

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Stan Boling, Director
Community Development Department

FROM: John King, Director
Department of Emergency Services

DATE: December 27, 2017

SUBJECT: Fire Prevention Code Review Fees

At its meeting of December 14, 2017, the Development Review and Permit Process Advisory Committee unanimously approved a recommendation that provides a payment timing option for an applicant of a large project requiring a Fire Prevention plan review fee (\$5,000 or greater) to pay 25% of the fee at the time of permit submittal and the remaining 75% prior to or at the time of building permit issuance. Staff is in agreement with this proposed fee payment option.

Discussion

The building and fire prevention codes are similar in many ways, with each Code having specific requirements. With respect to single-family residential construction projects, most of the fire prevention requirements (e.g. smoke alarms, widths of egress, size of windows, etc.) are outlined in the Building Code and are not routinely reviewed through the Fire Prevention review process. Generally speaking, commercial, industrial and multi-family construction projects require Fire Prevention's review and approval. Reviews are classified by type of occupancy and whether a project involves modification to an existing structure or is new construction. The Fire Prevention Code (FPC) does not provide "grandfather clause" provisions for existing construction when upgrades to the existing structure are made or there is a change of occupancy.

Requests for FPC review are rarely submitted through the owner/builder process. A general contractor, not the owner, is usually the applicant. Plan review compliance incorporates building design specifications, shop drawings and calculations. Passive fire protection features (rated walls, rated doors, distances to egresses, etc.) are within the initial plan review permit fee. Active fire protection features (audible/visual alarms, fire sprinkler systems, commercial kitchen equipment, etc.) are usually submitted separately by a licensed fire equipment contractor. Again, not all construction projects require active fire protection systems and that fact supports continuing to have separate fire review permits. Those permits are \$50 for the first \$1,000 with the balance based on valuation. As an example, a \$21,000 fire alarm system installation is \$50 (minimum fee) plus \$80 (additional valuation) for a permit review and inspection total cost of \$130.

The risks the owner and Fire Prevention have experienced in the past, and which led to the current requirement that permits be paid upfront, are two-fold. Without paying any initial plan review fees, County staff experienced spending an exceptional amount of time working on lengthy plan submittals and the projects failed to move forward, leaving review fees unpaid and the taxpayers to bear the cost. The second issue is related to general contractors and fire equipment contractors receiving permit approvals, incremental and final inspections and then failing to pay fees for their individual permits (see attached Resolution) as they go. Putting off payment for those individual permits leave the owner/applicant owing fees at the end of the project where they are anxious to receive a Certificate of Occupancy and the Fire Prevention Bureau attempting to do collections, more often from out of town/state fire equipment companies.

Staff supports a change for large projects that incur large Fire Prevention plan review fees while continuing to require permit fees from qualified fire equipment contractors to be paid in full at the time of application, as they are now. Staff considers large projects to be those that would incur Fire Prevention plan review fees of \$5,000 or greater. Permit reviews routinely take about a week and the cost of the field inspection(s) is included in the permit application fee.

The FPC plan review fee for all new construction, renovations, alterations or changes in occupancy are determined by multiplying the estimated cost of construction/building valuation by .0025. Depending on the valuation, particularly on small projects, contractors may choose to pay all fees upfront. Again, these fees are for plan review/approval and field inspections. On large projects, with plan review fees of \$5,000 or more, staff is agreeable with a tiered payment of plan review fees with the balance due at issuance of the building permit. Staff is not comfortable with a payment structure of fees payable after the building permit is issued.

Summary

In summary, staff supports payment timing for large projects (plan review fees of \$5,000 or greater) whereby an applicant may pay 25% of the fees at the time of application and 75% prior to or at building permit issuance. For small projects (plan review fees less than \$5,000) staff recommends payment at the time of application.

Attachment

Schedule of Fire Permits and Fees (Resolution #2004-071, adopted July 6, 2004)

RESOLUTION #2004-071

STATE OF FLORIDA
INDIAN RIVER COUNTY

A RESOLUTION OF INDIAN RIVER COUNTY ESTABLISHING A SCHEDULE OF FEES FOR PLAN REVIEW AND INSPECTIONS; ESTABLISHING A SCHEDULE FOR FINES FOR VIOLATIONS; PROVIDING FOR ENFORCEMENT OF SAID FEES THROUGHOUT INDIAN RIVER COUNTY EMERGENCY SERVICES DISTRICT, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

THIS IS TO CERTIFY THAT THIS IS
A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN THIS
OFFICE.

JEFFREY K. BARTON, CLERK
BY *Jeffrey K. Barton* D.C.
DATE 7-8-04

WHEREAS, the Indian River County Emergency Services District ("District") is authorized to provide fire prevention, fire suppression, emergency medical services, rescue and other duties and responsibilities throughout Indian River County, Florida, as may be directed by the Board of Commissioners, and to exercise the powers of a public authority organized and existing for said purposes, pursuant to the provisions of the Laws of Florida, as amended; and

WHEREAS, the District is responsible for inspecting all property and investigating for fire hazards, including the enforcement of a fire prevention code, and

WHEREAS, on July 6, 2004, the Board of County Commissioners of Indian River County adopted Ordinance No. 2004-021 enacting the Indian River County Emergency Services District Fire Code; and

WHEREAS, pursuant to the above referenced authority, the District provides to the public certain plan review, inspection and code enforcement services through its Fire Marshal; and

WHEREAS, the Board has determined that, in order to continue to provide the above referenced plan review, inspection and code enforcement services, it has become necessary to establish fair and reasonable fees for said services, and fines for violations of the code, pursuant to the provisions of Sections 208.10-14 of Ordinance No. 2004-021.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Indian River County as follows:

1. The Board hereby adopts the Schedule of Fees for Plan Review, Inspections, Cost Recovery, Code Enforcement, Violation and Fine Schedule attached hereto as Exhibit "A" and incorporated herein by this reference.
2. The Schedule of Fees for Plan Review, Inspections, Cost Recovery, Code Enforcement and Violation and Fine Schedule shall be enforced by the District throughout Indian River County, Florida, commencing on the effective date of this

Resolution and until and unless revised, modified, or revoked by the Board of County Commissioners of Indian River County.

3. This Resolution shall take effect July 6, 2004.

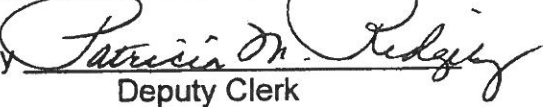
Duly passed and adopted by the Board of County Commissioners of Indian River County, this 6th day of July 2004.

The resolution was moved for adoption by Commissioner Neuberger, and the motion was seconded by Commissioner Lowther, and, upon being put to a vote, the vote was as follows:

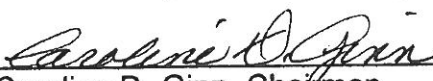
Chairman Caroline D. Ginn	Aye
Vice Chairman Arthur R. Neuberger	Aye
Commissioner Kenneth R. Macht	Aye
Commissioner Thomas B. Lowther	Aye
Commissioner Fran B. Adams	Aye

The Chairman thereupon declared the resolution duly passed and adopted this 6th day of July, 2004.

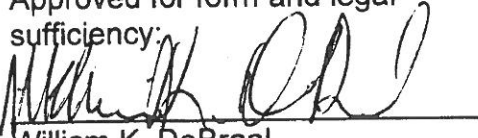
Attest: J. K. Barton, Clerk

By 
Deputy Clerk

INDIAN RIVER COUNTY
Board of County Commissioners

By 
Caroline D. Ginn, Chairman

Approved for form and legal
sufficiency:


William K. DeBaal
Assistant County Attorney

BCC approval date: July 6, 2004

ATTACHMENT "A"

INDIAN RIVER COUNTY FIRE DISTRICT
 SCHEDULE OF FEES
 FOR
 PLAN REVIEW, PERMITS AND INSPECTIONS;
 VIOLATION AND FINE SCHEDULE

A. Commercial, Institutional, and Multi-Family Residential Developments

1. The plan review fee for all new construction, renovations, alterations, or changes of occupancy shall be computed by multiplying the estimated cost of construction/building valuation by .0025.
2. If no construction cost is involved in a change of occupancy, the plans review fee will be calculated at the rate of \$.02 per square foot of space.
3. The minimum fee for each plans review is \$100 per building.
 (Reference for 1-3: Plan Review and Inspection Fees, Chapter 69A-52, Florida Administrative Code)
4. Fire Suppression and Fire Alarm Systems
 (Includes pre-engineered extinguishing systems and combined sprinkler and standpipe systems)
 Plan review, up to \$1,000 (minimum)----- \$ 50
 For each additional \$1,000 valuation or fraction thereof-----\$ 4

B. Site Plan Review Fees

Fire Safety Plan Review and Inspection Is Required
 by the Florida Fire Prevention Code and Florida Statutes

Note: Fire safety service fees include plan review, permit and initial inspection

Site Development

Pre-Application Conference -----	No Charge
Site Plan Review (less than 5 units to a maximum of 5,000 sq. ft.)----	\$ 75
Site Plan Review (5 to 50 units or 5,000 to 50,000 sq. ft.)-----	\$ 250
Site Plan Review (more than 50 units or 50,000 sq. ft.)-----	\$ 400
Planned Unit Development (PUD) Less than 50 units-----	\$ 400
Planned Unit Development (PUD) More than 50 units-----	\$1,200
Administrative Approvals -----	\$ 50
Development of Regional Impact (DRI) -----	\$1,500

C. Fire Safety Inspection/Service Fees

Fire Hydrant flow test (up to 2 hydrants) -----	\$ 50
Dry Hydrant Test -----	\$ 150

Inspections (Existing Occupancies)

Initial inspection -----	\$	N/C
Re-inspection for compliance -----	\$	N/C
Each subsequent re-inspection, non-compliance -----	\$	50

Inspections (New Construction, System, Permitted Activity)

(Includes new construction, renovations, additions, the installation of fire protection, fire detection systems, all other installations, special events or permitted activities)

Initial inspection (for each system)-----	\$	N/C
Re-inspection for compliance -----	\$	N/C
Each subsequent re-inspection, non-compliance -----	\$	40

Permits

Special Events -----	\$	30
Public fireworks display permit -----	\$	100
Fireworks sales permit (annual) -----	\$	100

Flammable and Combustible Gas Storage Tanks (Includes plan review and initial inspection of the tank, dispensers and piping) Installation or removal -----	\$	50
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Air Curtain Incinerator Burn Permit----(less than 3 acres)----	\$	150
Air Curtain Incinerator Burn Permit----(3-9 acres)----	\$	200
Air Curtain Incinerator Burn Permit----(9 + acres)----	\$	500

Unit or Staff Assignment Standby Hourly Rates (Cost Recovery)

Fire Unit – manned (3 employees)		
Each hour prorated to one-half hour fraction	\$	150
Each additional employee -----	\$	50

Fire Unit – manned (1 employee)		
Each hour prorated to one-half hour fraction	\$	50
Each additional employee -----	\$	50

Haz-Mat Unit – manned (2 employees)		
Per three hour minimum -----	\$	100
Each additional hour prorated to one-half hour fraction	\$	100
Each additional employee -----	\$	50

Fire Watch (fire or lifesafety standby)

Fire watch, danger mitigation, special events, fireworks or non-compliance with fire codes, as deemed necessary by the Fire Chief or Fire Marshal		
Per hour, per person -----	\$	50

D. Refunds.

Plan Review and Inspection fees are non-refundable.

E. Payment of Fees.

1. Site Plans

- a. Fees shall be charged to the agent, land planner, project architect or engineer of the owner/developer of the proposed project for review of Site Plans, including applications for Developments of Regional Impact, Planned Unit Developments, Land Use Changes, Preliminary and Final Plats, and Construction Detail Plans. Fees shall be payable upon application.

2. Construction Documents.

- a. Fees shall be charged to the general contractor of the proposed project for review of construction documents and the initial inspection and shall be payable upon receipt of itemized invoice. Includes new construction, renovations to existing structures, and additions.
- b. Initial review and inspection fees for automatic sprinkler plans, calculations, and specifications shall be paid by the automatic sprinkler contractor upon application.
- c. Initial review and inspection fees of fire alarm systems, detection, voice alarm, communication, and control station documents shall be payable by the fire alarm contractor or electrical contractor upon application.
- d. Fees for review and initial inspection for chemical fixed fire protection systems shall be payable by the system contractor upon application.

3. Flammable and Combustible Liquid Storage Tanks.

- a. Review fees of flammable and combustible liquid storage tanks, dispensers, related piping, and containment shall be paid by the Pollutant Storage System Specialty Coordinator or the General Contractor upon application.
- b. Tank Removals. The Pollutant Storage System Specialty Contractor shall be responsible for payment of the fee(s) upon application of the Fire Marshal's Permit.

4. Liquefied Petroleum Gas (LP) Installations. The installing contractor shall be responsible for payment of fees upon application of the Fire Marshal's Permit.

5. Special Events. The special event coordinator shall be responsible for payment of fees upon application of the Fire Marshal's Permit.

6. Fireworks Displays. The display contractor shall be responsible for payment of fees upon application of the Fire Marshal's Permit.

7. Technical Assistance. Fees shall be charged to and paid by the person officially requesting assistance and payable upon receipt of itemized invoice.

8. Inspection and Reinspection Fees. Fee(s) shall be charged to and paid by the responsible general contractor, property owner, or association upon receipt of an itemized invoice.

F. Violation and Fine Schedule

<u>VIOLATION</u>	<u>1st Offense</u>	<u>Repeat Offense</u>
Failure to obtain a permit	Two times the applicable permit fee	NA
Performing fire safety system or related work w/o proper license	\$100	\$200
Unlawful or unauthorized burning (per pile per incident)	\$250	\$500
Locked or obstructed means of egress	\$250	\$500
Tampering with Fire Division barricades, locks, signs, seals, tags, etc.	\$250	\$500
Fire suppression or detection systems: not properly; provided, installed, functioning, maintained, tested tagged, accessible, or tampered with.	\$250	\$500
Fire protection water supply devices: (fire hydrants, pumps, wells, etc.) Not; provided, functioning, properly installed, tested or maintained. Blocked, obstructed or tampered with.	\$250	\$500
Non-compliance with Florida Fire Prevention Code	\$150	\$300
Failure to cease and desist	\$500	\$500
Failure to vacate	\$500	\$500

F. Additional Fees

1. Site Plans, Construction Documents, Permits

- a. All fees shall be paid in full prior to review of any plans. No field inspections will be scheduled until all required fees including re-inspection

fees, where applicable, are paid in full. No permits may be issued unless the applicable fee has been received.

