

RESOLUTION NO. R-17-121

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING A LIMITED FEE WAIVER FOR CERTAIN BUILDING PERMIT FEES AND FLOOD REVIEW FEES OTHERWISE REQUIRED FOR REPAIRS NECESSITATED BY CERTAIN IDENTIFIED STORM EVENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE AND AN EXPIRATION DATE.

WHEREAS, a number of residences within Manatee County suffered damage as a result of a severe weather event, which occurred on August 27, 2017 (hereinafter “the August 2017 Severe Weather Event”), and Hurricane Irma, which occurred on September 10, 2017; and

WHEREAS, some Manatee County homeowners have limited resources to undertake the repairs to their homes necessitated by the August 2017 Severe Weather Event and Hurricane Irma; and

WHEREAS, a building permit and/or a flood review permit may be required to undertake repairs necessitated by the August 2017 Severe Weather Event and Hurricane Irma; and

WHEREAS, the Board of County Commissioners of Manatee County in conjunction with the Manatee County Building and Development Services Department desires to expedite repairs to residences damaged by the August 2017 Severe Weather Event, Hurricane Irma, and any future storm event recognized by the Board of County Commissioners, which occurs before December 31, 2017, by waiving certain building permit fees and flood review fees established by Resolution No. R-16-101 and Resolution No. R-16-108; and

WHEREAS, Section 125.56(2), Florida Statutes, authorizes the Board of County Commissioners to provide a schedule of reasonable inspection fees in order to defer the costs of inspection and enforcement of the Florida Building Code; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the County to establish a limited waiver of certain building permit fees and flood review fees established by Resolution No. R-16-101 and Resolution No. R-16-108 for residents who apply for such permits to undertake repairs as a direct result of the August 2017 Severe Weather Event, Hurricane Irma, or any future storm event recognized by the Board of County Commissioners, which occurs before December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

Section 1. Applicants are eligible for a fee waiver from the following building permit fees upon demonstrating that the work to be performed is a repair to a residence damaged as a result of the August 2017 Severe Weather Event, Hurricane Irma, or any future storm event recognized by the Board of County Commissioners, which occurs before December 31, 2017:

<p>ACCESSORY STRUCTURE Residential Pre-fabricated utility shed</p>
<p>ALUMINUM STRUCTURE Glass Room Lanai Miscellaneous Screen Enclosure</p>
<p>CONCRETE Wall, Foundation, Retaining – Land Constructed</p>
<p>DECK Residential - Wood or Composite Attached Detached (higher than 30 inches or greater than 120 square feet)</p>
<p>DEMOLITION or STRUCTURE REMOVAL Residential</p>
<p>ELECTRICAL New, Replacement, Renovation, Alteration</p>
<p>EXTERIOR WINDOW and DOOR REPLACEMENT Exterior Window and Door Replacement, Hurricane Shutters</p>
<p>FENCE Residential Non-Structural</p>
<p>MECHANICAL New, Replacement, Renovation, Alteration, Ductwork</p>
<p>PLUMBING New, Replacement, Renovation, Alteration Backflow, Electric or Gas Water Heater Tankless System</p>
<p>RESIDENTIAL Addition, Alteration</p>
<p>ROOF Membrane, Tile, Shingle</p>
<p>SIDING, FASCIA, SOFFIT Siding, Fascia, Soffit</p>
<p>SOLAR Residential</p>
<p>WATERFRONT STRUCTURES Docks, Davits, Hoists, Piles, House, Retaining Wall, Rip Rap, or Seawall</p>
<p>MISCELLANEOUS Driveway</p>

Section 2. Applicants are eligible for a fee waiver from the following flood review fees upon demonstrating that work to be performed is a repair to a residence damaged as a result of the August 2017 Severe Weather Event, Hurricane Irma, or any future storm event recognized by the Board of County Commissioners, which occurs before December 31, 2017:

<p>FLOODPLAIN MANAGEMENT</p> <ul style="list-style-type: none"> Repair and Tracking Form Determination of Improvement Flood Review
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Section 3. Applicants seeking a fee waiver in accordance with this Resolution must apply for the required permit in person at 1112 Manatee Avenue W., 4th Floor, Bradenton, Florida or 5030 U.S. HWY 301 N., Ellenton, Florida. Applicants who apply for a permit through the Online Permitting System shall not be eligible for a fee waiver.

Section 4. In the event that the work for which a permit fee has been waived fails to pass an inspection, the contractor shall be responsible for paying all reinspection fees as established by Resolution No. R-16-101.

BE IT FURTHER RESOLVED that Resolution No. R-16-101 and Resolution No. R-16-108 shall remain in full force and effect for all residential repairs not related to the specified storm events, all commercial repairs, and all other permits not specifically identified herein.

BE IT FURTHER RESOLVED that upon the effective date set forth herein, the provisions of this Resolution shall supersede Resolution No. R-16-101 and Resolution No. R-16-108, but only to extent specifically provided herein, as well as the provisions of any other rule, policy, or resolution where the same is in conflict with, and cannot be reconciled with, the provisions of this Resolution.

BE IT FURTHER RESOLVED that should any section, subsection, sentence, clause, or provision of this Resolution be determined to be unconstitutional, invalid, inoperative, void, or otherwise unenforceable by a court of competent jurisdiction, such finding shall not affect the remaining portions of this Resolution so long as the remaining portions can be given legal effect absent the invalid portions.

BE IT FURTHER RESOLVED that this Resolution shall take effect retroactively as of August 27, 2017 and will expire on January 31, 2018 at 12:00 a.m.

DULY ADOPTED with a quorum present and voting, on the 10th day of October 2017.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: [Signature]
Chairperson

ATTEST: ANGELINA M. COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: [Signature]
Deputy Clerk



Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - October 10, 2017

REVISED October 10, 2017 - Regular Meeting
Agenda Item #21

Approved in Open Session 10/10/17,
Manatee County
Board of County Commissioners

Subject

Building Permit Fee Waiver due to Recognized Storm Event

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Carroll "CJ" Dupre, Building Official
carroll.dupre@mymanatee.org
Ext. 3072

Jeffrey Bowman, Code Enforcement Chief
jeffrey.bowman@mymanatee.org
Ext. 6854

Deanna Ward, Permitting Supervisor
deanna.ward@mymanatee.org
Ext. 3842

Lacy Pritchard, Fiscal Analyst
lacy.pritchard@mymanatee.org
Ext. 3827

Action Requested

Adoption of Resolution R-17-121 to waive permitting and flood review fees for owner occupied homes that were affected by recognized storm events by the Manatee County Board of County Commissioners.

Enabling/Regulating Authority

N/A

Background Discussion

Manatee County experienced significant weather events in August and September. This proposed Resolution R-17-121 will assist any owner occupied residence in Manatee County dealing with storm related repair by waiving permit fees. Any storm related permits already processed, issued and paid for will be refunded. We will attempt to identify those customers based on the information we have of damaged areas. This Resolution will also address any future storm event recognized by the Board of County Commissioners through December 31, 2017.

Permits must be applied for in person so the repair can be validated as storm related. Customers can apply at both Building and Development Services convenient locations.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Assistant County Attorney Kate Zamboni reviewed Resolution R-17-121.

Reviewing Attorney

Zamboni

Instructions to Board Records

Please send a copy of Resolution R-17-121 to Lacy Pritchard at lacy.Pritchard@mymanatee.org.

Distributed 10/12/17, RT

COST and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Resolution R-17-121.pdf](#)

Attachment: [Response Memo to CAO Matter No 2017-0517 dtd 10 6 17.pdf](#)



OFFICE OF THE COUNTY ATTORNEY

MITCHELL O. PALMER, COUNTY ATTORNEY*
William E. Clague, Assistant County Attorney
Sarah A. Schenk, Assistant County Attorney**
Christopher M. De Carlo, Assistant County Attorney
Geoffrey K. Nichols, Assistant County Attorney
Pamela J. D'Agostino, Assistant County Attorney
Anne M. Morris, Assistant County Attorney
Katharine M. Zamboni, Assistant County Attorney
Alexandria C. Nicodemi, Assistant County Attorney

MEMORANDUM

DATE: October 6, 2017

TO: John Barnott, Director, Building and Development Services Department

THROUGH: Mitchell O. Palmer, County Attorney *MOP 10-6-17*

FROM: Katharine M. Zamboni, Assistant County Attorney *KMZ*

RE: **Permit Fee Resolution No. R-17-121**
Request for Legal Services; CAO Matter No. 2017-0517

This memorandum is in response to the above referenced Request for Legal Services in which you asked this Office to review a proposed draft resolution establishing a limited waiver of certain building permit fees and flood review fees for residences in need of repair as a result of an August 2017 severe weather event, Hurricane Irma, or a future storm event recognized by the Board of County Commissioners, which occurs before December 31, 2017. Per your request, I have reviewed and revised the proposed resolution for your consideration.

This completes my response to your Request for Legal Services. If you have any further questions, comments or concerns, please do not hesitate to contact me.

KMZ

Enclosure

Copies to: Ed Hunzeker, County Administrator
Dan Schlandt, Deputy County Administrator
Cheri Coryea, Director, Neighborhood Services Department
John Osborne, Infrastructure Strategic Plan Official
Tammy Boggs, Senior Fiscal Services Manager, Building and Development Services Department
Lacy Pritchard, Fiscal Analyst, Building and Development Services Department

* Board Certified in Construction Law

** Board Certified in City, County, & Local Government Law

MEMORANDUM



To: Ed Hunzeker, County Administrator
From: Diane Vollmer, Agenda Coordinator
Date: October 9, 2017
Subject: **Agenda Update for Meeting of October 10, 2017**

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

CHANGES TO CONSENT AGENDA

BUILDING AND DEVELOPMENT SERVICES

21. **Building Permit Fee Waiver due to Recognized Storm Event** – Request to adopt Resolution R-17-121 was moved to the Regular Agenda.

UTILITIES

43. **Time Payment Agreements - Deferred**

ADDITIONS TO CONSENT AGENDA

The following agenda items are to be incorporated in, and considered a part of, the Consent Agenda as previously published in the agenda for this meeting of the Board of County Commissioners of Manatee County

FINANCIAL MANAGEMENT

53. **Change Order 1 to Agreement No. 15-0020JE for Construction Management at Risk Services for Robinson Preserve** – Request to:
- *Authorize the County Administrator or his designee to execute Change Order No.1 to Agreement No. 15-0020JE, Construction Management at Risk Services for Robinson Preserve Phase 1 Restoration with Willis A. Smith Construction, Inc., Sarasota, Florida in the not to exceed amount of \$397,458.95, and*
 - *Adopt Budget Amendment Resolution B-17-078 amending the Annual Budget for Manatee County, Florida, for Fiscal Year 2016-2017.*
54. **Change Order 1 to Work Assignment 16-04 for Agreement 16-3214CD, Disaster Debris Management Support** – Request to:
- *Authorize the County Administrator or his designee to execute Change Order 1 to Work Assignment 16-04 for Agreement 16-3214CD with SCS Engineers, in the amount of \$1,849,212.00 for a revised total amount of \$1,859,211.00, and*
 - *Adopt Budget Amendment Resolution B-18-014 amending the Annual Budget for Manatee County, Florida, for Fiscal Year 2017-2018.*
55. **Work Assignment 1 to Agreement 14-0330FL for Debris Management Services and Emergency Response, Management and Recovery Services** – Request to:
- *Authorize the County Administrator or his designee to execute Work Assignment 1 pursuant to Agreement 14-0330FL with AshBritt, Inc., in the total amount of \$12,205,871.50, and*
 - *Adopt Budget Amendment Resolution B-18-013 amending the Annual Budget for Manatee County, Florida, for Fiscal Year 2017-2018.*

YARD WASTE AND DEBRIS COLLECTION FAQs UPDATE

Yard Waste Collection Catch-Up

- **Waste Pro** will be working on **Saturday and Sundays** over the next three weekends to attempt to catch up on the yard waste collections.
- **Waste Management** will be working on **Saturdays** for approximately two weeks to catch up on their yard waste routes.
- Properly prepared yard waste will be collected.
- The debris piles will still be collected by the debris contractor.
- A decision will be made on Friday, October 6th about whether to begin this make-up on October 7th or October 14th based on the track of the storm Nate.

Private roads

- The board voted to proceed with debris collection on private roads
- It will be collected during the same time period as the debris contractors will collect in the same community.

October 14th - 22nd residents may take their YARD DEBRIS ONLY to the landfill with the tipping fees waived.

- If hauling yard waste in an open truck bed or trailer, the debris must be covered during transit to avoid flying debris on the roadway. Debris should not be in bags.
- If it is transported in garbage bags, residents should be prepared to open and empty the bag into the debris pile. (The debris will be burned and plastic bags cannot be burned.)
- No fencing. Vegetative debris **ONLY**.
- Previously paid tipping fees will not be reimbursed.
 - The Board had not waived the tipping fees during that time period.
 - That debris was not burned and therefore there was a cost associated to the processing/disposal of the debris.

Hangers and Leaners

- On October 4th debris contractors began work on what is referred to as “hangers and leaners.”
- These are downed trees and limbs that are leaning or hanging into or over the right-of-ways (i.e., sidewalks, roadways, curbs, etc.).
- It is important to know that the hangers and leaners will only be removed up to the boundary of the right-of-way.
- The tree or branches that are on private property cannot be cut or removed by County staff or contracted workers.
- That portion of the debris is the responsibility of the property owner.
- Manatee County is prohibited from doing any work on private property.

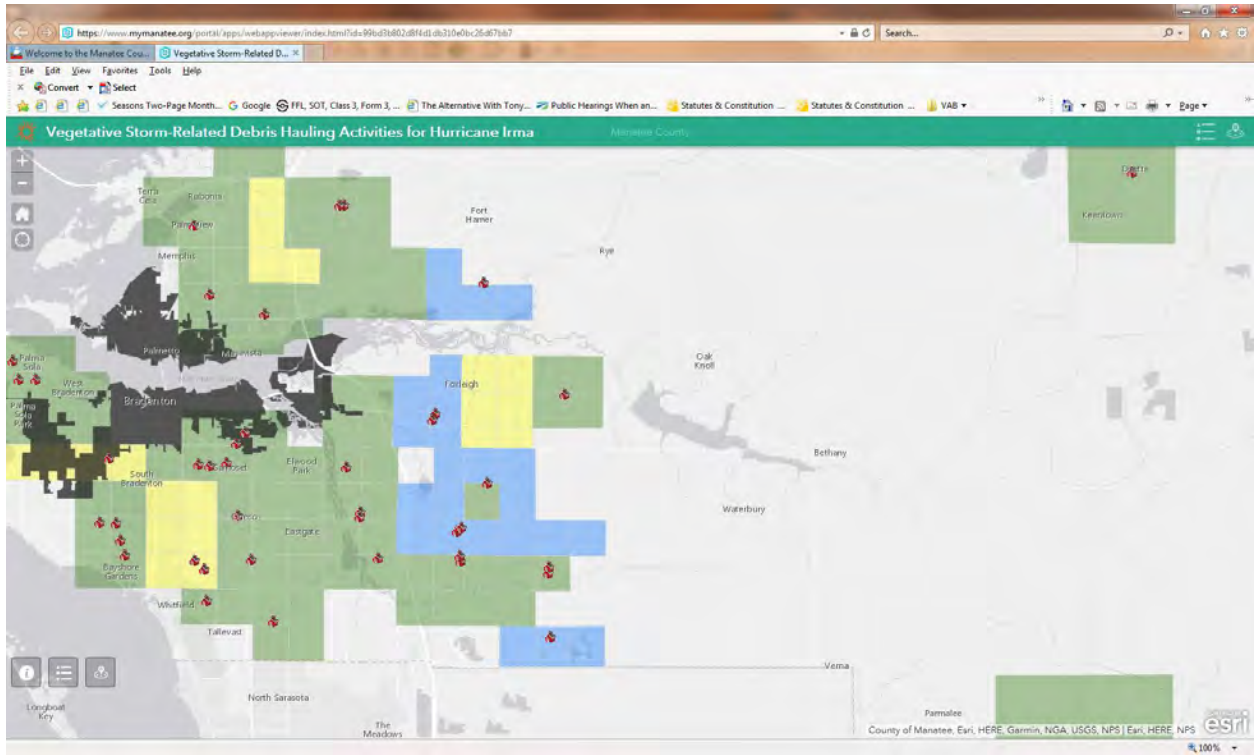
A debris collection map will be available Tuesday, October 10th.

- Will show where residential debris collection has been completed.
- Will show where residential debris collection is currently taking place.
- Will show the areas where debris collection is anticipated to start next. **THERE WILL BE NO PROJECTED TIMEFRAMES**

YARD WASTE AND DEBRIS COLLECTION FAQs UPDATE

Heavy Rains and or Storm

- Manatee County is monitoring the path of Nate and the potential for extensive rainfall over the weekend and into early next week.
- There are no precautions that can be recommended at this time.
- Unfortunately it is impossible to have the debris removed prior to any rains or storm systems that develop during the remainder of Hurricane season (runs through November 30th).



From: [Lynn Mercer](#)
To: [Priscilla WhisenantTrace](#); [Charles Smith](#); [Stephen R Jonsson](#); [Robin DiSabatino](#); [Vanessa Baugh](#); [Carol Whitmore](#); [Betsy Benac](#)
Subject: Request from Colony Cove
Date: Monday, October 02, 2017 9:59:41 PM

October 2, 2017

Manatee County Board of Commissioners
1112 Manatee Ave W, Ste 903
Bradenton, FL 34205

Dear Chairwoman Benac and Commissioners,

For the first time in many years, our citizens and our County faced the destructive force of a major hurricane. Although the damage to our communities have left many homes damaged and lives changed, we all realize how much worse it could have been. We are indeed thankful that we escaped the full fury of hurricane Irma.

However, the lives of many in our County have been touched and changed due to this storm. As the President of the Colony Cove Home Owners Association, I can speak first hand as to the damage so many of my friends and neighbors suffered from this event.

Our HOA has implemented an emergency assistance fund to aid those in our community who have limited income and resources. Sadly, many of our residents will not be eligible to receive any help from FEMA or even the Army Corps of Engineer's Blue Roof Program as our community is one of manufactured homes with metal roofs which do not meet their guidelines.

We estimate that the total cost to repair all the homes damaged by Irma in Colony Cove will be close to two million dollars. This is a staggering amount for a community of senior citizens like us, most who are living on fixed incomes with very limited savings and extremely limited opportunities to obtain loans to repair their properties.

As almost every manufactured home in our development has had additional rooms, lanais and/or sheds added under roof to the main dwelling, we are fully aware that we will need to obtain a County building permit from you for some of these repairs to begin the rebuilding process. As so many in our County will be struggling to repair their homes, on their behalf I ask you to consider reducing the cost to obtain a building permit for a single family dwelling to a level fee of \$50 per application for a set period of time. This will still ensure that County residents and builders adhere to the mandated building codes, while offering a small, but important, measure of relief to all of those who need to repair their homes to remain in this beautiful County.

Sincerely,

Lynn Mercer,
President Colony Cove HOA



Virus-free. www.avg.com