

PROPOSED

ORDINANCE NO.

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

8 (Sponsored by the Board of County Commissioners)
9

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

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

14 **Sec. 5-187. General provisions.**

15 . . .

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

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

43 Section 2. Severability.

44 If any portion of this Ordinance is determined by any court to be invalid, the invalid
45 portion will be stricken, and such striking will not affect the validity of the remainder of this
46 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
47 legally applied to any individual, group, entity, property, or circumstance, such
48 determination will not affect the applicability of this Ordinance to any other individual,
49 group, entity, property, or circumstance.

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

51 It is the intention of the Board of County Commissioners that the provisions of this
52 Ordinance become part of the Broward County Code of Ordinances as of the effective
53 date. The sections of this Ordinance may be renumbered or relettered and the word
54 “ordinance” may be changed to “section,” “article,” or such other appropriate word or
55 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.