

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Acting Development Services Director

PREPARED BY: Le Nguyen, P.E., Town Engineer (954) 797-1193

SUBJECT: Ordinance - Amending the Current Fee Schedules for the Engineering Division of Development Services.

AFFECTED DISTRICT: All

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CURRENT FEE SCHEDULES FOR THE ENGINEERING DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVIE BY ADDING LEGAL REVIEW FEES, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The Engineering Division has revised the current fee schedule by adding review fees to cover legal reviews performed by the Town Attorney for Town of Davie documents as indicated on page six of the Engineering Fee Schedule. Any future changes to the Engineering fee schedules shall be revised by resolution.

PREVIOUS ACTIONS: Ordinance 2006-05 was approved on January 4, 2006 by the Davie Town Council.

CONCURRENCES: None

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Staff finds the subject item complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Engineering fee schedule

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CURRENT FEE SCHEDULES FOR THE ENGINEERING DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVIE BY ADDING LEGAL REVIEW FEES, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Engineering Division desires to cover the cost of legal review of documents; and

WHEREAS, this Fee Schedule is believed to be fair and equitable to both taxpayers and developers as it concerns the cost of development services and development matters; and

WHEREAS, the Town Council, having legally advertised its intent to set fees for Engineering permit services and having presented opportunity for discussion and deliberation of these fees, with to amend the current fee schedule for legal review; and

WHEREAS, any revisions to Engineering fee schedules shall be revised by resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The above WHEREAS clauses are true and correct and made a part hereof as if fully set forth herein.

SECTION 2. That the amended schedule for Engineering Department, a copy which is attached hereto as Exhibit "A", is hereby accepted by the Town of Davie.

SECTION 3. That any future revisions to the Engineering fee schedule shall be revised by resolution.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, 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 portion of this ordinance.

SECTION 5. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2007

PASSED ON SECOND READING THIS ____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2007

ENGINEERING PLAN REVIEW FEES

Prior to submittal of engineering construction permit applications, individuals, homeowners, developers, business or commercial enterprises, public or governmental organizations, and all other entities proposing to conduct engineering construction work within the Town of Davie shall secure plans approval from the Town Engineer or his authorized representative/designee. Proposed engineering work, includes, but is not limited to, paving, grading, drainage, electric and non-electric utilities, roads, sidewalks, seawalls, and bridges, as described more completely below. Prior to plan review, fees shall be paid to The Town of Davie. Fees shall be paid at the time of plan submittal and will be based upon the fee schedule shown below. Review fees include a maximum of two plan reviews for the same project site and review categories. Each supplemental review, beyond the initial two will be charged an additional review fee equal to 100% of the original review fee. Engineering and/or associated plan review comments from the Town are valid for one year from the date they are issued.

PLAN REVIEW FEE SCHEDULE

	Drainage Plan	
	Includes, but is not necessarily limited to, review of any planned/proposed public or private work that may modify or impact in any way the quantity, routing, retention/detention, and/or ultimate disposition of stormwater or surface water at a proposed project site. Seawalls and retention walls, to the extent they impact drainage, are included in this review. Structural considerations of seawalls and retention walls are considered elsewhere.	
(a)	0 to 5.0 gross acres	\$350.00
(b)	5.1 to 10 gross acres	\$500.00
(c)	Over 10 acres, add \$30.00 per acre or fraction thereof.	
	Paving and Grading Plan	
	Includes, but is not necessarily limited to, review of planned/proposed public or private engineering works associated with roadways of any type; roadway structural components; signalization; rights-of-way and/or easement requirements; sidewalks; curbing; equestrian, recreational and/or multi-purpose paths/trails; driveways; parking lots/areas, including their structural components, layout, traffic flow patterns, signage, lighting plans and integration of other necessary or required elements (e.g., irrigation; landscaping; utility site plans).	
	0 to 5.0 gross acres	\$400.00
	5.1 to 10 gross acres	\$600.00
	Over 10 acres, add \$30.00 per acre or fraction thereof.	

PLAN REVIEW FEE SCHEDULE (CONT'D)

	Potable Water Treatment and/or Distribution System Plans	
	Includes, but is not necessarily limited to, review of planned/proposed public or private engineering works associated with treatment for the purpose of potable water production and/or distribution system piping and appurtenances from the downstream side of service connections back through and including the tap to an existing system. Fire protection lines, piping and appurtenances are included from the downstream side of building service connections (typically backflow prevention devices) back through and including the tap to an existing system.	
	0 to 5.0 gross acres	\$450.00
	5.1 to 10 gross acres	\$600.00
	Over 10 acres, add \$30.00 per acre or fraction thereof.	
	Wastewater System Plans	
	Includes, but is not necessarily limited to, review of planned/proposed public or private engineering works associated with sewage collection systems, wastewater treatment and reuse/discharge. Engineering review coverage is initiated at the upstream side of proposed service connections downstream to, and including the connection to an existing system. Depending upon project size, plans may typically include gravity sewers, pump/lift stations and discharge force mains.	
	0 to 5.0 gross acres	\$500.00
	5.1 to 10 gross acres	\$650.00
	Over 10 acres, add \$30.00 per acre or fraction thereof.	
	Seawalls, Retention Walls and Docks Plans	
(a)	Minimum fee for in-house structural review	\$200.00
(b)	As necessary, structural aspects of this review may be outsourced to professional engineering consultants under contract with the Town of Davie. Minimum fees associated with outsourcing will be \$750.00. Fees charged by the consultant in excess of the specified minimum will be passed on to the individual or entity submitting the plans for review.	
	Bridge Plans	
	0 to 20 foot span	\$200.00
	Over 20 foot span at \$100.00 per hour of Engineer's review time	
	Minimum deposit	\$300.00
	As necessary, structural aspects of this review may be outsourced to professional engineering consultants under contract with the Town of Davie. Minimum fees associated with outsourcing will be \$750.00. Fees charged by the consultant in excess of the specified minimum will be passed on to the individual or entity submitting the plans for review.	
	Traffic Plan (Relocated to Engineering Permits)	\$250.00

ENGINEERING CONSTRUCTION PERMIT FEES

One or more engineering construction permits shall be required to perform engineering work within the Town of Davie. Specific exceptions may be addressed through federal and state statutes/code and/or Town ordinance, resolution or published policy. It is the responsibility of the applicant to provide evidence of any applicable documentation supporting requested exceptions. Work included within the categories identified below encompasses, but is not limited to, earth movement, including, all types of excavation, cut and fill; earthwork; paving and grading; installation of utilities and appurtenant structures; roads; driveways; parking lots/areas; trails; sidewalks, seawalls, docks, bridges and all other engineering work categories listed by the State of Florida and Broward County Licensing Board as requiring an engineering contractor’s license. Prior to issuing permit(s), a fee shall be paid to The Town of Davie. Fees shall be based upon the fee schedule shown below. Permits shall expire twelve (12) months from date of issuance, unless otherwise noted.

ENGINEERING PERMIT FEE SCHEDULE

	<u>Clearing and Grubbing</u>	
	<p>Clearing and Grubbing permits include, but are not limited to, removal of:</p> <ol style="list-style-type: none"> 1. vegetation and vegetative cover such as grass, trees, tree stumps, tree roots, logs, brush, noxious weeds and decayed vegetable matter; and 2. refuse such as pole stumps, rubbish dumps and debris piles resting on or protruding from the ground surface; and 3. obstructions, such as concrete paving, concrete edgings, foundations, fences and disused or abandoned structures. <p>Clearing and Grubbing permits are NOT used for:</p> <ol style="list-style-type: none"> 1. removal of underground obstructions such as drainage pipes, service conduits and fuel tanks, or 2. removal of any existing underground utilities (even if abandoned), or 3. changing site grade (other than for removal of stipulated material). 	
(a)	Fee equals \$500.00 per acre or fraction thereof	
(b)	Minimum fee	\$500.00
	<u>Site Development</u>	
	<p>Includes minimum earth movement, general excavation, cut and fill to the extent of meeting a rough grading plan in conformance with stormwater pollution prevention plan required by Florida Department of Environmental Protection. Excavations, fills for canals, lakes and wetland mitigation areas excluded from this permit type. Earthwork is subject to separate fees.</p>	
(a)	0 to 5.0 gross acres	\$750.00
(b)	5.1 to 10 gross acres	\$1500.00
(c)	Over 10 acres, add \$30.00 per acre or fraction thereof.	
(d)	Single-Family individual lot	\$150.00
(e)	Excavation of Lakes, Canals, Ponds, Commercial Fill Pits-	

(e.1)	per acre or fraction thereof – unit rate	\$1000.00
(e.2)	Canals (per 500 linear foot segment or fraction thereof – unit rate)	\$1000.00
	Fill (single family home)	
(a)	From 0 to 100 cubic yards	\$100.00
(b)	From 101 cubic yards and above for each 100 cubic yards	\$10.00
	Earthwork (includes excavation, demucking, filling the site or removal of fill from site)	
(a)	8% of Construction Cost	
	Drainage Systems (coverage described in Plan Review Section)	
(a)	10% of Construction Cost	
(b)	Minimum fee	\$400.00
	Paving and Grading (coverage described in Plan Review Section)	
(a)	10% of Construction Cost	
(b)	Minimum fee	\$400.00
	Paving and Grading - Other	
(c)	Pavement Cuts (roads, commercial entrances and sidewalks) – relocated from item 113 -- Prior to issuance of a P&G/pavement cut permit, a pavement restoration bond shall be submitted to the Town in the amount of \$500 per vehicle lane of pavement to be removed. The bond shall remain in force for one year after date of completion.	
(c.1)	Per Vehicle Lane – Unit rate	\$500.00
(d)	Pavement/Sidewalk Restoration (commercial/residential – less than 100 sq. ft. gross)	\$150.00
(e)	Sidewalk (new construction) less than 100 sq. ft. gross	150.00
(f)	Sidewalk (new construction) 10% of Construction Costs	
(g)	Jack and bore procedure in lieu of road cut - Per Vehicle Lane – Unit rate	\$250.00
(h)	Traffic Plan (MOT) (Relocated from Plan review)	\$250.00
	Water Systems (coverage described in Plan Review Section)	
(a)	10% of Construction Cost	
(b)	Minimum fee	\$400.00
	Wastewater Systems (coverage described in Plan Review Section)	
(a)	10% of Construction Cost	

(b)	Minimum fee	\$400.00
Bridges		
(a)	10% of Construction Cost	
(b)	Minimum fee	\$500.00
Blasting		
	Permit for each 3 month period (not to be pro-rated)	\$1200.00
Reapplication:		
(a)	Change of Contractor (release of previous permit by applicable contractor required)	\$200.00
(b)	Renewal of permit fee per discipline	\$200.00
(c)	Permit Revision Fee (minimum per discipline)	\$200.00
(d)	Permit Revision Fee (10% of Construction Cost)	
Work Commenced Without a Permit		
(a)	Double fee plus all applicable code violations and associated fines	
(b)	Minimum fee	\$500.00
A minimum of 4 hours notice is required to cancel scheduled inspections. If minimum notice is not provided, appropriate re-inspection fee(s) must be paid prior to scheduling the next inspection.		
(a)	First required re-inspection	\$100.00
(b)	Each successive re-inspection after first occurrence	\$200.00
(c)	Fire Hydrant Flow Tests – per hydrant – unit rate	\$25.00
(d)	Fire Hydrant Flow Tests Re-inspection – per hydrant – unit rate	\$35.00
(e)	Overtime or Off-hour Inspection - \$75.00 per hour / minimum of 4 hours	
(e.1)	Minimum fee	\$300.00

OTHER PLAN AND PERMIT FEES

For engineering plan [and petition application](#) reviews or permit processing that is not in a listed category above, the applicant may be charged any or all of the following fees:

1. \$100.00/hr for engineering staff review and processing; \$200.00 for each required public meeting.
2. If necessary, plan review and/or permit processing may be outsourced to professional engineering consultants under contract with the Town of Davie. Minimum fees

associated with outsourcing will be \$750.00. Fees charged by the consultant in excess of the specified minimum will be passed on to the individual or entity submitting the plans for review.

3. Maximum charge per plan or application will be \$2,500.00, unless the applicant is notified of required fees in excess of this amount.
4. Legal Document Review by legal assistance staff – Minimum of \$350 (actual fee shall be reflective of legal efforts required). Includes items such as drainage/utility easements, bill of sale documents, right-of-way, petition application, surety issues, close out package documents (general releases, affidavits, opinion of title, release of lien, etc.)