

## **CHAPTER 9B-62 COLLECTION OF BUILDING PERMIT SURCHARGES**

### **9B-62.002**

9B-62.001 Purpose and Intent. (Repealed)

9B-62.002 Definitions.

9B-62.003 Building Permit Surcharge Collection and Remittance

#### **Definitions.**

For the purpose of this chapter, the following words, unless the context does not permit such meaning, shall have the meaning indicated:

(1) “Department” means the Department of Community Affairs.

(2) “Accessory structure” means a structure or building of a nature manifestly incidental or subordinate to the principal structure and on the same premises. If a structure or building is attached to a principal building, it shall be considered a part thereof and not an accessory structure.

(3) “Alteration or renovation” means a modification to a building which produces a change for all or part of the building’s occupancy classification, or an increase in conditioned or habitable space. This definition does not include normal repair and maintenance such as reroofing, interior and exterior wall and ceiling finishes, or replacement of plumbing, mechanical, or electrical systems.

(4) “Conditioned floor area” means the horizontal projection using outside measurements of that portion of space which is conditioned directly or indirectly by an energy-using system.

(5) “Under-roof floor space” means the gross constructed floor area covered by a roof that provides shelter, plus any area adjacent to but outside of the enclosing walls that have a constructed floor and are covered by a sheltering roof contiguous with the building. This shall include the gross floor area of each floor of a multiple story building. Walkways are not included in this definition.

*Specific Authority 553.721 FS. Law Implemented 553.721 FS. History—New 11-19-95.*

#### **9B-62.003 Building Permit Surcharge Collection and Remittance.**

(1) Operating Trust Fund Fee Collection. A surcharge of one-half cent per square foot shall be assessed on new construction and on additions, alterations, or renovations to existing buildings for which a county or municipality normally issues building permits and charges a permit fee. For new construction, the surcharge shall be computed on the under-roof floor space. For additions, the surcharge shall be computed on the under-roof floor space being added. For alterations or renovations, the surcharge shall be computed on the under-roof floor space for which the occupancy classification has changed or on the increase in conditioned or habitable space.

(2) Exclusions. The following are excluded from the Operating Trust Fund surcharge fee collections:

(a) Recreational vehicles;

(b) Mobile or manufactured homes, as defined by the United States Department of Housing and Urban Development, which are constructed in accordance with the Federal Mobile Home Construction and Safety Standards. However, when a mobile or

manufactured home has an addition, alteration, or renovation which is subject to the locally adopted building code and meets the minimum requirements of subsection 9B-62.003(1), F.A.C., the addition, alteration, or renovation is not excluded;

(c) Accessory structures or buildings which do not have conditioned floor area. Examples of accessory structures include utility buildings and sheds, freestanding carports, boathouses, structures that solely house electrical and mechanical equipment, non-residential farm buildings on farms, and temporary buildings or sheds used exclusively for construction purposes;

(d) Buildings for which permits are otherwise normally exempted from permit fees by the municipality or county.

(3) Remittance of the Operating Trust Fund Surcharge Fees. All municipalities and counties that collect fees for the operating trust fund pursuant to Section 553.721, Florida Statutes, shall remit and report those funds, less 5% to be retained by the collecting agency, to the Department no later than 30 days after the calendar quarter. Reports shall be submitted on Department Form 62, October 95, which is herein incorporated by reference and which is available from the Department.

*Specific Authority 553.721 FS. Law Implemented 553.721 FS. History–New 11-19-95.*