

**RESOLUTION No. 26-**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE FEE SCHEDULE FOR THE BUILDING DEPARTMENT ADOPTED BY ORDINANCE 2004-15 AND AMENDED THEREAFTER, TO REPLACE VALUATION AND PERCENTAGE-BASED PERMIT FEES WITH A SIMPLIFIED, TIERED, FLAT FEE STRUCTURE BASED ON THE COST OF SERVICE, IN ORDER TO COMPLY WITH SECTION 166.033(9), FLORIDA STATUTES, AS CREATED BY HOUSE BILL 399 (2026 REGULAR SESSION) EFFECTIVE OCTOBER 1, 2026; AND TO AMEND THE DEVELOPMENT SERVICES TECHNOLOGY FUND FEE SCHEDULE PROVIDING A MORE SOLVENT FUND; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral is authorized by state law to establish and charge fees for the review and processing of building permit applications and for building inspections, as provided in the Building Department fee schedule adopted by Ordinance 2004-15 and comprehensively amended and restated by Resolution No. 24-161 (adopted August 14, 2024, effective January 1, 2025), which incorporated the findings of the City's 2024 permit fee utilization study; and

**WHEREAS**, effective January 1, 2027, Section 166.033(9), Florida Statutes, as created by House Bill 399 (2026 Regular Session), requires that a municipality's development permit application fees reasonably relate to the direct and reasonable indirect costs of review, processing, and disposition, be published on the municipality's fee schedule, and prohibits such fees from being based on a percentage of construction cost, site cost, or project valuation; and

**WHEREAS**, effective July 1, 2026, Section 553.79(1)(f), Florida Statutes, as amended by Chapter 2026-63, Laws of Florida (HB 803), independently prohibits building inspection fees from being based on the total cost of a project and caps such fees at the

actual inspection costs incurred by the local enforcement agency, a requirement that applies to all building inspections and is separate from, and already in effect ahead of, the January 1, 2027 deadline referenced above; and

**WHEREAS**, portions of the City's current Building Department fee schedule calculate permit fees as a percentage of permit valuation or construction cost, and such fees must be restructured before the January 1, 2027 statutory deadline referenced above; and

**WHEREAS**, the Building Department engaged in an internal fee schedule study of its actual costs of intake, plan review, and inspection services, and has developed a simplified fee schedule consisting of Tiers 0 through 5, assigning a flat non-refundable intake fee, base review fee, base inspection fee, and reinspection/trip fee to each tier of work, together with hourly rework fees by discipline, attached hereto as Exhibit "A"; and

**WHEREAS**, City Staff respectfully requests that the City Council amend the Building Department fee schedule as set forth in Exhibit "A," including formal publication of the private-provider fee reductions required by Section 553.791(2)(d), Florida Statutes, which Staff has applied administratively to commercial permits since July 1, 2026 but which are not yet reflected in the currently published Fee Schedule A (Exhibit A to Resolution No. 24-161, which states 30 percent and 15 percent reductions, respectively); and

**WHEREAS**, Section 553.80(7)(b), Florida Statutes, requires the City to update its building permit and inspection utilization report before making any adjustment to its fee schedule; the City has prepared an updated Building Permit and Inspection Utilization Report, attached hereto as Exhibit "B," reflecting permitting activity and Department costs

through FY25, which supports the fee schedule amendments set forth in Exhibit "A"; and

**WHEREAS**, the Fee Schedule also separately lists, as a matter of administrative convenience, surcharges and pass-through fees assessed under other authority like the State of Florida, Miami-Dade County, and City of Doral Departments, none of which are part of, or funded by, the Building Fund; and

**WHEREAS**, the Development Services Technology Fees support the Development Services Technology Fund, an exclusive fund established to receive fee revenue collected on transactions processed by the Building Department, Code Compliance, Planning & Zoning and Business Licensing, and Public Works; and

**WHEREAS**, the Development Services Technology Fee is currently assessed as a percentage-of-construction-cost fee of the kind prohibited by Section 166.033(9), Florida Statutes, effective January 1, 2027; and

**WHEREAS**, in order to bring the Development Services Technology Fee into compliance with Section 166.033(9), Florida Statutes, Staff recommends restructuring the fee as a flat, per-transaction fee, set forth in the Fee Schedule attached as Exhibit "A," applicable to permits, inspections, extension requests, lien searches, default registrations, Special Magistrate cases, plans, and Business Tax Receipts; and

**WHEREAS**, the Development Services Technology Fee was not historically assessed on Code Compliance or Business Licensing transactions, and the restructured fee set forth in Exhibit "A" extends the fee to those transaction types for the first time; Staff identifies this expansion to the City Council so that it may be considered with full knowledge of its scope; and

**WHEREAS**, the City desires to avoid returning to the City Council for each routine, formulaic adjustment to the fee schedule while preserving the City Council's legislative authority over the substantive fee structure; the Florida Legislature's 2026 enactment of Chapter 2026-161, Laws of Florida (the "Local Government Financial Transparency and Accountability Act"), requiring municipalities to identify at least ten percent (10%) in potential budget reductions annually without affecting essential services, reflects a legislative benchmark of ten percent (10%) as a reasonable measure of year-to-year municipal budget flexibility, which the City Council adopts here as an outer limit on the narrow, formula-bound adjustments authorized in Sections 6 and 7 below.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing "WHEREAS" clauses are true and correct and are hereby ratified and confirmed and are incorporated herein by reference and made a part of this Resolution upon adoption hereof.

**Section 2. Approval.** The Building Department fee schedule adopted by Ordinance 2004-15 and most recently amended and restated by Resolution No. 24-161, is hereby amended and restated as set forth in the Simplified Fee Schedule attached hereto as Exhibit "A," which shall supersede all prior fee schedules, trade fee sheets, and fee resolutions applicable to the Building Department to the extent of any conflict. The base intake, review, and inspection fees set forth in Exhibit "A" are calculated to reasonably relate to the Department's direct and indirect cost of service, consistent with Section 166.033(9), Florida Statutes, and Section 553.79(1)(f), Florida Statutes. The fee reductions required by Section 553.791, Florida Statutes, for permits utilizing a private provider for plan review and/or inspection services are hereby formally published in

Exhibit "A" at not less than the percentages required by Section 553.791(2)(d), Florida Statutes, for commercial construction projects, superseding the percentages stated in Exhibit A to Resolution No. 24-161. The surcharges and pass-through fees listed in Exhibit "A" for administrative convenience, including the restructured Development Services Technology Fee, are hereby amended and restated as set forth therein, superseding the corresponding provisions of Resolution No. 24-161. Nothing in this Section alters the Building Fund's exclusive claim to base permit fee revenue or the Development Services Technology Fund's exclusive claim to Development Services Technology Fee revenue. The updated Building Permit and Inspection Utilization Report prepared pursuant to Section 553.80(7)(b), Florida Statutes, is attached hereto as Exhibit "B" and incorporated herein by reference.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

**Section 4. Conflicts.** All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 5. Annual Index Adjustment.** Beginning October 1, 2027, and each October 1 thereafter, the base intake, review, and inspection fees set forth in Exhibit "A" shall adjust automatically, without further action by the City Council, by the percentage change in the Consumer Price Index for All Urban Consumers, Miami-Fort Lauderdale-West Palm Beach, FL (or its successor index as published by the U.S. Bureau of Labor Statistics) for the most recent 12-month period available, provided that no annual adjustment under this Section

shall exceed ten percent (10%) increase or decrease. The City Manager or designee shall calculate the adjustment, publish the resulting fee schedule on the City's website at least 30 days before the adjustment takes effect, and provide the City Council with written notice of the adjustment. This Section does not authorize any change to the fee structure, tiers, or methodology established in Exhibit "A," only to the dollar amounts produced by that structure.

**Section 6. Limited Delegation for Administrative Fees.** The City Manager or designee is authorized, without further action by the City Council, to adjust the flat administrative and processing fees identified in Sections 4 through 7 and 11 of Exhibit "A" (excluding the the private-provider fee reductions in Section 13), by not more than ten percent (10%) above or below the amount then in effect in any one fiscal year, provided that: (a) any such adjustment is supported by a current building permit and inspection utilization report prepared consistent with Section 553.80(7)(b), Florida Statutes; (b) the adjustment is published on the City's website at least 30 days before taking effect; and (c) the City Council is provided written notice of the adjustment at the next regularly scheduled Council meeting following publication.

**Section 7. Implementation.** The City Manager and City Attorney are authorized to take any additional actions necessary to implement this Resolution, including making any modifications, executing any documents and addendums as necessary to effectuate this Resolution, provided that such actions remain consistent with the Council's intent.

**Section 8. Effective Date.** This Resolution shall take effect immediately upon adoption; provided, however, that the fee schedule attached as Exhibit "A" shall be effective no later than October 1, 2027, consistent with Section 166.033(9), Florida Statutes.

The foregoing Resolution was offered by \_\_\_\_\_ who moved its adoption. The motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

|                             |       |
|-----------------------------|-------|
| Mayor Christi Fraga         | _____ |
| Vice Mayor Digna Cabral     | _____ |
| Councilman Rafael Pineyro   | _____ |
| Councilwoman Maureen Porras | _____ |
| Councilwoman Nicole Reinoso | _____ |

PASSED AND ADOPTED this 12 day of August, 2026.

\_\_\_\_\_  
CHRISTI FRAGA, MAYOR

ATTEST:

\_\_\_\_\_  
CONNIE DIAZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

\_\_\_\_\_  
LORENZO COBIELLA  
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC  
CITY ATTORNEY