

Memorandum



Date: November 9, 2010

To: Honorable Chairperson Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Amendment to Implementing Order 4-107: Fee Schedule for the Consumer Services Department adding registration fees for towing vehicle operators

GO
Agenda Item No:
3(B)

Recommendation

It is recommended that the Board approve the attached resolution amending Implementing Order 4-107: Consumer Services Department Fee Schedule to add registration fees, late fees and registration replacement fees for towing vehicle operators.

Scope

The fee schedule is countywide.

Fiscal Impact/Funding Source

The estimated revenue resulting from the proposed fee schedule is \$46,000 annually, based upon a projected 1,500 registrants. Florida Department of Law Enforcement (FDLE) criminal background fees charged at the actual cost will generate \$36,000 in revenues and expenses.

Track Record/Monitor

The Consumer Services Department (CSD) administers the County's Towing of Motor Vehicles Regulations.

Background

Miami-Dade County's towing regulations are contained in Article III, Chapter 30, of the Code, originally enacted on July 11, 1989. Among other factors, regulations require the licensing of towing businesses and the establishment of license fees. Section V of Implementing Order 4-107 establishes the fees that pertain to towers.

Proposed amendments to Article III, Chapter 30 requires that tow truck drivers be registered, in addition to the business owners. The attached fee schedule adds a \$30 annual tow truck operator registration fee, a late renewal fee at 50% of the registration fee, and a \$15 fee for replacement of a lost or stolen registration certificate. These fees are consistent with those charged for motor vehicle repair mechanics and locksmiths. In accordance with existing Section XI of the Implementing Order, criminal background checks performed by the Florida Department of Law Enforcement will be charged at actual cost incurred by the department, currently \$24 per record.

Licensing and registration fees are used to support regulatory and enforcement activities.

Assistant County Manager

cmo16410



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: November 4, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of November, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



1.O. No.: 4-107
Ordered: ~~09/18/2009~~
Effective: ~~10/01/2009~~

MIAMI-DADE COUNTY
IMPLEMENTING ORDER

FEE SCHEDULE FOR THE CONSUMER SERVICES DEPARTMENT

AUTHORITY:

The Miami-Dade County Home Rule Charter, including among others Sections 1.01 and 2.02A; Chapter 4, Articles I and III; Chapter 8A, Articles III, VIIA, XVI, XVII, XVIII; Chapter 8AA, Article II; Chapter 30, Section 30-372.1 and Article III; Chapter 31; and Chapter 11A, Article IX of the Code of Miami-Dade County.

SUPERSEDES:

This Implementing Order supersedes Implementing Order 4-107, ordered ~~September 18, 2008~~ September 18, 2009 and effective ~~October 2, 2008~~ October 1, 2009.

POLICY:

This Implementing Order establishes a schedule of fees to be assessed and collected by the Consumer Services Department to cover the cost of processing permits, licenses, registrations, limited authorizations, certificates, decals and applications; performing inspections; and providing other services.

FEE SCHEDULE:

The fee schedule adopted by this Implementing Order is attached hereto and made a part hereof.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

County Manager

Approved by the County Attorney as
to form and legal sufficiency _____

Consumer Services Department Fee Schedule

The following regulatory and application fees are non-refundable, unless otherwise stated, and are separate from any occupational license fee that may be applicable.

I. AMBULANCE – Chapter 4 – Article I

The following fees pertain to Advanced Life Support and/or Basic Life Support ground or air ambulance transport services. The triennial expiration date for private ambulance Certificates is December 31st of each third calendar year following the enactment of Code modifications in the Year 2000.

- | | | |
|---|----|----------|
| A. Initial application fee for a Certificate of Public Convenience and Necessity by a private provider. | \$ | 1,500.00 |
| B. Application fee for the sale, transfer or change in ownership structure of a certificate of Public Convenience and Necessity by a private provider. | \$ | 1,500.00 |
| C. Application fee to modify the terms, conditions, provisions or limitations of a Certificate of Public Convenience and Necessity by a private provider. | \$ | 1,200.00 |
| D. Applicants submitting a single application for more than one (1) category above must pay the greater fee applicable as the sole prevailing fee. | | |
| E. Triennial renewal application fee for a Certificate of Public Convenience and Necessity by a private provider. | \$ | 1,500.00 |
| F. Annual permit fee for each transport vehicle operated by a private provider. | \$ | 625.00 |

II. LOCKSMITH – Chapter 8A – Article XVII

The following fees shall be in effect through September 30, 2008. On October 1, 2008 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

- | | | |
|--|----|--------|
| A. Locksmith Business Registration | | |
| 1) Initial and Annual Renewal Registration Fee (per business location) | \$ | 300.00 |

Initial registration fees shall be prorated according to the number of days remaining between the date of registration issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity.

- 2) Late Fee for renewal of registration after expiration date (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

- 3) Replacement of Registration Certificate \$ 15.00

B. Locksmith Certificate and Permit

The following fees shall be in effect through September 30, 2009. On October 1, 2009 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

Permits and certificates shall take effect on the date they are approved by the Director.

1) Apprentice Permit

- a) Initial and Annual Renewal Fee \$ 20.00

- b) Late Fee for Renewal of permit after expiration date (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

- c) Replacement of Apprentice Permit \$ 15.00

2) Certified Locksmith Certification

- a) Initial and Annual Renewal Fee \$ 30.00

- b) Late Fee for Renewal of Certification after expiration date (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

- c) Replacement of Certified Locksmith Certification \$ 15.00

III. MOTOR VEHICLE REPAIR – Chapter 8A – Article VIIA

Registrations, certificates, and permits shall take effect on the date they are approved by the Director.



A. Motor Vehicle Repair Shop Registration

The following fees shall be in effect through September 30, 2009. On October 1, 2009 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

- | | | |
|---|----|--------|
| 1) Initial and Annual Renewal Fee
(per business location) | \$ | 250.00 |
| 2) Late Fee for Renewal of Registration
after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee | | |
| 3) Replacement of Registration | \$ | 15.00 |

B. Mechanic/Technician Certificate or Apprentice Permit

The following fees shall be in effect through September 30, 2009. On October 1, 2009 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

- | | | |
|---|----|-------|
| 1) Apprentice Permit or Certificate for Specialty or Master Mechanic,
Motor Vehicle Body Repair Technician, or
Motor Vehicle Paint Technician | | |
| a) Initial and Annual Renewal Fee | \$ | 30.00 |
| b) Late Fee for Renewal of Certificate
after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee | | |
| c) Replacement of Certificate | \$ | 15.00 |

IV. MOVING – Chapter 8A - Article XVI

The following fees shall be in effect through September 30, 2008. On October 1, 2008 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

- | | | |
|--|----|--------|
| A. Initial and Annual Renewal Registration Fee | \$ | 400.00 |
| Initial registration fees shall be prorated according to the number of days remaining between the date of registration issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of | | |

the legal entity.

B. Late Fee for Renewal of Registration
after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

C. Replacement of Registration Certificate	\$	15.00
D. Moving Decal Fee	\$	30.00

V. TOWING – Chapter 30 – Article - III

The following fees are non-refundable; however, license and decal fees paid for additional trucks which have not been inspected by the Consumer Services Department shall be refunded if the licensee withdraws the truck prior to inspection.

The following fees shall be in effect through September 30, 2003. On October 1, 2003 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A. Towing Company License Fees

1) Initial and Annual Renewal Fee

Initial license fees shall be prorated according to the number of days remaining between the date of license issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity.

a) Company with one tow truck
(includes one truck decal) \$ 300.00

b) Each additional truck \$ 100.00

2) Late Fee for Renewal of License of company
after expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

3) Replacement of License \$ 15.00

B. Tow Truck Decal Fees

1) Initial and Renewal Fee \$ 50.00
for each additional Tow Truck

2) Replacement of Decal \$ 35.00

C. Towina Vehicle Operator Registration Fees

The following fees shall be in effect through September 30, 2011. On October 1, 2011 and each October 1 thereafter, the fees shall be increased by the percentage increase in

the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

1) Initial and Annual Renewal Fee	\$	30.00
2) Late Fee for Renewal of Registration after Expiration (in addition to Renewal Fee)		
<u>50% of Initial and Annual Renewal Fee</u>		
3) Replacement of Reaistration	\$	15.00

VI. WATER REMETERING – Chapter 8A – Article XVIII

A. Initial and Annual Renewal Registration Fee (Per Unit)

1) Owner of Remetered Property	\$	5.00
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The following fees shall be in effect through September 30, 2008. On October 1, 2008 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

2) Remeterer	\$	250.00
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B. Late Fee for Renewal of Registration after expiration date (in addition to Renewal Fee)

50% of Initial and Annual Renewal Registration Fee

C. Replacement of Registration Certificate	\$	15.00
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VII. SHOPPING CART – Chapter 8A – Section 8A-76(b)

This fee schedule establishes filing fees associated with petitions seeking an exemption from posting required notices on shopping carts.

The following fees shall be in effect through September 30, 2005. On October 1, 2005, and each October 1st thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

A. Petition involving one store location	\$	55.00
B. Petition for each additional store location	\$	25.00

**VIII. FOR HIRE – Chapter 4 – article III, Chapter 30 – Section 372.1 and Chapter 31
Articles I-VI**

A. Chauffeur Registration		
1) Initial and Annual Renewal Chauffeur Registration	\$	55.00
2) Late Fee for Renewal of Chauffeur Registration after expiration date (in addition to Renewal Fee)	\$	55.00
3) Replacement of Chauffeur Registration	\$	26.00
4) New Taxicab Chauffeur Training Program	\$	135.00
5) New Limousine Chauffeur Training Program	\$	70.00
6) New Private School Bus Training Program	\$	30.00
7) Training Examination Retake Fee	\$	15.00
B. Limousine License		
1) Initial License Application	\$	350.00
2) Initial and Annual Renewal License Initial license fees shall be prorated according to the number of months remaining between the month of date of license issuance and the month of annual renewal.		
a. Effective October 1, 2005	\$	575.00
b. Effective October 1, 2006	\$	625.00
3) Late fee for Renewal of license after expiration date (in addition to renewal fee)	\$	550.00
4) Lottery Entry	\$	100.00
5) Replacement of License	\$	35.00
6) License Holder to License Holder Transfer Application	\$	170.00
7) License Holder to Non-License Holder Transfer Application	\$	350.00
C. Non-Emergency Vehicle Certificate		
1) Initial Certificate Application	\$	300.00

- 2) Initial and Annual Renewal Certificate Initial Certificate fees shall be prorated according to the number of months remaining between the month of the date of certificate issuance and the month of annual renewal.
 - a. Effective October 1, 2005 \$ 575.00
 - b. Effective October 1, 2006 \$ 625.00
- 3) Replacement of Certificate \$ 35.00
- 4) Certificate Holder to Certificate Holder Transfer Application \$ 150.00
- 5) Certificate Holder to Non-Certificate Holder Transfer Application \$ 300.00

D. Passenger Motor Carrier Certificate

Initial Certificate and operating permit fees shall be prorated according to the number of months remaining between the month of the date of issuance and the month of annual renewal.

- 1) Initial Certificate Application \$ 375.00
- 2) Initial and Annual Renewal Certificate
 - a. Effective October 1, 2005 \$ 575.00
 - b. Effective October 1, 2006 \$ 625.00
- 3) Initial and Annual Renewal Operating Permit
 - a. Effective October 1, 2005 \$ 575.00
 - b. Effective October 1, 2006 \$ 625.00
- 4) Replacement of Certificate of or Operating Permit \$ 35.00
- 5) Modification of Certificate \$ 320.00
- 6) Certificate Transfer Application \$ 375.00
- 7) Emergency Temporary Certificate \$ 40.00

E. Private School Buses

See Vehicle Inspection Fees and Chauffeur Registration Fees

F. Special Transportation Service Certificates

Initial Certificate and Operating Permit fees shall be prorated according to the number of months remaining between the month of the date of the issuance and month of annual renewal.

- 1) Initial Certificate Application \$ 130.00
- 2) Initial and Annual Renewal Certificate
 - a. Effective October 1, 2005 \$ 575.00
 - b. Effective October 1, 2006 \$ 625.00

3) Replacement of Certificate/Operating Permit	\$	35.00
4) Initial and Annual Renewal of Operating Permit		
a. Effective October 1, 2005	\$	575.00
b. Effective October 1, 2006	\$	625.00
G. Taxi		
1) Initial License Application	\$	350.00
2) Initial and Annual License Renewal		
a. Effective October 1, 2005	\$	575.00
b. Effective October 1, 2006	\$	625.00
3) Late Fee for Renewal of License after expiration date (in addition to renewal fee)	\$	550.00
4) Lottery Entry	\$	100.00
5) Replacement of License	\$	35.00
6) License Holder to License Holder Transfer	\$	170.00
7) License Holder to Non-License Holder Transfer	\$	350.00
8) Passenger Service Company Registration Fee		
a. Effective October 1, 2005	\$	110.00
b. Effective October 1, 2006	\$	150.00
H. Vehicle Inspection Fees		
1) Quarterly, Semi-Annual or Annual Vehicle Inspection, as applicable (all categories)	\$	38.00
2) Vehicle safety re-inspection	\$	35.00
3) Replacement of Decal	\$	35.00
4) New Vehicle Inspection	\$	70.00
5) Vehicle re-inspection (non-safety)	\$	20.00

IX. MOTOR VEHICLE TITLE LOANS – Chapter 8A- Article III

The following fees shall be in effect through September 30, 2000. On October 1, 2000 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A. Motor Vehicle Title Loan Business License Fees

1) Initial Application and License Fee	\$	1,250.00
2) Biannual Renewal Fee	\$	1,000.00
3) Reactivation Fee (in addition to the Biannual Renewal Fee within 90 days of expiration)	\$	200.00
4) Replacement of License	\$	15.00

X. IMMOBILIZATION OF MOTOR VEHICLES – Chapter 30 – Article III

The following fees shall be in effect through September 30, 2000. On October 1, 2000 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A. Immobilization Company License Fees		
1) Initial and Annual Renewal Fee	\$	500.00
Initial License fees shall be prorated according to the number of days remaining between the date of license issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity.		
2) Late Fee for Renewal of License of company after expiration 50% of Initial (in addition to Renewal Fee) and Annual Renewal Fee		
3) Replacement of License	\$	15.00
B. Immobilization Individual license Fees		
1) Initial and Annual Renewal Fee	\$	50.00
Initial license fees shall be prorated according to the number of days remaining between the date of license issuance and the date of birth of the applicant		
2) Late Fee for Renewal of License of Individual after expiration 50% of Initial (in addition to Renewal Fee) and Annual Renewal Fee		
3) Replacement of License	\$	15.00

XI. ADMINISTRATIVE RECOVERY FEES – Chapter 4-Article I & III; 8A-Section 8A-76(B), Article III, VIIA, XVI, XVIII; Chapter 8AA-Article III, Chapter 30-Section 372.1, Article III, Chapter 31-Article I-VI

The following fees are for administrative, licensing, collection and enforcement related activities necessary beyond the issuance of civil citations under Chapter 8CC.

- A. Collection Processing Fees
 - 1) Case Processing Fee \$ Actual Cost
 - 2) Lien Processing Fee \$ Actual Cost
 - 3) Lien Recording Fee \$ Actual Cost
 - 4) Lien Cancellation Fee \$ Actual Cost
 - 5) Research Fee \$ Actual Cost
 - 6) Inspection (each) when in excess of two \$ 75.00

- B. Interest charges at the rate of 12% per year, as amended by the Board of County Commissioners from time to time, may be assessed in addition to any other penalties.

- C. Background Check \$ Actual Cost

- D. Notary Fee \$ 7.00

- E. Administrative Hearing \$ 85.00

- F. Special Event reimbursement \$ Actual Cost

- G. Agricultural Tours reimbursement \$ Actual Cost

XII. REGISTRATION OF DOMESTIC PARTNERSHIP – Chapter 11A – Article IX
 The following fees shall be in effect through September 30, 2009. On October 1, 2009, and each October 1st thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

- A. Domestic Partnership Declaration Fees
 - 1) Initial Registration \$ 50.00
 - 2) Amendment \$ 25.00
 - 3) Termination \$ 25.00
 - 4) Document Replacement \$ 15.00
 - 5) Additional Certificate \$ 5.00

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