535 (2016), the Florida Legislature recently amended Section 553.79, Florida Statutes, to modify requirements and fees attendant to the issuance of building permits; and

WHEREAS, it is necessary to revise Section 152.12 of the City's Code of Ordinances to comport with the foregoing statutory revisions; and

WHEREAS, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the Commission Meeting Room of the City of Pompano Beach, Florida; and

WHEREAS, a public hearing before the City Commission was held pursuant to the public notice described above at which hearing the parties in interest and all other citizens so desiring had an opportunity to be, and were in fact heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 152.12, "Building Permit Fees," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§152.12 BUILDING PERMIT FEES.

(A) General permit fees shall be as stated below. The minimum fee for all general permits shall be \$50 unless otherwise set forth herein.

...

(5) The issuance of a foundation-only permit or a permit for any part of a building or structure shall be determined by the Building Official after submittal of the appropriate construction documents and before the complete set of construction documents for the entire building or structure have been submitted, and paid at the time of issuance. Foundation-only permit is to be paid at issuance of the foundation-only permit (only if complete set of plans are available for review.) This fee shall be in addition to total building fees including foundations. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of technical codes. The pPermit fee for a foundation-only permit shall be \$1.00 per sq. ft. The permit fee for any part of a building or structure shall be in accordance with (A)(1) of this subsection. The foregoing fees are in addition to total building fees.

...

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective immediately upon passage.

PASSED FIRST READING this _____ day of _____, 2016.

PASSED SECOND READING this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

jrm
5/18/16
L:ord/ch152/2016-203

1119 Section 23. Subsection (6) of section 553.79, Florida
 1120 Statutes, is amended to read:

1121 553.79 Permits; applications; issuance; inspections.—

1122 (6) A permit may not be issued for any building
 1123 construction, erection, alteration, modification, repair, or
 1124 addition unless the applicant for such permit complies with the
 1125 requirements for plan review established by the Florida Building
 1126 Commission within the Florida Building Code. However, the code
 1127 shall set standards and criteria to authorize preliminary
 1128 construction before completion of all building plans review,
 1129 including, but not limited to, special permits for the
 1130 foundation only, and such standards shall take effect concurrent
 1131 with the first effective date of the Florida Building Code.

1132 After submittal of the appropriate construction documents, the
 1133 building official may issue a permit for the construction of
 1134 foundations or any other part of a building or structure before
 1135 the construction documents for the whole building or structure
 1136 have been submitted. The holder of such permit for the
 1137 foundation or other parts of a building or structure shall
 1138 proceed at the holder's own risk and without assurance that a
 1139 permit for the entire structure will be granted. Corrections may
 1140 be required to meet the requirements of the technical codes.

1141 ~~Section 24. Subsections (4) and (7) of section 553.841,~~

1142 Florida Statutes, are amended to read:

1143 553.841 Building code compliance and mitigation program.—

1144 (4) In administering the Florida Building Code Compliance