PROPOSED

| \bigcirc | RD | IN | A٨ | ICE | NC |) |
|------------|----|----|----|-----|----|---|
| | | | | | | |

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO BUILDING PERMITS PRIOR TO PLAT RECORDATION; AMENDING SECTION 5-187 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING REQUIREMENTS OF REQUISITE SECURITY FOR OBTAINING BUILDING PERMITS PRIOR TO PLAT RECORDATION; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 5-187 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-187. General provisions.

(c) Building permits prior to plat recordation. The County Commission authorizes the County Administrator to approve the issuance of building permits for a parcel of land for which plat approval has been given by the County Commission when the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the affected unit of local government, and the County ("Tri-Party Agreement"). The Tri-Party Agreement shall:

| 22 | (1) | Be requested using an application in the form provided by the Orban |
|----|-----|--|
| 23 | | Planning Division, or its successor agency; |
| 24 | (2) | Be in a form acceptable to the Office of the County Attorney's Office; |
| 25 | (3) | Be accompanied by security in a form acceptable to the County and in an |
| 26 | | amount based upon a registered professional engineer's cost estimate |
| 27 | | submitted by the applicant and approved in writing by the Broward County |
| 28 | | Highway Construction and Engineering Division for work within the |
| 29 | | right-of-way, and by the Broward County Building Code Division for all |
| 30 | | other installations work within the unincorporated areas, and by the |
| 31 | | applicable municipality for work within the incorporated areas, to cover: |
| 32 | | a. the costs of demolishing the building(s) in the event the plat is not |
| 33 | | recorded; |
| 34 | | b. the costs of removal and restoration of all work within the right-of- |
| 35 | | way in the event the plat is not recorded; and |
| 36 | | c. the installation of all infrastructure improvements necessary to |
| 37 | | support the buildings for which building permits are requested |
| 38 | | before plat recordation; and |
| 39 | (4) | At a minimum require compliance with the applicable provisions of plat |
| 40 | | approval and prohibit the issuance of a certificate of occupancy until the |
| 41 | | plat is recorded. |
| 42 | | |
| | | |

Section 2. Severability.

If any portion of this Ordinance 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 Ordinance. If any court determines that this Ordinance, 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 Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Code of Ordinances.

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

56 Section 4. Effective Date. 57 This Ordinance is effective as of the date provided by law. **ENACTED PROPOSED** FILED WITH THE DEPARTMENT OF STATE **EFFECTIVE** Approved as to form and legal sufficiency: Andrew J. Meyers, County Attorney By: /s/ Maite Azcoitia 10/06/2025 Maite Azcoitia (date) **Deputy County Attorney**

MA/gmb LDC Building Permit Security Ordinance 10/06/2025 #41005-0001

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