

**DRAFT ORDINANCE**

**AN ORDINANCE PERTAINING TO CHAPTER 14, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF SANIBEL; AMENDING ARTICLE IV, PERMITS, SECTION 14-188, FEE SCHEDULE, BY ADDING A NEW SUBSECTION (13) RELATING TO BUILDING PERMIT DISCOUNTS IN CERTAIN INSTANCES; AND SUPERCEDING AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS INCONSISTENT HERewith; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, it is in the best interests of the citizens of Sanibel that the City establish and maintain building permit fees at appropriate amounts generally equivalent to the City's cost of providing Building Permit and Building Department services including, but not limited to, permit application reviews, building inspection services, code review and regulation, administration, and similar services, and;

**WHEREAS**, Section 553.791(2), Florida Statutes, requires local governments to have a private provider option for building code inspection services.

**WHEREAS**, Section 553.791(2), Florida Statutes, also requires local jurisdictions to reduce the cost of the jurisdiction's permit fee should a property owner or a contractor retain the services of a private provider to perform plans review or building inspection services for a permit; and

**WHEREAS**, Section 553.791, Florida Statutes, defines a "private provider" as a person licensed as a building code administrator under Part XII of Chapter 468, Florida Statutes, as an engineer under Chapter 471, Florida Statutes, or as an architect under Chapter 481, Florida Statutes; and, for purposes of performing inspections for additions and alterations that are limited to 1,000 square feet or less to residential buildings, the term "private provider" also includes a person who holds a standard certificate under Part XII of Chapter 468, Florida Statutes; and

**WHEREAS**, Section 553.791, Florida Statutes, allows for a local jurisdiction's permit fees to a property owner or contractor that retains the services of a private provider to perform plan reviews or building inspection services for a permit by a flat fee, percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services; and

**WHEREAS**, the City's Building Department still incurs significant costs for administrative services on projects where private providers are utilized as an alternative to City services; and

**WHEREAS**, discounting permit fees by fifteen percent (15%) to a property owner or contractor that retains the services of a private provider is consistent with the requirements of Section 553.791, Florida Statutes, and allows the City to recover administrative costs related to plan review and inspection services completed by a private provider.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SANIBEL, FLORIDA:**

**SECTION 1.** That Chapter 14, Buildings and Building Regulations, Article IV, Permits, Section 14-188, Fee Schedule, is hereby amended to read as follows, with additions indicated by underlining and deletions indicated by ~~striketrough~~:

**Chapter 14 – BUILDINGS AND BUILDING REGULATIONS**

**ARTICLE IV. – PERMITS**

. . .

**Sec. 14-188. Fee schedule.**

The following schedule shall constitute the schedule of fees under this chapter:

. . .

(13) Any project that uses the services of a private provider will receive a fifteen percent (15%) discount for all associated building permit fees.

**SECTION 2.** That the Building Permit and related fees set forth in this Ordinance will constitute the currently adopted fees of the City of Sanibel and all prior ordinances and resolutions are hereby repealed and superceded to the extent of any conflict herewith.

**SECTION 3.** That this Ordinance shall be effective immediately upon adoption.