

RESOLUTION NO. 2026-114

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ACKNOWLEDGING THE CITY'S INITIATION OF A BUILDING PERMIT AND INSPECTION FEE ANALYSIS TO COMPLY WITH STATE LAW, WHICH MAY RESULT IN A PARTIAL FEE REIMBURSEMENT FOLLOWING ADOPTION OF AN UPDATED BUILDING PERMIT AND INSPECTION FEE SCHEDULE CONSISTENT WITH THE REQUIREMENTS OF STATE LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek is authorized by state law to enact building permit fees commensurate with the cost to the City of providing plans review and inspection services, in such amounts as are necessary for the conduct of municipal government and affairs; and

WHEREAS, the majority of the City's building permit fees were significantly amended in 2009 and some are based on a percentage of project cost; and

WHEREAS, House Bill 803 was adopted by the State Legislature, and signed by the Governor, creating Chapter No. 2026-63, Laws of Florida (the Bill), which amends Chapter 553, Florida Statutes, relating to building permits and inspections and was effective July 1, 2026; and

WHEREAS, the Bill requires that inspection fees must not exceed the actual cost of providing inspection services and may not be based on the total cost of a project; and

WHEREAS, the Bill requires that building permit fees must be based on the cost incurred by the local jurisdiction, including the labor costs of personnel providing such services, together with associated clerical and supervisory assistance; and

WHEREAS, building plan review and inspection fees must be reasonably related to the costs associated with processing permit applications, and fees may not be based on a percentage of project costs; and

WHEREAS, the City is undertaking a building permit and inspection fee analysis to ensure that City fees are reasonably related to the costs associated with processing permit applications and conducting inspections, rather than being based on project costs; and

WHEREAS, the City will continue to use its current fee schedule while conducting the analysis; and

WHEREAS, the City will, during the process of updating its fee schedule, authorize the issuance of a refund for fees paid after July 1, 2026, if those fees paid after July 1, 2026 and prior to completion of the analysis and adoption of the updated fee schedule, are higher than what the permit fee would have been under the new permit fee schedule; and

WHEREAS, this proposed policy is adopted in an abundance of caution in order to ensure compliance with Chapter No. 2026-63, Laws of Florida, and to provide the community with the understanding that if a building permit fee is not justified as reasonably-related to the costs associated with processing the application, then the fee difference between the reasonably-related cost and the prior established fee will be refunded to the applicant within sixty (60) days of adoption of the new fee schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City is conducting a building permit and inspection fee analysis to develop a Building Permit and Inspection Fee Schedule compliant with Chapter No. 2026-63, Laws of Florida, which will be presented to the City Commission for approval.

Section 3: That the City Manager, or designee, upon completion of the building permit and inspection fee analysis and approval of the new Building Permit and Inspection Fee Schedule by the City Commission, is directed to analyze the permit and inspection fees assessed between July 1, 2026, and the adoption of the new Building Permit and

Inspection Fee Schedule to identify any fees charged in excess of those justified by the analysis and to provide a refund to the applicant of any excess fees charged. This policy is established in an abundance of caution in order to ensure compliance with Chapter No. 2026-63, Laws of Florida, and to provide the community with the understanding that if the fees charged are not justified as reasonably-related to the costs associated with processing the application, then the fee difference between the reasonably-related cost and the prior established fee will be refunded to the applicant within sixty (60) days of adoption of the new fee schedule.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this _____ day of _____, 2026.

Jeffrey R. Wasserman, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Wasserman	_____
Brodie	_____
Welch	_____
Rydell	_____
Railey	_____