

**PROPOSED**

## RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, PERTAINING TO CHILD CARE LICENSING FEES; AMENDING  
3 SECTION 40.51 OF THE BROWARD COUNTY ADMINISTRATIVE CODE  
4 ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN  
5 THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

6  
7 WHEREAS, Section 40.51 of the Broward County Administrative Code sets forth  
8 the applicable fees due for licensing services by the Child Care Licensing and  
9 Enforcement Section ("CCLE") of the Broward County Consumer Protection Division  
10 ("CPD"); and

11 WHEREAS, CCLE and CPD staff recommend certain updates to the fee schedule  
12 set forth in Section 40.51, NOW, THEREFORE,

13 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
14 BROWARD COUNTY, FLORIDA:

15 Section 1. Section 40.51 of the Broward County Administrative Code is hereby  
16 amended to read as follows:

17 **40.51. Child Care Licensing and Enforcement Section Fee Schedule.**

18 a. *General.* The Board of County Commissioners of Broward County, Florida,  
19 adopts and institutes the fee schedule set forth in this section for licensure of child care  
20 facilities and family child care homes, and for registration of license-exempt facilities,  
21 operating within Broward County.

b. *Child Care Facility Preliminary Application Fee.* Contemporaneously with the submission of a child care facility's preliminary license application, a the child care facility shall be charged a preliminary application fee of ~~\$34.84~~ \$39.10.

c. *Child Care Facility Annual License Fee.* Contemporaneously with the submission of a child care facility's license application, and each year thereafter, a the child care facility shall be charged a license fee based on the number of children permitted at the child care facility, as follows:

1. Center capacity 0—50 .....	<del>\$ 90.48</del> <u>\$101.65</u>
2. Center capacity 51—150 .....	<del>160.06</del> <u>179.84</u>
3. Center capacity over 150 .....	<del>208.76</del> <u>234.55</u>

d. *Family Child Care Home Annual License Fee.* Contemporaneously with the submission of a family child care home's license application, and each year thereafter, a the family child care home shall be charged a license fee of ~~\$34.84~~ \$39.10.

e. *Gold Seal Quality Care Initiative License Fee Reduction.* Any child care facility, family child care home, or registered license-exempt facility that, at the time of such license grant or renewal (1) is designated by the State of Florida, ~~Department of Children and Families~~ ("DCF") as a Gold Seal Quality Care provider in accordance with Section 402.281, Florida Statutes, and (2) has submitted to Broward County a completed Broward County Gold Seal Quality Care Initiative annual survey, will receive a ten percent (10%) reduction in the annual license fee. This reduction does not apply to any application, modification, or late fees.

f. *Annual Registration Fee for License-Exempt Facilities.....* ~~\$139.17~~ \$156.36

g. *Late Fee.* Child care facility ~~License~~ or registration renewal applications received by the County less than forty-five (45) days prior to the expiration date of the then-current license or registration shall be charged a late fee of ~~\$69.50~~ \$75.00. Family child care home renewal applications received by the County less than forty-five (45) days prior to the expiration date of the then-current license shall be charged a late fee of \$15.00.

h. *Modification Fee.* If a child care facility, family child care home, or license-exempt facility elects to change its name, to change the licensed capacity of the facility or home, ~~as if~~ applicable and permissible, to add infant care, or to add nighttime child care as a service, an additional license change fee of ~~\$69.50~~ \$75.00 shall be charged.

i. *Annual Fee Adjustment.* ~~Effective October 1, 2019, and e~~Each October 1 ~~thereafter~~, all fees referenced in this Sections 40.51(b) through (f) shall be increased by the annual percentage change in the Consumer Price Index ("CPI") or three percent (3%), whichever is less. Each year's fee increase shall be calculated based on the fee amount from the previous year. The CPI utilized shall be the most recent CPI reported by the Bureau of Labor Statistics, Southeastern Regional Office (1982-84=100), urban wage earners and clerical workers, for all items not seasonally adjusted as published in January. The adjusted fees shall be calculated by the Consumer Protection Division and shall be posted on its website.

## Section 2. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity

of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

### Section 3. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word “resolution” may be changed to “section,” “article,” or such other appropriate word or phrase to the extent necessary to accomplish such intention.

## Section 4. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this            day of            , 2023.

**PROPOSED**

Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

By: /s/ Scott Andron 10/16/2023  
Scott Andron (date)  
Assistant County Attorney

By: /s/ Nathaniel A. Klitsberg 10/16/2023  
Nathaniel A. Klitsberg (date)  
Senior Assistant County Attorney

SA/cv  
Child Care Licensing and Enforcement Reso  
10/16/2023  
#1060488.7

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.