

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20030472

1. REQUESTED MOTION:

ACTION REQUESTED: Consider, approve and authorize the Chairman to sign a Resolution authorizing the Lee County Health Department to increase the Onsite Wastewater Systems and Disposal System permit and inspection fees from \$200 to \$340 as authorized by Chapter 154, F.S. (2002).

WHY ACTION IS NECESSARY: Requires BOCC approval pursuant to Chapter 154, Florida Statutes.

WHAT ACTION ACCOMPLISHES: Allows Lee County Health Department to hire additional staff to improve the level of service by reducing the application processing time from 6 weeks to 2 weeks.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

C12B

3. MEETING DATE:

04-29-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE Chapter 154
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT County Attorney
- C. DIVISION *General Services*
- BY: Scott Coovert
Assistant County Attorney

7. BACKGROUND:

The Lee County Health Department (Health Department) is mandated by F.S. 381 to issue a permit for the installation of Onsite Wastewater Systems and Disposal System (OSTDS) prior to the issuance of a building permit and to inspect such systems for compliance prior to a certificate of occupancy. The increase in commercial and residential construction in Lee County over the past year has exceeded the ability of Health Department staff to maintain a level of inspection services demanded by the building industry. Presently, it takes 5 to 6 weeks "turn around" time from application receipt to permit issuance. Increasing the OSTDS permit and inspection fees from \$200 to \$340 will enable the Health Department to hire additional staff to provide an acceptable level of service. Anticipated "turn around" time with additional staff will be 2 weeks. Chapter 154, F.S. (2002) allows Counties to adopt rates supplementing the Health Department Rates.

The Lee Building Industry Association supports Health Departments request for the fee increase.

ATTACHMENTS: Lee County Resolution
Building Industry Association Approval Letter

8. MANAGEMENT RECOMMENDATIONS: Approve Resolution

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>point 4/15/03</i>	OA	OM	RISK	GC	<i>IK 4-17-03</i>
					<i>RK 4/15</i>	<i>4/16/03</i>	<i>4/16/03</i>	<i>4/16/03</i>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: <i>4-15-03</i>
Time:
Forwarded To: <i>City Admin 4-15-03 4:00</i>

RECEIVED BY COUNTY ADMIN. <i>RK</i>
<i>4-15-03</i>
<i>4:15</i>
COUNTY ADMIN. FORWARDED TO: <i>DS</i>
<i>4/17 5:00</i>

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, PROVIDING FOR AN INCREASE TO THE LEE COUNTY HEALTH DEPARTMENT SERVICE FEES FOR PERMITTING AND INSPECTION SERVICES OF "ON SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS"; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida is the governing body in and for Lee County, a political subdivision and charter county of the State of Florida; and

WHEREAS, the Lee County Health Department is mandated by Chapter 381, Florida Statutes to issue a permit for the installation of all On Site Sewage Treatment and Disposal Systems (OSTDS) prior to the issuance of a building permit and to inspect such system for compliance prior to a certificate of occupancy; and

WHEREAS, the Lee County Health Department is authorized to establish charges and collect reasonable fees in connection with services performed by said Health Department by virtue of Chapter 154, Florida Statutes, as amended, and other applicable statues and laws of the State of Florida; and authorizes the Board of County Commissioners to establish a schedule of fees for the local health department; and

WHEREAS, the increase in residential and commercial construction in Lee County has necessitated the need of Lee County Health Department to increase its staff to provide an acceptable level of service for applications to permit and inspect OSTDS; and

WHEREAS, the Director of the Lee County Health Department and Lee Building Industry Association has recommended approval to increase the OSTDS permit and inspection fees from \$200 to \$340.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, THAT:

Section 1. Pursuant to Chapter 154, Florida Statutes, the Board of County Commissioners hereby authorizes the Lee County Health Department to increase the OSTDS permit and inspection fees from \$200 to \$340.

Section 2. This Resolution shall take effect immediately upon its adoption by the Board of County Commissioners at a regularly scheduled meeting.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to vote, the vote was as follows:

BOB JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW W. COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2003.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney



BUILDING INDUSTRY ASSOCIATION

April 3, 2003

To: Lee County Commissioners
Ray Judah, Chair
Bob Janes
Doug St. Cerny
Andy Coy
John Albion

Re: County fee for septic tank permits. Management and Planning Committee agenda item 2, April 7, 2003.

The Lee Building Industry Association supports the additional local user fee for septic tank permits that will expedite the plan review, permitting and inspection of septic tank systems by the Health Department. Current levels of service are unacceptable to the building industry. The industry is willing to pay the additional fee to reduce the current six to eight week "turn around" timeframe to one week.

We respectfully insist that these additional fees only be expended for the septic tank permitting process and that an oversight and monitoring procedure be implemented to assure this occurs.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Reitmann".

Michael Reitmann
Executive Vice President
Lee Building Industry Association

LEE COUNTY ATTORNEY
JENNIFER H. HENNING

03 APR -3 PM 1:56