

Meeting Date: October 27, 2009

Agenda Item 116  
Development Services Memo No. 09-385

REQUESTED COMMISSION ACTION:

Consent     Ordinance     Resolution     Consideration/  
Discussion     Presentation


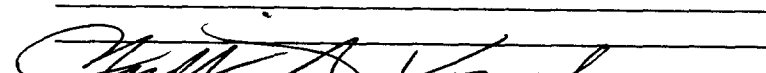
SHORT TITLE    AN ORDINANCE AMENDING CHAPTER 152, "BUILDINGS", BY AMENDING  
SECTION 152.12, "BUILDING PERMIT FEES." TO PROVIDE FEES FOR  
TEMPORARY TENTS AND TEMPOARY FABRIC CANOPIES FOR AUTHORIZED  
SPECIAL EVENTS AND PUBLIC EVENTS

**Summary of Purpose and Why:**

This proposal eliminates building permit fees for temporary tents and temporary fabric canopies under 150 square feet which are applied a minimum of 3 days advance of the event and increases the minimum size where fee is charged where fees are charged regardless.

This was conceived working with the Economic Development Council and certain event coordinator. To be on the agenda with other compatible item we are requesting second reading at this time. This is being advertised for first reading for the November 10<sup>th</sup> agenda.

- (1) Origin of request for this action: Development Services
- (2) Primary staff contact: Chris Clemens/ Robin M. Bird Ext. 4048
- (3) Expiration of contract, if applicable: \_\_\_\_\_
- (4) Fiscal impact and source of funding: None

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER
<u>Development Services</u>	<u>10/16/09</u>	<u>Approval</u>	
<input checked="" type="checkbox"/> Advisory Board			<u>Economic Development Council letter dated 10/15/09</u>
<input type="checkbox"/> Planning Director			
<input type="checkbox"/> Public Works Director			
<input checked="" type="checkbox"/> Interim City Manager			

**ACTION TAKEN BY COMMISSION:**

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 <sup>st</sup> Reading	1 <sup>st</sup> Reading	Results: _____
2 <sup>nd</sup> Reading		Results: _____

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO PROVIDE FEES FOR TEMPORARY TENTS AND TEMPORARY FABRIC CANOPIES FOR AUTHORIZED SPECIAL EVENTS AND PUBLIC EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the Commission Meeting Room of the City of Pompano Beach, Florida; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the public notice described above at which hearing the parties in interest and all other citizens so desiring had an opportunity to be, and were in fact heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 152.12, "Building Permit Fees," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§152.12 BUILDING PERMIT FEES.**

(A) General permit fees shall be as stated below. The minimum fee for all general permits shall be \$50 unless otherwise set forth herein.

(1) Permit fees (Building, Electrical, Mechanical and Plumbing) for new construction, additions and repairs shall be 2.6% of the estimated in place cost of construction. Estimated in place cost of construction shall include all systems. The estimated in place cost of construction may be a figure provided by the permit holder, or an estimated figure using the latest edition of the Building Construction Cost Data, Division 17: Square Foot Cost (using median unit cost and City Cost Index), published by R. S. Means, whichever is greater. A copy of the contract may be required by the Building

Official at the time a building permit application is submitted to correspond with the valuation indicated on the application. Whenever there is any uncertainty as to the classification of a building, the Building Official shall determine the classification.

...

(4) Temporary tents and temporary fabric canopies for special events and public events:

up to 100 150 sq. ft.                      \$50 0, if applied for 3  
business days prior to assembly, or \$50 if applied for 3  
business days or less in advance of assembly.

100 over 150-500 sq. ft.                      \$150  
500-1000 sq. ft.                                      \$300  
Over 1000 sq. ft.                                      \$500

...

**SECTION 2.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 3.** This Ordinance shall become effective immediately upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**MARY L. CHAMBERS, CITY CLERK**

MEB/jrm  
10/7/09  
L:ord/ch152/2010-08

**POMPANO BEACH  
ECONOMIC  
DEVELOPMENT  
COUNCIL**

100 W. Atlantic Boulevard  
Pompano Beach, FL 33060  
954.786.4629  
fax: 954.786.4044

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Robert Robinson

Chris Clemens  
Planner

Elayne Smith  
Recording Secretary

A public private partnership  
between the City of Pompano  
Beach and the business  
community to promote  
economic development.

October 15, 2009

Mr. Robin M. Bird  
Development Services Director  
City of Pompano Beach  
100 W. Atlantic Blvd.  
Pompano Beach, FL 33060

Dear Mr. Bird:

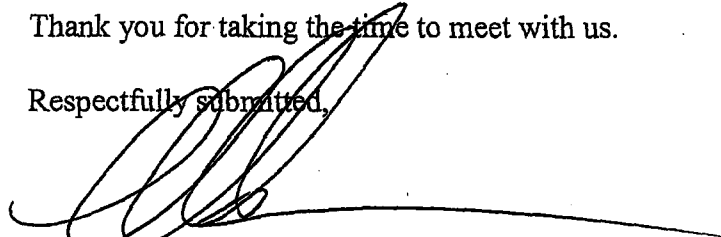
The following is the Motion that was approved unanimously at the meeting of October 5, 2009, supporting the ordinance changes that you proposed to our Council.

**MOTION** was made by Frank Furman and seconded by Roy Rogers that the Economic Development Council recommends approval of the ordinance changes regarding the tent and Special Event fees.

All voted in favor of the above motion.

Thank you for taking the time to meet with us.

Respectfully submitted,



Tom DiGiorgio, Jr. Chair  
Pompano Beach Economic Development Council



**CITY OF POMPANO BEACH  
DEPARTMENT OF DEVELOPMENT SERVICES**



Date: 10/5/09

To: Economic Development Council

Via: Robin Bird, Director of Development Services; Ed Snyder, Principal Planner

From: Christopher J. Clemens, Planner *(Signature)*

Re: Revised Special Events Ordinance(s)

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For your review, you have the following proposed Ordinance amendments regarding Special Events.

The first involves the Business Tax Receipt (BTR) requirements. Currently, each individual vendor is required to secure a BTR to operate their business in the city. The proposed Ordinance would only apply the tax to the event coordinator, while retaining the \$25 Special Events application fee for processing.

The second involves limits on the number of times per year Special Events can be held per property type.

Summary of agreed upon amendments to the Zoning Code regarding Special Events.

1. Code section 113.39 –
  - a. Event Coordinators will be charged \$52.09 per day.
  - b. No individual vendor fees.
  - c. Businesses which already have a Business Tax Receipt with the City are exempt from these charges; however, they still need to obtain a Special Events application which charges \$25 for processing.
  
2. Code section 132.27 –
  - a. Properties are limited to two (2) events per year.
  - b. Properties of 7.5 acres or greater are limited to 12 events per year.
  - c. Religious, philanthropic and civic properties do not have limits on the number of special events they can conduct per year.

The Development Services Department is seeking the Economic Development Councils support with the proposed amendments.