

Sec. 8-3. - Local amendments to building code.

- (a) *Amendments.* The following local amendments to the building code adopted in section 8-2 shall regulate the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal, demolition, and renovation of every building, structure, or appurtenance and any related mechanical, plumbing, electrical or other device or system within the city and shall supplement the Florida Building Code requirements. In the event of any conflict between a provision of any adopted local amendment and the adopted building code, the local amendment shall prevail. Where indicated, the amendments shall be incorporated into the Florida Building Code under the designated numerals preceding the amendment.
- (1) Building Officials Association of Florida, Model Chapter 1, as amended by the Unified Code Committee of Volusia and Flagler Counties, most recent edition.
  - (2) 1609.5.1 Non-Habitable Accessory Structures for group R2 and R3 (one- and two-family dwelling), of 120 square feet or less, shall be deemed in compliance with Section 1609, Florida Building Code, by submitting plans utilizing accepted principles of good engineering practices.
- (b) *Schedule of permit fees.*
- (1) On all buildings, structures or alterations requiring a building permit, as set forth in the Florida Building Code, a fee for such building permit shall be paid at the time of issuance thereof, in accordance with the schedule below. Unless otherwise stated in this schedule, in all cases there shall be a minimum total permit fee of \$60.00, which shall be a nonrefundable fee in order to cover the administrative costs associated with processing the permit application and maintaining pertinent records. Expired permits are not eligible for refunds. The building official or designated representative may adjust fees where necessary. Permit fees in excess of \$60.00 can only be waived by city commission. Where actual scope of work does not meet the descriptions of the scope of work expected within this schedule, the building official or designated representative may base the permit fee on the value of the construction contract. In cases where this happens, the value shall be multiplied by three-tenths, two-tenths, or one-tenth percent, as deemed applicable by the building official or designated representative. In cases where it is appropriate to re-evaluate permit fees, due to excessive fees, the

permit applicant shall provide in writing to the building official in a detailed scope of work, schedule of completion (including a target completion date), inspection schedule (special needs), and breakdown of project cost. Projects inspected by a private provider pursuant to F.S. § 553.791 are subject to all permit fees established in this resolution without discount.

Valuation of Project		Fee
(1)	\$0.00—\$2,000.00 (minimum fee)	\$30.00
(2)	2,001.00—40,000.00/per thousand	\$4.00 (plus \$30.00 flat fee)
(3)	40,001.00—100,000.00/per thousand	\$3.50 (plus \$182.00 flat fee)
(4)	100,001.00—500,000.00/per thousand	\$2.50 (plus \$362.00 flat fee)
(5)	Over 500,000.00/per thousand	\$1.50 (plus \$1,162.00 flat fee)
(6)	Value of construction for permits will be determined by the most recent publishing of the International Code Council Building Valuation Data, which estimates per square foot value according to the type of construction and building use. Building use shall be based on the predominant occupancy classification for the majority of the structure per floor.	
(7)	Electrical fees:	
	Minimum fee for residential	\$30.00
	Minimum fee for nonresidential	\$60.00
	Alteration fees:	
	Circuits 1—10, per circuit	\$6.00
	Circuits >10, per circuit	\$3.00

Services fees:	
Single-phase, per ampere	\$0.60
Three-phase (240 volts or less), per ampere	\$1.00
Three-phase (>240 volts), per ampere	\$1.50
Swimming pool electrical fees:	
Residential, per pool	\$75.00
Commercial, per pool	\$200.00
Temporary pole fees:	
Residential, per pole	\$50.00
Commercial, per pole	\$100.00
Pre-power/early power fees (in conjunction with new construction):	
One- and two-family (minimum fee)	\$50.00
Nonresidential (minimum fee)	\$100.00
Sign electrical fees:	
Circuits, per circuit	\$50.00
(8)	Gas fees:
	Minimum fee, residential

	Minimum fee, commercial	\$60.00
	Boilers, per unit	\$5.00
	Central heating units, per unit	\$5.00
	Conversions burners, per unit	\$5.00
	Floor furnaces, per unit	\$5.00
	Vented recessed heaters, per unit	\$5.00
	Water heaters, per unit	\$3.50
	Gas outlets (4 or less), per outlet	\$5.00
	Gas outlets (more than 4), per outlet	\$3.50
(9)	Mechanical fees:	
	Minimum fee, residential	\$30.00
	Minimum fee, commercial	\$60.00
	Minimum fee, for new equipment	\$65.00
	New equipment (0—3 tons)	\$65.00
	New equipment (>3—10 tons), per ton	\$11.00 (plus \$65.00 flat fee)
	New equipment (>10—25 tons), per ton	\$9.00 (plus \$142.00 flat fee)
	New equipment (>25—50 tons), per ton	\$5.50 (plus \$277.00 flat fee)
	New equipment (>50 tons), per ton	\$4.50 (plus \$414.50 flat fee)

	Equipment change out (no ducts and no added tonnage), per ton	\$5.00
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	Ductwork only	Fees based on valuation of work
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(10) Plumbing fees:

Minimum fee, for residential \$30.00

Minimum fee, for nonresidential \$60.00

Fixtures, per fixture \$5.00

Hook-up (mobile home), per mobile home \$30.00

Sewer lateral (mobile home), per mobile home \$9.00

(11) Replacement placard fee (each) \$10.00

Contractor change \$25.00

Sub-contractor change (each) \$10.00

Re-stamp approved plans:

Residential \$10.00

Commercial \$25.00

(12)	Demolition (per square foot)	\$0.15
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(13)	Mobile home set-up fees (per unit)	\$250.00
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(14)	Moving of structures fees:	
	House	\$200.00
	Other structures	\$365.00
(15)	Pre-inspection fee (includes mobile home/habitability inspection)	\$65.00
	Safety inspections/consultation request fees	\$65.00, (includes two trips to site and written report to permit holder)
(16)	Tent fee (over 20 feet × 20 feet in size):	
	First tent	\$45.00
	Additional tents (within 100 feet), per tent	\$30.00
	Stocking permit fee	\$50.00 (for a maximum of 14 days)
(17)	<p>Penalty fees. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees. The payment of such penalty fees shall not relieve any person from fully complying with the requirements of this Code in the execution of work, nor from any other penalties prescribed herein.</p>	
(18)	Application fee:	

	All permit applications	\$30.00
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(19) Plan resubmittal fees (based on valuation unless otherwise indicated):

Residential (flat fee) \$30.00

Commercial:

0.00—100,000.00 \$50.00

100,001.00—500,000.00 \$100.00

500,001.00—1,500,000.00 \$250.00

>1,500,000.00 \$500.00

(20) Building plan review fees:

Plan review fees equal to 50 percent of the applicable building permit fee set forth in this section

Fire/life safety plan review fees	\$0.03 per square foot under roof
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(21)	Plan modification fees (applies to project modifications after the permit has been issued)	\$30.00 or 15 percent of the original permit fee, whichever is greater, except for minor modifications requiring one-half-hour or less in processing time, as determined by the building official
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(22)	Special inspection fees (after hours, weekends, holidays)	\$200.00 per site visit (must be preapproved by the chief building official)
(23)	Re-inspection fees:	
	First	\$30.00
	Second (same item)	\$50.00
	Third or more (same item)	\$100.00
	A re-inspection fee may be charged for any of the following reasons:	
	-Failed inspections (code issues).	
	-Wrong address, address not posted, or incorrect/insufficient directions given on the permit application.	
	-Permit placard not posted in a conspicuous place visible from the public road or right-of-way.	
	-City approved construction documents, including approved revisions, are not on site and available for a scheduled inspection.	
	-Work is not ready for inspection when the inspector arrives for the inspection as scheduled.	
-Request for a same day re-inspection for work not approved or ready when the inspector arrives for the initial scheduled inspection. Same day re-inspections are performed at the discretion of the inspector.		



	<p>-Outstanding corrections or conditions not completed from a previous or partial inspection.</p>	
	<p>-Failure to request required inspections and the work is concealed.</p>	
	<p>-Inability for the inspector to enter premises due to locked gates, doors, uncontrolled animals, barriers, or other preventative measures.</p>	
	<p>-Private provider fails to notify building official of private inspection as required by F.S. ch. 553.</p>	
	<p>Fees that result from re-inspections must be paid prior to receiving a final inspection or a certificate of completion/occupancy. If the building official determines that the number of re-inspections resulting from any one of the above listed reasons has become excessive, the building official, at their discretion, may determine that past due re-inspection fees shall be paid upon demand and may withhold further inspections until such time as the fees are paid.</p>	
	<p>Partial inspection</p>	<p>\$30.00 (each), depending on staff availability and workload</p>
	<p>In some instances, an administrative fine of \$120.00 may be assessed pursuant to F.S. § 553.802(c).</p>	
(24)	<p>Closeout fees:</p>	
	<p>(Fees shall be paid before any permit is issued to contractor, applies to open, expired permits that have not received final required inspection or applicable certificate of completion/occupancy. Fee covers reactivation of permit at the discretion of the chief building official.)</p>	

	New building or addition (maximum fee)	\$250.00
	In-ground pool (maximum fee)	\$120.00
	Miscellaneous (maximum fee)	\$40.00

(25) Permit renewal fees (Fees shall be paid before work continues and before permit is renewed.)

Prior to expiration \$30.00

(26) Business tax receipt inspection fee \$45.00, includes one re-inspection

(27) Concurrent building/fire code review with SPRC fees \$350.00 minimum fee, up to 10,000 square feet in building size. Additional \$50.00 per additional 1,000 square feet.

(These fees are in addition to the normal permit fees at the time of full application submittal. To provide this additional service, 100 percent complete construction documents must be submitted for the concurrent review process.)

(28) State fees (new square footage added):

Building inspector education fund \$0.0005, per square foot

Radon gas \$0.0005, per square foot

(29)	Staff training/education fee	5 percent of building permit fee
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(30)	Tree removal/clearing fees (residential) in conjunction with new construction	\$60.00
(31)	Irrigation system fees (residential)	\$30.00
(32)	Well fees:	
	Residential	\$10.00
	Commercial	\$20.00

(2) Fee refunds.

- a. The chief building official may authorize the refunding of any fee paid hereunder, which was erroneously paid or collected.
- b. The chief building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.
- c. The chief building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review has been paid is withdrawn or canceled before any plan reviewing is done.
- d. The chief building official shall authorize the applicable refund of any fees paid, upon written request filed by the permit holder not later than 90 days after the date of fee payment.
- e. Refunds are issued to permit holders of active permits only.
- f. All permits are subject to a nonrefundable minimum fee of \$60.00, therefore, permits totaling \$60.00 or less are not subject to refund.
- g. The following fees are nonrefundable: building/life safety review fees, application fees, state fees, training/education fees, and plan resubmittal/modification fees.

(c) Technical amendments to the Florida Building Code, Building Volume.

In Section 202 Definitions, modify the following:

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. *The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.*

Substantial improvement means any *combination of* repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure *taking place during a five-year period*, the *cumulative* cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. *For each building or structures, the 5-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to March 16, 2010*. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure required to correct existing violations of state or local health, sanitary or safety code specifications which have been identified and which are solely necessary to ensure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

(d) Technical amendments to the Florida Building Code, Existing Building Volume.

In Section 202 Definitions, modify the following:

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred . *The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.*

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- (1) Any project for improvement of a structure required to correct existing violations of state or local health, sanitary or safety code specifications which have been identified and which are solely necessary to ensure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

(e) Technical amendments to the Florida Building Code, Residential.

In Section R322 Flood-Resistant Construction, add the following:

*R322.1.11 Elevators. Elevator installations shall comply with the requirements in ASCE 24, Chapter 7.*

(Code 1958, § 9A-2; Code 1983, § 8-3; Ord. No. 81-10, § 1, 2-17-1981; Ord. No. 81-57, § 1, 9-15-1981; Ord. No. 81-75, § 1, 12-15-1981; Ord. No. 88-32, § 2, 6-7-1988; Ord. No. 90-18, § 2, 4-17-1990; Ord. No. 95-69, § 2, 3-21-1995; Ord. No. 95-162, § 1, 11-8-1995; Ord. No. 2002-03, §§ 2, 4, 3-5-2002; Ord. No. 2002-46, § 1, 9-3-2002; Ord. No. 2002-59, §§ 1, 2, 10-1-2002; Ord. No. 2003-03, § 1, 1-21-2003; Ord. No. 2004-35, § 1, 9-7-2004; Ord. No. 2007-27, § 3, 8-21-2007; Ord. No. 2008-43, § 1, 9-17-2008; Ord. No. 2018-17, § 1, 6-5-2018)