Building Department

ORDINANCE NO. 001-1996

AN ORDINANCE CREATING A CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR APPEALS OF THE DECISIONS OF THE BUILDING OFFICIAL REGARDING INTERPRETATION OF TECHNICAL BUILDING CODES APPLICABLE TO MONROE COUNTY; ESTABLISHING THE POWERS OF THE BOARD; ESTABLISHING APPELLATE PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:

Section 1. Sec. 6-16.1(a) is hereby created to read as follows:

(a) The Construction Board of Adjustment and Appeals, established by the 1994 edition of the Standard Building Code with Appendix C, as adopted by the Southern Building Code Congress International, Inc., shall consist of the members of the Contractors Examining Board, plus one architect, one professional engineer and a second alternate member. Terms of office, removal, vacancies, regularity of meetings, and administrative hearings of the Construction Board of Adjustment and Appeals shall be governed by the same rules and regulations as the Contractors Examining Board.

(1) The Construction Board of Adjustment and Appeals shall have the power to hear appeals of the building official's decisions and interpretations concerning the technical code.

(2) All other provisions in the section on Construction Board of Adjustment and Appeals of the Standard Building Code, as adopted, not inconsistent herewith are hereby adopted.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.
Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 17th day of January, AD, 1996.

Commissioner Douglass
Commissioner Harvey
Commissioner London
Commissioner Reich
Mayor Freeman

[Seal]
Attest: DANNY L. KOLHAGE, Clerk

By Ruth Jantgen
Deputy Clerk

By Shirley Freeman
Mayor Chairman

EFFECTIVE DATE:_____________________________________________________

jordcbaa

[Approval stamp]
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Liz Cloud
Florida Department of State
Bureau of Administrative Code and Laws
The Elliot Building
401 South Monroe Street
Tallahassee, Fl. 32399-0250

Dear Mrs. Cloud:

Enclosed please find a certified copy of Monroe County Ordinance No. 001-1996, creating a Construction Board of Adjustment and Appeals; providing for appeals of the decisions of the Building Official regarding interpretation of technical building codes applicable to Monroe County; establishing the powers of the Board; establishing appellate procedures; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a Regular Meeting in formal session on January 17, 1996.

Please file for record.
Mrs. Liz Cloud  
January 24, 1996  
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Sincerely,

Danny L. Kolhage  
Clerk of the Circuit Court  
and ex officio Clerk to the  
Board of County Commissioners

By: Ruth Ann Jantzen

(Ruth Ann Jantzen)  
Deputy Clerk

cc: Mayor Shirley Freeman  
Mayor Pro tem Jack London  
Commissioner Keith Douglass  
Commissioner Wilhelmina Harvey  
Commissioner Mary Kay Reich  
Bob Herman, Growth Management Director  
County Attorney  
County Administrator  
Herb Rabin, Building Official  
Municipal Code Corporation  
File
January 29, 1996

Honorable Danny L. Kolhage  
Clerk to Board of County Commissioners  
Monroe County  
500 Whitehead Street  
Key West, Florida 33040  

Attention: Ruth Ann Jantzen, Deputy Clerk  

Dear Mr. Kolhage:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated January 24, 1996 and certified copy each of Monroe County Ordinance Nos. 96-1, 96-2, and 96-3, which were filed in this office on January 29, 1996.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code  

LC/mw