

GOLDEN BEACH, FLORIDA  
ORDINANCE NO. 420.96

Revised 09/16/96  
Revised 10/15/96

AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA; AMENDING CHAPTER 50 OF THE TOWN CODE ("BUILDINGS AND BUILDING REGULATIONS"); PROVIDING FOR A SCHEDULE OF PERMIT APPLICATION FEES; PROVIDING FOR A SCHEDULE OF INSPECTION FEES; PROVIDING FOR AMENDMENT OF THE SCHEDULES OF FEES BY RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town had established a Building Plans Processing Fee and a Building Permit Processing Fee to offset some of the costs of operating the building department; and

WHEREAS, the Town desires to review the amount or rate of these fees to reflect the increasing cost of operating the building department;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1.** That Chapter 50 Buildings and Building Regulations is hereby amended as follows:

"Chapter 50  
Buildings and Building Regulations

Sec. 50-1. Adoption of technical codes.

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Sec. 50-2. Building permits. (Reserved. Refer to South Florida Building Code, Dade County Edition.)

~~(a) It shall be unlawful for any Person to:~~

~~(1) Construct, enlarge, alter, repair, move, remove or demolish any building, structure, or any part thereof, or any equipment, device or facility therein or thereon;~~

~~(2) Proceed with excavation therefor;~~

~~(3) Change the occupancy of a building from one use group (as defined by South Florida Building Code) to another~~

New language is underlined.  
~~Deleted language is struck through~~

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~~requiring greater strength, means of egress, fire and sanitary provisions; or~~

~~(4) Install or alter any equipment for which provision is made or the installation of which is regulated by the South Florida Building Code or Town ordinance;~~

~~without first having filed an application and obtained a permit therefor from the Town. A permit will be required for all operations outlined in section 301 of the South Florida Building Code, and for any other operation for which the Building Official determines a permit is necessary.~~

~~(b) Any person requiring a building permit, in addition to filing an application therefor and before such permit is issued, shall pay all fees as required. Permit and bond fees shall be established by the Town Council. Permit fees for improvements to property and installations not enumerated below shall be based on cost.~~

~~(c) Permit fees shall include payment for the permit and for inspection of the work for which the permit was obtained after the same shall have been completed. If, upon such inspection, the designated inspector finds that the work does not conform to or comply with the provisions of this Code, the inspector shall notify the contractor or Owner of the corrections required. When the inspector is notified that the corrections have been made, he shall again inspect the work. All inspections must be requested by the contractor responsible for the work to be inspected.~~

~~(d) When additional inspection trips are necessary due to condemned or unapproved work, resulting from faulty construction; work that does not comply with approved plans; work which is not ready for inspection when called; charges shall be made for each trip.~~

~~(e) Payment of fees for reinspection due to correction of workmanship or other violations shall be made to the Town by the permit holder before any further reinspection for that discipline is made or any further permits are issued to the Person owing the same, unless the Building Official waives the requirement for prior payment.~~

~~(f) Any licensed contractor who commences work without a valid permit shall be charged a \$200.00 fee and double permit fee. Any homeowner who commences work without a valid permit shall be charged \$100.00 and a double permit fee.~~

~~(g) No permit will be required for general maintenance or repairs if the work does not result in a change in occupancy as defined by the South Florida Building Code, or the value of the complete job is less than \$300.00 in labor and materials, as indicated by the latest edition of Cost Data, as published by R.S. Means Company, Inc.~~

Sec. 50-3. ~~Plans processing.~~ Permit processing.

Prior to the issuance of a building permit, all building plans shall be submitted to the Building Official in accordance with the requirements of the South Florida Building Code. A nonrefundable ~~plans permit~~ processing fee established by resolution of the Town Council shall be paid when plans are submitted. ~~The fee shall be credited to the total cost of the building permit if a permit is issued within 180 days of the submittal date.~~

If additional plan processing is required to correct earlier deficiencies or change to the plans more than one time, the full ~~plans permit~~ processing fee will be charged each time revised plans are resubmitted.

Sec. 50-4. Compliance with this code.

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Sec. 50-5. Abatement of violations.

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Sec. 50-6. Supervision of Official.

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Sec. 50-7. Approval of plans, permits.

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Sec. 50-8. Permit processing fee.

(a) Any person requiring a permit for building, electrical, mechanical, ~~or plumbing, engineering or other~~ work shall pay, in addition to all other fees, a "Permit Processing Fee". ~~equal to one half of one per cent (0.5%) of the cost of the proposed work.~~

(b) The Permit Processing Fee shall be paid up front, at the time of filing the permit application.

(c) The up front Permit Processing Fee shall not be refundable, nor shall it be credited to the cost of the appropriate permit when issued.

(d) The Permit Processing Fee shall be charged to all other types of Permits for construction work, including but not limited to, engineering work within a public right of way.

(e) The amount of the Permit Processing Fee shall be established by resolution of the Town Council and may be amended from time to time.

Sec. 50-9. Construction of terminology.

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Sec. 50-10. Finality of interpretation

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**Section 2. Conflict** That those portions of Ordinances 364.88 and 391.93, and all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 3. Severability** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Inclusion In The Code.** That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance, shall become and made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this 17th day of September, 1996.

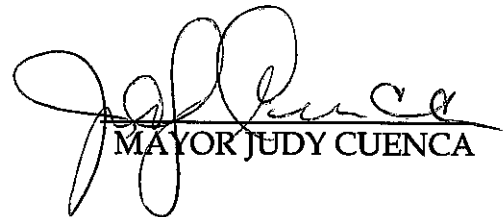
The Motion to adopt the foregoing Ordinance on first reading was offered by Councilman Rosenthal, seconded by Councilwoman Lowrance and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Fistel	<u>Absent</u>
Councilman Addicott	<u>Aye</u>
Councilwoman Lowrance	<u>Aye</u>
Councilman Rosenthal	<u>Aye</u>

PASSED AND ADOPTED on second reading this 15th day of October, 1996.

The Motion to adopt the foregoing Ordinance on second reading was offered by Councilwoman Lowrance, seconded by Councilman Rosenthal and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Fistel	<u>Aye</u>
Councilman Addicott	<u>Absent</u>
Councilwoman Lowrance	<u>Aye</u>
Councilman Rosenthal	<u>Aye</u>

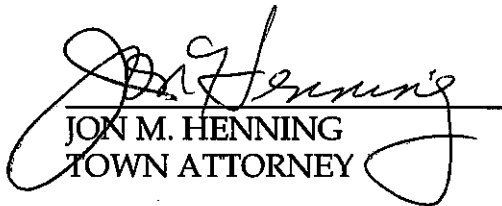


MAYOR JUDY CUENCA

ATTEST:

  
 TOWN CLERK PAT MONGIELLO

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
 JON M. HENNING  
 TOWN ATTORNEY