

City of Lake Alfred  
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Lake Alfred, FL 33850



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**AGENDA**  
**CITY COMMISSION MEETING**  
**MONDAY FEBRUARY 1, 2016**  
**7:30 P.M.**  
**CITY HALL**

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**CALL TO ORDER: MAYOR CHARLES LAKE**

**INVOCATION AND PLEDGE OF ALLEGIANCE: TBA**

**ROLL CALL: CITY CLERK AMEÉ BAILEY**

**CITY MANAGER & CITY ATTORNEY ANNOUNCEMENTS**

**RECOGNITION OF CITIZENS: ITEMS NOT ON AGENDA**

**CONSENT AGENDA:**

- 1.) CITY COMMISSION MEETING MINUTES FOR JANUARY 19, 2016.
- 2.) CITY COMMISSION ANNOUNCEMENTS

**AGENDA**

- 1.) ORDINANCE 1362-16: PREPAYMENT CRITERIA AND EXEMPTIONS FOR IMPACT FEES
- 2.) ORDINANCE 1363-16: PERMITTING SERVICE FEES

**RECOGNITION OF CITIZENS (PLEASE LIMIT YOUR COMMENTS TO 5 MINUTES.)**

**COMMISSIONER QUESTIONS AND COMMENTS:**

**COMMISSIONER MAULTSBY**  
**MAYOR LAKE**  
**VICE MAYOR DALEY**  
**COMMISSIONER DUNCAN**  
**COMMISSIONER DEARMIN**

**ADJOURN**

**LAKE ALFRED CITY COMMISSION MEETING  
FEBRUARY 1, 2016**

**CONSENT AGENDA**

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**1.) JANUARY 19, 2016 CITY COMMISSION MEETING MINUTES**

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**ATTACHMENTS:**

- Draft Minutes

**ANALYSIS:** Please review the minutes at your earliest convenience and if there are any questions, comments or concerns please contact the City Clerk, Ameen Bailey at (863) 291-5747.

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**2.) CITY COMMISSION ANNOUNCEMENTS**

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**ANALYSIS:** Each of the meetings/ events scheduled below may constitute a public meeting at which two or more City Commissioners or Planning Board Members may attend and discuss issues that may come before the City Commissioners.

- Lake Alfred Chamber Dinner will be held on Thursday February 11<sup>th</sup> at 6:30 pm
- The Ridge League of Cities Meeting will be held on Thursday February 11<sup>th</sup> at 6:30 pm at Streamsong Resort (1000 Streamsong Drive, Streamsong, FL 33834).

**STAFF RECOMMENDATION:** Approval of the consent agenda.

**DRAFT MINUTES**  
**CITY OF LAKE ALFRED**  
**CITY COMMISSION MEETING**  
**TUESDAY, JANUARY 19, 2016**  
**7:30 P.M.**  
**CITY HALL**

**Call to Order:** Mayor Charles Lake

**Invocation and Pledge of Allegiance:** Pastor Jones

**Roll Call:** Those in attendance were Mayor Charles Lake, Vice Mayor Nancy Daley, Commissioner John Duncan, Commissioner Jack Dearmin, and Commissioner Albertus Maultsby.

Staff attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, City Clerk Ameen Bailey-Speck, Community Development Director Valerie Ferrell and Public Works Director John Deaton.

**CITY MANAGER ANNOUNCEMENTS**

**City Manager Leavengood** stated Lovin L.A. will start this Saturday, January 23<sup>rd</sup> at 8 am. Volunteers are needed and all interested parties should meet at the First Baptist Church of Lake Alfred in the Fellowship Hall. The event will begin with breakfast and assignment meeting and end with lunch at 12:30.

The City's Spring Clean-up Week will be held February 29<sup>th</sup> thru March 4<sup>th</sup>. This is the annual clean-up around town for hazardous waste, tires, etc.

The Florida Department of Transportation (FDOT), District One, is holding an open house to discuss a new pedestrian bridge over US 17/92 to connect the Lake Alfred Trail with the Chain of Lakes Trail. The public meeting "open house" is from 4:30 to 6:30 pm on Tuesday, January 26, at the First Baptist Church of Lake Alfred. For more information about the project, please contact Chuck Wood, Project Manager, Florida Department of Transportation at (863) 519-2770 or [chuck.wood@dot.state.fl.us](mailto:chuck.wood@dot.state.fl.us). Staff has been working with the FDOT for several years. This project should be similar to the bridge at Avenue T in Winter Haven.

The City of Haines City has invited local officials, advisory board, and staff to attend a free Parliamentary Procedure Workshop conducted by the Florida Institute of Government on January 29<sup>th</sup> at the Lake Eva Banquet Hall from 9 am till noon.

The Planning Board and Special Magistrate Hearing for this week have been cancelled.

The Chamber of Commerce will host the "Taste of Lake Alfred" event on Thursday, February 11<sup>th</sup> from 6 - 10 pm at the Lions Club. The event will include food from several local venues, entertainment from the Nathan Baldwin Band and a crazy auction.

The City of Fort Meade will be hosting the Ridge League Dinner also on Thursday, February 11<sup>th</sup> at 6:30 pm at the Streamsong Resort. Since both events will be held at the same time, please confirm your attendance with Amee.

The Lake Alfred Public Library will host the Mobile Career Source on Tuesday, February 9<sup>th</sup> from 9 am until 3 pm to provide employment and training-related services. The SPCA Wellness Wagon will visit on Saturday, February 13<sup>th</sup> from 8 till 10:30 am, offering vaccines and testing for pets. Please contact the Library for more information on these events.

**City Manager Leavengood** provided an update regarding the first combined Lake Alfred Bluegrass & BBQ Bash located at Lions Park. The City received positive feedback from the participants and vendors. The attendance was great and the parking lots were filled. The Vendors had over \$19,000 in sales. The weather had very little impact. The recent improvements on the deck were used all day, the powered and water hook-up were used. These and future improvements are making this park a great event venue.

**City Manager Leavengood** provided an update on the Wayfinding sign. A “smaller” sample sign was on display in City Hall. The signs are a construction project due to the size and installation requirements. Installation with footers has begun. The signs are a major component of the Downtown branding effort due to the colors, arch, and other components that are unique to Lake Alfred. The lettering is the highway grade reflective tape. If needed the City can discuss solar power lighting options.

### **CITY ATTORNEY ANNOUNCEMENTS**

No announcements.

### **RECOGNITION OF CITIZENS**

There were no citizen comments.

### **PROCLAMATION – NATIONAL MENTORING MONTH**

**Mayor Lake** read the proclamation in its entirety and urged all citizens to become a mentor and realize the impact you can have in real life.

### **CONSENT AGENDA:**

**Commissioner Dearmin** moved to approve the amended consent agenda; seconded by **Commissioner Duncan** and the motion was approved by unanimous voice call vote.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

**DRAFT**

**AGENDA**

**1.) ORDINANCE 1361-16: PERSONNEL POLICY HANDBOOK AMENDMENT**

**City Attorney Seth Claytor** read the resolution title.

**City Manager Leavengood** stated that the employee handbook sets forth in detail the employee benefits programs, personnel policies, general guidelines, and disciplinary rules of the city. The last formal review of the Personnel Manual was conducted two years ago, and adopted on October 20, 2014.

The proposed revisions and amendments throughout the manual are listed in exhibit "A". Following the major revisions from previous years, staff have reviewed the policies on a continuing basis and how they have been implemented and applied. The majority of the changes are designed to clarify and to improve the intent of existing policies.

Staff covered exemptions on first reading and addressed feedback addressing the Labor law concerns.

Staff recommended approval of Ordinance 1361-16 on second and final reading.

**The City Commission** asked about when and if a new manual will be distributed.

**Staff** responded that the supplies have been ordered and the revision should go out before the next Commission meeting.

**Commissioner Dearmin** moved to approve Ordinance 1361-16 on second and final reading; seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote. There were no citizen statements.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

**2.) ORDINANCE 1362-16: PREPAYMENT CRITERIA AND EXEMPTIONS FOR IMPACT FEES**

**City Attorney Seth Claytor** read the resolution title.

**City Manager Leavengood** stated that the City currently allows for the prepayment of impact fees for the development of vacant property. This type of activity will generally be provided for within a development agreement for larger scale projects where the developer desires to lock in current impact fee rates and also reserve capacity in the City's utility system. However, the City's current code is unclear and does not provide guidance for the prepayment of impact fees outside of a development agreement.

As a result, individual parcels or lots can prepay impact fees and then sit for years. The property can change hands several times and when they approach the City for a building permit staff is faced with a gray area regarding the fees. Are the impact fees tied to the property or the original owner that paid them? Do we charge the fees again to the new owner? If we credit the new owner with the previously paid fees what do we do if the previous owner comes back wanting to be refunded? What do we do about the difference in cost if several years have passed? These are the type of questions that were asked about the DeBarry project. If there is a developer's agreement there are some guidelines, but if no the City is in a grey area. The goal of this amendment is to clarify the policies, staff has not suggested any changes to the impact fees.

The proposed ordinance addresses these concerns and clarifies the procedures for prepaid impact fees outside of a development agreement. Namely, it provides for their validity for three (3) years and credits the impact fees to the current owner of the property. Property owners that approach the City for prepayment of impact fees will have to agree to these provisions in a form or agreement that we will maintain in our records. City staff and the City attorney have reviewed the suggested changes.

The county and other cities in our region have similar provisions and limitations for prepaid impact fees. The additional purpose of these provisions is to incentivize immediate construction or to move owners into a development agreement with the City. Staff does not anticipate that this will be an issue or a frequent occurrence.

Staff recommended approval of Ordinance 1362-16 on first reading.

The **City Commission** stated that the changes make good sense. They asked about asked difference in cost if a developer waits three years to build, types of impact fees, transfers, time periods, interest, and outstanding development agreements

**Staff** responded that impact fee are the general impact to the entire customer base and addresses capacity. The existing customer base has already paid to the current capacity and the unused capacity. Impact fees are collected to address the capacity the new development is consuming. If a development is not contiguous they would also pay to have the lines run to the development. Developers generally are concerned with water and sewer impact fees, but may pay all the different types of impact fees. Transferring fees to an equivalent property does not add additional time to the prepayment of impact fees. The developer would not need to pay for any increase in fees because the development would have to be equivalent (residential to residential not residential to commercial).

The City's Impact fees include water at \$1,200, sewer at \$3,200, and \$1,100 for parks, general, and public safety. The City also collects the County impact fees, which are a pass through. The Impact fees have not been increased for several years. The City Commission has the authority to raise the impact fees and reviews all development agreements. When the developer enters a development agreement, the City can negotiate other items. Currently the code does not address prepaid fees. Currently there are approximately 20 individual properties with prepaid impact fees that need to be assigned or refunded and one outstanding developer's agreement.

**DRAFT**

The funds are placed in a separate restricted account and the City retains the interest. The City would prefer individual property owners to build their home and for developers to enter a development agreement. The proposed policies are consistent with other cities in Polk County

**Commissioner Maultsby** moved to approve Ordinance 1362-16 for Prepayment Criteria and Exemptions for Impact Fees on first reading, seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote. The motion was approved by unanimous voice call vote.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

### **RECOGNITION OF CITIZENS**

There were no citizen comments.

### **COMMISSIONER QUESTIONS AND COMMENTS**

**Mayor Lake** thanked the Police Department and the Sheriff for the recent capture of a murder suspect. He stated that the Bluegrass & BBQ Bash was a great event and he received many good comments. Commissioner Maultsby and Mayor Lake attended the funeral of Mrs. McGriff. She was a great volunteer, teacher, and mentor. The ground has been cleared off of Hwy 557 for the High School. He is heading to Tallahassee tomorrow for Polk County Days. He is also attending the Parliamentary procedure Workshop on the 29<sup>th</sup>.

**Vice Mayor Daley** attended nature tour at Mackay and some visitors asked about places to eat. She asked visitor how they found out about the event, which was different for the people she asked. She stated she is disappointed in conflict with the Ridge League Diner and Chamber event.

**Commissioner Duncan** thanked the City for installing the slow-down signs around town.

**City Manager Leavengood** stated there are eight up and the City has two in reserve for hot spots.

**Commissioner Dearmin** stated he would attend the Chamber event. He also wanted to thank the Police Chief for the closure on the murder case and he sent prayers to the family. He stated that the Bluegrass & BBQ Bash was a great event and that the City will need to address parking next years.

**Commissioner Maultsby** stated since the school is developing that there will be a need for additional housing. He asked if there were any inquires.

**City Manager Leavengood** stated that the City has received more serious inquires and DeBarry recently renewed their developer's agreement for approximately 500 homes on Hwy 557.

With there being no further business to discuss, Mayor Lake adjourned the meeting at 8:14 pm.

Respectfully Submitted,

Ameé N. Bailey  
City Clerk



**LAKE ALFRED CITY COMMISSION MEETING  
FEBRUARY 1, 2016**

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**1.) ORDINANCE 1362-16: PREPAYMENT CRITERIA AND EXEMPTIONS FOR IMPACT FEES**

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**ISSUE:** The City Commission will consider an ordinance establishing prepayment criteria and exemptions for impact fees.

**ATTACHMENTS:**

- Ordinance 1362-16

**ANALYSIS:** The City currently allows for the prepayment of impact fees for the development of vacant property. This type of activity will generally be provided for within a development agreement for larger scale projects where the developer desires to lock in current impact fee rates and also reserve capacity in the City's utility system. However, the City's current code is unclear and does not provide guidance for the prepayment of impact fees outside of a development agreement.

The proposed ordinance provides clarification and procedures for prepaid impact fees outside of a development agreement. Namely, it provides for their validity for 3 years and credits the impact fees to the current owner of the property. Property owners that approach the City for prepayment of impact fees will have to agree to these provisions in a form or agreement that we will maintain in our records.

The county and other cities in our region have similar provisions and limitations for prepaid impact fees. The additional purpose of these provisions is to incentivize immediate construction or to move owners into a development agreement with the City.

**STAFF RECOMMENDATION:** Approval of ordinance 1362-16 on second and final reading.

**ORDINANCE 1362-16**

**AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA; PROVIDING FOR AN AMENDMENT TO ARTICLE VIII OF THE LAKE ALFRED CODE OF ORDINANCES, RELATING TO IMPACT FEES; ESTABLISHING PREPAYMENT CRITERIA AND EXEMPTIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City established impact fees in compliance with Florida Statutes 163.31801, providing that fees are based on funding infrastructure or services improvements necessitated by new growth, based on the most recent and localized data available; and

**WHEREAS**, the City of Lake Alfred City Commission adopted Ordinance No. 1052-03, providing for the establishment of impact fees for public safety, parks and recreation, and general government services in association with any new residential or commercial construction; and

**WHEREAS**, the City of Lake Alfred City Commission adopted Ordinance No. 1184-07, providing for the establishment of impact fees for water and wastewater services in association with any new residential or commercial construction; and

**WHEREAS**, the City encourages prepayment of impact fees in consideration of reservation of utility capacity, generally in association with an approved Development Agreement, which provides for a term and duration which prepaid impact fees collected remain valid; and

**WHEREAS**, those prepaid impact fees collected without terms and duration of a Development Agreement require an established duration which they shall be valid as credit for future building permits; and

**WHEREAS**, those properties which do not impose any further impact on City services, such as an alteration, or expansion without creation of any additional dwelling units, should be exempt from payment of impact fees.

**NOW, THEREFORE BE IT ORDAINED** by the City Commission of the City of Lake Alfred, Florida, as follows:

**SECTION 1: AMENDMENT.** Article VIII of the Lake Alfred Code of Ordinances is hereby amended as depicted in Exhibit "A" attached hereto.

**SECTION 2: SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**SECTION 3: CONFLICTS.** All ordinances and resolutions in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

**SECTION 4: EFFECTIVE DATE.** This ordinance shall become effective immediately upon final adoption.

**SECTION 5: CODIFICATION.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

**PASSED** on first reading at the regular meeting of the Lake Alfred City Commission held on the 19<sup>th</sup> day of January, 2016.

**READ, PASSED AND FINALLY ADOPTED** on second reading at the meeting of the Lake Alfred City Commission duly assembled on the 1<sup>st</sup> day of February, 2016.

**CITY OF LAKE ALFRED, FLORIDA  
CITY COMMISSION**

\_\_\_\_\_  
Charles O. Lake, Mayor

**ATTEST:**

\_\_\_\_\_  
Amee Bailey-Speck, City Clerk

**Approved as to Form:**

\_\_\_\_\_  
Frederick J. Murphy, Jr., City Attorney

Ordinance 1362-16  
Exhibit "A"

DIVISION 5. IMPACT FEES; PREPAYMENT AND EXEMPTIONS

Sec. 2-472. Prepaid impact fees

The City may accept prepaid impact fees for those established in this Chapter and Chapter 58 of this Code in consideration for reservation of utility capacity, pursuant to terms of a Development Agreement as provided by Section 6.03.00 of the Lake Alfred Unified Land Development Code. The City shall hold prepaid impact fees for the duration of the Development Agreement and shall retain any interest earned on the investment of such prepaid impact fees.

Where no Development Agreement may exist, any impact fees prepaid for new residential or commercial construction shall be evidenced by appropriate documentation as required by the City and retained as a credit on a specified property to be used with a valid building permit within three (3) years of the receipt of such prepaid impact fees.

Upon written request of the current owner, unused prepaid impact fees and their reservations may be removed from the property and refunded to the current owner within three (3) years of the original receipt of such impact fees.

Upon the written request of the current owner and with the consent of the City, prepaid impact fees and their reservations may be transferred to a separate property for construction of equivalent impact within three (3) years of the original receipt of such impact fees. Such a transfer shall not extend the original three (3) year time period for which the prepaid impact fees and their reservations are valid.

In the event the prepaid impact fees are not refunded by written request or not used with a valid building permit on the specified property within three (3) years of the original receipt of such prepaid impact fees, the prepaid impact fees and their reservations shall be removed from the specified property and the prepaid funds shall be forfeited to the City.

The applicant requesting to utilize the impact fee credits or to be refunded their amount must show current ownership of the property. In the event of a change of ownership of the specified property the prepaid impact fees and their reservations are deemed to have been transferred to the new owner.

Sec. 2-473. Exemptions

The following shall be exempt from paying impact fees:

1. Alterations, or expansion of an existing dwelling unit where no additional dwelling units are created.
2. The replacement of a dwelling unit or building with a new dwelling unit where no additional dwelling units or square footage are created; and where the existing and replacement buildings or dwelling units are located on the same lot; provided that the replacement which has been

Ordinance 1362-16  
Exhibit "A"

destroyed or otherwise rendered uninhabitable must be replaced and issued a certificate of occupancy by the City within three (3) years of the date it was destroyed or rendered uninhabitable in order to be exempt from payment of City impact fees.

**LAKE ALFRED CITY COMMISSION MEETING  
FEBRUARY 1, 2016**

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**2.) ORDINANCE 1363-16: PERMITTING SERVICE FEES**

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**ISSUE:** The City Commission will consider an ordinance updating the City's permitting fees.

**ATTACHMENTS:**

- Ordinance 1363-16
- International Code Council Construction Costs

**ANALYSIS:** As a part of a comprehensive review of city codes and policies, city staff has identified an opportunity to clean up and improve the code related to the schedule of permitting fees for construction within the City.

The permitting fees for the City were established in 1997 and subsequently amended in 2010. They currently reference a "Legacy Building Valuation Data" chart from the Southern Building Code which is outdated and no longer updated or maintained. Additionally, the valuation chart and Section 14-71 of the code also requires the Building Official to assign "Good" or "Average" valuations to the construction for permitting fee purposes. This creates a subjective element in determining the fees and also is dependent on the construction values that are submitted by the builder in their permit application (which creates an incentive for the contractor to undervalue their construction as it has no bearing on the purchase price of the property).

The proposed ordinance creates a baseline valuation rate of \$75 per square foot which is consistent with the value of construction in the Polk County region. This amount is significantly lower than the current International Code Council (ICC) valuations are for per square foot construction. Based upon current ICC standards, a typical newly constructed single family home would have a valuation of \$130.57 per square foot. The proposed ordinance does not increase permit fees.

The provisions within this ordinance were prepared by city staff and based upon feedback from several local Building Officials (Winter Haven, Auburndale) as well as the City Auditor and City Attorney.

**STAFF RECOMMENDATION:** Approval of Ordinance 1363-16 on first reading.

**ORDINANCE 1363-16**

**AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA; PROVIDING FOR AN AMENDMENT TO CHAPTER 14 ARTICLE IV OF THE CODE OF ORDINANCES, AMENDING THE BUILDING CONSTRUCTION PERMITTING RELATED SERVICE FEE SCHEDULE, PROVIDING FOR SEVERABILITY AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Lake Alfred City Charter Section 2.09 provides that establishing and amending any service or user charges for any City services must be adopted by ordinance; and

**WHEREAS**, Ordinance No. 818-97 provided for the establishment of building construction permitting and related services fees charged by the City of Lake Alfred, Florida which was later amended by Ordinance 1271-10 ; and

**WHEREAS**, on July 28, 2014, the City Commission of the City of Lake Alfred, Florida, adopted Ordinance No. 1333-14; and

**WHEREAS**, Ordinance No. 1333-14 adopted, by reference, the most current version of the Florida Building Code to be enforced as the Building Code of and/or for the City of Lake Alfred, Florida; and

**WHEREAS**, Section 166.222 of the Florida Statutes authorizes a municipality to adopt a schedule of reasonable inspection fees in order to defer the cost(s) of inspection and enforcement of its building code; and

**WHEREAS**, the schedule of fees, as authorized by Section 166.222 of the Florida Statutes, and collected by the City shall be used solely for carrying out its responsibilities in enforcing the Florida Building Code; and

**WHEREAS**, in providing a schedule of reasonable fees, Section 553.80(7) of the Florida Statutes provides that the total estimated revenue(s) derived from said fees, and the fines and investment earnings related to same, may not exceed the total estimated cost(s) of inspection and enforcement of the Florida Building Code; and

**WHEREAS**, the City, in implementing recognized management, accounting, and oversight practices, identified that the Code of Ordinances, as related to the City's schedule of inspection fees, referenced a building valuation model which was no longer applicable to the enforcement of the Florida Building Code; and

**WHEREAS**, the City determined that, in order to enforce its adopted Building Code and protect the health, safety and general welfare of the residents of the City of Lake Alfred, it is necessary to amend the Code to provide an up-to-date building valuation data chart and schedule of reasonable fees for the inspection and enforcement of the Florida Building Code.

**NOW, THEREFORE BE IT ORDAINED** by the City Commission of the City of Lake

Alfred, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Lake Alfred, and that:

**SECTION 1: AMENDMENT.** Chapter 14, Article IV of the Code of Ordinances shall be amended as depicted in Exhibit "A" attached hereto and made a part hereof (deletions are shown in ~~strikethrough~~ and additions are shown in underline format).

**SECTION 2: SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 3: CONFLICTS.** All ordinances or parts of ordinances and resolutions in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

**SECTION 4: EFFECTIVE DATE.** This ordinance shall become effective immediately upon final adoption.

**SECTION 5: CODIFICATION.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Alfred; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code of Ordinances of the City of Lake Alfred is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing corrected or recodified copy of same with the City Clerk.

**PASSED** on first reading at the regular meeting of the Lake Alfred City Commission held on the 1st day of February, 2016.

**READ, PASSED AND FINALLY ADOPTED** on second reading at the meeting of the Lake Alfred City Commission duly assembled on the 15<sup>th</sup> day of February, 2016.

**CITY OF LAKE ALFRED, FLORIDA  
CITY COMMISSION**

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Charles O. Lake, Mayor

**ATTEST:**

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Amee Bailey-Speck, City Clerk

**Approved as to Form:**

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Frederick J. Murphy, Jr., City Attorney



**Ordinance 1363-16**  
**Exhibit "A"**

Chapter 14, Article IV of the Code of Ordinances of the City of Lake Alfred, Florida shall be amended to read as follows (provisions being deleted are shown as ~~strikethrough~~ and provisions being added are shown as underlined):

**CHAPTER 14 – BUILDINGS AND BUILDING REGULATIONS**

**ARTICLE IV. - FEES**

**~~Sec. 14-71. – Procedure for establishing building valuation and permit fees.~~**

~~The valuation of new building construction for purposes of assessing building permit fees shall be determined by the following the "Good" or "Average" construction valuation, as designated in the latest Building Valuation Data Chart, with Florida as the regional modifier, as such data has been compiled by the Southern Standard Building Code Congress International, Inc., and published annually in the Southern Building magazine. "Good" or "Average" valuations shall be used by the city building official as defined in the notes to the Building Valuation Data Chart. A copy of such current chart shall be on file at all times in the office of the building official of the city.~~

~~(Ord. No. 818-97, § 1, 7-7-1997)~~

**~~Sec. 14-72. – Valuation of other work requiring permits.~~**

~~The valuation of other work to be performed within the city which requires a building or construction permit shall be provided by the applicant and shall be subject to review and the approval of the city building official in accordance with the latest addition of the Standard Building Code.~~

~~(Ord. No. 818-97, § 1, 7-7-1997)~~

**~~Sec. 14-73. – Fees, charges.~~**

~~The schedule of permit fees, reinspection fees, and all other charges to be imposed for construction in the city shall be set forth by resolution established by the city commission as they may be adopted.~~

~~(Code 1959, §§ 5-40, 7-18; Ord 818-97, § 1, 7-7-1997)~~

**~~Sec. 14-74. – Refunds of permit fees.~~**

~~Refunds of processed building permit fees shall not be issued without the specific approval of the city manager. The city shall retain from the amount of any permit fee to be refunded a charge of \$25.00 to cover administrative costs. Subcontractor permit fees which have been processed shall not be subject to refund.~~

~~(Ord. No. 818-97, § 1, 7-7-1997)~~

**~~Sec. 14-75. – Reinspection requirements.~~**

~~All fees due for any correction notice written for an inspection given pursuant to a permit shall be paid before any further inspections will be made pursuant to such permit. Any correction notice that is written and which has not been corrected within the time specified on the correction notice, or within ten days after the issuance of the correction notice, whichever time is greater, shall be subject to an additional reinspection fee. Any inspection request made to the city building official must be received from the contractor of record for the work to be inspected no later than the close of business the day prior to the requested inspection date.~~

~~(Ord. No. 818-97, § 1, 7-7-1997)~~

**Ordinance 1363-16**  
**Exhibit "A"**

**Sec. 14-71. Schedule of Permit Fees**

Subject to the Florida Building Code, the schedule of fees set forth herein shall be consistently applied to all construction activity and enforcing of the Florida Building Code within the municipal boundaries of the City of Lake Alfred, Florida, and regulated by the Lake Alfred City Charter, Code of Ordinances of the City of Lake Alfred, and the Unified Land Development Code of the City of Lake Alfred. As used herein, the phrase "enforcing the Florida Building Code" shall have the same meaning prescribed by Section 553.80(7)(a), Florida Statutes (July 1, 2014).

In providing the schedule of fees set forth herein, it is the City's intent that said fees, and any fines or investment earnings related to said fees, shall be used solely for carrying out the City's responsibilities in enforcing the Florida Building Code. It is also the City's intent to provide a reasonable fee, for which the total estimated annual revenue derived from said fees, and the fines and investment earnings related to said fees, will not exceed the total estimated annual costs of allowable activities. Notwithstanding the City's intent, in the event the schedule of fees set forth herein results in annual revenues exceeding annual costs, any unexpected balances shall be carried forward to future years for allowable activities

**A. BUILDING PERMIT FEES**

1. New Construction: Fee shall be determined upon a valuation equal to the greater of \$75 per square foot or the builder's submitted value of the construction as applied to the Permitting Fee Schedule in Section 14-71 (A)(2) of this code.
2. Modifications, Alterations, Repairs, etc.: As per Permitting Fee Schedule listed below.

<b><u>Total Job Valuation</u></b>	<b><u>Permit Fee</u></b>
<u>\$1000 and less</u>	<u>\$30.39</u>
<u>\$1001 to \$50,000</u>	<u>\$30.39 for the first \$1,000 plus \$8.52 for each additional \$1,000 or fraction thereof, up to and including \$50,000.</u>
<u>\$50,001 to \$100,000</u>	<u>\$447.31 for the first \$50,000 plus \$7.30 for each additional \$1,000 or fraction thereof, to and including \$100,000.</u>
<u>\$100,001 to \$500,000</u>	<u>\$751.19 for the first \$100,000 plus \$6.09 for each additional \$1,000 or fraction thereof, to and including \$500,000.</u>
<u>\$500,001 and above</u>	<u>\$3,182.20 for the first \$500,000 plus \$4.86 for each additional \$1,000 or fraction thereof.</u>

**B. ELECTRICAL, MECHANICAL, PLUMBING & GAS PERMIT FEES**

1. New Construction: (in association with a Building Permit) and Mobile Home Setup Permits: \$91.16 each
2. Modifications, Alterations, Repairs, etc: As per Permitting Fee Schedule listed in

**Ordinance 1363-16**  
**Exhibit "A"**

Section 14-71 (A)(2) of this chapter

- C. DEMOLITION PERMIT FEE: \$91.16 each
- D. ADMINISTRATION FEE (Applies to all permitting): \$24.31
- E. EDUCATION PERMIT FEE (Applies to all permitting): \$5.79 per permit
- F. ARCHIVAL FEE (Applies to all permitting): \$5.79 per permit
- G. PLANS REVIEW FEE - (NON-REFUNDABLE)
  - 1. Residential: (Single Family Residence) 50% of Permit Fee
  - 2. Commercial: (Multi-family, Commercial, Industrial) 50% of Permit Fee
  - 3. Commercial Fire Plan Review: 25% of Permit Fee

**Sec. 14-72 Penalties and fees for reinspections, resubmittals, duplicates, changes and renewals**

- A. WORKING WITHOUT A PERMIT PENALTY: Double the total building permit fee or \$91.16, whichever is greater
- B. RE-INSPECTION FEE: for every inspection requested that is not ready by time requested or fails inspection: \$30.39 per occurrence

Subject to Section 553.80(2)(c) of the Florida Statutes (2015), if the City of Lake Alfred's Building Official and/or his designee finds it necessary, in order to enforce compliance with the Florida Building Code, to conduct any inspection after an initial inspection and one subsequent reinspection 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 of the Florida Statutes, the City of Lake Alfred shall impose a fee of four times the amount of the fee imposed for the initial inspection or first reinspection, whichever is greater, for each such subsequent reinspection.

- C. RE-SUBMITTAL FEE: for every additional submission of plans after initial review: 50% of total plan review fee

Subject to Section 553.80(2)(b) of the Florida Statutes (2015), if the City of Lake Alfred's Building Official and/or his designee 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 the Florida Building Commission adopted pursuant to Chapter 120 of the Florida Statutes, the City of Lake Alfred shall impose, each time after the third such review the plans are rejected for that code violation, a fee of four times the amount of the proportion of the permit fee attributed to plans review.

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**Exhibit "A"**

- C. DUPLICATES: Standard copies of any permit documentation shall be charged according to the City's public records schedule
- D. CHANGES: for changes to permit after issuances, including changing contractors, revising work description, etc.: \$24.31
- D. RENEWAL: For every permit requested to be renewed for an additional 180 days, pursuant to the Florida Building Code: 50% of total building permit fee

**Sec. 14-74 Automatic increase of fees**

In order to maintain the department level of service and as authorized by Florida Law, all permit fees set forth above shall be automatically increased by 5% every two (2) years beginning October 1, 2016. A current schedule of permit fees set forth in this Ordinance shall be on file with the City Clerk's Office.

**Sec. 14-7675. Lien searches and other related lien reports.**

(a) This section establishes a minimum \$25.00 fee for lien searches and other related lien reports and a fee schedule as follows:

- Same day of request .....\$40.00
- Within one working day of request .....\$30.00
- Within three working days of request .....\$25.00

(b) The provisions of this section shall allow for the established fees set forth above to be applicable upon written request of lien searches or reports received by the City of Lake Alfred.

(c) A lien search certificate is herein defined as a document issued by the City of Lake Alfred which sets forth any and all liens against a particular piece of property as disclosed by a search of the city lien docket and the amount of said liens.

(Lien Search fees previously established Ord 1277-10, August 16, 2010)

## Building Valuation Data – AUGUST 2015

The International Code Council is pleased to provide the following Building Valuation Data (BVD) for its members. The BVD will be updated at six-month intervals, with the next update in February 2016. ICC strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities.

The BVD table provides the “average” construction costs per square foot, which can be used in determining permit fees for a jurisdiction. Permit fee schedules are addressed in Section 109.2 of the 2015 *International Building Code* (IBC) whereas Section 109.3 addresses building permit valuations. The permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. The Square Foot Construction Cost table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.

ICC has developed this data to aid jurisdictions in determining permit fees. It is important to note that while this BVD table does determine an estimated value of a building (i.e., Gross Area x Square Foot Construction Cost), this data is only intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide because the data only reflects average costs and is not representative of specific construction.

This degree of precision is sufficient for the intended purpose, which is to help establish permit fees so as to fund code compliance activities. This BVD table provides jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee. Whether a specific project is bid at a cost above or below the computed value of construction does not affect the permit fee because the cost of related code enforcement activities is not directly affected by the bid process and results.

### Building Valuation

The following building valuation data represents average valuations for most buildings. In conjunction with IBC Section 109.3, this data is offered as an aid for the building official to determine if the permit valuation is underestimated. Again it should be noted that, when using this data, these are “average” costs based on typical construction methods for each occupancy group and type of construction. The average costs include foundation work, structural and nonstructural

building components, electrical, plumbing, mechanical and interior finish material. The data is a national average and does not take into account any regional cost differences. As such, the use of Regional Cost Modifiers is subject to the authority having jurisdiction.

### Permit Fee Multiplier

Determine the Permit Fee Multiplier:

1. Based on historical records, determine the total annual construction value which has occurred within the jurisdiction for the past year.
2. Determine the percentage (%) of the building department budget expected to be provided by building permit revenue.
- 3.

$$\text{Permit Fee Multiplier} = \frac{\text{Bldg. Dept. Budget} \times (\%)}{\text{Total Annual Construction Value}}$$

### Example

The building department operates on a \$300,000 budget, and it expects to cover 75 percent of that from building permit fees. The total annual construction value which occurred within the jurisdiction in the previous year is \$30,000,000.

$$\text{Permit Fee Multiplier} = \frac{\$300,000 \times 75\%}{\$30,000,000} = 0.0075$$

### Permit Fee

The permit fee is determined using the building gross area, the Square Foot Construction Cost and the Permit Fee Multiplier.

$$\text{Permit Fee} = \text{Gross Area} \times \text{Square Foot Construction Cost} \times \text{Permit Fee Multiplier}$$

### Example

Type of Construction: IIB

Area: 1st story = 8,000 sq. ft.  
2nd story = 8,000 sq. ft.

Height: 2 stories

Permit Fee Multiplier = 0.0075

Use Group: B

1. Gross area:  
Business = 2 stories x 8,000 sq. ft. = 16,000 sq. ft.
2. Square Foot Construction Cost:  
B/IIB = \$161.88/sq. ft. Permit Fee:  
Business = 16,000 sq. ft. x \$161.88/sq. ft x 0.0075  
= \$19,426

## Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

### Square Foot Construction Costs<sup>a, b, c, d</sup>

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	229.03	221.51	216.10	207.06	194.68	189.07	200.10	177.95	171.21
A-1 Assembly, theaters, without stage	209.87	202.35	196.94	187.90	175.62	170.01	180.94	158.89	152.15
A-2 Assembly, nightclubs	177.89	172.85	168.07	161.49	151.98	147.78	155.80	137.68	132.99
A-2 Assembly, restaurants, bars, banquet halls	176.89	171.85	166.07	160.49	149.98	146.78	154.80	135.68	131.99
A-3 Assembly, churches	211.95	204.43	199.02	189.98	177.95	172.34	183.02	161.22	154.48
A-3 Assembly, general, community halls, libraries, museums	176.88	169.36	162.95	154.91	141.73	137.12	147.95	125.00	119.26
A-4 Assembly, arenas	208.87	201.35	194.94	186.90	173.62	169.01	179.94	156.89	151.15
B Business	182.89	176.17	170.32	161.88	147.55	142.00	155.49	129.49	123.76
E Educational	192.29	185.47	180.15	172.12	160.72	152.55	166.18	140.46	136.18
F-1 Factory and industrial, moderate hazard	108.98	103.99	97.83	94.17	84.37	80.56	90.16	69.50	65.44
F-2 Factory and industrial, low hazard	107.98	102.99	97.83	93.17	84.37	79.56	89.16	69.50	64.44
H-1 High Hazard, explosives	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	N.P.
H234 High Hazard	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	58.67
H-5 HPM	182.89	176.17	170.32	161.88	147.55	142.00	155.49	129.49	123.76
I-1 Institutional, supervised environment	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
I-2 Institutional, hospitals	308.50	301.79	295.93	287.50	272.14	N.P.	281.10	254.09	N.P.
I-2 Institutional, nursing homes	213.56	206.85	200.99	192.56	179.22	N.P.	186.16	161.17	N.P.
I-3 Institutional, restrained	208.37	201.66	195.80	187.37	174.54	167.98	180.97	156.48	148.74
I-4 Institutional, day care facilities	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
M Mercantile	132.61	127.57	121.79	116.21	106.35	103.15	110.52	92.05	88.36
R-1 Residential, hotels	184.11	177.46	172.55	164.31	152.38	148.31	164.31	136.85	132.55
R-2 Residential, multiple family	154.38	147.73	142.82	134.58	123.25	119.18	134.58	107.72	103.42
R-3 Residential, one- and two-family	143.93	139.97	136.51	132.83	127.95	124.61	130.57	119.73	112.65
R-4 Residential, care/assisted living facilities	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
S-1 Storage, moderate hazard	101.01	96.02	89.86	86.20	76.60	72.79	82.19	61.73	57.67
S-2 Storage, low hazard	100.01	95.02	89.86	85.20	76.60	71.79	81.19	61.73	56.67
U Utility, miscellaneous	77.82	73.48	69.04	65.52	59.23	55.31	62.58	46.83	44.63

- Private Garages use Utility, miscellaneous
- Unfinished basements (all use group) = \$15.00 per sq. ft.
- For shell only buildings deduct 20 percent
- N.P. = not permitted