### County Commission Meeting
August 21, 2019
Agenda Item Number: J.7
Agenda Item Summary #5904

<table>
<thead>
<tr>
<th>BULK ITEM:</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEPARTMENT:</td>
<td>Building</td>
</tr>
<tr>
<td>TIME APPROXIMATE:</td>
<td>N/A</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Ed Koconis (305) 453-8727</td>
</tr>
</tbody>
</table>

**AGENDA ITEM WORDING:** Approval of a Resolution amending Resolution 154-2018, the permitting fee schedule, to conform fees to new state laws, new hearing examiner fees for floodplain appeals and variances, to create a FEMA New Floodmap appeal fee, to change revision fees for amended ROGO applications, to change revision fees for non-ROGO permits, to allow the Building Official to cancel uncollectable fees on old permits, and providing for an implementation date.

**ITEM BACKGROUND:**
The fee schedule is amended from time to time in order to address both necessary changes, such as Code amendments, as well as changes proposed to clarify/amend existing fees. Staff is proposing to:

- Conform permit fees to House Bill 447, which disallowed charging a non-Florida Building Code related fee to building permit fees. Unfortunately, Monroe County has combined their building permits, with floodplain permits, as well as planning, environmental, and other discipline permitting for enhanced ease for the public. The County previously charged a planning and environmental education fee. The above-referenced enacted legislation disallows this surcharge; therefore, it has been removed.

- State of Florida Hearing Officer hourly rates have changed. Floodplain Appeals and Variances now use State Hearing Officers for their review, thereby necessitating a change in fees for reimbursement reasons.

- Certain Administrative fees are cumbersome and require more administrative effort to collect and post than the fee itself. Therefore, staff is recommending eliminating certain administrative fees, such as Certificate of Occupancy fees.

- FEMA, through a consultant, will be issuing draft Flood Maps in August 2019. These draft maps are meant for staff-only review and technical evaluation. Once County staff completes review of these maps, FEMA will issue Preliminary Maps. These preliminary maps are appealable, by the County, and/or by a property owner. If a property owner appeals the preliminary maps, the County is required to review the appeal submitted by the property owner and then to coordinate that appeal through FEMA. The County is retaining a mapping and modeling expert to review the Draft and Preliminary maps. This fee is being created so that the County can capture any related technical consultant expense if a property owner
appeals the maps, strictly on a reimbursement basis, similar to how the County currently captures transportation expert review in development applications.

- Revision fees for permits (ROGO and NON-ROGO) have been problematic for years. Currently, many ROGO permits are submitted with a draft building plan, then, after receipt of a ROGO allocation, the owner or a future buyer resubmits an entirely new plan for County staff to review and effectively starting over in Monroe County permitting as a revision to the original permit. Currently, we require new fees as if the project is new. This amendment to the fee resolution would allow the County to credit up to 50% of the original permit fee toward the revision fee, if the revision is submitted within 1-year of issuance of the previous permit date. In no case will a refund be issued.

- Revision fees for other permit types will be charged based exclusively upon the project value of the revision. Fees shall include processing and application costs as well as those for the applicable disciplines reviewing the revision.

- Within the permitting system are decades of old fees, some of which have never been collected. This amendment to the Fee Resolution would allow the Building Official to cancel certain uncollectible old fees from the system.

PREVIOUS RELEVANT BOCC ACTION:
March 19, 2014 - BOCC approved Resolution 062-2014, which introduced job value-based fees for projects greater than $5,000.00.

December 10, 2014 - BOCC approved Resolution 387-2014 amending Fire fees, amending the timing of certain payments from application to issuance, and adding a private-provider administrative fee.

May 24, 2016 - BOCC approved Resolution 119-2016 (A) amending and adding Floodplain Management fees for variances and appeals, eliminating the first failed inspection fee, clarifying temporary use fees, and delaying the annual CPI adjustment to October 1, 2018.

June 21, 2017 - BOCC approved Resolution 156-2017 amending fees and providing credit related to the use of private provider services.

May 23, 2018 - BOCC approved Resolution 154-2018 increasing fees based upon the consumer price index for all urban consumers (CPI-U) from FY15 - FY19.

CONTRACT/AGREEMENT CHANGES:
N/A

STAFF RECOMMENDATION: Approval.

DOCUMENTATION:
Resolution Amending Resolution 154-2018 Building Department Fees DRAFT STAMPEDv2
Westlaw - 17 full text items for United States Cod
Westlaw - 18 full text items for United States Cod
Westlaw - 30 full text items for United States Cod
FINANCIAL IMPACT:

Effective Date:
Expiration Date:

Total Dollar Value of Contract:
Total Cost to County:
Current Year Portion:
Budgeted:
Source of Funds:
CPI:
Indirect Costs:
Estimated Ongoing Costs Not Included in above dollar amounts:

Revenue Producing: If yes, amount:
Grant:
County Match:
Insurance Required:

Additional Details:
N/A

REVIEWED BY:

Rick Griffin Completed 08/06/2019 10:54 AM
Assistant County Administrator Christine Hurley Completed 08/06/2019 1:37 PM
Peter Morris Completed 08/06/2019 2:03 PM
Ed Koconis Completed 08/06/2019 3:51 PM
Budget and Finance Completed 08/06/2019 3:56 PM
Maria Slavik Completed 08/06/2019 4:29 PM
Kathy Peters Completed 08/06/2019 4:36 PM
Board of County Commissioners Pending 08/21/2019 9:00 AM