

MAR 23 1993

[Signature]

CA/D #1

RESOLUTION NO. 93-M-15

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A RESOLUTION AMENDING THE ORANGE COUNTY SCHEDULE OF FEES AS TO CERTAIN FEES CHARGED BY THE BUILDING DEPARTMENT; AMENDING THE METHODOLOGY OF ASSESSING BUILDING PERMIT FEES FOR CONSTRUCTION DIRECTLY REGULATED BY THE FLORIDA ELECTRIC POWER PLANT SITING ACT, CHAPTER 403, PART II, FLORIDA STATUTES, SO AS TO PROVIDE FOR AN APPROPRIATE FEE FOR SUCH CONSTRUCTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 403.510, Florida Statutes, generally provides that the Florida Power Plant Siting Act preempts the regulation and certification of electrical power plant sites and electrical power plants as defined in the act;

WHEREAS, Section 403.511, Florida Statutes, specifically provides that the Florida Power Plant Siting Act shall not in any way affect the right of a local government to charge appropriate fees or require construction be in compliance with applicable building construction codes;

WHEREAS, pursuant to the Standard Building Code (1988 Edition), Section A103.7.5, Building Permit Valuations, permit valuations are to be based on total cost;

WHEREAS, due to the nature of electrical power plants regulated by Chapter 403, Part II, Florida Statutes, a disproportionate share of the total cost stems from mechanical equipment directly related to electrical power generation contained within and around the building;

WHEREAS, in recognition of its duty to charge an appropriate fee for a building permit under the Florida Power Plant Siting Act, Orange County seeks to modify the building permit fee schedule to appropriately and reasonably include only a portion of the total cost of mechanical equipment directly related to electric power generation regulated by the Florida Power Plant Siting Act in calculating the building permit fee as more particularly set forth below.

1 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
2 COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

3 Section 1. The Board of County Commissioners hereby
4 amends that portion of the Orange County Schedule of Fees
5 relating to the Building Department as set forth in Sections
6 2 and 3 below with the new language being underlined and the
7 deleted language being struck through.

8 Section 2. The Building Department Schedule of Fees,
9 Section IA, is hereby amended, in part, as follows:

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11 I. BUILDING AND CONSTRUCTION SUPPORT FEES:*

12 (A) Total Valuation:

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14 Other than One and Two Family Dwellings**:

15	New construction--Up to and incl. \$1,000.00.	\$30.00
	For each additional \$1,000.00 or fraction thereof.	4.50
16	Other than new construction--Up to and incl. \$1,000.	30.00
17	For each additional \$1,000.00 or fraction thereof.	4.50
18	Roof Permit--Up to and including \$1,000.	30.00
	For each additional \$1,000 or fraction thereof	4.50
19	Exception: On new construction, where a licensed	
20	general contractor has an active building permit,	
	separate roofing permits are not required.	

21 * Refer to the Engineering, Environmental Protection, Fire,
22 Health, Planning, Public Utilities Engineering and
23 Construction, and Zoning sections of this directory for
associated plans review and inspection fees, and to the
24 Fire, Highway Construction and Sheriff sections for impact
25 fees.

26 ** Pursuant to the Florida Power Plant Siting Act, Chapter
27 403, Part II, Florida Statutes, a local government may
only charge an "appropriate fee" and mechanical equipment

1 directly related to electrical power generation is a
2 disproportionate part of the total valuation. Therefore,
3 the Board of County Commissioners deems it appropriate, in
4 those situations of construction permitted under Chapter
5 403, Part II, to value mechanical equipment directly
6 related to electrical power generation at a rate of
7 twenty-five percent (25%) of the actual cost of such
8 mechanical equipment in the calculation of "total
9 valuation" hereunder.

6 Section 3. The Building Department Schedule of Fees,
7 Section IIIC, is hereby amended as follows:

8 (C) Refrigeration, Ductwork, Hoods, Ventilation, Boilers and
9 Any Other Installation(s) which Require a Mechanical
Permit*:

10 Valuation based on cost of all units, equipment
11 supplied by owner or contractor, materials & labor
up to and including the first \$1,000. \$ 30.00
12 For each additional \$1,000 or fraction
thereof to \$25,000. 9.50
13 For each additional \$1,000 or fraction
thereof above \$25,000 5.00

14 * Pursuant to the Florida Power Plant Siting Act, Chapter
15 403, Part II, Florida Statutes, a local government may
16 only charge an "appropriate fee" and mechanical equipment
17 directly related to electrical power generation is a
18 disproportionate part of the total valuation. Therefore,
19 the Board of County Commissioners deems it appropriate, in
20 those situations of construction permitted under Chapter
21 403, Part II, to value mechanical equipment directly
22 related to electrical power generation at a rate of
23 twenty-five percent (25%) of the actual cost of such
24 mechanical equipment in the calculation of "total
25 valuation" hereunder.

20 Section 4. Severability. If any provision of this
21 Resolution or the application thereof to any person or
22 circumstance is held invalid, the invalidity shall not affect
23 other provisions or applications of this Resolution which can
24 be given effect without the invalid provision or application

1 and to this end the provisions of this Resolution are
2 declared severable.

3 Section 5. Effective Date. This Resolution shall take
4 effect immediately upon its adoption.

5 ADOPTED THIS 23^d DAY OF March, 1993.

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ORANGE COUNTY, FLORIDA

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9 BY: Bill Doregan
for the County Chairman

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10 DATE: 4/3/93

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11 ATTEST: Martha O. Haynie, County Comptroller
12 As Clerk of the Board of County Commissioners

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13 BY: Carol M. Stepler
14 Deputy Clerk

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