

RESOLUTION NO. 2026-13

A RESOLUTION OF THE VILLAGE OF ESTERO, FLORIDA, ESTABLISHING A NEW COMMUNITY DEVELOPMENT DEPARTMENT BUILDING FEE SCHEDULE; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes § 166.222 (*Building code inspection fees*) provides that the governing body of a municipality may provide a schedule of reasonable inspection fees in order to defer the costs of inspection and enforcement of the provisions of its building code; and

WHEREAS, that same statute provides that a governing body of a municipality that issues building permits may charge a person only one search fee, in an amount commensurate with the research and time costs incurred by the governing body, for identifying building permits for each unit or subunit assigned by the governing body to a particular tax parcel identification number; and

WHEREAS, Florida Statutes § 553.80(1)(g) provides that the governing body of a municipality may provide a schedule of fees, as authorized by Florida Statutes § 166.222 and this section, for the enforcement of the provisions of the Florida Building Code; and

WHEREAS, this statute provides further that such fees shall be used solely for carrying out the municipality's responsibilities in enforcing the Florida Building Code; and

WHEREAS, Florida Statutes § 553.80(7)(a) provides that the building department permitting, inspection and enforcement fees, along with any fines or investment earnings related to the fees, may only be used for carrying out the municipality's responsibilities in enforcing the Florida Building Code; and

WHEREAS, this statute further provides that when a municipality establishes its schedule of building fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities; and

WHEREAS, this statute further provides that any unexpended balances must be carried forward to future years for allowable activities or must be refunded at the discretion of the municipality, and that a municipality may not carry forward an amount exceeding the average of its operating budget (excluding reserve funds) for enforcing the Florida Building Code for the previous 4 fiscal years; and

WHEREAS, this statute further provides that the basis for a fee structure for allowable activities must relate to the level of service provided by the municipality, must include consideration for refunding fees due to reduced services based on "private provider" services provided to owners as authorized by Florida Statutes § 553.791, and that the fees charged must be consistently applied; and

WHEREAS, Florida Statutes § 553.80(7)(a)(4) requires a municipality to use recognized management, accounting, and oversight practices to ensure that fees, fines, and investment earnings generated from these sources are maintained and allocated or used solely for the purposes authorized by law; and

WHEREAS, Florida Statutes § 553.80(7)(a)(2) provides that a municipality must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees, to upgrade technology hardware and software systems to enhance service delivery, to pay for the construction of a building or structure that houses the municipality’s building code enforcement agency (except that excess funds used to construct such a building or structure must be designated for such purpose by the local government and may not be carried forward for more than 4 consecutive years), or for training programs for building officials, inspectors, or plans examiners associated with the enforcement of the Florida Building Code; and

WHEREAS, Florida Statutes § 553.80(7)(a)(1) defines “enforcing the Florida Building Code” to include the direct costs and reasonable indirect costs associated with review of building plans, building inspections, re-inspections, and building permit processing; building code enforcement; fire inspections associated with new construction; training costs associated with the enforcement of the Florida Building Code; and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees; and

WHEREAS, Florida Statutes § 553.80(7)(a)(3) provides that the following activities may not be funded with fees adopted for enforcing the Florida Building Code:

- a. Planning and zoning or other general government activities.
- b. Inspections of public buildings for a reduced fee or no fee.
- c. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.
- d. Enforcement and implementation of any other local ordinance, excluding validly adopted local amendments to the Florida Building Code and excluding any local ordinance directly related to enforcing the Florida Building Code;

and

WHEREAS, on September 17th 2025, and based on the statutory provisions as they then existed, the Village Council adopted Resolution 2025-20 establishing a Community Development fee schedule for building, planning, zoning, and land use applications; and

WHEREAS, the building fee schedule adopted in 2025 was based, in part, on the value of the structure using a long-accepted valuation methodology issued by the International Code Council (ICC) called the Building Valuation Data tool (BVD); and

WHEREAS, in the 2026 legislative session, the Florida Legislature adopted and the Governor signed what is now Chapter Law 2026-63, effective July 1st 2026; and

WHEREAS, this Chapter Law amended Florida Statutes § 553.791 (Alternative plans review and inspection), to provide, among other things, that a construction permit fee “must be

based on the cost incurred by the local jurisdiction, including the labor cost of the personnel providing such services and the clerical and supervisory assistance required to comply with this section”; and

WHEREAS, the statute provides that where an owner or contractor retains a private provider for purposes of plans review or building inspection services for residential construction, the local jurisdiction must reduce the permit fee by the amount of cost savings realized by the local enforcement agency for not having to perform such services. Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services; and

WHEREAS, this Chapter Law also amended the statute to provide that if an owner or contractor retains a private provider for purposes of plans review or building inspection services for a commercial construction project, “the local enforcement agency must reduce the permit fee by at least 25 percent of the portion of the permit fee attributable to plans review or building inspection services, as applicable, and that if the owner or contractor retains a private provider for all required plans review and building inspection services, the local enforcement agency must reduce the total permit fee by at least 50 percent of the amount otherwise charged for such services”; and

WHEREAS, the changes in how local governments establish building fees adopted in Chapter Law 2026-63 have necessitated a specific Village study of its incurred costs associated with receipt and processing of the various types of building permit services the Village provides; and

WHEREAS, that study has resulted in the development of the new fee schedule to be adopted by this Resolution; and

WHEREAS, the Village Council, after having reviewed the statutory requirements set forth above, having been advised by the Village’s professional management staff, and having been advised by its legal counsel, finds that the building fee schedule to be adopted by this Resolution complies with all statutory requirements and is necessary and reasonable to ensure the Village’s building department functions are not subsidized by the Village’s general fund; and

WHEREAS, the Village Council further finds that the building fee schedule adopted by this Resolution is in the best interests of the Village, its residents, property owners, and businesses.

NOW, THEREFORE BE IT RESOLVED by the Village Council of the Village of Estero, Florida, that:

Section 1. Establishment of Building Department Fee Schedule.

The Building Department Fee Schedule attached hereto as **Exhibit “A”** is hereby adopted as the Village of Estero’s Building Department Fee Schedule.

Section 2. Fee Schedule Effective Date.

The fee schedule adopted herein shall become effective at 12:01 a.m. on Wednesday, **July 1st**,

2026. Any applications either pending on that date or thereafter submitted shall be subject to the new fee schedule. If the Village's contracted building department vendor cannot make the necessary adjustments to forms, websites and payment platforms to reflect the new fees adopted by this Resolution, the effective date will be determined by the Community Development Director as soon as the adjustments are completed.

Section 3. Annual Inspection Utilization Report.

Pursuant to Florida Statutes § 553.80(7)(b), the Village shall produce, annually update, and publish on its website an inspection utilization report. This report shall be prepared with content derived from relevant information available in the Village's most recently completed financial audit. The report shall be updated prior to making any adjustments to the fee schedule. The report shall include the detailed content set forth in Florida Statutes § 553.80(7)(b).

Section 4. Required Posting of Information.

As required by Florida Statutes § 166.222, the Village Manager shall ensure the permit and inspection fee schedules adopted by this Resolution, and the Village's building permit and utilization report required by Florida Statutes § 553.80(7), are posted on the Village's website.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, provision or word of this Resolution is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Resolution shall not be affected by such invalidity, such that any remainder of the Resolution shall withstand any severed provision, as the Village Council would have adopted the Resolution even absent the invalid part.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

DULY ADOPTED with a quorum present and voting this 2nd day of July, 2026.

Attest:

Joanne Ribble, Mayor

Carol Sacco, Village Clerk

Exhibit “A”
Building Department Fee Schedule (Revised July 2, 2026)

Impact Fees Not Included

Fire Fees Not Included

COMMERCIAL	Fee (\$)
Commercial Accessory	\$1.05 per sq. ft.
Commercial Accessory – Prefab	200
Commercial Awning/Window/Door (per building)	750
Commercial Building	\$1.32 per sq. ft.
Commercial Demolition Complete Structure	250
Commercial Electric	250
Commercial Fence or Wall	300
Commercial HVAC / Mechanical	300
Commercial Interior Renovation/Alteration/Remodel	\$0.96 per sq. ft.
Commercial Multifamily	\$0.80 per sq. ft.
Commercial Natural Gas Lines/Tank/Generator	400
Commercial Reroof	300
Commercial Shutters With or Without Electric	300
Commercial Walk-In Cooler	250
Concrete Restoration	250
Construction Trailer/Office	400
Dumpster Slab and Enclosure	300
Floodplain Review ¹	75
Foundation Only	\$0.33 per sq. ft.
Hood	300
Low Voltage	150
Miscellaneous Commercial Plumbing/Gas	325
Pier/Boathouse/Davit	600
Pool Renovation	300
Pool With or Without Spa	600
Seawall New & Repair	600
Shell Building	\$1.06 per sq. ft.
Sign – Monument (Per Sign)	500
Sign – Wall (Per Sign)	300
Site Lighting	300
Structure Moving	500
Zoning Review ²	75

¹ Review for compliance with floodplain regulations of the Land Development Code

² Review for compliance with Land Development Code

RESIDENTIAL	Fee (\$)
Floodplain Review ¹	75
Garage Door Replacement	150
Hot Tub/Spa (Stand Alone Not Part of Pool)	150
Low Voltage	150
Miscellaneous Residential Electric/Service Change	225
Miscellaneous Residential Plumbing/Gas	225
Mobile/Manufactured Home	400
Photovoltaic	200
Pier/Boathouse/Davit	600
Pool / Screen Enclosure	150
Pool Heater/Solar	150
Pool Renovation	300
Pool With or Without Spa	600
Residential Accessory Structure	300
Residential Accessory Structure – Pre-Fab	150
Residential Demolition of Complete Structure	150
Residential Fence	100
Residential HVAC/Mechanical	175
Residential Interior Remodel / Alteration	250
Residential Natural Gas Generator	300
Residential Reroof	250
Residential Shutters With or Without Electric	200
Single Family Residential	\$1.25 per sq. ft
Seawall New/Repair	600
Structure Moving	500
Water Heater Change Out	150
Window/Door Replacement (per building)	200
Zoning Review ²	75

¹ Review for compliance with floodplain regulations of the Land Development Code

² Review for compliance with Land Development Code

Miscellaneous	Fee (\$)
Cell Tower – New ³	700
Cell Tower – Alteration ³	350
Change of Contractor	75
Paint – Less than 10,000 sq. ft. (per building)	250
Paint – 10,000 sq. ft. and above (per building)	500
Partial Inspection/Pass	75
Plan Revisions for Approved Commercial Permit	350
Plan Revisions for Approved Single Family Residential Permit	75
Reinspection Fee	100
Permit Extensions	
Each Extension	100
Temporary Certificate of Occupancy	
Each Request	150

Refunds

Requests for refunds must be submitted in writing, refunds shall only be provided for that portion of work not yet performed by the Village.

Electronic Recording Fees

While not mandatory, as a courtesy to the contracting community, the Community Development Department may offer to record any document for an applicant associated with a permit or development application. The applicant will be assessed the actual cost for the recording/filing by the Lee County County Clerk of Courts based on that office's current schedule of service charges and fees, along with the submission fee charged by Simplifile to permit the Village to use the Simplifile Electronic Recording System and the fee for using a credit card. No refunds of fees are permitted once a document is recorded. By offering this courtesy, the Village does not become the applicant's agent and bears no responsibility to ensure proper filing. The applicant will need to ensure any document has been correctly filed or recorded.

Additional Fees

ACH Fee	\$1.90
Returned Check Fee	\$50.00
Convenience Fee for Credit Card/Debit Card Use	3.50%

¹ Review for compliance with floodplain regulations of the Land Development Code

² Review for compliance with Land Development Code

³ Not including fee for Limited Development Order

Private Provider Fee Reduction		
Category	Private Provider Type	(\$) Per Sq. Ft.
Commercial Building	Plans Review	1.26
Commercial Building	Inspection Services	1.13
Commercial Building	Plans Review & Inspection Services	0.82
Commercial Multifamily	Plans Review	0.76
Commercial Multifamily	Inspection Services	0.67
Commercial Multifamily	Plans Review & Inspection Services	0.47
Commercial Remodel	Plans Review	0.91
Commercial Remodel	Inspection Services	0.80
Commercial Remodel	Plans Review & Inspection Services	0.53
Single Family	Plans Review	1.22
Single Family	Inspection Services	1.12
Single Family	Plans Review & Inspection Services	1.09
Shell Building	Plans Review	1.03
Shell Building	Inspection Services	0.89
Shell Building	Plans Review & Inspection Services	0.65
Commercial Accessory	Plans Review	1.00
Commercial Accessory	Inspection Services	0.90
Commercial Accessory	Plans Review & Inspection Services	0.65
Foundation Permit	Plans Review	0.31
Foundation Permit	Inspection Services	0.28
Foundation Permit	Plans Review & Inspection Services	0.20

All Other Commercial Permits:

If a fee owner or the fee owner's contractor retains a private provider for purposes of plans review or building inspection services for a commercial construction project, the permit fee will be discounted 25 percent of the portion of the permit fee attributable to plans review or building inspection services, as applicable conditioned on submission of the required notification and acknowledgment statement required by Florida Statute.

If the fee owner or the fee owner's contractor retains a private provider for all required plans review and building inspection services, the total permit fee will be discounted 50 percent of the amount charged for such services conditioned on submission of the required notification and acknowledgment statement required by Florida Statute.

All Residential Permits:

Owners and contractors utilizing a private provider for plan review and/or building inspections pursuant to Florida Statutes will receive a 15% reduction in permitting fees conditioned on submission of the required notification and acknowledgment statement required by Florida Statute.