

ORDINANCE NO. 2021-29

AN ORDINANCE AMENDING SECTION 8-3, LOCAL AMENDMENTS TO BUILDING CODE, OF ARTICLE 1, IN GENERAL, OF CHAPTER 8, BUILDING AND CONSTRUCTION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO AMEND THE SCHEDULE OF PERMIT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 8-3, Local amendments to building code, of Article I, In General, of Chapter 8, Building and Construction Regulations, of the City of Ormond Beach, Florida, *Code of Ordinances* is hereby amended to read as follows:

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

- (a) *Amendments. ***No change to existing text****
- (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	\$30.00
	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
	Ductwork only	Fees based on valuation of work
(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-
(13)	Mobile home set up fees (per unit)-	\$250.00-
	Moving of structures fees:-	
(14)	House-	\$200.00-
	Other structures-	\$365.00-
	Pre-inspection fee (includes mobile home/habitability inspection)-	\$65.00-
(15)	Safety inspections/consultation request fees-	\$65.00, (includes two trips to site and written report to permit holder)-
	Tent fee (over 20 feet x 20 feet in size):-	
	First tent-	\$45.00-
(16)	Additional tents (within 100 feet), per tent-	\$30.00-
	Stocking permit fee-	\$50.00 (for a maximum of 14 days)-
(17)	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.-	

(18)	Application fee:-	
	All permit applications-	\$30.00-
(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-
(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-
(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-

<p>A re-inspection fee may be charged for any of the following reasons:-</p>
<p>Failed inspections (code issues).</p>
<p>Wrong address, address not posted, or incorrect/insufficient directions given on the permit application.</p>
<p>Permit placard not posted in a conspicuous place visible from the public road or right-of-way.</p>
<p>City approved construction documents, including approved revisions, are not on site and available for a scheduled inspection.</p>
<p>Work is not ready for inspection when the inspector arrives for the inspection as scheduled.</p>
<p>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>
<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>

	Partial inspection	\$30.00 (each), depending on staff availability and workload
	In some instances, an administrative fine of \$120.00 may be assessed pursuant to F.S. § 553.802(e).	
(24)	Closeout fees:	
	(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.)	
	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.)	

	State fees (new square footage added):-	
(28)	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
(30)	Tree removal/clearing fees (residential) in conjunction with new construction	\$60.00
(31)	Irrigation system fees (residential)	\$30.00
	Well fees:-	
(32)	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.~~

(1) The cost of construction or project may be determined in the following ways as determined by the Building Official as provided by the Florida Building Code:

- a. Copy of the construction as submitted by the applicant.
- b. Copy of the signed contract for work to be performed.
- c. Using the values in the most recent edition of the ICC Building Valuation Data (BVD).

(2) On all buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a building permit, as set forth in the Florida Building Code, a fee shall be paid at the time of issuance thereof, in accordance with the schedule below.

(3) The Chief Building Official may adjust fees where necessary, not to exceed \$100.00, based on a request and justification from an applicant that the fee is not proportional to the scope of work and valuation.

(4) Application fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>One and two-family dwellings and townhomes new construction</u>	<u>\$125.00</u>
<u>b.</u>	<u>Multi-family and Non-residential (new square footage construction)</u>	<u>\$250.00</u>
<u>c.</u>	<u>All other applications</u>	<u>\$35.00</u>
<u>d.</u>	<u>Plan resubmittal fee (with third plan submittal)</u>	<u>\$50.00</u>

(5) Building permit fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>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. The building use shall be based on the</u>	

	<u>predominant occupancy classification for the majority of the structure per floor.</u>	
b.	<u>\$0.00—\$2,000.00 (minimum fee)</u>	<u>\$35.00</u>
c.	<u>\$2,001.00—\$40,000.00/per thousand</u>	<u>\$5.00 (plus \$35.00 flat fee)</u>
d.	<u>\$40,001.00—\$100,000.00/per thousand</u>	<u>\$4.38 (plus \$225.00 flat fee)</u>
e.	<u>\$100,001.00—\$500,000.00/per thousand</u>	<u>\$3.13 (plus \$487.80 flat fee)</u>
f.	<u>Over 500,000.00/per thousand</u>	<u>\$1.87 (plus \$1,739.80 flat fee)</u>

(6) Building permit plan review fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Building plan review fee</u>	<u>Fifty (50%) percent of the applicable building permit fee set forth in this section.</u>
b.	<u>Fire/life safety plan review fees</u>	<u>\$0.04 per square foot under roof</u>

(7) Building permit state fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Florida FBC and FBCC surcharge fee (FS 553.721)</u>	<u>1% of building permit fee or \$2.00 whichever is greater</u>
b.	<u>Florida BCAI Inspector Education Fee surcharge fee (FS 468.631)</u>	<u>1.5% of building permit fee or \$2.00, whichever is greater</u>

(8) Demolition permit fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Demolition</u>	<u>\$0.17 per square foot of structure; minimum fee of \$50.00</u>

(9) Early permit review fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Early building/fire code review</u>	<u>\$350.00 minimum fee, up to 10,000 square feet in building</u>

	<u>size. Additional \$50.00 per additional 1,000 square feet of building square footage.</u>
<u>b.</u>	<u>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 early review process.</u>

(10) Electrical fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>Minimum fee for one-and two-family dwellings and townhomes</u>	<u>\$35.00</u>
<u>b.</u>	<u>Minimum fee for multi-family dwellings and non-residential</u>	<u>\$70.00</u>
<u>c.</u>	<u>Alteration fee, circuits 1—10, per circuit</u>	<u>\$6.60</u>
<u>d.</u>	<u>Alteration fee, circuits 11 or more, per circuit</u>	<u>\$3.30</u>
<u>e.</u>	<u>Pre-power/early power fees, Residential</u>	<u>\$55.00</u>
<u>f.</u>	<u>Pre-power/early power fees, Multi-family and Nonresidential</u>	<u>\$110.00</u>
<u>g.</u>	<u>Service fee, single-phase, per ampere</u>	<u>\$0.66</u>
<u>h.</u>	<u>Service fee, Three-phase (240 volts or less), per ampere</u>	<u>\$1.10</u>
<u>i.</u>	<u>Service fee, Three-phase (more than 240 volts), per ampere</u>	<u>\$1.65</u>
<u>j.</u>	<u>Sign electrical fees, circuits (per circuit)</u>	<u>\$55.00</u>
<u>k.</u>	<u>Swimming pool electrical fees, residential (per pool)</u>	<u>\$82.50</u>
<u>l.</u>	<u>Swimming pool electrical fees, commercial (per pool)</u>	<u>\$220.00</u>

<u>m.</u>	<u>Temporary pole fee, residential (per pole)</u>	<u>\$55.00</u>
<u>n.</u>	<u>Temporary pole fee, commercial (per pole)</u>	<u>\$110.00</u>

(11) Gas fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>Minimum fee for residential (up to five fixtures)</u>	<u>\$35.00</u>
<u>b.</u>	<u>Minimum fee for multi-family and nonresidential, (up to five fixtures)</u>	<u>\$75.00</u>
<u>c.</u>	<u>Each fixture, six and over</u>	<u>\$5.50</u>

(12) Inspection fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>Business tax receipt inspection fee</u>	<u>\$45.00, includes one reinspection</u>
<u>b.</u>	<u>Building inspection</u>	<u>\$45.00</u>
<u>c.</u>	<u>Special inspection fees (after hours, weekends, holidays)</u>	<u>\$200.00 per site visit (must be preapproved by the chief building official)</u>
<u>d.</u>	<u>Partial building inspection</u>	<u>\$30.00</u>

(13) Mechanical fees.

	<u>Item</u>	<u>Fee</u>
	<u>Replacement of Equipment (No change to duct system)</u>	
<u>a.</u>	<u>One and two-family dwellings and townhomes</u>	<u>\$35.00 plus \$5.00 per ton over 7 tons</u>
<u>b.</u>	<u>Multi-family and non-residential</u>	<u>\$70.00 plus \$5.00 per ton over 14 tons</u>
	<u>Installation of New Systems (Includes Ducts Ancillary Components or Equipment)</u>	
<u>c.</u>	<u>New equipment (0—3 tons)</u>	<u>\$71.50</u>

d.	<u>New equipment (>3—10 tons), per ton</u>	<u>\$12.10 (plus \$71.50 flat fee)</u>
e.	<u>New equipment (>10—25 tons), per ton</u>	<u>\$9.90 (plus \$156.20 flat fee)</u>
f.	<u>New equipment (>25—50 tons), per ton</u>	<u>\$6.05 (plus \$304.70 flat fee)</u>
g.	<u>New equipment (>50 tons), per ton</u>	<u>\$4.95 (plus \$455.95 flat fee)</u>
h.	<u>All other mechanical work</u>	<u>Minimum \$35.00 or construction value, whichever is greater</u>

(14) Miscellaneous permit fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Contractor change</u>	<u>\$30.00</u>
b.	<u>Mobile home set-up fees (per unit)</u>	<u>\$288.00</u>
c.	<u>Moving of structure, house or other</u>	<u>\$400.00</u>
d.	<u>Replacement placard fee (each)</u>	<u>\$11.50</u>
e.	<u>Sub-contractor change (each)</u>	<u>\$11.50</u>
f.	<u>Stocking permit fee</u>	<u>\$57.50 (for a maximum of 14 days)</u>
g.	<u>Tent fee (over 20 feet × 20 feet in size):</u>	<u>\$45.00 first tent; \$30.00 any additional tents</u>

(15) Penalty fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Penalty fee</u>	<u>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 \$200 or 100 percent of the usual permit fee, whichever is higher in addition to the required permit fees. The payment of such</u>

	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.
--	---

(16) Permit renewal/extension.

	<u>Item</u>	<u>Fee</u>
a.	<u>Prior to expiration</u>	<u>\$35.00</u>

(17) Plan revision fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Plan revisions after the issuance of the permit</u>	<u>Minimum of \$35.00 or 15% of the original building permit plan review fee whichever is greater for review times greater than 30 minutes as determined by the chief building official.</u>

(18) Plumbing permit fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Minimum Fee, residential</u>	<u>\$35.00</u>
b.	<u>Minimum fee, multi-family and non-residential</u>	<u>\$70.00</u>
c.	<u>Each fixture</u>	<u>\$6.50</u>
d.	<u>Utility connection fee</u>	<u>\$50.00</u>

(19) Private providers.

	<u>Item</u>	<u>Fee</u>
a.	<u>Building Inspection</u>	<u>Inspection fees will be credited to all residential permits at a rate of \$11.66 per required inspection. The</u>

		<u>number of inspections on commercial permits will have to be estimated on a permit by permit basis and credited at \$17.50 per inspection.</u>
	<u>b. Building Permit Plan Review</u>	<u>60% of the building plan review fee will be credited to all residential and commercial permits.</u>

(20) Refunds.

	<u>Item</u>	
	<u>a. Refundable Permit Fees</u>	<p><u>The chief building official shall authorize the applicable refund of any permit fees paid, upon written request filed by the permit holder, that meet the following conditions;</u></p> <ol style="list-style-type: none"> <u>1. It has been less than 90 days since the permit was issued, and;</u> <u>2. No work has commenced under a permit issued in accordance with this Code and;</u> <u>3. The total permit fees exceed \$100.00, or;</u> <u>4. Any fees which were erroneously paid or collected.</u>
	<u>b. Non-refundable permit fees</u>	<ol style="list-style-type: none"> <u>1. Building plan review fees, fire/life safety plan review fees, application fees, state fees,</u>

		<u>technology fees, plan resubmittal, and plan revision fees.</u>
--	--	---

(21) Reinspection fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>First</u>	<u>\$50.00</u>
b.	<u>Second (same item)</u>	<u>\$100.00</u>
c.	<u>Third or more (same item)</u>	<u>\$200.00</u>

(22) Technology fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Technology fee</u>	<u>5 percent of building permit fee</u>

- (c) Technical amendments to the Florida Building Code, Building Volume.
 No change to existing text

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. This Ordinance shall take effect on October 1, 2021.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission, this 17th day of August, 2021.


 BILL PARTINGTON
 Mayor

ATTEST:


 WENDY J. HONTZ
 Acting City Clerk

