

ORDINANCE NO. 24-04

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE I ENTITLED "IN GENERAL", SECTION 14-2 ENTITLED "APPLICABLE FEES" TO AMEND ADMINISTRATIVE SERVICE, BUILDING, MECHANICAL, ELECTRICAL, PLUMBING, AND AFTER THE FACT PERMIT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Key West promotes the health, safety, and welfare of citizens and visitors through building permit review and inspection of permitted construction as provided by the Florida Building Code; and

**WHEREAS**, administrative building services such as plan review and inspection provided by the City are engaged at the discretion of applicants and for the benefit of the applicant; and

**WHEREAS**, fees collected from the Building Department's administrative services and building permit fees are utilized to enforce the Florida Building Code; and

**WHEREAS**, the City Commission finds that it is in the best interest of the public to increase costs for building services, placing the burden of such costs directly upon those parties deriving the benefit from such services; and

**WHEREAS**, the proposed amendments to Chapter 14 will promote the health, safety, and welfare of the citizens and visitors of the City of Key West by increasing revenue allocated for the enforcement of the Florida Building Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Section 14-2 entitled "Applicable Fees" of the City of Key West Code of Ordinances is hereby amended as follows\*:

**Sec. 14-2. - Applicable fees.**

Certain fees are applicable to all articles of Chapter 14 or otherwise have broad application. Accordingly, the office of the chief building official shall charge and collect for the following services at the following rates:

**Administrative Fees**

- (a) Inspection after normal business hours, with three-hour minimum and a partial hour shall be rounded up, per hour..... \$100.00 ~~70.00~~

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

- (b) Time-specific inspections schedule during normal working hours, per inspection .....\$70.00
- (c) Re-inspection fees. If necessary for inspector to return for inspection of a building or structure:
  - (1) First re-inspection .....\$25.00
  - (2) Second re-inspection .....\$50.00
  - (3) Three or more re-inspections, each .....\$100.00
- (d) Requested courtesy inspection, each .....\$70.00
- (e) Permit extension of an active permit only for 180-days without inspection approval .....\$150.00 ~~70.00~~
- (f) Reinstatement of expired permit for purpose of final inspection, each .....\$250.00 ~~100.00~~
- (g) Replacement permit card .....\$25.00 residential  

\$50.00 commercial
- (h) Change of contractor .....\$100.00
- (i) Permit application review/processing fee: 0.1% of contract price with a minimum fee of \$10.00 per application.

Florida DBPR surcharge is 1.5% of total permitting fee, minimum .....\$2.00.

Florida DEO surcharge is 1.5% of total permitting fee,  
minimum .....\$2.00.

- (j) City education fee for the training and recertification  
of building department staff pursuant to Florida  
Statutes, per permit .....\$2.00
- (k) Certificate of Completion .....\$100.00
- (l) Certificate of Occupancy:
  - (1) Residential, each \$100.00
  - (2) Commercial, each \$200.00
- (m) Conditional Certificate of Occupancy, per any portion of  
90-day period .....\$250.00
- (n) FEMA/Floodplain Administrator Reviews:
  - (1) Mitigation and/or plan review for One- and Two-  
family dwellings .....\$40.00
  - (2) Mitigation and/or plan review for commercial  
buildings .....\$100.00
  - (3) Environmental review .....\$40.00
- (o) Fire Marshal review of all commercial projects: 0.05% of  
the contract price with a minimum fee of \$75.00 per  
application.

Permit Fees. The permit fee schedule is established under authority of F.S. 553.80:

**Building**

(1) New buildings (including balconies, porches, additions, garages and accessory buildings):

(a) For each \$1,000.00 of contract price or fractional part thereof, ....\$24.00~~18.00~~

(b) Minimum fee .....\$80.00 ~~60.00~~

(2) New structures other than buildings (including water towers, radio towers, water plants, bridges, cisterns, seawalls, docks and boat davits):

(a) For each \$1,000.00 of contract price or fractional part thereof .....\$36.00 ~~24.00~~

(b) Minimum fee .....\$100.00 ~~60.00~~

(3) Repairs or remodeling to building or structures as listed in (1) and (2):

(a) Less than \$1,000.00 contract price .....No permit required

(b) For each \$1,000.00 of contract price or fractional part thereof .....\$36.00 ~~24.00~~

- (c) Minimum fee .....\$100.00 ~~60.00~~
- (4) Outdoor Features: Docks, decks, excavation, filling, awnings and removable canopies, hurricane shutters, wood lattice and screening, excavation:
- (a) For each \$1,000.00 of contract price or fractional part thereof .....\$36.00 ~~24.00~~
- (b) Minimum fee .....\$100.00 ~~60.00~~
- (5) Site work (including driveways, patios, parking lots and sidewalks):
- (a) For each 1,000 square feet or fractional part thereof .....\$24.00 ~~18.00~~
- (b) Coating of asphalt: for each \$1,000.00 of contract price ~~10,000 square feet~~ or fractional part thereof .....\$19.00 ~~15.00~~
- (c) Minimum fee .....\$80.00 ~~60.00~~
- (6) Fences (including wood, chain link and concrete block):
- (a) For the first 100 linear feet or fractional part thereof .....\$150.00 ~~75.00~~
- (b) For each additional linear foot after first 100 .....\$1.50 ~~0.50~~

- (7) Roofing (includes repairs and new roofs):
- (a) For each \$1,000.00 of contract price or fractional part thereof ~~100 square feet or fractional part thereof~~  
.....\$36.00 ~~12.00~~
- (b) Minimum fee .....\$100.00 ~~60.00~~
- (8) Swimming pools/spas/hot tubs:
- (a) Residential, for each \$1,000.00 of contract price or fractional part thereof .....\$40.00 ~~each, flat fee~~  
.....\$250.00
- (b) Commercial, ~~each, flat fee~~ for each \$1,000.00 of contract price or fractional part thereof.....\$50.00  
~~550.00~~
- (c) Spa/hot tub (up to 64 square feet) .....\$250.00  
~~75.00~~
- (d) Repairs, resurfacing .....\$500.00 ~~100.00~~
- (e) Pool decks, for each \$1,000.00 of contract price or fractional part thereof .....\$40.00 ~~24.00~~
- (9) Temporary tent, structure or occupancy (temporary permit only, issued for 30-day period) .....\$100.00 ~~60.00~~ per tent
- (10) Moving building; for each \$1,000.00 of contract price or

fractional part thereof .....\$36.00 ~~24.00~~

(11) Demolition of buildings; for each \$1,000.00 of contract price or fractional part thereof .....\$36.00 ~~24.00~~

(12) Tanks (gasoline, water, propane, etc., all materials), including anchoring pads:

(a) For each ~~1,000~~ gallons or fractional part thereof .....\$0.50 ~~7.00~~

(b) Minimum fee, per tank .....\$100.00 ~~60.00~~

(13) Signs:

(a) For each ~~50 square feet of each sign face or fractional part thereof~~ \$1,000.00 of contract price or fractional part thereof .....\$45.00 ~~35.00~~

(b) Minimum fee .....\$200.00 ~~60.00~~

(14) Mobile home installation:

(a) Tie-down inspection for insurance purposes only .....\$100.00 ~~60.00~~

(b) Tie-downs, blocking, sewer connection, water connection, and electrical connection .....\$150.00

(15) Temporary trailer (construction and/or sales); maximum of 180 days (each) ..... \$250.00 residential

\$500.00 commercial



**Mechanical**

- (1) Minimum fee .....\$100.00 ~~60.00~~
  
- (2) Air Conditioning and/or Heat Pump Systems:
  - (a) For each \$1,000.00 of contract price or fractional part thereof .....\$36.00 ~~24.00~~
  
  - (b) For additional ductwork openings in remodel, per opening .....\$10.00
  
- (3) Hoods (including grease ducts):
  - (a) Residential (flat fee) .....\$50.00
  
  - (b) Commercial per \$1,000.00 of contract price or fractional part thereof .....\$36.00 ~~24.00~~
  
- (4) Refrigeration, walk-ins and reach-ins:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~
  
- (5) Miscellaneous or not listed:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~

**Electrical**

- (1) Minimum fee .....\$100.00 ~~60.00~~
  
- (2) Site work:

- (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~
- (3) Residential new and old work, service, feeders, added circuits, etc.:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~
- (4) Residential Construction Temporary .....\$80.00 ~~60.00~~
- (5) Residential low voltage security/fire alarm systems:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~
- (6) Residential 90-day service releases prior to final approval/occupancy .....\$100.00
- (7) Commercial new and old work, service, feeders, added circuits, etc.:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~
- (8) Commercial Construction Temporary .....\$120.00
- (9) Commercial low voltage security/fire alarm systems:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~30.00~~

- (10) Commercial 90-day service releases prior to final approval/occupancy .....\$200.00
- (11) Alternative or emergency power systems:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~

**Plumbing**

- (1) Minimum fee .....\$100.00 ~~60.00~~
- (2) Site work, grease interceptors, oil separators, etc.:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$40.00 ~~24.00~~
- (3) Irrigation systems:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$24.00 ~~12.00~~
- (4) Sewer, Building interior lines and connections:
  - (a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~
- (5) Potable water, backflow preventers, fixtures, water connections for new construction or rework existing:

(a) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~24.00~~

(6) Fire Suppression Systems:

(a) Fire Sprinkler System: Sprinkler heads, Fittings, Standpipes, etc.:

(1) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~30.00~~

(b) Underground Fire Main:

(1) For each \$1,000.00 of contract price or fraction thereof .....\$36.00 ~~30.00~~

**After-the-Fact Penalty**

In the event that any work for which a permit is required is commenced or is in process prior to the issuance of a permit by the building department, then the fees specified for such work shall be increased.

The payment of a penalty fee shall not relieve any person from fully complying with the requirements of any applicable code.

**Penalty fees:**

- (a) First \$5,000.00 contract price: \$250.00
- (b) > \$5,000.00 contract price: Double the permit ~~normal~~ fee

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 11th day of January, 2024.

Read and passed on final reading at a regular meeting held this 8th day of February, 2024.

Authenticated by the presiding officer and Clerk of the Commission on 9th day of February, 2024.

Filed with the Clerk February 9, 2024.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Absent</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Absent</u>

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TERI JOHNSTON, MAYOR

ATTEST:

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KERI O'BRIEN, CITY CLERK