



To: Honorable Mayor and Village Council

Date: September 12, 2016

From: Edward Silva, Village Manager

Re: Ordinance Amending Chapter 20,
Articles 1 and 2 -- 1st Reading

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AMENDING CHAPTER 20, ARTICLE 1, OF THE VILLAGE'S CODE OF ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Sponsored by Administration)

BACKGROUND AND ANALYSIS:

Following the incorporation of the Village of Palmetto Bay and subsequent acquisition of park properties from Miami-Dade County, Ordinance 07-26 was adopted on September 10, 2007; establishing park user fees for the rental of ballfields, community building/recreation rooms, picnic areas, pavilions, gazebo, skate park; and fees for league and youth organizations, commercial filming and photography shoots. These fees were subsequently modified on February 2, 2009 via Ordinance 09-04; which was again amended on June 4, 2012, for the purpose of establishing fees for Ludovici Park's Edward and Arlene Feller Amphitheater and Community Room.

As a part of the 2015-2016 budget process, a study was conducted to compare existing user fees with those of other municipalities; resulting in the recommended and approved increases via Ordinance 2015-12, on November 2, 2015. A second revision to the Park Fees was approved via Ordinance 2016-06 on March 7, 2016. Given the steadily increase of park users and continual demand for well-maintained amenities; maintenance cost increases have proportionally paralleled the noted use. The recommended park user fee increases and additions are reflected in the Ordinance.

FISCAL/BUDGETARY IMPACT:

Park revenue increase of about 2%.

RECOMMENDATION:

Approval is recommended.

Recreation Building Rental Reservations				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
<u>1</u>	30.00 <u>35.00</u>	2.40 <u>45</u>	\$100.00	132.10 <u>137.45</u>
<u>2</u>	\$80.00 <u>85.00</u>	\$5.60 <u>5.95</u>	\$100.00	\$185.60 <u>190.95</u>
<u>3</u>	\$120.00 <u>125.00</u>	\$8.40 <u>8.75</u>	\$100.00	\$228.40 <u>233.75</u>
<u>4</u>	\$160.00 <u>165.00</u>	\$11.20 <u>11.55</u>	\$100.00	\$271.20 <u>276.55</u>
<u>5</u>	\$200.00 <u>205.00</u>	\$14.00 <u>14.35</u>	\$100.00	\$314.00 <u>319.35</u>
<u>6</u>	\$240.00 <u>245.00</u>	\$16.80 <u>17.15</u>	\$100.00	\$356.80 <u>362.15</u>
Tables (6 – 6ft tables) and Chairs (50)	\$30.00	\$2.10	N/A	\$32.10

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Open Picnic Area Reservations (Hourly rates are not available)				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
9:00 am –5:00 pm	105.00 <u>\$110.00</u>	7.35 <u>\$7.70</u>	\$100.00	\$212.35 <u>217.70</u>

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Bandshell/Gazebo/Pavilions Reservations				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
<u>5 hours</u>	\$185.00 <u>190.00</u>	\$12.95 <u>13.30</u>	\$100.00	\$297.95 <u>303.30</u>
Each additional hour	30.00	2.10	N/A	32.10

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Summer Camp Program			
Description	Weekly Fee	Tax	Total Fee
Weekly	\$135.00 <u>\$140.00</u>	N/A	\$135.00 <u>\$140.00</u>

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Tennis and Racquetball Court Rental/Programs			
Description	Fee	Tax	Total Fee
Before 5pm- per hour/per person	2.50 <u>\$3.50</u>	.18 <u>.25</u>	2.68 <u>\$3.75</u>
After 5pm- per hour/per person	3.50 <u>\$4.50</u>	.25 <u>.32</u>	3.75 <u>\$4.82</u>
Tennis Private Lessons One (1) Hour	\$60.00	\$4.20	\$64.20
Tennis Private Lesson Half (½) Hour	\$35.00	\$2.45	\$37.45
Tennis Group Lesson One (1) Hour	\$20.00	\$1.40	\$21.40
Tennis Group Lesson One and a Half (1 ½) Hours	\$25.00	\$1.75	\$26.75

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Tennis Summer Camp Program			
Description	Weekly Fee	Tax	Total Fee
Half Day 9:00am to 12Noon	\$115.00	N/A	\$115.00
Full Day 9:00am to 3:00pm	\$175.00	N/A	\$175.00
Extended Day 9:00am to 6:00pm	\$225.00	N/A	\$225.00

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League or Club Fee

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A fee of \$17.50 per registered participant per season and official registration documents from each league/club organization will be required, as well as the signed user agreement will be required prior to initial use of the park. A "league" or "club" shall be defined as an organized group, whether for profit or a non-for-profit organization that performs or conducts specific programming from a Palmetto Bay Park. All league users shall execute a village park user agreement.

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Field Rental Fee

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All groups, that are not defined as a "league" or a club, whether a church, school, or other organization, will be charged an hourly, field rental fee, based on the adopted fee schedule, based upon the amount of hours and space needed. All field rental users shall execute a field rental agreement.

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Tournaments

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All Village of Palmetto Bay tournament fees will be established by the village manager on an individual basis in accordance with operating costs. (e.g. insurance, softballs, umpires, etc.) All tournament vendors participating in Palmetto Bay tournaments must be pre-approved by the village and vendors will be required to pay a daily fee of \$75.00. No items competing with village concessions will be sold.

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Film Location Fee

Video/Commercials/Movies/Film	\$450.00+ tax
Commercial Photography/Photo Shoot	\$250.00+ tax
Personal Photography/Photo Shoot	\$80.00+ tax

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Palmetto Bay Skate Pavilion

Skating Per Session Admissions Fee	Weekdays 4:00 pm to 9:00 pm Saturday 10:00 am to 2:30 pm Saturday 3:30 pm to 8:00 pm Sunday 12:00 pm to 6:00 pm	\$5.00 including tax
Helmet	Sale	\$15.00 + tax
Elbow, knee, wrist pads	Sale	\$15.00 + tax
Drinks	Sale	\$1.50 + tax
Weekly pass	7 sessions	\$20.00, including tax
Monthly pass	40 sessions	\$100.00, including tax

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Users of the skate park may purchase per the "per session" admission fee, or alternatively may purchase either a weekly or monthly pass to the skate park. The weekly pass shall entitle unlimited

1 use, during the designated hours listed above, to the holder of the pass, for a seven session period.
 2 The monthly pass shall entitle the holder unlimited use, during the designated hours listed above,
 3 during a 30 session period.

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 5 Edward and Arlene Feller Community Room and
 6 Amphitheater at Ludovici Park Fees

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 8 Community Room:

Accommodates up to 50 people; includes use of light-food/beverage prep area. All community room rentals are subject to prior written approval from village manager.	
Weekdays 8:00 a.m. to 5:00 p.m.	\$75.00 per hour, with a minimum three-hour rental requirement
Daily rate: 8:00 a.m. to 5:00 p.m.	\$375.00
Nights 5:00 p.m. to 11:00 p.m. weekends/holidays 8:00 a.m. to 11:00 p.m.	\$100.00 per hour, with a minimum three-hour rental
Daily rate weekends/holidays	\$500.00
*AV equipment (set-up/break down by village personnel only)	
*\$500.00 refundable damage/clean-up deposit for any of the above rentals.	

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 10 Amphitheater:

Weekdays:	\$75.00 per hour, with a four-hour minimum
Daily rate:	\$450.00
Weekends/holidays:	\$100.00 per hour; four-hour minimum
Daily rate:	\$600.00
Sound equipment (set up/break down by village personnel):	\$100.00 per hour
Daily rate:	\$600.00

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 12 Gazebo

Weekdays:	\$50.00 per hour, with a three-hour minimum
Daily rate:	\$300.00
Gazebo with use of event/grass area:	\$75.00 per hour, with a three-hour minimum
Daily rate:	\$450.00
Weekends/Holidays:	\$75.00 per hour, with a three-hour minimum
Daily rate:	\$450.00
Gazebo with use of event/grass area:	\$100.00 per hour; three-hour minimum
Daily rate:	\$600.00
*Sound system fees and related needs same as noted under Amphitheatre.	

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 14 Amphitheater/Gazebo/Event area:

Weekdays:	\$100.00 per hour, with a four-hour minimum
Daily rate:	\$600.00
Weekends/Holidays:	\$150.00 per hour
Daily rate:	\$900.00

- 1 • \$500.00 refundable damage/clean-up deposit for any of the above rentals.
- 2 • A minimum of one security officer is required for all events. Permittee is to utilize the
- 3 security services of the village's authorized vendor, who is under contract to provide security
- 4 services. Additional security, beyond minimum security requirements may be required at the
- 5 discretion of the village manager, in consultation with the village's police department.
- 6 If valet service is required, permittee must obtain valet service through company currently
- 7 under contract to provide such service for the Village of Palmetto Bay.
- 8 Permittee is required to utilize tents, tables and chairs through company currently under
- 9 contract to provide such service for the Village of Palmetto Bay.
- 10 • All fees are subject to applicable sales tax.
- 11 • Weekends include Friday, Saturday Sunday and all Village recognized holidays.
- 12 • Permittee acknowledges that fees are subject to change.

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14 Administrative Waiver of Rental Fee:

- 15 1. The village manager is authorized to provide an administrative waiver of user rental fees for
- 16 any Village Park Community Room (Coral Reef Park, Palmetto Bay Park, and the Edward
- 17 and Arlene Feller Community Rooms), for nonprofit charitable organizations (registered
- 18 with IRS) and community groups. A request for waiver of the rental fees must issue at least
- 19 ten days prior to the requested day of use. Each community room can only be used for up to
- 20 ten hours a week by community groups or nonprofits.
- 21 2. The village manager shall review the request for administrative waiver of rental fees for use
- 22 of the community rooms and determine if the request by the nonprofit organization or
- 23 community group is accompanied by appropriate documentation to support the request. The
- 24 administrative waiver applies solely to the rental fee, the refundable damage/clean-up
- 25 deposit amount shall be required prior to use of the facilities.
- 26 3. Use of the community rooms is limited to once per week by nonprofit organizations and
- 27 community groups who are seeking use through administrative waiver of rental fees. Use of
- 28 the facilities may be more frequent; however, the nonprofit organization or community
- 29 group will be required to pay the full rental amount if the room(s) are required more than
- 30 once per week.
- 31 4. Should the nonprofit organization or community group requesting and/or receiving an
- 32 administrative waiver of the rental fees conduct a fund raising activity in the community
- 33 rooms, the organization or group will be required to pay the full rental amount.
- 34 5. Village use of the community room(s) has priority over any nonprofit organization or
- 35 community group, and the organization or group will be required to move their meeting to
- 36 another time or date to accommodate the village's use of the rooms.
- 37 6. Any community or nonprofit group utilizing an administrative waiver will have to complete
- 38 the community room facility use agreement.

39 Thalatta Park Fees

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41 All rentals are subject to prior written approval from the director of parks and recreation and/or

42 village manager.

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Weekday Rates:		Weekend Rates:	
Garden Lawn:	\$750.00 <u>1,000.00</u>	Garden Lawn:	\$1,250.00 <u>1,500.00</u>
Outdoor Terrace:	\$1,250.00 <u>1,500.00</u>	Outdoor Terrace:	\$2,250.00 <u>2,500.00</u>
Ceremony Gazebo:	\$175.00 <u>300.00</u>	Ceremony Gazebo:	\$550.00 <u>600.00</u>

Covered Terrace:	\$500.00 <u>750.00</u>	Covered Terrace:	\$1,000.00 <u>1,200.00</u>
Bride/Groom Suite:	\$250.00	Bride/Groom Suite:	\$550.00
String Lights:	\$350.00 <u>500.00</u>	String Lights:	\$550.00 <u>800.00</u>
Education Room:	\$150.00	Education Room:	\$350.00
Package Rate:	\$2,500.00 <u>2,750.00</u>	Package Rate:	\$4,000.00 <u>4,500.00</u>

- \$1,000.00 refundable damage/clean-up deposit for any of the above rentals required 30 days prior to event date.
- Package rate includes the entire facility except for the string lights.
- Saturday rentals are restricted to package rate only! Exceptions can be made at the discretion of the Village Manager and/or designee 30 days prior to event date.
- Events exceeding 200 guests will require prior written approval from the village and may be subject to additional fees.
- Valet parking is required on all events over 50 guests. Permittee must obtain valet service through company currently under contract to provide such service for the Village of Palmetto Bay.
Permittee is required to utilize tents, tables and chairs through company currently under contract to provide such service for the Village of Palmetto Bay.
- All caterers are required to obtain a catering permit prior to the day of the event at a rate of \$2.00 per guest. A copy of all state catering ,county licensing and certificate of insurance naming the Village of Palmetto Bay/Thalatta Estate as additional insured must be provided to the village 30 days prior to event date..
- A minimum of two security officers are required for all events over 50 guests. Permittee is to utilize the security services of the village's authorized vendor, who is under contract to provide security services. Additional security, beyond minimum security requirements may be required at the discretion of the village manager, in consultation with the village's police department.
- Weekends include Friday, Saturday, Sunday and all Village recognized holidays.
- All fees are subject to applicable sales tax.
- Permittee acknowledges that fees are subject to change.

Use fees provided herein may be reduced or waived by the village manager for non-profit organization and community groups. Such action by the village manager shall be publicly announced by the manager at a council meeting. The non-profit or community group shall be required to indemnify the village and provide adequate insurance.

Secs. 20-3 – 20-50. - Reserved

Section 2. Conflicting Provisions. The provisions of the Code of Ordinances of the Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Severability. The provisions of this Ordinance are declared to be severable, and if any sentence, section, 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 sentences,

1 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative
2 intent that this Ordinance shall stand notwithstanding the invalidity of any part.
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4 **Section 4. Codification.** It is the intention of the Village Council and it is hereby
5 ordained the provisions of this Ordinance shall become and be made part of the Code of
6 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
7 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
8 changed to "Section" or other appropriate word.
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10 **Section 5. Effective Date.** This ordinance shall take effect immediately upon
11 enactment.
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13 | **PASSED and ENACTED** this ____ day of _____, September, 2016.
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15 | First Reading: January 5 ~~September 12~~, 2016
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20 Attest: _____
21 | ~~Meighan Alexander~~ Missy Arocha _____ Eugene Flinn
22 | Village Clerk Mayor
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26 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
27 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
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30 _____
31 Dexter W. Lehtinen
32 Village Attorney
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34 FINAL VOTE AT ADOPTION:
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36 Council Member Karyn Cunningham _____
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38 Council Member Tim Schaffer _____
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40 Council Member Larissa Siegel Lara _____
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42 Vice-Mayor John DuBois _____
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44 Mayor Eugene Flinn _____
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To: Honorable Mayor and Village Council Date: September 2, 2016
From: Edward Silva, Village Manager *ES* Re: Amended Building Fee schedule
ES 2% Residential Reduction –
1st Reading

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BUILDING PERMIT FEES; AMENDING THE PERMIT FEE SCHEDULE FOR THE BUILDING DEPARTMENT; REDUCING RESIDENTIAL BUILDING PERMIT FEES BY 2%; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE. (Sponsored by Administration)

BACKGROUND AND ANALYSIS:

The Village of Palmetto Bay provides a fee schedule to recover the cost of delivering services related to building permit fee activity. The Village last amended its building permit fee schedule on June 6, 2016 with an effective date of October 1st, 2016. Current revenues trends support an additional 2% cut to residential building permits fees. The proposed fee shall become effective October 1st, 2016. The proposed fee schedule is included as “Exhibit A” of the proposed Ordinance.

FISCAL/BUDGETARY IMPACT:

The proposed fee schedule keeps the Building Division operating as revenue-neutral; in other words, operational costs do not exceed permit fee revenue. As an enterprise fund, all building fees collected shall only be used to fund the operations of the Building Division.

RECOMMENDATION:

Approval is recommended.

Attachments:

- Exhibit A – Proposed Fee Schedule

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Section 3. Effective Date. This Ordinance shall become effective October 1st, 2016.

Section 5. This Ordinance shall be codified and included in the Code of Ordinances.

First Reading: _____

Second Reading: _____

PASSED and ENACTED this ____ day of _____, 2016.

Attest: _____

Missy Arocha
Village Clerk

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham _____

Council Member Tim Schaffer _____

Council Member Larissa Siegel Lara _____

Vice-Mayor John DuBois _____

Mayor Eugene Flinn _____

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ATTACHMENT

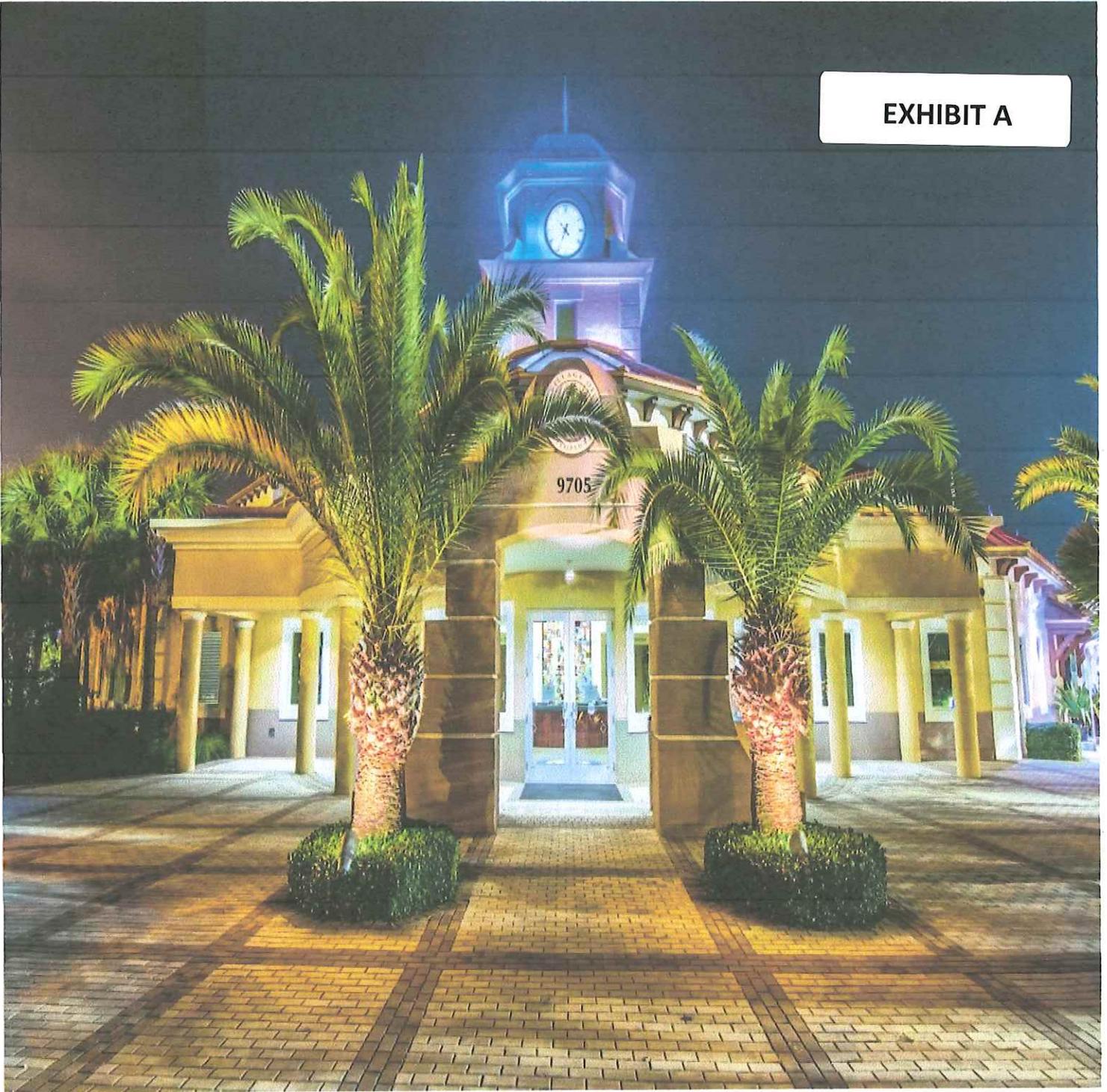
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"A"

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VILLAGE OF PALMETTO BAY

EXHIBIT A



FEE SCHEDULE

MAY - OCTOBER 2016

Code	BUILDING PERMIT FEES	Building Fee	
BP102A	Upfront processing fee non-refundable(Required for all permit applications)		\$ 110.00
BP102B	Minimum fee for all Building Permits (Greater than \$2000 in cost)		\$ 157.00
	New Building/ additions (residential) New construction for single family residences including all trade associated fees:		
BP107	0-500 square feet	\$1145.00	\$1122
BP108	501 square feet or greater (maximum fee amount \$ 150,000)		4% of cost
	Alterations (residential):		
BP111A	Kitchen or Bath (New Cabinets and/or Replacement of fixtures)up to \$25,000 cost	\$ 665.00	\$ 652
BP111B	Kitchen and Bathroom Remodeling combined up to 25,000 cost	\$ 950.00	\$ 931
BP110	All other Alterations exceeding \$25,000 (maximum fee amount \$ 125,000)		3.8% of cost
BP113	Repairs due to Fire Minimum fee	\$ 610.00	\$ 599
BP114	Repairs due to Fire (maximum fee amount \$ 250,000)		4% of cost
BP126	Shade Houses per 100 square feet or fractional part thereof	\$ 91	\$ 89
	Tents (10'x10' or greater): (Inclusive Electrical & Plumbing Permits)		
BP130	0-300 square feet		\$ 262.00
	301 square feet or greater		\$ 452.00
	New Construction/ Additions- Commercial (per sq. ft., includes permit fees for all trades:		
BP112	0-1,000 sq. ft.		\$713
	1,001 sq. ft. or greater (maximum fee amount \$ 500,000)	5% of cost	
	New Construction (Shell only)- Commercial (per sq. ft.) includes permit fees for all trades:		
BP112A	0-1,000 sq. ft.		\$475
	1,001 sq. ft. or greater (maximum fee amount \$350,000)	3% of cost	
BP112B	Alterations-Commercial Minimum fee		\$760
	Alterations-Commercial (maximum fee amount \$ 500,000)	5% of cost	
RP113	Parking lots-Minimum fee:		\$167.00
RP114	Resurfacing of Parking lots		\$.05/ sq. ft.
RP115	Resealing of parking lots		\$.03/sq. ft.
	Slabs:		
RP116	Driveway/Slabs only (Residential)		
	a) 0 - 500 square feet	\$129.00	\$ 126
	b) 501 and above	\$ 205.00	\$ 201
RP116B	Each Approach (Residential)		
	a) Up to two approaches	\$ 81.00	\$ 79
	b) 3 rd . approaches or more	\$ 143.00	\$ 140
RP116C	Sidewalk only (Residential per residence)	\$ 91.00	\$ 89
	Roofing/Re-Roofing/Roof repair :		
RF01	Minimum Fee/ Upfront fee		\$ 119.00
RF02	All roof types		\$.17/ sq. ft.
	Fences and/or Walls:		
	Wood or chain link fences		
RP118A	Temporary Fence Fee (commercial/construction fencing)		\$ 157.00
RP118	Minimum Fee		\$ 150.00
RP117	0-500 linear feet		\$0.53/lin. foot
	Per additional 500 linear feet increment		\$ 214.00
RP119	Masonry or Ornamental iron fences		\$ 665.00
	Per 100 linear feet or increment thereof		\$ 176.00
	Swimming Pool, Spas and Hot Tubs (inclusive of all trade permits):		
SP01	a) Pools, Spas and deck (residential)	\$ 903	\$ 885.00
	b) Pools, Spas and deck (commercial)		\$1,425.00
SP01A	Spa/hot tub only		\$ 618.00
SP02	Repair of swimming pool/spa per trade required		\$ 143.00
SP04	a) Pool Resurfacing (residential)	\$ 110	\$ 108.00

	b) Pools, Spas and deck (commercial)		\$ 236.00
	Demolition of Building (per structure):		
DP01	Interior demolition only (residential)	\$ 452	\$ 443.00
DP02	Partial demolition (commercial)		\$ 903.00
DP03	Total demolition		\$1,3300.00
	Installation or Replacement of Windows or Doors:		
Wn01	Minimum Fee		\$ 167.00
Wn01A	Each additional opening		\$ 5.47
SD20	Ornamental Iron Security bars		\$ 181.00
	Screen Enclosures/Canopies/Awnings and Aluminum Roofs:		
BP135	Screen Enclosures		\$ 452.00
BP136	Free standing canopies/Trellises		\$ 214.00
BP137	Awnings/Canopies (Minimum fee \$175.00)		\$ 38/awning
BP138	Repair Awnings and Canopies (Minimum fee \$175.00)		\$24/awning
BP140	Temporary Trailer for Construction (1 year permit)		\$ 713.00
BP141	Trailer Tie Down		\$ 143.00
BP142	Renewal Permit for Trailer		\$475.00
*****	Sign Permit Fee		
SI01	Fee per sign (up to 3 signs per fee) Non-Electrical		\$ 380.00
EL50	Electrical fee for signs (up to 3 signs per fee) (Inclusive of Electrical)		\$ 404.00
	Shutters		
WN05	Up to 10 openings		\$ 133.00
	11 openings or greater		\$ 9/opening
CH01	Chickee Hut (no trades)	None	
RG01	Gutters (Residential)	\$ 143.00	\$ 140.00
BP125	Utility Sheds (All sizes)		\$ 130.00
	Stand-by generators (inclusive of all trade fees)		
GP01	20 kw or less		\$ 585.00
GP02	21 kw or greater		\$ 950.00
BP106A	All work whose value does not exceed \$ 500 (all inclusive)		\$ 48.00
BP 106B	All work whose value exceeds \$ 501 but less than \$ 1,000 (all inclusive)		\$ 72.00
BP106C	All work whose value exceeds \$ 1,001 but less than \$ 2,000 (all inclusive)		\$ 143.00
	Temporary Platforms and Bleachers for Public Use (three months or less)		
BP131	For every 100 sq. ft. of platform or seating area		\$ 10.00
	New Construction other than specified		
BP112C	Minimum fee \$250.00 (maximum fee amount \$ 500,000)	6% of Building Cost	
BP112D	Flooring Fee (Commercial per unit)		\$ 119.00
	GENERAL INFORMATION ON SPECIAL FEES, REFUNDS, EXTENSIONS, AND CANCELLATIONS:		
BP01	DOUBLE FEES: When work for which a permit is required is commenced prior to obtaining a permit, the permit applicant will be required to pay an additional fee of 100% of the usual permit fee in addition to the required permit fee established herein plus one hundred dollars (\$100.00) as per code of Miami-Dade County Chapter 8 Section 8-12 (c). The payment of the required fee shall not relieve the applicant of other penalties established by law. The double fee requirement shall be applicable to all division of the building department.		Double permit fee plus \$ 95.00
BP02	For second offense of doing work without a permit, the permit applicant shall be required to pay twice the double permit fees plus two hundred dollars (\$200.00)		Double permit fee plus \$ 180.00
BP03	Each offense thereafter, the permit applicant shall be required to pay twice the double permit fee plus five hundred dollars (\$500.00)		Double permit fee plus \$ 475.00
BP05A	LOST PLANS AND PERMIT CARD FEE:		
	LOST PLANS: When plans for new buildings and additions are lost by the owner or contractor, a recertification fee will be required to review, stamp and approve a new set of plans as a field copy.		Cost of reproduction and 30% of original permit fee
BP12	LOST PERMIT CARD FEE: A replacement fee shall be charged for loss of a permit inspection record card after a permit has been		\$ 48.00

	issued.		
	REFUNDS, TIME LIMITATION, CANCELLATIONS:		
BP14	The fees charged pursuant to this schedule, may be refunded by the Village of Palmetto Bay, subject to the following: <ul style="list-style-type: none"> a. No refunds shall be made on requests involving: <ol style="list-style-type: none"> 1. Permit fees for \$100.00 or less; or 2. Permits revoked by the building official or the director of the building department under the authority granted by the Florida Building Code, or permits cancelled by court order, or conditions permits; or 3. Permits which have expired; or 4. Permits under which work has commenced as evidenced by any recorded inspection having been made by the building department; or 5. The original permit holder when there is a change of contractor; or 6. Upfront fees 		
BP15	<ul style="list-style-type: none"> b. A full refund less \$100.00 or 50 % of the permit fee, whichever is greater, rounded to the nearest dollar, shall be granted to a permit holder who: Requests a refund, provided; <ol style="list-style-type: none"> 1. That the building department received a written request from the permit holder prior to the permit expiration date; and 2. That the permit holder submits with such request that the applicant's validated copy of such permit; and 3. That no work has commenced under such permit as evidenced by any recorded inspection and/or field inspection. 		
BP16	Where there is a change of contractor or qualifier involving a permit, the second permit holder shall apply a fee to cover the cost of transferring the data from the original permit to the second permit.		\$ 167.00
BP17	c. A fee shall be paid by the permit holder who submits a written request for a permit extension as authorized under the Florida Building code		\$ 95.00
BP18	d. Where a permit has been found null and void pursuant to Florida Building Code, a credit of fifty percent (50%) of the permit fee shall be applied to any reapplication fee for a permit covering the same project and involving the same plans, provided that the complete reapplication is made within six (6) months of the expiration date of the original permit, and provided that no refund had been made as provided in his section.	50% of the original permit fee	
BP117	e. A fee of \$200.00 shall be charged to renew and close expired permits previously issued by the Miami-Dade county, provided that the applicant submits to the village of Palmetto Bay's building official an affidavit from a registered architect or engineer that satisfies the requirements of the Florida Building Code to renew and close the expired permit, and that the affidavit includes evidence that the construction was completed to March 1, 2002.		\$ 190.00
BP117a	f. A fee of \$50.00 shall be charged for each site inspections to close expired Miami-Dade county permits where the work was never initiated, and a building permit or an engineering or architect letter is not required, pursuant to (e) above.		\$ 48.00
BP-04	INSPECTIONS/ PLAN REVIEWS REQUIRING OVERTIME: g. Charges for construction inspections or plan reviews, which are requested shall be paid in advance.	\$ 380.00 on a regular weekends or \$ 665.00 holiday weekends	
BP-04a	Partial inspection requests shall incur an additional fee per inspection		\$ 72.00
BP-04b	Re-inspection Fee (currently \$100.00) each		\$ 95.00
	FEES BASED ON ESTIMATED COST-DOCUMENTATION REQUIREMENTS: The Building Department may require the permit applicant to submit appropriate documentation, fully executed, as proof of estimated cost of construction used to compute permit fees.		
BP11	ENFORCEMENT (Applicable to all trades): Florida Statue 553.80 Enforcement "Section 2(b)- With respect to evaluation of design professionals' documents, if a local government finds it necessary , in order to enforce compliance with the Florida Building Code and issue a permit, to reject design documents required by the code three or more times for failure to correct a code violation specifically and continuously noted in each rejection, including but not limited to , egress fire protection, structural stability, energy accessibility, lighting, ventilation, electrical, mechanical, plumbing and gas systems, or other requirements identified by rule of Florida Building Commission adopted pursuant to Chapter 12, the local government shall impose, each time after the third such review the plans are rejected for the code violation, a fee of four times the amount of the proportion of the permit fee attributed to plans review. "		\$ 167.00

BP04	ENFORCEMENT (Applicable to all trades)—(cont'd): "Section 2(c)- With respect to inspections, if a local government finds it necessary, in order to enforce compliance with the Florida Building Code, to conduct any inspection after an initial inspection and one subsequent re-inspection of any project or activity for the same code violation specifically and continuously noted in each rejection, including but not limited to egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing and gas systems, or other requirements identified by rule of the Florida Building Commission adopted pursuant to Chapter 120, the local government shall impose a fee of four times the amount of the fee imposed for the initial inspection or first re-inspection, whichever is greater for each such subsequent re-inspection. "		\$ 95.00
	40 YEAR CERTIFICATION:		
BP127	40 year certification under Chapter 8 of the Miami-Dade County Code Review		\$ 428.00
BP128	a) Re-Certification at 10 year intervals thereafter		\$ 428.00
BP129	b) Extension request for a permit not to exceed 30 days		\$ 95.00
	LIEN SEARCHES:		
BP118	a) Regular (3-5 days)		\$48.00
BP099A	b) Express (next day)		\$143.00
	REVISIONS:		
BP10A	a) Minor revisions		143.00
BP10B	b) Minimum fee per trade with a maximum of 50% of original permit fee or \$1000.00		\$75.00 per trade
	CERTIFICATE OF OCCUPANCY/COMPLETION:		
	Single Family Residence, Townhouse (each unit), Duplex each unit (C.O)	\$67.00	\$ 65.00
	Apartments, Hotels, Multiple Family Uses:		
CO03	a) 2 to 50 units	\$ 143.00	<u>\$ 140.00</u>
	b) 51 to 100 units	\$ 190.00	<u>\$ 186.00</u>
	c) 101 or more units	\$ 236.00	<u>\$ 231.00</u>
CO07	d) Private School, Day Nursery, Convalescent and Nursing Home, Hospital, Assisted Living Facility (ALF) and developmentally disabled home care		\$ 285.00
	e) All Commercial Entities		
	Commercial/ Industrial:		
CO09	Per sq. Ft. of Business Area	\$0.10	
CO09A	Minimum Fee		\$ 190.00
	Building Shell Commercial (New Construction) (C.C.):		
CO15	Building and Unit Shell		\$ 143.00
CO16	Occupancy without CO/CC a) (In Violation)	236.00 plus a double CO/CC	
CO17	Temporary Certificate of Occupancy (per 60 day interval)		\$ 190.00
BP23	a) Building Code Compliance Fee (Miami-Dade Compliance) \$0.60 per every \$1000.00 of value of construction.	As per the last MDC Code Ordinance Chapter 8-12 as updated	
BP-21A BP-21B BP21A BP21B	EFFECTIVE October 1, 2010, a Florida Building Code Enforcement Surcharge (F.S. 553.721) and Building Code Administration and Inspection Fee (F.S. 468.631) shall be added to each permit equal to 3% of any building permits, mechanical, electrical, and plumbing permits, etc., with a minimum fee of \$2.00 per permit.	As per the latest Florida Statutes 468.631 and 553.721	
	SHOP DRAWING REVIEW:		
SD01	a) Trusses/Steel Structures		\$ 43
SD02	b) Precast/ Pre stress (Roof-Floor-Walls)		\$ 43
SD03	c) Overhead Doors each		\$ 17
SD04	d) Skylights each		\$ 17
SD05	e) Hand Rails/Stair Rails per linear feet		\$ 17
SD06	f) Storefront/Fixed Glazing		\$ 13

	(Under 8 feet high by 4 feet wide) each 100 square feet or part	
SD07	g) Walk-in Coolers each	\$ 167.00
BP099	EXPRESS PERMIT FEE	\$25.00

Code	PLUMBING PERMIT FEES	Building Fee
PL04	Upfront Fee	\$110.00
PL07	Minimum Plumbing or Gas fee	\$110.00
PL05	Fixture rough or set	\$ 9.00
	Settling tanks, gas or oil interceptors and grease traps & Septic tank	
PL08	Residential or Commercial	\$ 91.00
PL10	Sewer connection	\$ 91.00
PL19	Irrigation system per zone	\$ 22.00
PL15	Water service connection per meter	\$ 14.00
	Swimming Pools	
PS04	Swimming pool heater	\$ 91.00
PS05	Swimming pool repair	\$ -110.00 \$ 108.00
PS-06	Swimming Pools commercial (repair)	\$ 236.00
PL17	2" or less water service backflow assembly	\$ 72.00
PL18	2 ½" or greater water service backflow assembly	\$ 119.00
PL20	Solar panel (replace or additional) 10 kw or less	\$ 95.00
PL21	Solar panel (replace or additional) 11 kw or greater	\$ 428.00
PL22	Water heater replacement	\$ 48.00
	Wells	
PL26	1 ½ horse power or less	\$ 110.00
PL27	Greater than 1 ½ horse power	\$ 276.00
	Natural Gas or a liquefied petroleum	
GS05	For each meter (new or replacement)	\$ 9.00
GS04	For each outlet or appliance(Commercial)	\$ 14.00
GS08	Underground and above ground L.P. gas tanks at a single location	\$ 105.00
GS09	Gas water heater replacement	\$ 48.00
GS10	Gas Repair	\$ 62.00
	Water treatment plants, pumping stations, sewer treatments and lift stations	
PL32	Lift station	\$ 475.00
PL33	Sewage ejector	\$ 124.00
	Storm/sanitary utility/collector lines for building drain lines	
PL41	Minimum Fee includes first 30 feet	\$ 14.00
	Each additional 10 feet or portion thereof	\$ 10.00
	Manhole or Catch basin	
PL42	Minimum Fee	\$ 167.00
PL43	Each additional manhole or catch basin	\$ 24.00
	Temporary Toilets	
PL50	Minimum Fee	\$ 95.00
PL51	Each additional toilet	\$ 9.00
PL52	Renewal fee	\$ 48.00
PL53	Mobile home Connection	\$ 143.00
	Dental Vacuum lines	

PL60	Each chair		\$ 119.00
	Medical Gas line		
PL80	Installation per \$ 1,000 value		\$19.00
PS03	Sump Pumps , Re-circulating pumps, domestic pumps, vacuum pumps		\$ 24.00 each

Code	ZONING FEES	Building Fee	
ZL-01	Zoning Inspections fee/per application		\$ 48.00
ZL-02	Zoning letters residential		\$ 48.00
ZL-03	Zoning letters Commercial		\$ 143.00
	Certificate of Use Inspection		
ZL-04a	Minimum fee		\$ 167.00
ZL-04b	Per square foot of unit	\$ 0.07	
ZL-05	Special Event Inspection fee (for profit)		\$ 72.00
	Landscape Plan review	83.75/hour min. fee \$ 262.50	
ZI-06a	Residential		\$ 24.00
ZI-06b	Commercial		\$ 250.00
ZI-07	Waste Containers		\$ 100.00
ZI-08	Portable storage units per 30 days		\$ 50.00
ZL-09	Zoning Plan review remodeling		\$ 48.00
ZI-09a	Minimum fee		
ZI-09b	Maximum fee		\$ 48.00
ZI-10	Zoning plan review for new construction		\$ 72.00
ZL-10a	Minimum fee		
ZL-10b	Maximum fee		\$ 72.00
ZL-11	Zoning plan review fee for commercial per sq. ft.	\$ 0.14	
ZI-11a	Minimum fee		\$ 110.00
ZI-11b	Maximum fee		\$ 285.00
ZI-12	Zoning plan review for alterations per \$ 1.00 of estimated cost or fraction thereof		\$ 48.00
ZL-12 a	Minimum fee		
ZI-12 b	Maximum fee		\$ 48.00
ZL-13	Alcohol license application fee		\$ 214.00
ZI-13 b	Annual renewal fee		\$ 72.00
ZI-13 b	special event alcohol license fee		\$ 72.00
ZI-14	Flood plain management plan review		\$ 95.00
ZI-15	Occupational license inspection fee		\$ 67.00

Code	ELECTRICAL PERMIT FEES	Building Fee	
EL110	Upfront FEE		\$ 110.00
EL110A	Minimum Electrical Permit Fee inclusive of repair work		\$ 110.00
EL40	Roughing per Fixtures / Outlets		\$ 2.75
	Electrical Service		
EL01	Permanent service to building per each 100 amps or fraction thereof		\$ 9.00
EL06	Temporary service for construction per service		\$ 91.00
EL07	Construction field office service		\$ 190.00
EL07A	Minor panel repair		\$ 95.00
EL08	Reconnect meter		\$ 95.00
	Feeders (includes feeders to panels. M.C.C., switchboards, elevators, etc.		
EL05	Each feeder		\$ 19.00

EL05A	Generators, Automatic Transfer switches per 10 kw		\$ 14.00
	Temporary Service Test		
EL10	Equipment and service (30 day maximum) per service		\$ 95.00
EL11	Elevator (180 day maximum) per elevator		\$ 143.00
EL61	Free Standing Service		\$ 143.00
FD01	Fire Detection System		\$ 190.00
	Burglar Alarm System		
BA01	Complete system or repair (commercial only)		\$ 110.00
IS01	Intercom System		\$ 48.00
	Energy management System		
EP01	Per floor or repair		\$ 100.00
IS04	Closed Circuit TV		\$ 100.00
IS05	Vacuum System		\$ 100.00
IS06	Security System (card reader)		\$ 100.00
EL60	Temporary Work on Circuses, Carnivals, fairs, Christmas tree lots< fireworks, Tents, Etc.		\$ 143.00
EL80	Ground Wire for Screen Bonding per installation		\$ 119.00
EL70	Conduit Duct Bank per linear foot	\$ 3.00	
	ALL OTHER WIRING AND OUTLETS:		
EL24	Commercial equipment (cooking, generator, presses, transformer) per 100 KW		\$ 16.00
EL26	Motors (installation, repair or replacement)		\$ 19.00
EL27	Air Conditioning and Refrigeration system (new work) per ton		\$ 12.00

Code	MECHANICAL PERMIT FEE SCHEDULE		Building Fee
AC04	Upfront Fee		\$ 110.00
AC01	Minimum Fee		\$ 110.00
	A/C and refrigeration including replacement, relocation of equipment, and installation of new equipment		
AC05	Each ton		\$ 22.00
AC10	KW each		\$ 5.00
AC07	Drain each		\$ 7.50
	Storage tank for flammable liquids		
TK01	Per tank		\$ 309.00
	Furnace and heating equipment, including commercial dryers, ovens, and other fired objects not elsewhere classified (pool heater, boilers)		
AC08	Per KW		\$ 4.75
	Fire Sprinkler System:		
FS101	Per Standpipe		\$ 43.00
FS102	Per Sprinkler Head	\$ 2.00	
FS103	Per hose rack or bob		\$ 19.00
FS104	Fire pump		\$ 180.00
FS105	Each 50 feet of underground piping or part thereof		\$ 38.00
	Internal Combustion Engines		
ME01	Stationary		\$ 143.00
	Commercial Kitchen Hoods		
HO01	each		\$ 236.00
	Other fees		
FS100	Fire chemical halon and spray booths per system		\$ 181.00
ME100	Insulation, pneumatic tube, conveyor systems, pressure and process piping, sheet metal or fiberglass air conditioning ducts, cooling towers, mechanical ventilation per every thousand square feet		\$ 48.00
	BOILERS AND PRESSURE VESSELS:		
BO01	Boilers less than 837 MBTU, each		\$ 167.00

BO02	Boilers 837 MBTU to 6,695, each		\$ 190.00
BO03	Boilers 6,695 MBTU and up, each		\$ 285.00
BO10	Steam driven prime movers, each		\$ 115.00
BO12	Steam actuated Machinery, each		\$ 115.00
CP01	Unfired pressure vessels (operating at pressure in excess of 60 psi and having volume or more than 5 cubic feet, each		\$ 167.00
	FEES FOR PERIODIC INSPECTIONS:		
BO04	Steam boilers (annual) each		\$ 190.00
BO05	Hot water boilers (annual) each		\$ 95.00
BO06	Unfired pressure vessels (annual) each		\$ 95.00
BO07	Miniature Boilers (annual) each		\$ 95.00
BO08	Certificate of inspection(where inspected by insurance company) each		\$ 167.00
BO11	Shop inspection of boiler or pressure vessels per completed vessel		\$ 167.00

Code	ANNUAL FACILITY PERMIT FEES	Building Fee	
	In accordance with provisions of the Florida Building Code and Chapter 10 of the Code of Miami-Dade County each firm or organization which performs its own maintenance work with certified maintenance personnel in Factory-Industrial (Group F) Facilities, as well as helpers there under, may pay to Palmetto Bay an annual master and Subsidiary Facility Permit (Premise Permit) – fee in lieu of other fees for maintenance work. Such fee shall be paid to the Building Department and such permit shall be renewed annually at a fee which is calculated in accordance with the provisions of this sub-section.		
	(1) CALCULATION OF THE INITIAL MASTER FACILITY PERMIT FEE Each firm or organization which obtains an annual master facility permit shall include in their application for such permit the total number of maintenance personnel, including helpers and trainees there under, assigned to building, electrical, plumbing or mechanical work. The Master Facility Permit (Premise Permit) fee shall be computed by multiplying the total number of such employees times the fee.		
	Master Facility Permit Fee (multiplying number of employees by fee) Minimum Master Facility Permit Fee		\$ 50.00 \$ 1,079.00
	(2) CALCULATION OF THE INITIAL SUBSIDIARY FACILITY PERMIT FEE Each firm or organization, which utilizes decentralized locations in addition to the main location in addition to the main location described under Point 1 above, any additionally applied for Subsidiary Facility Permit (Premise Permit) for each such decentralized location. Such application for a Subsidiary Facility Permit (Premise Permit) shall include the same information required in Point 1 above.		
	Subsidiary Facility Permit Fee (multiply number of employees by fee) Minimum Subsidiary Facility Permit Fee		\$ 58.00 \$ 303.00
	(3) RENEWAL OF FACILITY PERMIT Prior to each Facility Permit expiration, the holder will be sent a renewal notice to continue the Premise Permit for the next renewal period. The calculation of the renewal Premise Permit Fee shall be the same as the method used to calculate the original Facility Permit Fee. No allowances shall be made for late renewal fees or part year renewal fees.		
	ELEVATORS, ESCALATORS AND OTHER LIFTING APPARATUS:		
	Fee for original installation or major alternations and remodeling (includes initial inspection and Certificate).		
	PASSENGER AND FREIGHT ELEVATORS:		
EL01	New Elevator traction – each		\$ 998.00
EL02	New Elevator hydraulic – each		\$ 699.00
EL03	Freight Elevator each		\$ 998.00
EL04	Residential Elevator – each		\$ 599.00
EL05	Escalator		\$ 399.00
EL06	Dumbwaiters each		\$ 200.00
EL07	Wheelchairs lift each		\$ 300.00
EL08	Man Lift each		\$ 499.00
EL09	Conveyors and all other lifting and transporting apparatus (except as otherwise provided) each drive		
EL10	Major alterations and remodeling for an elevator, first two landings		\$ 150.00
EL11	Each landing thereafter – per floor		\$ 15.00

EL12	Refinish cab interior (no electrical work)		\$ 200.00
EL13	Vertical Conveyor		\$ 300.00
EL14	Key Box each		\$ 85.00
	FEES FOR PERIODIC RE-INSPECTIONS:		
EL15	Dumbwaiters, wheelchair lifts and all other lifting and transporting apparatus Vertical conveyors (Annual inspection per code)		\$ 115.00

Code	PUBLIC WORK FEES	Building Fee	
	REVIEW FEES:		
PB01	Review of Plans for Paving and Drainage		\$ 380.00
PB02	Review of plans except Paving and Drainage plans (Installation or repair of Sanitary and Storm Sewers, Water Lines, gas lines, buried electric, telephone, C.A.T.V., or other underground utilities.		\$ 200.00
PB03	For 100 linear feet or less		\$ 140.00
PB04	For each additional 100 linear feet or fraction thereof		\$ 45.00
	EXFILTRATION DRAINS:		
PB05	Consisting of catch basins, exfiltration trench, or slab covered trench for each 100 linear feet or fraction thereof.		\$ 380.00
	INSTALLATION OF POOLS:		
PB06	Poles or down guys for overhead utilities for each pole or down guy		\$ 380.00
	STREET PAVEMENT:		
PB10	Construction of street pavements, including paving of parkways and shoulders (includes base and sub grade) for one or two lane pavements (max. width 24 feet)		\$ 229.00
	For each additional 100 linear feet or less		\$ 55.00
PB11	For three or more lanes of pavement (greater than 24 feet) First 100 linear feet or less		\$ 340.00
	For each additional 100 feet or fraction thereof		\$ 114.00
	EMBANKMENTS:		
PB12	For the installation of embankment and/or sub-grade material in dedicated or zoned right-of-way, excluding base rock and asphalt for 100 linear feet or less		\$ 115.00
	For each additional 100 linear feet or fraction thereof		\$ 30.00
	CURB SEPARATORS:		
PB13	For each 100 linear feet or less		\$ 55.00
	For each additional 100 feet or portion thereof		\$ 15.00
	STREET SIGNS:		
PB14	Erection of street name signs, traffic or directional signs per sign		\$ 15.00
	BRIDGE CONSTRUCTION:		
PB15	For bridge construction with area less 100 square feet		\$ 1,138.00
	For each additional 100 square feet or fraction thereof		\$ 230.00
	BARRICADES (PERMANENT):		
PB16	Installation of permanent type traffic barricades, guardrails, or guide posts for each 100 linear feet or fraction thereof		\$ 85.00
	CULVERTS:		
PB17	Construction of street or driveway culverts for each 100 linear feet or fraction thereof		\$ 115.00
	Installation of culvert pipe to enclose existing drainage ditch or canal for each 100 linear feet or fraction thereof		\$ 170.00
	TRAFFIC SIGNALS:		
PB18	Installation of traffic signals (includes signals, poles, and all incidental wiring and interconnects) for each intersection		\$ 1,706.00
	For upgrades or modification of existing signals		\$1,138.00
	BUS SHELTER:		
PB19	For each shelter		\$ 115.00
	RACKS:		
PB20	Fees for placement of a newspaper or storage rack under permit from public works in the public right of way (Newspaper racks at a given placement location defined as a location where no two racks are more than 200 feet from each other) per year		\$ 25.00
	For each additional rack within distance not to exceed ½ mile		\$ 10.00
	Fee for placement sticker used to identify permitted rack		\$ 5.00
	FENCES/PARKING AREAS:		
PB21	Review of application for permission to fence within the right of way		\$ 567.00

	Fees for temporary use of Public Works controlled land or easements \$0.31 per square foot per year with a min. of \$120.75 per year for residential with the fair market rate per square foot as determined by the director for commercial but not to be less than \$1197.00 per year		
	MISCELLANEOUS:		
PB22	Re-inspection fees other than traffic signals		\$ 50.00
	Re-inspection fees for traffic signals		\$ 100.00
	Tree Planting inspection fee in right of way per trees		\$ 25.00

ORDINANCE 2016-____

1
2
3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE
5 VILLAGE SEAL; CREATING SECTION 2.1(f), PROHIBITING
6 CERTAIN USES OF THE VILLAGE SEAL BY COUNCIL MEMBERS;
7 PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY,
8 CODIFICATION, AND AN EFFECTIVE DATE. (Sponsored by Council
9 Member Larissa Siegel Lara)

10
11 WHEREAS, the use of the Village Seal (also known as Village Logo) should be limited
12 to official use and its use is restricted to authorized uses under the Palmetto Bay Code (section
13 2.1); and

14
15 WHEREAS, the official Village Seal is created and protected by Ordinance (section 2.1).

16
17 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
18 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

19
20 Section 1 - Section 2.1(f) is hereby created as follows:

21
22 (f) Restrictions on Council Member Use of Seal. The Village Seal represents the Village
23 as a whole and the Council as a whole, and the Seal shall not be used by Council Members,
24 whether in paper or electronic communications, including print or electronic newsletters or print
25 or electronic mass communications of any type, except in newsletters or other communications
26 posted on the Village website by the Manager at the request of the Council Member and except
27 for use of Village letterhead for letters sent by mail at Village expense.

28
29 Section 2. Conflicting Provisions. The provisions of the Code of Ordinances of
30 the Village of Palmetto Bay, Florida and all Ordinances or parts of Ordinances in conflict with
31 the provisions of this Ordinance are hereby repealed.

32
33 Section 3. Severability. The provisions of this Ordinance are declared to be
34 severable, and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be
35 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining
36 sentences, sections, clauses or phrases of the Ordinance, but they shall remain in effect it being
37 the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

38
39 Section 4. Codification. It is the intention of the Village Council and it is hereby
40 ordained the provisions of this Ordinance shall become and be made part of the Code of
41 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
42 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
43 changed to "Section" or other appropriate word.

44
45 Section 5. Effective Date. This Ordinance shall take effect immediately upon
46 enactment.

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PASSED and ENACTED this _____ day of _____, 2016.

First Reading: July 11, 2016

Second Reading: _____

Attest: _____	_____
Missy Arocha	Eugene Flinn
Village Clerk	Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham _____
- Council Member Tim Schaffer _____
- Council Member Larissa Siegel Lara _____
- Vice-Mayor John DuBois _____
- Mayor Eugene Flinn _____

ORDINANCE 2016 - _____

1
2
3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO
5 COUNCIL MEETINGS; AMENDING SECTION 2.44(a) AND
6 SECTION 2.47(A)(2), PROVIDING FOR PROCLAMATIONS,
7 PRESENTATIONS, AWARDS AND PRESENTATIONS TO OCCUR AT
8 6:30 PM ON REGULAR COUNCIL MEETING DAYS, IF
9 DETERMINED BY COUNCIL RESOLUTION; AMENDING SECTION
10 2.50(2), PROVIDING FOR PROCEDURES FOR CREATING
11 PROCLAMATIONS, AWARDS, AND PRESENTATIONS; AMENDING
12 SECTIONS 2.47(10), 2.47(12), 2.50(9), AND 2.50(11), PROVIDING FOR
13 SECOND READING OF ORDINANCES TO OCCUR PRIOR TO FIRST
14 READING OF ORDINANCES; AMENDING SECTIONS 2.47(12),
15 2.47(13), 2.50(11), AND 2.50 (12), PROVIDING FOR PUBLIC COMMENT
16 FOR RESOLUTIONS AND FOR FIRST READING OF ORDINANCES;
17 CREATING SECTION 2.50(1)(d), PROVIDING FOR THE DECORUM
18 STATEMENT TO BE OPTIONAL AT THE DISCRETION OF THE
19 MAYOR; AMENDING SECTIONS 2.47(a) AND 2.50, PROVIDING FOR
20 CONSISTENT NUMBERING AMONG THESE TWO SECTIONS;
21 PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Council
22 Member Larissa Siegel-Lara)
23

24 WHEREAS, the Village Council wishes to assure public participation in the adoption of
25 resolutions and in the consideration of ordinances on first reading; and
26

27 WHEREAS, the Village Council wishes to reorder the agenda for Council meetings for
28 the convenience of the public, so that the second reading of ordinances precedes the first reading
29 of ordinances; and
30

31 WHEREAS, the Village Council wishes to provide a specific opportunity for
32 proclamations, awards and presentations and a specific procedure for creating such
33 proclamations, awards, and presentations; and
34

35 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
36 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
37

38 Section 1 - Article II, Council, Division 2, Meetings, Section 2.44, Meetings, Subsection
39 (a), Regular Meetings, is hereby amended as follows:
40

41 Unless otherwise announced at a prior regular meeting, all council regular meetings
42 shall commence at 7:00 pm and shall be held at Village hall ~~the Deering Estate Visitor's center~~ or at
43 any other location that may be designated by the council. If the Council so designates in the
44 Resolution specifying meeting dates, the portion of a regular meeting devoted to agenda item #3,
45 proclamations, awards and presentation (section 2.47(a)(2)) shall begin at 6:30 pm with a
46 subsequent recess of the meeting, if necessary, so that the remainder of the regular meeting
47 commencing at 7:00 pm or later, with agenda item #1, call to order, roll call, pledge of allegiance

1 (section 2.47(a)(1)), being repeated at both 6:30 and 7:00 pm. All regular meetings shall be
2 publicly noticed by advertisement in a local newspaper in accordance with Florida law.
3

4 **Section 2** - Article II, Council, Division 2, Meetings, Section 2.47, Agenda Procedures,
5 Subsection (a), Regular Meetings, is hereby amended as follows:
6

7 (1) Call to order, roll call, pledge of allegiance and decorum statement (unless decorum
8 statement is suspended by the Mayor);
9

10 ~~(2) Decorum statement;~~
11

12 (2) ~~(3)~~ Proclamations, awards, presentations (subject to repositioning pursuant to section
13 2.44(a);
14

15 (3) ~~(4)~~ Approval of minutes;
16

17 (4) ~~(5)~~ Consent agenda;
18

19 (5) ~~(6)~~ Requests, petitions, and public comments;
20

21 (6) ~~(7)~~ Village manager's report;
22

23 (7) ~~(8)~~ Village attorney's report;
24

25 (8) Village clerk's report;
26

27 (9) ~~(9)~~ Board and committee reports;
28

29 (10) ~~(10)~~ Resolutions with public comment;
30

31 (11) ~~(11)~~ Resolutions requiring public hearings;
32

33 (12) Ordinances for second reading and public hearing;
34

35 (13) Ordinances for first reading with public comment (or public hearing when required
36 by law) and emergency ordinances with public hearing;
37

38 ~~(11) Ordinances for second reading and public hearing;~~
39

40 (14) ~~(14)~~ Other business;
41

42 (15) ~~(15)~~ Council comments;
43

44 (16) ~~(16)~~ Next meeting and adjournment.
45

46 **Section 3** - Article II, Council, Division 2, Meetings, Section 2.50(1)(d) is added as
47 follows:
48

1 (d) Decorum statement. At the direction of the Mayor, the Clerk will read the decorum
2 statement, or the decorum statement may be omitted by the Mayor.
3

4 **Section 4** - Article II, Council, Division 2, Meetings, Section 2.50(2) is amended as
5 follows:
6

7 (2) Proclamations, awards, presentations. This section of the agenda is reserved for
8 presentations, proclamations, or special recognitions made by the mayor on his/her own behalf
9 or on behalf of the vice-mayor or on behalf of any council member. Every such presentation,
10 proclamation or special recognition must meet the following requirements: (a) approval by the
11 mayor following his/her own initiative, or following the suggestion or request by the vice-mayor
12 or any council member; (b) signed by the mayor; (c) state in the appropriate certificate that the
13 presentation, proclamation, or special recognition is initiated "at the request of [name mayor,
14 vice-mayor, council member, or each requester if more than one request is made, or the council if
15 all five council members request], the Village of Palmetto Bay [presents, recognizes, or proclaims
16 the appropriate description, as approved by the mayor]". Requests or suggestions for such
17 presentations, proclamations or special recognitions shall be made to the mayor, through the
18 clerk, no later than 10 days prior to a regular meeting, with the requested or suggested wording.
19 This agenda item may be set for 6:30 pm by resolution of the Council pursuant to section 2.44(a).
20

21 **Section 5** - Article II, Council, Division 2, Meetings, Section 2.50(9) is amended as
22 follows:
23

24 (9) Resolutions. Resolutions not included on the consent agenda shall be placed on this
25 portion of the agenda. After the resolution title is read the matter shall be placed on the floor for
26 consideration upon a motion and a second to the motion. The staff shall provide a report on the
27 item, which shall be followed by public comment, discussion and action by the council. The
28 agenda for each such resolution shall state that public comment will be taken.
29
30

31 **Section 6** - Article II, Council, Division 2, Meetings, Section 2.50(12), Ordinances for
32 second reading is renumbered as (11) and Section (2.50(11) is amended as follows:
33

34 (12) (11) Ordinances for first reading. After the ordinance title is read the matter shall be
35 placed on the floor for consideration upon a motion and a second to the motion. The staff shall
36 provide a report on the item, which shall be followed by public comment, discussion and action
37 by the council. The agenda for each such ordinance shall state that public comment will be taken.
38 ~~Ordinances may be introduced and listed by title and shall be read by title only before consideration by the~~
39 ~~council on first reading. On first reading of ordinances, there shall be no discussion by either the council,~~
40 ~~village staff or members of the public unless discussion is requested by a council member. Any such request by~~
41 ~~a council member shall open the item to the floor for public comment. On first reading only, the council may~~
42 ~~either vote for all ordinances in one vote or may vote separately on each ordinance.~~
43

44 **Section 7. Conflicting Provisions.** The provisions of the Code of Ordinances of
45 the Village of Palmetto Bay, Florida and all Ordinances or parts of Ordinances in conflict with
46 the provisions of this Ordinance are hereby repealed.
47

1 **Section 8. Severability.** The provisions of this Ordinance are declared to be
2 severable, and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be
3 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining
4 sentences, sections, clauses or phrases of the Ordinance, but they shall remain in effect it being
5 the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.
6

7 **Section 9. Codification.** It is the intention of the Village Council and it is hereby
8 ordained the provisions of this Ordinance shall become and be made part of the Code of
9 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
10 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
11 changed to "Section" or other appropriate word.
12

13 **Section 10. Effective Date.** This Ordinance shall take effect immediately upon
14 enactment.
15

16 **PASSED and ENACTED** this _____ day of _____, 2016.
17

18 First Reading: July 11, 2016
19

20 Second Reading: _____
21
22

23
24 Attest: _____
25 Missy Arocha
26 Village Clerk
27

Eugene Flinn
Mayor
28

29 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
30 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
31

32
33 _____
34 Dexter W. Lehtinen
35 Village Attorney
36

37
38 FINAL VOTE AT ADOPTION:
39

40 Council Member Karyn Cunningham _____
41

42 Council Member Tim Schaffer _____
43

44 Council Member Larissa Siegel Lara _____
45

46 Vice-Mayor John DuBois _____
47

48 Mayor Eugene Flinn _____

ORDINANCE NO. 2016-___

1
2
3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO
5 PARKS; CREATING SECTION 20-4, TO REQUIRE A
6 QUADRENNIAL REPORT AND RECOMMENDATION
7 REGARDING THE PARKS AND RECREATION USER FEE
8 SCHEDULE; CREATING SECTION 20-5 RELATING TO FUNDING
9 OF PARKS; PROVIDING FOR ORDINANCES IN CONFLICT,
10 SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.
11 (Sponsored by Councilwoman Larissa Siegel Lara)
12

13 WHEREAS, the Parks and Recreation User Fee Schedule should be based upon rational
14 and uniform criteria; and
15

16 WHEREAS, the User Fee Schedule should be adjusted periodically to reflect changing
17 costs and demands.
18

19 NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND VILLAGE
20 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
21

22 Section 1. Section 20-4 of Chapter 20, Parks and Recreation, of the Palmetto Bay
23 Village Code is created as follows:
24

25 Sec. 20-4 Quadrennial Fee Schedule Studies and Recommendations:
26

27 (a) The Village Manager shall conduct, or cause to be conducted by an outside entity
28 pursuant to contract approved by the Village Council, a User Fee Study (with recommendations
29 for appropriate adjustments to the User Fee Schedule) on a quadrennial basis (every four years).
30 Such report and recommendations shall be presented to the Village Council during the first
31 quarter of the calendar year (second quarter of the fiscal year), beginning in 2017 and every
32 fourth year thereafter.
33

34 (b) The report and recommendations shall contain the following information:
35

36 (1) The fees charged for similar services or activities provided by both other
37 public entities (public market fee rates) and private entities (private market fee rates), and the
38 quality of such services or activities;
39

40 (2) The costs to the Village of providing the services or activities, including
41 capital outlay based on an appropriate amortization schedule and maintenance related to the
42 specific services or activities, and excluding Village overhead, general Village administration,
43 general park maintenance, and parking costs. These calculation costs shall be based generally
44 upon the principles of activity-based cost accounting which seeks to identify the marginal cost of
45 the services or activities of the Village;

1
2 (3) Data requiring the volume of usage of particular services and activities,
3 including usage by Village residents and non-Village residents;
4

5 (4) A recommended User Fee Schedule based upon (i) cost-based
6 recommended fees which are determined by multiplying a recommendation cost recovery rate (or
7 a cost recovery rate which may from time to time be suggested or adopted by the Council)
8 [alternative – based upon a 50% cost recovery rate] by the costs to the Village for any particular
9 service or activity; and (ii) any recommended adjustments to the cost-based recommended fees
10 upon identified and articulated factors, such as usage rates, public market fee rates, and/or
11 private market fee rates.
12

13 (c) The Council shall consider the Quadrennial Report and Recommendations during
14 the second quarter of the calendar year (third quarter of the fiscal year). If any part or all of the
15 recommended User Fee Schedule, the appropriate Ordinance shall be considered for First
16 Reading within such second calendar quarter (third fiscal year).
17

18 (1) If any changes to the User Fee Schedule are adopted, such changes shall take
19 effect not earlier than fifteen days and not later than thirty days from adoption on second
20 reading.
21

22 **Section 2.** Section 20-5 of Chapter 20, Parks and Recreation, of the Palmetto Bay Village
23 Code is created as follows:
24

25 Sec. 20-5 Funding of Parks
26

27 (a) No (1) site-specific changes to the Parks Master Plan, or (2) specific facility changes in
28 the Parks Master Plan costing over \$50,000 (other than maintenance), or (3) changes in
29 designation of use in the Parks Master Plan, shall be adopted except upon at least a four-fifths
30 vote of the Village Council. Such changes shall not be considered by the Village Council until at
31 least 45 days following the postmark date of mail notice of the proposed changes to all properties
32 within 500 feet of the outer boundaries of the site of the proposed changes. Notice required by
33 this section is in addition to any notice otherwise required by law or Ordinance.

34 (b) Any offer of a grant or other form of funding for Palmetto Bay parks may be
35 accepted only upon compliance with the provisions of subsection (a) and a vote of the Village
36 Council. Such acceptance by the Council may not occur less than 45 days after the Village
37 Manager has received and provided to the Village Council complete documentation regarding the
38 source and proposed use of the funds.
39

40 **Section 3. Conflicting Provisions.** The provisions of the Code of Ordinances of
41 the Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
42 provisions of this ordinance are hereby repealed.
43

