PROPOSED

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO EXPEDITED APPROVAL OF BUILDING PERMITS BEFORE A FINAL PLAT IS RECORDED; AMENDING SECTION 5-187 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") CONSISTENT WITH CHAPTER NO. 2024-210, LAWS OF FLORIDA, EXPEDITING THE PROCESS FOR ISSUING 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, even if 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"). Such agreements The Tri-Party Agreement shall:

	(1)	be requested using an application in the form provided by the Orban
23		Planning Division, or its successor agency;
24	<u>(2)</u>	bBe in a form acceptable to the Office of the County Attorney;
25	<u>(3)</u>	bBe accompanied by a security in a form acceptable to the County and in
26		an 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 other
30		installations, to cover:
31		<u>a.</u> the costs of demolishing the building(s) in the event the plat is not
32		recorded;
33		b. the costs of removal and restoration of all work within the
34		right-of-way in the event the plat is not recorded; and
35		c. the installation of all infrastructure improvements necessary to
36		support the buildings for which building permits are requested before
37		plat recordation; and
38	<u>(4)</u>	be in an amount based upon a registered professional engineer's cost
39		estimate submitted by the applicant and approved by the Broward County
40		Highway Construction and Engineering Division; and shall aAt a minimum
41		require compliance with the applicable provisions of plat approval and
12		prohibit the issuance of a certificate of occupancy until the plat is recorded.
43	Right-of-way	improvements required by the County Commission as a condition of plat
14	approval sha	all be secured prior to the issuance of a building permit. The applicant shall

obtain a permit from the applicable governmental authority for all work to be completed within any right-of-way that is indicated on the Trafficways Plan. Where work is to be performed within a right-of-way that is to be dedicated by the plat, the applicant shall provide evidence of a recorded, temporary easement to be reviewed and approved by the Highway Construction and Engineering Division. Upon receipt of a properly executed Tri-Party aAgreement with required supporting documentation and approval by the Office of the County Attorney, the County Administrator may execute the Tri-Party aAgreement in the name of Broward County. The municipality, if applicable, and the County shall be required to make a finding prior to the issuance of the building permit that facilities and services will be available at the adopted level of service concurrent with the impact of development.

. . .

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.

Section 4. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: <u>/s/ Alexis Marrero Koratich</u> 09/27/2024
Alexis Marrero Koratich (date)
Assistant County Attorney

By: <u>/s/ Maite Azcoitia</u> 09/27/2024

Maite Azcoitia (date)

Deputy County Attorney

AIK/gmb Expedited Approval of Building Permits Ordinance 09/27/2024 #41005