

## ORDINANCE NO. 33-2021

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY INCORPORATING AND ADOPTING FEES RELATED TO BUILDING INSPECTION AND PERMIT FEES, FIRE PERMIT AND INSPECTION FEES, SPECIAL EVENT APPLICATION FEES, AND COMMUNITY DEVELOPMENT FEES; AMENDING CHAPTER 6 "BUILDING AND BUILDING REGULATIONS" BY AMENDING SECTION 6-57 "APPLICATION FORM" AND CREATING SECTION 6A-1 "BUILDING INSPECTION AND PERMIT FEES"; AMENDING CHAPTER 9 "FIRE PREVENTION AND PROTECTION" BY AMENDING SECTIONS 9-6 "BONFIRES AND OUTDOOR RUBBISH FIRES" AND 9-12 "OCCUPANCY INSPECTION FEE SCHEDULE", AMENDING CHAPTER 11 "LICENSES AND REGULATIONS" BY AMENDING SECTION 11-502 "PERMIT APPLICATION" AMENDING DEVELOPMENT REVIEW PROCEDURES MANUAL BY CREATING SECTION 17 "FEES"; PROVIDING FOR FINDINGS, RATIFICATION, SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AN EFFECTIVE DATE AND INCORPORATION INTO THE CODE.

**WHEREAS**, the City of Titusville offers a number of significant services to its residents, businesses owners and visitors for which it charges fees that should be commensurate with the cost incurred by the City to perform the services, and

**WHEREAS**, the City adopted fees through Resolutions 25-2016, 29-2016, 31-2016 and 32-2016; and

**WHEREAS**, these fees have been established by the City, and the City desires to ratify and incorporate these fees into the Code of Ordinance for better transparency.

**NOW, THEREFORE, BE IT ENACTED** by the City of Titusville, Florida as follows:

**SECTION 1. Recitals.** The foregoing recitals are deemed true and correct and are hereby incorporated herein by this reference.

**SECTION 2:** That Chapter 6, "Building and Building Regulations", Article III "Building Permits and Inspections Generally" Section 6-57 "Application form" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

Sec. 6-57. - Application form.

- (a) Application for a permit shall be made in writing and filed with the building official and shall be submitted in such form as the building official may prescribe.
- (b) Such application shall be made by the owner or lessee, or agent of either, or the architect, engineer or builder employed in connection with the proposed work. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee or the person making the application that the proposed work is authorized by the owner in fee and that the person making the application is authorized to make such application.

- (c) Such application shall contain the full names and addresses of the applicant and the owner, and, if the owner is a corporate body, of its responsible officers.
- (d) Such applications shall describe briefly the proposed work and shall give such additional information as may be required by the building official regarding the proposed work.

**SECTION 3:** That the Code of Ordinances, City of Titusville is hereby amended by adding a section to be numbered Chapter 6, "Building and Building Regulations" Appendix 6A "Permit Fees", Section 6A-1 "Building Inspection and Permit Fees", which said section reads as follows:

**Section 6A-1. Building Inspection and Permit Fees**

(a) *Payment.* No permit required under Chapter 6 of the City of Titusville Code of Ordinances shall be issued unless all permit fees and permit fines established by the City Council are paid in full.

(b) *Revision of permit or plans.* Any revision to a permit or plans shall not be approved or issued unless and until any additional revision fees are paid in full.

(c) *Refund.* No refund of any permit fees shall be issued after the expiration of 90 calendar days from the date of issuance as stated on such permit. Administrative, application submittal and plan review fees shall not be subject to refund.

(d) *Plan review fee.* The plan review fee shall be fifty percent (50%) of the building permit fee. The following construction activities shall be exempt from plan review fees: re-roof, A/C change-out, duct replacement, window/door replacement, electrical service change-out (not upgrade), electrical panel change out (not upgrade), patio slab/pavers, garage door replacement, driveway/sidewalk, pool demolition, water heater change-out, one (1) and two (2) family home renovation without reconfiguration, non-habitable accessory structure (720 square feet or less), accessory to one (1) and two (2) family residences, pergola accessory to one (1) and two (2) family residences, temporary signs, fences, low voltage wiring (\$5000 and less in value), plumbing water/sewer line replacement, siding, manufactured buildings (except for foundations and modifications of the building site), and other minor electrical, plumbing and mechanical repairs. Plan review requirements for other minor construction activities shall be at the discretion of the Building Official or designee.

- When a plan review fee is required, or a preliminary review of construction plans is requested, a non-refundable Application Fee shall be paid upon submittal: This fee shall be assessed as per the schedule shown below. Application fee shall be credited back as payment towards the building permit/plan review fee at permit issuance.
- Applicants using a private provider for building code plan review and inspection services pursuant to Florida Statute 553.791 Alternative plans review and inspection, shall pay an administrative fee to the Titusville Building Department. This administrative fee shall be calculated at 25% of the typical building permit and review fees.

**Application Fee Schedule:** Construction cost estimate provided by applicant

| Construction Cost Estimate | Fee: One & Two Family | Fee: All Others |
|----------------------------|-----------------------|-----------------|
| 5,000.01-100,000.00        | \$50.00               | \$100.00        |
| 100,000.01-200,000.00      | \$250.00              | \$500.00        |
| 200,000.01-300,000.00      | \$375.00              | \$750.00        |
| 300,000.01-400,000.00      | \$500.00              | \$1,000.00      |
| 400,000.1-500,000.00       | \$625.00              | \$1,250.00      |
| Over \$500,000.00          | \$750.00              | \$1,500.00      |

- (e) *State mandated Fee.* Building Code Administrators and Inspectors Board (BCAIB) and the Construction Industry Licensing Board (CILB) Homeowners Recovery Fund, both part of the Department of Business and Professional Regulation (DBPR) is 2.5% fee on all building permits. The minimum amount collected on any permit is \$4.00. (FS 468.631, FS 553.721)
- (f) *Re-inspection fee.* When extra inspection trips are necessary due to, wrong address, third call on failed work, additional work done after inspection has been made, permit card not posted, Notice of Commencement not posted, approved plans not on site or work not ready for inspection when called, a charge of \$100.00 shall be paid prior to final inspection or issuance of a certificate of occupancy or completion. At the discretion of the building official, the re-inspection fee may be waived due to extenuating circumstances.
- (g) *Off-premises signs and billboards.* A permit shall be required for the erection, alteration or repair of any existing or new billboard. Changes to the advertising message shall not require a permit. Fees shall be as follows:
  - 1. Building plan review..... \$250.00
  - 2. Building permit.....\$500.00
  - 3. Annual license/inspection.....\$200.00

**Table A - Permit fees by total valuation:**

| Valuation                              | Fee  |
|--|--|
| \$0.00 to and including \$1,000.00     | \$80.00  |
| \$1,000.01 to and including \$2,000.00 | \$100.00   |
| \$2,000.01 and up to \$100,000.00      | \$100.00 for the first \$2,000 and \$6.00 for each additional \$1,000 in construction value. |

|                                       |   |
|---------------------------------------|---|
| \$100,000.01 and up to \$500,000.00   | \$688.00 for the first \$100,000 and \$5.00 for each additional \$1,000 in construction value.    |
| \$500,000.01 and up to \$2,000,000.00 | \$2,688.00 for the first \$500,000 and \$3.00 for each additional \$1,000 in construction value.  |
| \$2,000,000.01 and higher             | \$7,168.00 for the first \$2,000,000 and \$2.00 for each additional \$1,000 in construction value |

Permit fees shall be based upon the actual construction cost provided by the applicant. If, in the opinion of the building official, the value of construction cost provided is underestimated on the application, the applicant may provide sufficient evidence in the form of a valid contract or professionally certified construction cost estimate. Otherwise, the building official shall set the valuation of construction cost in accordance with the latest Building Valuation Data as published by the International Code Council (I.C.C.) and/or other published source(s).

**(h) Additional Fees and Charges.**

**Table B - Additional Fees and Charges:** **“BOV” Based on value of work**

|  |                         |
|--|-------------------------|
| Billboards   | See paragraph (h) above |
| Certificate of Occupancy - Permanent (Paid at time of permit issuance) |                         |
| Certificate of Occupancy Per dwelling/condo unit                       | \$75.00                 |
| Certificate of Occupancy All others(including apartment buildings)     | \$150.00                |
| Demolition of Building   | BOV                     |
| Driveway Permits   | BOV                     |
| Duplicate or Revised Permit Card                                       | \$ 25.00                |
| Electrical Meter Reset Inspection                                      | \$50.00                 |
| Electrical Permit (Stand Alone)  | BOV                     |
| Fence Permits  | BOV                     |
| Fire Alarm Permit  | Per valuation table "A" |
| Fire Department Fire Suppression and/or Fire Alarm Plan Review         | 50% of fire permit fee  |

|   |  |
|---|--|
| Fire Department Life Safety Plan Review   | 10% of building permit fee   |
| Fire Department Re-inspection   | See paragraph (g) above  |
| Fire Line Test (Underground)  | \$225.00   |
| Fire Suppression Permit   | Per valuation table "A"  |
| Fuel Gas Permit (Stand Alone)   | BOV  |
| Mechanical Permit (Stand Alone)   | BOV  |
| Mobile/Manufactured Home  | BOV  |
| Moved Building  | BOV  |
| Permit Renewal (Application and plan resubmittal shall be required if 6 months beyond expiration date)  | Original permit fee  |
| Permit/Plan Revision<br>Re-review and re-stamping of plans  | \$50.00 per line item revision, up to but not to exceed original plan review fee |
| Plumbing Permit (Stand Alone)   | BOV  |
| Pools/Spas  | BOV  |
| Re-inspection (See paragraph (g) above.)  | \$100.00   |
| Signs (Permanent)   | BOV  |
| Signs (Temporary)(Maximum of 10 days) See Titusville LDC 39-155   | \$50.00  |
| Special Inspection (after-hours, weekend, holiday, arranged two days in advance). Minimum three-hour charge   | \$75.00 per hour   |
| Temporary Storage Units (Per LDR)   | \$50.00 per unit   |
| Temporary Storage Units – Expired / unpermitted   | \$35.00 per day per unit   |
| Tents/Temporary Structures (Over 120 sq. ft. and 10 or more occupants)  | BOV  |
| Unauthorized work started prior to issuance of permit.  | Double permit fee  |
| Fees Not Otherwise Classified: If a fee is not specifically provided for in this ordinance, a reasonable fee shall be set by the Building Official. |  |

**SECTION 4:** That Chapter 9, "Fire Prevention and Protection", Section 9-6 "Bonfires and outdoor rubbish fires" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 9-6. Bonfires and outdoor rubbish fires.**

- (a) No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land; except small bonfires for social activities such as cookouts, pep rallies, scout organizations and other similar events may be permitted by securing the permission of the fire chief. Fires for the purpose of burning trash, underbrush, etc., in connection with land clearing are prohibited.
- (b) The fire chief may approve the issuance of special burn permits for the purpose of large-scale land clearing operations on a case-by-case basis. Upon approval from the fire chief or his/her designee the following conditions will apply:
  - (1) A two hundred-dollar permit fee shall be paid to the fire department and a city permit shall be issued, upon site approval. The city permit will include all of the conditions required based on fire safety standards as determined by the Florida Division of Forestry and the Titusville Fire and Emergency Services Department.
  - (2) Individuals burning without a permit or after a violation has been issued or with a revoked permit shall be subject to a five hundred-dollar (\$500.00) fine for each occurrence. Payment of such fine must be made prior to any continuance of open burning.
- (c) Fees for open burn and fireworks applications are provided below:
  - (a) Open burn application fee ..... \$200.00
  - (b) Fireworks application fee..... \$200.00

**SECTION 5:** That Chapter 9, "Fire Prevention and Protection" Section 9-12 "Occupancy inspection fee schedule" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 9-12. Occupancy inspection fee schedule.**

Each and every occupancy as hereinafter provided shall pay an annual fee for the inspection of the occupancy for compliance with the Florida Fire Prevention Code as adopted in section 9-1 of the Code of Ordinances of the city. Said fee shall be paid concurrent with the renewal of the business tax receipt for existing businesses. The fire chief or designee shall cause an inspection to occur annually of each commercial occupancy type. In addition, any new occupancies or businesses applying for a new business tax receipt or any applicant applying for a transfer of a business tax receipt from one (1) location to another, shall have an inspection pursuant to section 11-50 of the Code of Ordinances of the city. This inspection shall take place prior to the issuance of the business tax receipt, to ensure compliance with the Code of Ordinances. This fee shall be paid prior to issuance of a new business tax receipt. The annual fee to be paid by each occupancy type shall be as follows:

(a) Florida Fire Prevention Code Occupancy inspection fee schedule.

| Occupancy Type                                   | Annual Fee Amount |
|--|-------------------|
| <b>Business</b>                                  |                   |
| 0—3,000 sq. ft.                                  | \$50.00           |
| 3,001—30,000 sq. ft.                             | \$100.00          |
| 30,001—100,000 sq. ft.                           | \$150.00          |
| 100,001 + sq. ft.                                | \$200.00          |
| <b>Mercantile</b>                                |                   |
| 0—3,000 sq. ft.                                  | \$50.00           |
| 3,001—30,000 sq. ft.                             | \$100.00          |
| 30,001—100,000 sq. ft.                           | \$150.00          |
| 100,001 + sq. ft.                                | \$200.00          |
| <b>Assembly</b>                                  |                   |
| 50—300 persons                                   | \$50.00           |
| 301—1,000 persons                                | \$100.00          |
| 1,001—2,000 persons                              | \$150.00          |
| 2,001 + persons                                  | \$200.00          |
| <b>Residential (multi-unit only) 1—3 stories</b> |                   |
| Up to 8 units                                    | \$50.00           |
| Per unit greater than 8 units                    | \$2.00            |
| 1—3 story condominiums, base fee only            | \$50.00           |
| <b>Low-rise</b>                                  |                   |
| 4—6 stories                                      |                   |
| First building                                   | \$200.00          |
| Each additional building                         | \$100.00          |

|   |          |
|---|----------|
| High-rise   |          |
| 7—10 stories  |          |
| First building  | \$300.00 |
| Each additional building                                | \$100.00 |
| 11 + stories  |          |
| First building  | \$400.00 |
| Each additional building                                | \$100.00 |
| Industrial  |          |
| 0—3,000 sq. ft.   | \$50.00  |
| 3,001—20,000 sq. ft.                                    | \$100.00 |
| 20,001—60,000 sq. ft.                                   | \$200.00 |
| 60,001 + sq. ft.  | \$300.00 |
| Storage buildings                                       |          |
| 300—10,000 sq. ft.                                      | \$50.00  |
| 10,001 and up sq. ft.                                   | \$100.00 |
| Rental units under 300 sq. ft.                          | Exempt   |
| Fee upon second or more reinspection for any occupancy: |          |
| Second reinspection                                     | \$25.00  |
| Third reinspection                                      | \$50.00  |
| Fourth reinspection                                     | \$75.00  |

The fire department shall administer the provisions of this Code.

In the event any occupancy fails or refuses to pay the required inspection fee, said violator shall be deemed to be in violation of the Code of Ordinances and enforcement shall be processed through the Titusville Code Enforcement Board or as otherwise provided for in the Code of Ordinances. The violator shall be liable for all costs incurred by the city in the collection of said fee. All fees collected shall be set aside and restricted to be utilized for the fire inspection program in the fire emergency services department.



**SECTION 6.** That Chapter 11, "Licenses and Regulations", Article XII "Special Events" Section 11-502 "Permit application" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 11-502. Permit application.**

- (a) The applicant for a permit under this article shall file a completed special event application with the special events coordinator of the city. As part of the application, the applicant must complete and submit to the special events coordinator a "pre-event assessment list" along with a completed site plan and tentative schedule of events with the application. The "pre-event assessment list" shall, at a minimum, contain the following:
- Type of event, activities
  - Location of event
  - Date and times of event
  - Event applicant(s)
  - Contact person(s), telephone number(s)
  - Estimated number of spectators/attendees (each day of event)
  - Requested waiver of fees (exceptions)
  - Tentative schedule of events for each day of event
  - Detailed site plan, including pedestrian traffic access
  - Vehicular traffic control plan
  - Life safety plan
  - Other information deemed appropriate by the event applicant(s)
  - Application fee of \$50.00 per event (maximum \$200.00 per year per organization).
- (b) The special events coordinator shall review the application to determine if the proposed event may be designated as a special event. If so determined, the special events coordinator shall contact the applicant(s) and make arrangements for a planning meeting.
- (c) Planning meeting. Upon receipt of a completed application if so determined, the special events coordinator shall prepare a planning meeting. All aspects of the proposed event and its impact on the city shall be discussed to establish policy and procedural requirements, necessary city services, appropriate fees and correct any deficiencies from a public health and safety standpoint that may be necessary and/or in the best interests of the city. City staff will either approve or disapprove both "Class A" and "Class B" events. Upon approval by city staff, the special events coordinator shall establish an agreement stipulating the terms and conditions of the permit and all estimated fees. No planning meeting or agreement is required for "Class C" events. The special events coordinator shall coordinate "Class C" events. The special events coordinator has approval authority for "Class C" events.
- (d) No single location shall play host to more than four (4) "Class B" special events per calendar year. Requests for "Class C" events will be considered on a case-by-case basis. Special events held on property within the downtown redevelopment area and industrial zoned properties shall be exempt from said requirement.

- (e) No event will be approved that would adversely impact another event previously approved or applied for with the city.
- (f) Acquiring all permits is the responsibility of the applicant(s), and they must be submitted to the city's special events coordinator no later than twenty-one (21) days prior to the first day of the special event. This includes, but is not limited to:
  - Finalized site plan
  - Finalized life safety plan
  - Security schedule
  - Letters to affected property owners
  - Other required inspections and permits
- (g) If the special event application is denied, the special events coordinator will provide the reason(s) for denial in writing. The applicant(s) may, in writing, appeal the decision to the city manager as defined within section 11-505.
- (h) If an event is not approved, the city shall not be responsible for any costs incurred by the event applicant(s).
- (i) Failure to comply with the terms and conditions of a special event permit may be grounds for immediate suspension of the event until such time as the noncompliance is remedied. The noncompliance shall be initially communicated orally, followed by a written suspension order, if the noncompliance is not remedied. Noncompliance includes conducting unapproved activities and activities involving unsafe conditions.

**SECTION 7:** That the Code of Ordinances, City of Titusville is hereby amended by adding a section to be numbered Development Review Procedures Manual, Section 17 "Fees", which said section reads as follows:

**17. - FEES**

**17.1. Comprehensive Plan Amendment, Zoning/Rezoning, Conditional Use Permits, Development Review Committee, and Master Plan Fees.**

- (a) *Comprehensive Plan Amendment (CPA)*.....\$ 1,575.00  
Plus \$8.00 per acre, Plus legal advertisement cost
- (b) *Comprehensive Plan Amendment (Text Amendment)* .....\$ 735.00  
Plus legal advertisement cost
- (c) *Land Development Regulations Amendment* .....\$1,575.00  
Plus legal advertisement cost
- (d) *Zoning/Rezoning (When not accompanied by a CPA)* .....\$ 1,575.00  
Plus \$8.00 per acre, Plus legal advertisement cost
- (e) *Conditional Use (CUP)*.....\$ 1,575.00  
Plus \$8.00 per acre, Plus legal advertisement cost
- (f) *Planned Industrial Park, Planned Unit Development, Urban Village Zoning and other Master Plan approval or amendment*.....\$ 1,575.00

Plus \$8.00 per acre and \$8.00 per lot / dwelling unit, Plus legal advertisement cost  
 (The \$8.00 per acre fee for a Master Plan will not be collected when the Master Plan is  
 accompanied by a CPA or REZ.

(g) *Development Review Committee* ..... \$ 250.00

**17.2. Land Development Fees**

(a) If additional reviews beyond the initial three (3) are required, the applicant must submit  
 an additional fifty (50) percent of original review fee.

**(b) Class I Improvement Review**

- 1. Residential..... \$ 105.00
- 2. Nonresidential..... \$ 265.00
- 3. Right of Way..... \$ 210.00
- 4. Tree Removal (All Uses)..... \$ 105.00

**(c) Class II Site Plan Review**

- 1. Pre-Application, plus \$10.00 per acre..... \$ 265.00
- 2. Landscape Non-Subdivision, plus \$50.00 per acre ..... \$ 525.00
- 3. Site Plan/Engineering, plus \$100.00 per acre.....\$ 1,155.00
- 4. Multifamily Engineering, plus \$10.00 per unit.....\$ 1,155.00
- 5. Marina Facilities, plus \$10.00 per slip..... \$ 1,155.00
- 6. Late Resubmittal Reinstatement
  - Prior to 90 days from delinquent response date..... \$ 525.00
  - After 90 days new review fees are required
- 7. Amendments to Approved Site Plans:
  - Minor Changes (less than 10%) ..... \$ 265.00
  - Major Changes (greater than 10%)..... 1/2 original review fee

**(d) Subdivision Review**

- 1. Lot Split ..... \$ 300.00
- 2. Non-residential Minor Division (max 5 lots).....\$ 525.00
- 3. Small Scale Plat (maximum 10 lots).....\$ 1,155.00
- 4. Subdivision Pre-Application, plus \$10.00 per acre..... \$ 265.00
- 5. Subdivision Sketch Plat, plus \$15.00 per lot.....\$ 630.00
- 6. Subdivision Preliminary Plat w/Engineering, plus \$30.00 per lot... \$ 2,100.00
- 7. Landscape Subdivision, plus \$10.00 per lot .....\$ 525.00
- 8. Subdivision Final Plat, plus \$20.00 per lot..... \$ 1,050.00
- 9. Late Resubmittal Reinstatement
  - Prior to 90 days from delinquent response date.....\$ 525.00
  - After 90 days new review fees are required
- 10. Amendments to Approved Site Plans:
  - Minor Changes (less than 10%).....\$ 265.00
  - Major Changes (greater than 10%).....1/2 original review fee

Note: All fees calculated on acres/lots are based on total acres/lots including fraction thereof.

**17.3. Site Development Permit Fees**

A permit fee of all improvements required by Chapter 34, Procedures, Article IV Site Plans shall be paid to defray the cost of inspection by the City.

**(a) Class I Site Development Permit**

|  |           |
|--|-----------|
| 1. Driveway Connection - Commercial, each .....                    | \$ 265.00 |
| 2. Driveway Connection - Residential, each .....                   | \$ 105.00 |
| 3. Land Alterations/Clearing, plus \$50.00 per acre .....          | \$ 315.00 |
| 4. Parking Lot New Construction, plus \$5.00 per stall .....       | \$ 315.00 |
| 5. Parking Lot Restriping/Resurfacing, plus \$2.00 per stall ..... | \$ 105.00 |
| 6. Road Repairs, plus \$50.00 per L.F.....                         | \$ 105.00 |
| 7. ROW - Open Cuts/Directional Drill, each .....                   | \$ 210.00 |
| 8. Sidewalks, plus \$1.00 per L.F.....                             | \$ 55.00  |
| 9. Stormwater Improvements, plus \$10.00 per acre .....            | \$ 315.00 |
| 10. Trash Enclosure, each.....                                     | \$ 210.00 |
| 11. Tree removal, plus \$20.00 per tree .....                      | \$55.00   |

Per LDR Section 30-32(d), Trees that are dead, diseased or weakened by age, storms, fire or other injuries, which pose a threat to the welfare of the general public. The permit fee will be waived in these cases.

Per LDR Section 30-35(d), Nuisance trees shall be removed and a permit is not required.

|  |       |
|--|-------|
| 12. Utility Construction, percent of cost (\$100.00 minimum) ..... | 2.5%* |
|--|-------|

**(b) Class II Site Development Permit**

|  |           |
|--|-----------|
| 1. Pre-Construction Conference .....                                 | \$ 525.00 |
| 2. Subdivision Permits, percent of site construction cost* .....     | 2.5%*     |
| 3. Non-Subdivision Permits, percent of site construction cost* ..... | 2.5%*     |

**(c) Class I and Class II Site Development Miscellaneous**

|   |                              |
|---|------------------------------|
| 1. Permit Extension Request*, percent of original permit fee.....     | 10% (\$50.00 minimum)        |
| 2. Expired Permit Reinstatement*, percent of original permit fee..... | 35% (\$ 105.00 minimum)..... |
| 3. Permit Re-inspections, each re-inspection .....                    | \$ 105.00                    |
| 4. Permit Transfers, each .....                                       | \$ 105.00                    |
| 5. Permit Modifications, each .....                                   | \$ 375.00                    |
| 6. Work without a permit .....  | Double Permit Fee            |
| 7. After Hours Inspection Fee, per hour (2-hour minimum) .....        | \$ 75.00                     |

**(d) Land Development Closeout Review**

|  |           |
|--|-----------|
| 1. Potable Water Clearance .....                 | \$ 105.00 |
| 2. Sanitary Sewer Clearance .....                | \$ 105.00 |
| 3. Reclaimed Water Clearance .....               | \$ 105.00 |
| 4. Stormwater Management Systems Clearance ..... | \$ 105.00 |
| 5. Final Closeout and Site CO Request .....      | \$ 160.00 |

(e) **Miscellaneous**

- 1. Public Record Recording, plus Brevard County filing charges .... \$ 55.00
- 2. Flood Zone Determination/Certification, each ..... \$ 75.00
- 3. Fire Hydrant Flow Test, each ..... \$ 170.00
- 4. Force Main Pressure Test (existing tap), each ..... \$ 150.00
- 5. Force Main Pressure Test (new tap), each ..... \$ 525.00
- 6. Impervious Concrete Inspection.....\$ 100.00
- 7. Any permit not listed .....2.5%\* of approved site development construction cost, but not less than \$100.00

**17.4. Board of Adjustment and Appeals Fees**

- (a) *Appeals from decision of an administrative official:*.....\$ 475.00  
plus legal advertisement fee.  
(Should the Board sustain the appeal, \$ 475.00 fee and advertisement fee is refunded.)
- (b) *Variances:*
  - (1) Single-family, multifamily zoning districts and non-profit organization properties:  
.....\$ 265.00  
plus legal advertisement fee.
  - (2) All commercial, industrial, mixed use and any other district/uses not listed in subsection (b) (1) above:.....\$ 525.00  
plus legal advertisement fee.
  - (3) Subsequent items processed at the same time as the first item: \$100.00 per additional request.
- (c) *Public Purpose Variances* .....\$ 525.00  
plus legal advertisement fee.

**17.5. Development agreement/vested rights application/beneficial use determination/transfer of development rights/ administrative waiver.**

- (a) *Development Agreement*.....\$ 1,575.00  
plus \$8.00 per dwelling unit/1,000 square feet nonresidential plus legal advertisement cost.
- (b) *Vested Rights Application*.....\$ 1,575.00  
plus \$8.00 per dwelling unit/1,000 square feet nonresidential plus legal advertisement cost.
- (c) *Beneficial Use Determination*.....\$ 1,575.00  
plus \$8.00 per dwelling unit/1,000 square feet nonresidential plus legal advertisement cost.
- (d) *Transfer of Development Rights*.....\$ 475.00  
plus \$8.00 per dwelling unit.
- (e) *Administrative Waiver of Setbacks/Minimum Lot Size*.....\$ 105.00

**17.6. Vacating rights-of-way and easements/street renaming.**

- (a) *Vacating and Abandoning Rights-of-Way (ROWs) Streets and Alleys*:.....\$ 935.00  
plus legal advertisement cost.
- (b) *Vacating Easement*:.....\$935.00  
plus legal advertisement cost.
- (c) *Street Renaming*:.....\$ 630.00

**17.7. Concurrency review/zoning confirmation letter.**

- (a) *Independent general update on capacities*:.....\$ 55.00
- (b) *Proportionate Share Program and Application*:.....\$ 510.00
- (c) *Zoning confirmation letter*:.....\$ 50.00

**17.8. Fee Refund/Waiver Policy.** Requests for fee refunds or waivers shall be provided to the City Manager or designee in writing, and the request shall be evaluated based upon the following criteria:

- (a) Advertising fees will be refunded if an application is withdrawn in writing prior to the City submitting the advertisement to the newspaper.
- (b) With the exception of building permit fees and advertising fees, waivers may be approved by the City Manager or designee for public projects or affordable housing projects.
- (c) The City Manager may waive fees during declared emergencies, for projects or situations related to the said emergency.
- (d) The City Manager may waive all or a portion of a fee, if the fee is the result of staff error.
- (e) The City Manager or designee may waive the double building permit fee when justifiable cause has been demonstrated in writing.

**SECTION 8:** RATIFICATION OF ALL PRIOR ESTABLISHED RATES, FEES AND CHARGES. The City Council hereby affirms and ratifies all previously adopted rates, fees, and charges.

**SECTION 9:** SEVERABILITY. If any provisions of this Ordinance are for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 10:** REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 11: EFFECTIVE DATE.** This Ordinance shall be in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

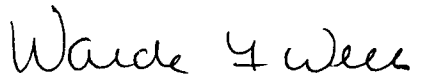
**SECTION 12: INCORPORATION INTO CODE.** This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

PASSED AND ADOPTED this 23<sup>rd</sup> day of November 2021.



Daniel E. Diesel, Mayor

ATTEST:



Wanda F. Wells, City Clerk

