ORDINANCE NO. 021-1986

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, PROVIDING THAT THE CODE OF ORDINANCES OF COUNTY OF MONROE, FLORIDA, BE AMENDED BY REVISING SECTION 6-37, SECTION 6-55(7) AND (13), SECTION 6-56, DEFINITION OF "SPECIALTY CONTRACTORS", REPEALING SECTION 6-57(a), REVISING SECTION 6-57(b) AND (c), REPEALING SECTION 6-57(d), REVISING SECTION 6-57(e), SECTION 6-58 AND SECTION 6-59(e), REPEALING SECTION 6-61, REVISING SECTION 6-62, SECTION 6-63(a) AND (b), SECTION 6-64(b) AND (c) AND ADDING TWO NEW SUBSECTIONS TO BE LETTERED (d) AND (e), REVISING SECTION 6-67 AND SECTION 6-69, REPEALING SECTION 6-71, REVISING SECTION 6-87(c) AND (d), SECTION 6-89, SECTION 6-90 AND SECTION 6-91, AND REPEALING SECTIONS 6-92, 6-93 AND 6-94; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE TO THE EXTENT OF ANY SUCH CONFLICT; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 6-37 of the Code of Ordinances of of the County of Monroe, Florida, be amended so that such Section shall read as follows:

"Sec. 6-37. Certificates of competency.

It shall be unlawful for any person or firm to engage in the business or act in the capacity of a contractor, subcontractor, master, journeyman or maintenance personnel, as hereinafter defined, anywhere within the unincorporated areas of this county without a current valid certificate of competency approved by either Monroe County or by the State of Florida."

Section 2. That subsection (7) of Section 6-55 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"(7) The provisions of this article do not apply to an owner of residential property altering or repairing his own home if occupied by the owner and not intended for

sale. An owner of residential property may construct one (1) single-family residence for his own use and occupancy without qualifying for a certificate of competency, but the application for a building permit for construction of more than one (1) single-family residence in three (3) years' time shall be construed as engaging in the construction business and such owner must secure a certificate of competency before the permit will be issued; eligibility for subsequent permits will be considered upon issuance of a certificate of competency."

Section 3. That subsection (13) of Section 6-55 of the Code of Ordinances of the County of Monroe, Florida be amended so that such subsection shall read as follows:

"(13) Any person who is licensed under Chapter 489, Florida Statutes."

Section 4. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definitional cross reference for the terms "shall" and "may" to read as follows:

"6-56. Definitions.

For the purpose of the administration and enforcement of this article, and unless otherwise stated in this article, the following words shall have the meanings indicated herein.

The definitions of "shall" and "may" are contained in Section 1-2 of this Code of Ordinances."

Section 5. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by adding the definition of "Class A air conditioning contractor" to read as follows:

"Class A air conditioning contractor means any person whose services are unlimited in the execution of contracts requiring the

experience, knowledge and skill to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, central air conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air-distribution system, boiler and unfired pressure vessel systems, and all appurtenances, apparatus, or equipment used in connection therewith and to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping, installation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, and installation of a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system. The scope of work for such contractor shall also include any excavation work incidental thereto, but shall not include any work such as liquefied petroleum or natural gas fuel lines within buildings, potable water lines or connections thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring."

Section 6. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Class B air conditioning contractor" to read as follows:

"Class B air conditioning contractor means any person whose services are limited to twenty-five (25) tons cooling and five hundred thousand (500,000) Btu heating (in any one system) in the execution of contracts

requiring the experience, knowledge, and skill to perform the following: install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, central air conditioning, refrigeration, heating and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air distribution system being installed under this classification; and to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping, installation of pipes, vessels and ducts, and installation of a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner as to comply with all plans, specifications, codes, laws, and regulations applicable thereto."

Section 7. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Class C air conditioning contractor" to read as follows:

"Class C air conditioning contractor means any person whose business is limited to the servicing of air conditioning, heating, or refrigeration systems, including duct alterations in connection with those systems said contractor is servicing."

Section 8. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Contractor" to read as follows:

"Contractor means a person who possesses the requisite skill, knowledge, financial responsibility and experience to supervise,

direct, manage and control the contracting activities of the business entity with which he is connected and whose technical and personal qualifications have been determined by investigation and examination as provided in this ordinance."

Section 9. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Electrical contractor" to read as follows:

"Electrical contractor is a contractor doing work on any premises or in any building or structure requiring the installation, repair, alteration, addition or changes to any system of electrical wiring, apparatus or equipment for light, heat or power. This work may include all electrical installations for which he holds a certificate of competency on private and public property and within substations and plants, and an electrical contractor may contract therefor and will be issued permits for such work by the administrative agency concerned."

Section 10. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Class III, Sub-engineering contractor" to read as follows:

"(3) Class III, Sub-engineering contractor or "land clearing and grubbing engineering contractor" is an engineering contractor having the experience and skill gained by not less than one year as a general superintendent for an engineering contractor or education equivalent thereto, or a combination thereof, and qualified and certified to clear land of surface debris and vegetation growth, including the grubbing of roots, the removal of the debris therefrom

and the general leveling of the surface thereinafter and work incidental thereto. A Class III engineering contractor may take out permits for work falling within his particular specialty or specialties except in those trades for which a master is specifically required; he shall subcontract with a qualified contractor holding a current certificate of competency in that field. All permits for soakage pits, dry wells, catch basins, and connection pipes or filled property shall be secured from the proper authority and installation made in accordance with the Standard Building Code."

Section 11. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "General contractor, Class I" as follows:

"General contractor are those whose services are unlimited about the type of work they may do as follows. Any person who, for compensation, undertakes to or submits a bid to or does himself or by others, construct, repair, alter, remodel, add to, subtract from, improve any building or structure, including related improvements to real estate for others, or for resale to others. If the services affect the structural members of the building, drawings sealed by an Engineer or Architect are required. However, a contractor shall subcontract the electrical, plumbing, mechanical, roofing, sheet metal, and air conditioning work, unless he holds a certificate of competency for the respective trade. However, he shall not be required to subcontract for shingle roofing."

Section 12. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the

definition of "General contractor, Class II" to read as follows:

"Building contractors are those whose services are limited to construction of commercial buildings and single or multiple dwelling or residential buildings, neither to exceed three (3) stories in height, and accessory use structures in connection therewith, or those whose services are limited to remodeling, repair, or improving of any size building. If the services affect the structural members of the building, drawings sealed by an Engineer or Architect are required. However, they must comply with the same regulations in regards to subcontractors as a general contractor."

Section 13. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "General contractor, Class III" as follows:

"Residential contractors are those whose services are limited to construction, remodeling, repair, improvement of one, two, or three family unit residences not exceeding two (2) stories in height and accessory use structures in connection therewith. If the services affect the structural members of the building, drawings sealed by an Engineer or Architect are required. However, they must comply with the same regulations in regards to subcontractors as a general contractor."

Section 14. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Journeyman" as follows

"Journeyman. The term "journeyman" shall mean any person who possesses the required skills, knowledge and experience, as evidenced by three (3) years proven experience in the trade or craft, or

educational equivalent thereto, or a combination thereof, but not more than one-half (½) of such experience may be by educational equivalent, and who has passed an examination in his particular trade or craft and possesses a valid Certificate of Competency as a journeyman in such trade or craft. All work shall be done under the direct supervision of a master or journeyman on all job sites."

Section 15. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by the addition of the definition of "Master Sign contractors" to read as follows:

"Master Sign contractors are those who may erect, fabricate, repair or maintain for themselves or others any sign as defined in the county zoning ordinance. They may construct meter centers or services for individual or a series of signs, install transformers and any device for and pertaining to illumination of signs. They may not connect a circuit to a panel, except for a sign."

Section 16. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Mechanical contractors" to read as follows:

"Mechanical contractors are those whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to perform the following: install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law central air conditioning, refrigeration, heating and ventilation systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary

to make complete an air distribution system, boiler and unfired pressure vessel systems, lift station equipment and piping and all appurtenances, apparatus, or equipment used in connection therewith; and to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping, insulation of pipes, vessels, and ducts, pressure and process piping, pneumatic control piping, gasoline tanks and pump installation and piping for same, fire sprinkling systems and stand pipes, air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines and installation of a condensate drain from an air conditioning to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner as to comply with all plans, specifications, codes, laws, and regulations applicable thereto. The scope of his work shall also include an excavation incidental thereto, but shall not include any work such as liquefied petroleum or natural gas fuel lines within buildings, potable water lines, or connections thereto, sanitary sewer lines, swimming pools piping and filters and electrical power wiring."

Section 17. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Plumbing Contractor" to read as follows:

"Plumbing contractor is a contractor who installs, maintains, repairs, alters, extends or designs, when not prohibited by law, plumbing. A plumbing contractor may install, maintain, repair, alter, extend or design, when not prohibited by law, the following

without obtaining any additional local regulatory license, certificate, or registration: sanitary drainage or storm drainage facilities; venting systems; public or private water supply systems; septic tanks; drainage and supply wells; swimming pool piping; irrigation systems; or solar water heating systems and all appurtenances, apparatus or equipment used in connection therewith, including boilers and pressure process piping and including the installation of water, natural gas (excluding liquid petroleum gases), and storm and sanitary sewer lines; and water and sewer plants and substations. The scope of work of the plumbing contractor also includes, when not prohibited by law, the design, installation, maintenance, repair, alteration or extension of air-piping, vacuum line piping, oxygen linepiping, nitrous oxide piping and all related medical gas systems; fire line standpipes and fire sprinklers to the extent authorized by law; ink and chemical lines; fuel oil and gasoline piping and tank and pump installation, except bulk storage plants; and pneumatic control piping systems, all in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable. The scope of work of the plumbing contractor shall apply to private property and public property, shall include any excavation work incidental thereto, and shall include the work of the specialty plumbing contractor, including well drilling, swimming pool maintenance, lawn sprinkler systems. Such contractor shall sub-contract, with a qualified contractor in the field

concerned, all other work incidental to the work, but which is specified herein as being the work of a trade other than that of plumbing contractor."

Section 18. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Pool contractor" to read as follows:

"Pool contractors are those whose scope of work involves the construction and repair of any pools, public or private, used for therapy, swimming, or other use. This work shall include, but not be limited to, layout, excavation operation of pumps for dewatering purpose, steel work, installation of light niches, pouring of floors, guniting, installing of tile and coping, installation of perimeter and filter piping, installation of all filter equipment, and chemical feeder of any type, plastering of the interior, pouring of decks, construction of equipment rooms or housing for pool equipment, and the installation of package pool heaters. However, the scope of work of such contractor shall not include direct connection to a sanitary sewer system, or to potable water lines."

Section 19. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Roofing contractor" to read as follows:

"Roofing contractor is a contractor whose services are unlimited in the roofing trade and who installs, maintains, repairs, alter, extends or designs, when not prohibited by law, and uses materials and items used in the installation, maintenance, extension, and alteration of all kinds of roofing and waterproofing, all in such manner as to

comply with all plans, specifications, codes, laws, and regulations applicable thereto."

Section 20. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Septic tank contractor" to read as follows:

"Septic tank contractor is a contractor who has experience and skill gained by not less than one (1) year as a general superintendent for a plumbing or septic tank contractor or education equivalent thereto, or combination thereof, and qualified and certified to install, clean, repair, alter, extend and excavate for septic tanks, drainfields, interceptor tanks, dry wells, gas and oil interceptors, soakage pits and catch basins, and shall not include any other plumbing work or connecting pipes or pumps except the nonferrous pipes between the catch basin and soakage pit."

Section 21. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Sheet metal contractor" to read as follows:

"Sheet metal contractor is one whose services are unlimited in the sheet metal trade and who manufactures, fabricates, assembles, handles, erects, installs, dismantles, conditions, adjusts, alters, repairs, services and designs, when not prohibited by law, ferrous or non-ferrous metal work of U.S. No. 10 gauge or its equivalent or lighter gauge and other materials used in lieu thereof, and air handling systems including the setting of air handling equipment and reinforcement of same and including the balancing of air handling systems."

Section 22. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by repealing the definition of "Sign master contractors".

Section 23. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by amending the definition of "Specialty contractors" to read as follows:

"Specialty contractors are those whose work consists of the performance of construction work and skills that are usually a minor, but important part of the complete structure; also other trades unrelated to the building. The following is a list of specialty skills with the scope of work that may be performed under each certificate; a certificate of competency shall be required for each specialty contractor:

(1) Acoustical Ceiling Specialty Contractor means a person who is qualified to fabricate, install, maintain, alter or extend any acoustical ceiling material.

(2) Aluminum Specialty Contractor means a person who is qualified to fabricate, install, maintain, alter or extend aluminum products such as metal sidings, awnings, window frames, railings, screen and screen enclosures.

(3) Burglar Alarm Specialty Electrical Contractor is a contractor qualified to install, repair, alter, add to or change any system electrically energized in whole or in part, for the detection, prevention or control of burglary. The scope of these systems shall include conductors and raceways, radio frequency carriers, laser beams, light beams, sonic beams, and any other means of signal transmissions, as well as all apparatus pertaining to burglar alarm

systems. A burglar alarm specialty electrical contractor may connect to an existing separate circuit of approved capacity, which is terminated in an approved outlet, junction box, or fused disconnect switch within six (6) feet of the equipment to be energized.

(4) Cabinet and Millwork Specialty Contractor is a contractor whose work consists of building and the installation of cabinets of all kinds. Also millwork of any kind.

(5) Demolition Specialty Contractor is a contractor whose work is limited to the demolition of buildings.

(6) Drilling Auger Specialty Contractor means a contractor who is limited to drilling auger holes for persons who have first obtained permits for same.

(7) Drywall Specialty Contractor fabricates, installs, maintains, alters or extends any Gypsum drywall products to wood or metal studs, wood or steel joists and metal runners in buildings. The scope of the work shall include the preparation of the surface over which the drywall product is to be applied, including the placing of metal studs and runners and all necessary trim.

(8) Fence Erector Specialty Contractor is a contractor whose work is limited to erecting fences of wood or chain link. He may auger and pour concrete for post anchorages.

(9) Flooring Specialty Contractor may install all types of flooring except tile, marble, or terrazzo.

(10) Gasoline Tank and Pump Specialty Contractor is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any system used for storing and dispensing of gasoline, kerosene, diesel oils and similar liquid hydrocarbon fuels or mixtures to be used solely in connection with gasoline filling stations dispensing fuel to mobile vehicles or marine equipment; provided, however, bulk plants shall not be a part of the scope of such work.

(11) Glazing Specialty Contractor may install glass of all kinds, also metal window frames.

(12) Gunite and Sandblasting Specialty Contractor may, in addition to guniting and sandblasting, place the wire mesh for guniting, place backing for gunite work, and do minor forming.

(13) Heating, Ventilation & Air Conditioning Duct Installation Specialty Contractor is a specialty mechanical contractor qualified and certified to fabricate, adjust and install fiberboard or flex duct designed by others and to install sheet metal duct fabricated by others. This specialty contractor shall work under the supervision of a mechanical contractor or other licensed air conditioning contractor.

(14) House Moving Specialty Contractors work is limited to moving buildings; he is allowed to block up a building prior to moving, but foundations at the new site must be done by others.

(15) Insulating Specialty Contractors work is limited to the placing of any approved insulation in any type structure.

(16) Landscaping Specialty Contractor is a contractor who is qualified to install, alter, maintain or trim trees, grass, shubbery or plants.

(17) Lawn Sprinkler Specialty Contractor is a contractor who installs, maintains, repairs, alters, extends or designs lawn sprinkling systems and appliances and devices used in connection with such systems, except that such systems shall not include the drilling of wells, or the connection of such systems to potable water.

(18) Masonry Specialty Contractors work is limited to placing concrete, fabricating or installing decorative block and bricks in a building under a permit taken by others; also, placing and finishing concrete. He cannot build or place forms or place steel in anything other than nonstructural concrete components.

(19) Mobile Home Maintenance and Repair Specialty Contractor is a contractor who is qualified to install, alter or maintain a mobile home, confined to painting, siding, replacement of windows, doors, tie downs, roof water-proofing, flooring, excluding electrical, plumbing and air conditioning work.

(20) Mobile Home Set-Up and Tie-Down Specialty Contractor is a contractor who is qualified to place a mobile home on a lot with required blocking and tie down straps, excluding electrical, plumbing and air conditioning work.

(21) Painting and Decorating Specialty Contractor is permitted to paint buildings, interior and exterior, and signs, with brushes, rollers, or spray. This provision does not require a certificate of competency to paint signs alone.

(22) Plastering Specialty Contractor is permitted to plaster interior or exterior of any structure, and in addition, may finish concrete.

(23) Satellite and T.V. Antenna Specialty Contractor means a person who is qualified to fabricate, install, maintain, alter or extend any satellite or T.V. antenna installations, excluding any electrical connections other than plug-in.

(24) Septic Tank Cleaning Specialty Contractor is a contractor who is qualified to pump and clean septic tanks or grease interceptors.

(25) Sign Erection Specialty contractor is permitted to erect signs of all classes and may do repairs; however, if electrical signs are installed or repaired, a master electrician or master sign contractor shall be required.

(26) Solar Products Specialty Contractor is a contractor who is qualified to install solar products excluding any connection to potable water and electrical connections other than electrical plug in.

(27) Solar Window Tinting Specialty Contractor means a person who is limited to installing solar window tinting products.

(28) Steel Reinforcing and Iron Specialty Contractors are permitted to place and tie

reinforcing steel in forms built by others and under a permit taken by others.

(29) Structural Steel Erection Specialty Contractors are permitted to erect and fasten structural steel in place, by riveting, bolting, or welding, to include metal towers and rigging.

(30) Swimming Pool Servicing Specialty Contractor means any person whose scope of work involves the servicing, repair, water treatment, and maintenance of any swimming pool, whether public or private. The scope of such work may include any necessary piping and repairs, replacement and repair of existing equipment, or installation of new additional equipment as necessary. The scope of such work includes the reinstallation of tile and coping, repair and replacement of all piping, filter equipment, and chemical feeders of any type, replastering, repouring of decks, and reinstallation or addition of pool heaters.

(31) Tile, Marble and Terrazzo Specialty Contractor is permitted to install, repair, and maintain, tile, marble, and terrazzo.

(32) Welding Specialty Contractor is a contractor who is qualified to fabricate and install assembled accessories and sections of structural and ornamental metals.

Section 24. That Section 6-56 of the Code of Ordinances of the County of Monroe, Florida, be amended by repealing the definition of Well drilling contractor.

Section 25. That the Code of Ordinances of the County of Monroe, Florida, be amended by repealing subsection (a) of Section 6-57.

Section 26. That subsection (b) of Section 6-57 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"(a) Any person, firm or corporation not possessing a current certificate of competency and advertising in any newspaper, airwave transmission, phone directory or other advertising media or who issues any card, advertising or device indicating to the public that he is a contractor, or is qualified to engage in the business as a contractor, or who holds himself out as a contractor as plaintiff or defendant in any court of this state, shall be subject to the provisions and penalties of this chapter; and a certified copy of such court record or a copy of such newspaper, telephone directory, or other advertising making such assertion shall be prima facie evidence in court, or in any other proceeding authorized by this chapter, that the person purports to have the capacity to act as a contractor."

Section 27. That subsection (c) of Section 6-57 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"(b) Contractors conducting their contracting business within Monroe County shall identify all vehicles used in the furtherance of their business by use in the transporting of materials, equipment or employees to a job site, excepting a vehicle owned by an employee which vehicle is only used for private transportation or in carrying employees' personal tools and personal equipment necessary to fulfill their job tasks, by placing on the sides thereof identification of the contractor by name and

their certificate number, in a size no less than three (3) inches, excepting those vehicles rented or leased by a contractor from a commercial vehicle rental agency for a period of less than one (1) month and such vehicles are plainly marked with the name of the lessor in a size which is easily readable."

Section 28. That subsection (d) of Section 6-57 of the Code of Ordinances of the County of Monroe, Florida, is hereby repealed.

Section 29. That subsection (e) of Section 6-57 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"(c) Anyone who advertises in any newspaper, airwave transmission, telephone directory, handbill or other advertising medium for contracting to do any work covered by the provisions of this chapter shall include in all such advertising the permanent certificate of competency number from the certificate of competency required as a prerequisite under the provisions of this chapter. Failure to include this permanent certificate of competency number in all such advertising as evidenced by a copy or transcript of the subject advertisement shall constitute a violation of this chapter to the penalties provided herein and under section 1-7 of this Code."

Section 30. That Section 6-58 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"Sec. 6-58. Same--Prerequisite to issuance of occupational license.

Whenever a county occupational license is required of any contractor, or subcontractor,

no such occupational license shall be issued unless the applicant shall first procure from the Contractors Examining Board or the building department, as appropriate, a current certificate of competency and shall present a copy to the license division."

Section 31. That subsection (e) of Section 6-59 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsections shall read as follows:

"(e) Examinations shall be a type as furnished by Block & Associates of Gainesville, Florida."

Section 32. That Section 6-61 of the Code of Ordinances of the County of Monroe, Florida, be repealed in its entirety and that its number be reserved.

Section 33. That Section 6-62 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such section shall read as follows:

"Sec. 6-62. Reciprocity.

Every person who, under the terms of this ordinance, is required to hold a certificate of competency, and who has, written proof from the City of Key West, Florida, Building Department stating that applicant has scored a minimum grade of 70% on the Block and Associates Examination proctored by Block and Associates shall be entitled to a certificate of competency without examination, but such certificate shall be subject to any restrictions and limitations carried by the current county certificate and shall entitle the holder of such certificate to do business only in the unincorporated areas of the county."

Section 34. That subsection (a) and (b) of Section 6-63 of the Code of Ordinances of the County of Monroe, Florida, is hereby amended as follows:

"Sec. 6-63. Same--Fees.

(1) The board shall recommend to the Board of County Commissioners reasonable fees to be paid for applications, examination, certification and renewal, and recordmaking and recordkeeping. Effective October 1, 1986, the fees shall be established as follows:

General Contractor	$100.00
Building Contractor.	75.00
Residential Contractor	75.00
Engineering Contractor I	100.00
Engineering Contractor II	75.00
Engineering Contractor III	75.00
Master (Plumbing, Electrical and Mechanical).	50.00
Journeyman (Plumbing, Electrical and Mechanical. . . .	35.00
Apprentice	15.00
All Three Hour Exams	75.00

The annual fees shall be due on October 1 of each year and shall be delinquent on November 1 of each year. The board, by rule, shall recommend to the Board of County Commissioners penalty fees for late renewal not to exceed $20.

(2) Honorary certificates shall be issued without charge to any person over sixty (60) years of age providing that said person holds any of the abovesaid licenses in the county. Thereafter, said person will not be permitted to engage in business without first paying all renewal fees necessary to make said license current.

Section 35. That Section 6-64 of the Code of Ordinances of the County of Monroe, Florida, is hereby revised by amending subsections (b) and (c), and by the addition of two new

subsections to be letter (d) and (e), so that such subsections shall read as follows:

"(b) Mandatory. The Building Official shall administratively suspend, pursuant to Section 6-16.1(6)(c) of the Monroe County Code, a contractor's certificate of competency for a period of six (6) months upon receipt of sufficient evidence that said contractor has failed to obtain the required building permits prior to starting construction and that such violation is the third violation by such contractor within the preceding two-year period.

(c) The Building Official shall administratively suspend or revoke a contractor's certificate of competency if, after hearing, it is found that the contractor:

(1) Has been adjudicated bankrupt.

(2) Fails to maintain at all times with an insurance company, authorized to do business in the state, the limits of insurance required by any other applicable law or authority having jurisdiction but not less than bodily injury liability insurance with the minimum limits of fifty thousand dollars ($50,000.00) for one person and one hundred thousand dollars ($100,000.00) for more than one person in any one accident, and property damage insurance with a minimum limit of not less that five thousand dollars ($5,000.00) for any one accident, including any damage to public rights-of-way or shrubbery and to file certificates, signed by the qualified agent of the insured, with the secretary of the contractors examining board showing the type of policy, the policy number, the name of the

insurer, the effective date of the policy, an agreement by the insurer to give thirty (30) days written notice by registered mail to the secretary of the examining board of the intent to cancel the policy for any reason. The Building Official may reinstate such revoked certificate of competency at such time as the contractor again supplies full insurance coverage as required by this article.

(d) The Contractors Examining Board shall suspend or revoke a contractor's certificate of competency if, after hearing, it is found that the contractor:

(1) Has been convicted of violating the provisions of section 8-33 of this Code relating to the unlawful disposal of garbage, rubbish, offal, trash or junk.

(2) Has committed any of the provisions enumerated in Section 6-66.

(3) Has been convicted of a crime and is presently serving a term of imprisonment.

(e) Effect on license. The suspension or revocation of a certificate of competency shall automatically suspend or revoke, as the case may be, any occupational license issued by the county."

Section 36. That Section 6-67 of the Code of Ordinances of the County of Monroe, Florida, be amended as follows:

"Sec. 6-67. Restriction as to number of apprentices.

In any and all trades in which a master or journeyman certificate of competency is required, such trades shall be limited to not more than three (3) apprentices per master or journeyman."

Section 37. That Section 6-69 of the Code of Ordinances of the County of Monroe, Florida, is hereby amended so that such section shall read as follows:

"Sec. 6-69. Direct Supervision Required.

All air condition, electrical, mechanical and plumbing contracting work shall be done under the direct supervision of a master or journeyman mechanic, for the respective trade, on all job sites. Following a review on September 1, 1987, by the Contractor's Examining Board and the Building Official, this provision, if justified, will become effective on October 1, 1987."

Section 38. That Section 6-71 of the Code of Ordinances of the County of Monroe, Florida, is hereby repealed in its entirety.

Section 39. That subsection (c) of Section 6-87 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"(c) All minutes of the board meetings shall be public records, except those portions of which are of a confidential nature. All minutes shall be kept in the office of the building official."

Section 40. That subsection (d) of Section 6-87 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such subsection shall read as follows:

"(d) Three (3) members of the board shall constitute a quorum at any meeting, and a majority vote of the entire board shall be required to make any decision."

Section 41. That Section 6-89 of the Code of Ordinances of the County of Monroe, Florida, be amend so that such section shall read as follows:

"6-89. Same--Rules and regulations.

The examining board may make such rules and regulations as are consistent with the

general policies of this article as it may deem necessary to carry out the provisions of this article, including the power to administer oaths, subpoena witnesses, and enforce its subpoenae in the county court."

Section 42. That Section 6-90 of the Code of Ordinances of the County of Monroe, Florida, be amended so that such section shall read as follows:

"Sec. 6-90. Same--Powers and duties of the examining board.

a. The examining board shall have the power to determine if a license or certificate of competency of any contractor should be suspended for any violation of this article and to fix the length of time for such suspension or to revoke the license or certificate under the provisions of this article, or to appoint an employee from the county commission to investigate any complaints made against the licensed contractor and determine whether it shall take administrative action against the contractor or direct the investigator to file a complaint for prosecution for the violation against the contractor; to call upon members of the industry to advise and assist them.

b. When the Board has reason to believe that any person not licensed by the Board or Building Official has violated any provision of this Chapter which relates to the practice of a profession regulated by this Board or Building Department or any rule adopted pursuant thereto, the Board or the Building Official may issue and deliver to such person a notice to cease and desist from such violation. In addition, the Board may issue and deliver a notice of cease and desist to

any person who aides and abets the unlicensed practice of a profession by his employing such unlicensed person.

In addition to or in lieu of any other remedies provided above, the Board may seek the imposition of a civil penalty through the circuit court for any violation of the notice to cease and desist. The civil penalty shall be no less than $500.00 and no more than $5,000.00 for each offense. The court shall award to the Board all costs as a result of this violation, including investigation costs, filing fees, court costs, and reasonable attorney's fees.

The provisions of this section shall only apply to the provisions of the Code administered by the Board and the Building Department."

Section 43. That Section 6-91 of the Code of Ordinances of the County of Monroe, Florida, is hereby amended to read as follows:

"Sec. 6-91. Every person who is required to hold a certificate of competency, and who holds a current specialty license issued by Monroe County, on the effective date of Ordinance No. 021- 1986, is entitled to a certificate of competency from Monroe County, subject to the restrictions and limitations of this article."

Section 44. That Sections 6-92 of the Code of Ordinances of the County of Monroe, Florida, is hereby repealed in its entirety.

Section 45. That Sections 6-93 of the Code of Ordinances of the County of Monroe, Florida, is hereby repealed in its entirety.

Section 46. That Sections 6-94 of the Code of Ordinances of the County of Monroe, Florida, is hereby repealed in its entirety.

Section 47. 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 48. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of any such conflict.

Section 49. 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 50. This ordinance shall take effect 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 11th day of July, A.D. 1986.

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By Wilhelmina Harvey
MAYOR/CHAIRMAN

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

Laurie A. Freeling/D.C.
CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY.
BY Lucia Chaffey
Attorney