

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE,
FLORIDA, RELATING TO BUILDINGS; AMENDING
CHAPTER 150, BUILDING REGULATIONS, ART. I,
ADMINISTRATION, AMENDING SUBMITTAL
DOCUMENTS; SETTING FORTH AN AMENDED FEE
SCHEDULE; PROVIDING FOR CODIFICATION; PROVIDING
FOR CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Building Code Act of 1998 directed the Florida Building Commission to establish a statewide uniform building code known as the Florida Building Code; and

WHEREAS, the enforcement of the Florida Building Code is the responsibility of local governments; and

WHEREAS, the City of Port St. Lucie, Florida (“City”) actively participates in the enforcement of building construction regulations for the benefit of the public safety of its citizens; and

WHEREAS, to facilitate the enforcement of the Florida Building Code, the City Council enacted Title XV, Land Usage, Chapter 150, Building Regulations, of the City’s Code of Ordinances which applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures; and

WHEREAS, the City Council finds amendments to the building regulations are necessary to reflect changes in the efficient and streamlined permitting procedures adopted by Building Department, specifically, to reduce permit fees to reflect accurate costs and expenditure incurred by the Building Department in performing certain inspections and work; and

WHEREAS, the City Council has determined that the amendments to the City Building Code are in the best interest of the health, safety and general welfare of the residents of the City of Port St. Lucie and the general public.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Article I, Administration, of Chapter 150, Building Regulations, is hereby amended to read as follows:

CHAPTER 150. - BUILDING REGULATIONS

ARTICLE I. – ADMINISTRATION.

Sec. 150.001. - *Florida Building Code; administrative amendments.* The following administrative amendments to the Florida Building Code, 7th Edition (2020), are hereby adopted as follows:

CHAPTER 1. SCOPE AND ADMINISTRATION

SECTION 107 SUBMITTAL DOCUMENTS

107.3.5.1 Finished floor elevation. ~~Finished floor elevation for buildings shall be a minimum of 24 inches above the crown of the road in front of the property, corner lots shall use the nearest intersection elevation.~~ For buildings located in special flood hazard area, the finished floor elevation shall be in compliance with Section 1612, Florida Building Code, Building or Section 322, Florida Building Code, Residential.

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SECTION 109 FEES

109.1 Payment of fees. An application shall not be valid and shall not be reviewed until the applicable fees have been paid, A permit shall not be valid or released until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority and located in Section 109.7 of this code.

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. For permitting purposes, permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as structural, electrical, gas, mechanical, plumbing equipment, interior finish, related site work, architectural and design fees, marketing costs, overhead, and profit, excluding only land value. Valuation references may include the latest published data of national construction cost analysis services, such as Marshall-Swift, Means, etc., or as published by the International Code Council. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed quantity estimates, or bona fide signed contracts, acceptable to the building official. Final building permit valuation shall be set by the building official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the building official, as permitted in Section 105.2.2 or 105.12 of this code shall be subject to a penalty fee established by the building official that shall be in addition to the required permit fees as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger as determined by the building official. But in all cases the required permit(s) must be applied for within 3 business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a penalty fee. The payment of a penalty fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.6 Refunds. The building official is authorized to establish a refund policy.

109.7 Schedule of permit fees.

109.7.1. Residential fees for new single-family dwellings, additions to single-family dwellings and accessory use structures erected on building lots zoned for single-family dwellings.

(1) **General.**

- (a) The permit fees for new-construction single family residences are established based on the latest Building Valuation Data compiled by the International Code Council ("ICC"). Building Valuation Data is published in the Building Safety Journal bi-annually.
- (b) The permit fee is the total of all fees for the applicable categories. Statutory surcharge fees are added to all permits as set forth below. The calculated single-family permit fee includes all sub-contractor fees except for gas.
- (c) Fees are assessed based on 1 initial plan review and 1 inspection for every required inspection. An additional fee of \$75.00 will be assessed for any additional inspection and any additional plans review.
- (d) Statutory surcharge fees are added to all permits.
- (e) Fees other than those specifically stated in this section shall be as determined by the building official based on department costs.

(2) **Residential permit fees.**

(a) **New construction.**

Residential permit fees =	(ICC valuation per square foot) x (square foot) x (0.04 005)
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- (b) An additional plan review fee of 11% of the standard building permit fee shall be assessed for each permit submittal, not deemed an express permit, to be paid in full at the time of submittal.
- (c) The submittal fee for the initial master “express” permits shall be \$200.00 per model type.
- (d) The plan review fee for site-specific, express single-family permits shall be \$50.00.
- (e) **Additions to living areas.** The fee for additions to living areas of single-family dwellings shall be based on the following table. An additional \$75.00 will be charged for each sub-permit.

Square Footage	Permit Fee	Online Permit Fee
200 sq ft or less	\$250.00	\$235.00
201 sq ft – 400 sq ft	\$350.00	\$335.00
401 sq ft – 600 sq ft	\$400.00	\$385.00
601 sq ft – 800 sq ft	\$450.00	\$435.00
801 sq ft or greater	\$650.00	\$635.00

(f) **Additions to non-living areas.**

Type of Permit	Permit Fee	Online Permit Fee
Aluminum pan or poly roof enclosures	\$150.00	\$135.00
Attached new (carport, porch, storage, workshop)		
Area less than 150 sq ft	\$125.00	\$110.00
Area more than 151 sq ft	\$175.00	\$160.00
Enclose existing porch, carport or garage	\$200.00	\$185.00
Garage:		
One car	\$200.00	\$185.00
Two car	\$350.00	\$335.00
Three car	\$450.00	\$435.00
Glass room	\$225.00	\$210.00
Screen roof enclosures	\$200.00	\$185.00
Unattached accessory structure		
Prefabricated engineered	\$65.00	\$55.00
Site built	\$150.00	\$135.00
<u>(Gazebos, pavilions, pergolas, Chickee, and tiki huts)</u>		

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(g) **Miscellaneous permit fees.**

Type of Permit	Permit Fee	Online Permit Fee
A/C new, changeout or duct	\$86.00	\$72.00
Child safety barrier:		
Existing pool	\$100.00	\$86.00
New pool construction	\$35.00	N/A
Concrete slab (not foundation)	\$75.00	\$61.00
Demolition:		
Structural	\$75.00	
Non-structural	\$150.00	
Single-family residence (SFR)	\$300.00 <u>200.00</u>	
Docks	\$225 plus \$32.00 per boat slip	N/A
Electric:		
Lawn irrigation	\$75.00	\$61.00
Low voltage	\$75.00	\$61.00
Pool electric (existing pool)	\$75.00	\$61.00
Temporary, or service change	\$100.00	\$86.00
Residential, minimum fee	\$75.00	\$61.00
Fence	\$65.00	\$51.00
Pool fence/pool barrier/privacy wall	\$100.00 <u>75.00</u>	\$75.00 <u>50.00</u>
Fire damage, non-structural	\$250.00, plus plan review and sub-permit fees	N/A
Fire damage, structural	\$500.00, plus plan review and sub-permit fees	N/A
Fireplace	\$75.00, plus sub- permit fees	N/A
Garage door (per door)	\$75.00	\$61.00
Gas:		
Residential	\$75.00	N/A <u>\$61.00</u>
LP tank	\$125.00	N/A <u>\$115.00</u>
Generators:		
Less than 25kW	\$150.00, plus sub- permit fees	N/A
25kW and greater	\$250.00, plus sub- permit fees	N/A
Hot tub or spa:		
Aboveground	\$100.00	N/A

Inground	\$150.00	N/A
Insulation replacement	\$75.00	\$61.00
Master specification submittal	\$50.00	N/A
Mobile home installation	\$400.00	N/A
Moved house:		
Moving a structure within city limits	\$625.00	N/A
Moving a structure from outside city limits to inside city limits	\$1000.00	N/A
 Moving a structure from inside city limits to outside city limits	\$400.00	N/A
Plumbing:		
Residential, minimum	\$75.00	\$61.00
Backflow preventer	\$75.00	\$61.00
Grinder pump	\$75.00	\$61.00
Water heater replacement	\$86.00	\$72.00
Pool:		
Aboveground pool – no excavation	\$100.00	N/A
– excavated	\$300.00	N/A
Inground pool	\$550.00	N/A <u>\$535.00</u>
Pool heater replacement	\$75.00, plus sub-permit fees	\$61.00, plus sub-permit fees
Pool deck	\$75.00	N/A
Pool remodel	\$150.00, plus sub-permit fees	\$145.00, plus sub-permit fees
Pool enclosure	\$200.00	\$185.00
Renovations	\$150.00, plus sub-permit fees	N/A
Roof		
Roof repair up to 100 sq ft (excluding tile) <u>25% of the roof area</u>	\$100.00	\$86.00
Re-roof, shingle	\$200.00 <u>175.00</u>	\$185.00 <u>160.00</u>
Re-roof, metal, or tile	\$275.00 <u>250.00</u>	\$260.00 <u>235.00</u>
Flat roof	\$100.00	\$86.00
Seawalls, retention walls, bulkheads	\$100.00/100 LF, plus \$5.00/ additional ft	
Shed:		
Prefabricated	\$65.00	N/A <u>\$55.00</u>
Site-built (excluding slab)	\$150.00	\$135.00
Shutters	\$100.00	\$86.00
Siding (wire lath, stucco, other)	\$100.00	\$86.00
Skylights, add or replace	\$100.00 for first, \$25.00 each additional	\$86.00 for first, \$25.00 each additional
Solar: <u>Residential</u>		

Solar photovoltaic electric systems		
1kW – 2.9kW	\$150.00	N/A
3kW – 4.9kW	\$250.00	N/A
5kW or greater	\$350.00	N/A
Solar heat (pools)	\$100.00	N/A
Solar water heater	\$175.00	N/A
Solar photovoltaic systems	\$40.00/kW of system capacity	N/A
Tiki and/or chickee huts	\$200.00	N/A
Windows/exterior door replacement	\$75.00 for first, plus \$5.00 each additional	\$61.00 for first, plus \$5.00 each additional

(3) **Statutory fees.** The surcharge fees listed at the rates set forth in the table below shall be assessed pursuant to Sections 553.721 and 468.631, Florida Statutes.

Department of Business and Professional Regulation surcharge per Section 553.721, Florida Statutes	1% of total permit fees with \$2.00 minimum
Building Code Administrators and Inspectors Board surcharge per Section 468.631, Florida Statutes	1.5% of total permit fees with \$2.00 minimum

109.7.2. Permit fees for commercial and non-residential.

(1) **General.**

- (a) The permit fees are assessed per the following categories: flood, building, mechanical, plumbing, electrical, gas, and miscellaneous. The permit fee is the total of all applicable categories. Statutory surcharge fees are added to all permits as set forth below.
- (b) Fees are assessed based on 1 initial plan review and 1 inspection for every required inspection. An additional fee of \$100.00 will be assessed for any additional inspection and any additional plans review.
- (c) At the time of submittal, a minimum of \$500.00 will be collected for all new commercial construction, to be credited towards the plans review fees.
- (d) The costs per square foot are adopted only to calculate the permit fee. They are not intended to reflect estimated or actual costs of the structure which may vary according to design, labor and material costs, and other economic values at the time of application for permit.

(e) Valuation and permit fees for multiple dwelling units shall be based upon the total square footage of all floors of the entire building. A separate permit is required for every building.

(f) Fees other than those specifically stated in this section shall be as determined by the building official based on department costs.

(2) **Building fees.** The minimum building valuations are computed on relative costs per square foot based on the most recent building valuation data compiled by the International Code Council “ICC”, published in the Building Safety Journal, and including the appropriate modifier as determined by the building official. The minimum building fee is \$150.00.

Valuation	.01 to 100K	100.01K to 500K	500.01K to 1M	1.01M to 10M	Over 10M
New construction fee rate (multiplier)	1.10% 1.0%	0.90% 0.8%	0.80% .07%	0.70% .06%	0.65% 0.5%
Alteration/remodel	1.59% of the valuation of work				
Building fees	(ICC valuation per square footage) x (square footage) x (multiplier from above)				

(3) **Mechanical fees.** Mechanical fees will be the total of all categories indicated in the table below. The mechanical fees shall be a minimum of \$150.00.

Type of Permit	Permit Fee	Online Permit Fee
Commercial kitchen hood Type I	\$30.00/LF of hood	N/A
Commercial kitchen hood Type II	\$20.00/LF of hood	N/A
Dryer vents and exhaust fans	\$50.00 per dryer vent or exhaust fan	N/A
HVAC systems	\$50.00/Ton refrigeration, or heating whichever is higher	N/A
Other mechanical scope not listed	15% of the valuation of the mechanical work	N/A

(4) **Electrical fees.** Electrical fees will be the total of all categories indicated in the table below. Electric fees shall be a minimum of \$150.00.

Type of Permit	Permit Fee	Online Permit Fee
Automatic lawn irrigation	\$150.00	\$75.00 135.00
Commercial service:		
Less than 200 amps	\$100.00	N/A
200 amps–600 amps	\$250.00	N/A
Above 600 amps	\$350.00	N/A

Electric work not listed above	15% of the valuation of work	N/A
Fire Alarm systems	\$250.00	N/A
Generators: Less than 50kW 50kW to 249kW 250kW to 499kW 500kW and greater	\$300.00 plus sub-permit fees \$600.00 plus sub-permit fees \$800.00 plus sub-permit fees \$1000.00 plus sub-permit fees	N/A N/A N/A N/A
Lift station (only electric required)	\$150.00	N/A
Low voltage system	\$150.00	\$135.00
New construction	10% of the building fees calculated in subsection (2)(a) above	N/A
Pool electric	\$150.00	N/A
Site lighting	\$200.00 plus \$25.00/pole	N/A
Solar photovoltaic systems	\$40.00/kW of system capacity	N/A

(5) **Plumbing fees.** Plumbing fees will be the total of all categories indicated in the table below. Plumbing fees shall be a minimum of \$150.00.

Type of Permit	Permit Fee	Online Permit Fee
Grease traps	\$200.00	N/A
Per Fixture	\$16.00	N/A
Plumbing work other than listed	15% of the valuation of work	N/A
Solar heating systems	\$150.00	\$135.00
Water heater	\$150.00	\$135.00

(6) **Gas fees.** Gas fees will be the total of all categories indicated in the table below with a minimum fee of \$150.00.

Type of Permit	Permit Fee	Online Permit Fee
Gas piping and distribution	\$5.00 per 1000 BTU of the new system capacity	N/A
Gas work not listed below	15% of the valuation of work	N/A

(7) **Miscellaneous fees.** Miscellaneous fees are stated in following table.

Type of Permit/Application	Permit Fee	Online Permit Fee
Appeal to the board of adjustments and appeals	\$500.00	N/A
Change of contractor and/or owner application	\$75.00 <u>25.00</u>	N/A
Concrete slab (not foundation)	\$100.00	\$85.00
Construction site wall	\$200.00 per 100 LF	N/A <u>\$185.00</u> per 100 LF
Construction trailer for 6 months only	\$400.00	N/A
Construction trailer renewal for an additional 6 months	\$150.00	N/A
Demolition permit	\$500.00 <u>200.00</u>	N/A
Docks	\$225.00, plus \$32.00 per boat slip	N/A
Fences (commercial)	\$250.00	\$235.00
Hot tub or Spa:		
Aboveground	\$100.00	N/A
Inground	\$150.00	N/A
Manufactured nonresidential building (electric fee included)	\$300.00	N/A
Moving structures		
Moving a structure within city limits	\$625.00	N/A
Moving a structure from outside city limits to inside city limits	\$1000.00	N/A
Moving a structure from inside city limits to outside city limits	\$400.00 <u>200.00</u>	N/A
Replacement of windows, doors, and shutters	\$150.00 for first, plus \$10.00 each additional	\$135.00 for first, plus \$10.00 each additional
Re-roof of Commercial roofs		
Repair up to 25% the area of the roof	\$250.00	\$235.00
Roof replacement	\$500.00 <u>450.00</u>	\$485.00 <u>435.00</u>
Seawalls, retention walls, bulkheads	\$200.00 per 100 LF	N/A
Signs		
Illuminated signs		
up to 32 sq ft	\$200.00	N/A
over 32 sq ft	\$325.00	N/A
Non-illuminated signs		
up to 32 sq ft	\$200.00	N/A
over 32 sq ft	\$325.00	N/A
Temporary signs		
up to 32 sq ft	\$150.00	N/A
over 32 sq ft	\$200.00	N/A
Billboards	\$5000.00	N/A

Spray booth	\$400.00	N/A
Stocking permit application review and inspection request	\$250.00 \$200.00	N/A
Swimming pool (excluding electric)	\$875.00	N/A \$860.00
Swimming pool enclosure	\$200.00	\$185.00
Threshold and/or private provider application inspector credential review	\$200.00	N/A

(8) **Floodplain fees.** Floodplain fees shall be 5% of the building permit fees listed in section (2)(a) above.

(9) **Statutory fees.** The surcharge fees listed at the rates set forth in the table below shall be assessed pursuant to Sections 553.721 and 468.631, Florida Statutes.

Department of Business and Professional Regulation per Section 553.721, Florida Statutes	1% of total permit fees with \$2 minimum
Building Code Administrators and Inspectors Board per Section 468.631, Florida Statutes	1.5% of total permit fees with \$2 minimum

109.7.3 Fee structure breakdown of permit fees

Permit fees are based on the following percentage allocation for administration, plans review and inspection costs:

Permit fee breakdown	Percentage allocated
Administration	30%
Plans review	30%
Inspection	40%

Section 5. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 6. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 7. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be

renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 8. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney