

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 2, 2026

Agenda Item:

Resolution No. 2026-13 Adopting Updated Community Development Fees

Motion to adopt Resolution No. 2026-13.

Background:

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. 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.

Florida Statutes § 553.80(1)(g) states 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. This statute provides further that such fees shall be used solely for carrying out the municipality's responsibilities in enforcing the Florida Building Code.

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. 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.

The statute also 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.

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. Further, 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.

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. 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.

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. 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).

In the 2026 legislative session, the Florida Legislature adopted and the Governor signed what is now Chapter Law 2026-63, effective July 1st 2026. 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.”

The statute provides (even before the Chapter Law) 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.

The 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.”

The changes in how local governments establish building fees adopted in Chapter Law 2026-63 resulted in the Village’s inability to rely on the ICC’s BVD tool, and 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. That study has resulted in the development of the new fee schedule to be adopted by this Resolution.

Action Requested:

Motion to adopt Resolution No. 2026-13.

Process and Timeline:

If approved by Council, the Community Development Director and Finance staff will work with the Village’s contracted building and planning services provider to update all applicable application forms, publish the new schedule, and implement the revised fees.

Financial Impact:

Adoption of the fee schedule is intended to prevent or at least minimize the need for the Village’s general fund to supplement the operations of the Village’s building permit and inspection functions so that those functions are primarily paid for by the applicants accessing those services.

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Attachments:

1. Resolution No. 2026-13 (including incorporated fee schedule)