

## 19. Building Fire Expenses

*Assertion: In FY 2023 we are budgeted for \$264,910 for Building Fire Expense and they cannot tell us what this is for. There is no fire review of single-family homes. On commercial projects, contractors pay a fire plan review and fire inspection fees - collected through permitting. Where does that money go? The Fire Dept. says they do not get it.*

- a) *In a previous meeting with the Fire Dept., they wanted an increase in fees because they said they were not receiving any monies for their services on permits; they were surprised when we told them that we pay them already.*
- b) *The FY 2023 budget for Fire was amended to \$419,930 to cover the costs of Emergency Pay due to the hurricane. In a recent meeting with the city the Fire Dept. rep stated that this was all the OT related to the hurricane. While we understand that Fire had a lot of work, a lot of their time was spent on search and rescue which has nothing to do with Building Code. Is the Emergency Pay a valid charge to the Building Dept. due to the hurricane?*

Any fire related costs charged to the Building Fund were directly related to fire inspections associated with new commercial construction. Section 553.80 of the Florida Statutes authorizes building permit and inspection fees to be utilized for the costs of enforcing the Florida Building Code, and the definition of "enforcing the Florida Building Code" expressly includes "fire inspections associated with new construction."

In practice, this means fire inspection costs that are characterized as "fire inspections associated with new construction" (for example, plan review or final fire inspections required as part of a building permit) are legally permitted to be charged to the Building Fund. From FY 2019 - FY 2022, such costs were charged to the Building Fund, as allowed by Florida Statutory law. In FY 2023, the City determined to migrate such cost(s), along with any hurricane related emergency pay noted above, to the Fire Department. This was clearly disclosed in the City's monthly report which was provided directly to the Building Industry Oversight Committee.

Attached to support response:

- Section 553.80 of the Florida Statutes
- Building Fund Statement of Revenues, Expenses & Change in Fund Balance - September 2023, which shows the budget and actual costs associated with fire inspections for new construction being reclassified out of the Building Fund