

Chapter 22 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. —CONTRACTING GENERAL

Sec. 22-1. —Compliance requirement.

Except as otherwise provided for in ~~this~~the City of Lake City Code of Ordinances, any owner, authorized agent, or contractor, who desires to construct, enlarge, alter, repair, remove, demolish, or change the occupancy or occupant content of a building, structure, or facility, or any outside area being used as part of the building's designated occupancy (single or mixed) or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this Code of Ordinances, or to cause any work to be done, shall first make application to the building official and obtain the required permit for such work and to comply with all of the provisions, requirements and conditions provided for in this chapter.

Sec. 22-2. —Purpose and Proof of Insurance.

It is hereby declared to be the public policy of the city that, in order to safeguard the life, health, property, and public welfare of its citizens, the business of construction and home improvements is a matter affecting the public interest. Any person desiring to ~~obtain a certificate to~~ engage in the business of construction and home improvement within the corporate limits of the city shall be required to ~~establish his competency and qualifications to be certified~~provide a copy of their State of Florida contractor license, a certificate of insurance evidencing such person's worker's compensation insurance or a current State of Florida exemption certificate exempting such person from worker's compensation insurance requirements; and a certificate of insurance evidencing such person as provided in this article the named insured pursuant to a policy of general liability insurance. All certificates of insurance shall name the City of Lake City as the certificate holder.

Sec. 22-3. —Adoption of Codes.

(a) The following codes are adopted by the city for the applications associated therewith:

- (1) The Florida Building Code Eighth Edition (2023) as updated by the Florida Building Commission on June 20, 2023, and adopted by Rule 61G20-1.001, Florida Administrative Code, is hereby adopted as the building code of the City of Lake City, Florida. The adopted version of the building code is hereby incorporated into this section as if fully set forth herein, and may

be cited to as the Lake City Building Code, Eighth Edition (2023). All references to the "Building Code" within the Lake City's City Code of Ordinances, and within ordinances and resolutions of the City Council, shall be construed as referring to the building code adopted by this section.

~~(a) The city hereby adopts the Florida Building Code (hereinafter referred to and known as "this code") created, established, adopted and defined pursuant to the provisions of F.S. ch. 553, pt. IV, which includes and covers building, plumbing, mechanical, residential, fuel gas, the National Electrical Codes, and the state fire prevention and lifesafety codes.~~

~~(b) The provisions of this code~~The provisions of the Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures, or facilities.

~~(c) This code, as presently adopted, or as shall be amended in the future, is hereby adopted and incorporated herein as fully as if set out at length in this section, and shall be controlling within the corporate limits of the city.~~

~~(d)~~(2) The most recently adopted edition of the National Electrical Code adopted by the Florida Building Commission is hereby adopted as the Electrical Code of the City of Lake City. The adopted version of the referenced electrical code is hereby incorporated into this section as if fully set forth herein, and may be cited to as the Lake City Electrical Code, Eighth Edition (2023). All references to the "Electrical Code" within this Code of Ordinances, and within ordinances and resolutions of the City Council, shall be construed as referring to the electrical code adopted by this section.

(3) The Florida Fire Prevention Code, Rule 69A-60, inclusive of the National Fire Protection Association (NFPA), and NFPA 101, Life Safety Code, is hereby collectively adopted as the Fire Prevention Code of the City of Lake City. The adopted version of the fire prevention code is hereby incorporated into this section as if fully set forth herein, and may be cited to as the Lake City Fire Prevention Code, Eighth Edition (2023). All references to the "Fire Prevention Code" within this Code of Ordinances, and within ordinances and resolutions of the City Council, shall be construed as referring to the fire prevention code adopted by this section.

~~(b)~~Copies of this codethe Building Code, the Electrical Code, and the Fire Prevention Code shall be available for public use, inspection, or examination, within the ~~building~~city department administering the city's building permitting and inspection program.

Sec. 22-4. —Payment of construction permit fees; reinspection fees.

(a) Permitting and Permitting Fees Required.

(1) Except as otherwise provided for in this Code of Ordinances, any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building, structure, or facility, or any outside area being used as part of the building's designated occupancy (single or mixed) or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this Code of Ordinances, or to cause any such work to be done, shall first make application to the building official and obtain the required permit for the work, and in addition to any other fees provided in this Code of Ordinances, to pay a construction permit fee to the city computed on the ~~valuation~~ square footage of conditioned and unconditioned floor area of the building, structure, or facility as provided herein, ~~or.~~ For purposes of calculating square footage as may be amended by resolution of an element of calculating permit fees, "floor area" means the city council total area of a building's floors, measured within the building's exterior walls, excluding vent shafts and courts; including the area of balconies; and counting only once at each floor level the area of stairwells, elevators, and ventilation shafts.

~~(b)-2)~~ All fees are non-refundable.

(b) SCHEDULE OF PERMITTING FEES

(1) ~~Generally:~~

~~a.~~ Schedule of building permitting fees: The following fee schedule shall be used in determining building permit fees based on construction valuation, in addition to any other permit fee listed herein. Valuation for purposes of this section, in the event of controversy over the issues between the city and applicant for building permit, shall be determined by the valuation standards as established and set forth in the latest official publications of the Florida Building Code, or by copy of the original signed contract, or by a detailed cost estimate which meets the approval of the building official. conditioned and unconditioned floor area, in addition to any other permit fee listed herein.

SCHEDULE OF BUILDING PERMIT FEES

(2) Administration Fees

<u>Permit/Service</u>	<u>Fee</u>
<u>Change of Primary Contractor</u>	<u>\$50.00</u>

<u>Change of Subcontractors</u>	<u>\$30.00</u>
Total Valuation <u>Modifying construction plans (Residential)</u>	Commercial and Residential <u>\$25.00 per sheet</u>
\$1,000.00 and less <u>Approve or re-stamp construction plans (after permit issuance)</u>	\$75 <u>50.00</u>
\$1,000.01 to 5,000.00 <u>Temporary/Conditional Certificate of Occupancy</u>	\$110 <u>0.00</u>
\$5,000.01 to \$25,000.00 <u>Temporary/Conditional Certificate of Occupancy (Non-Residential)</u> <u>(Valid for 60 days and non-renewable)</u>	\$125.00 (for the first \$5,000.01) plus \$5.00 for each additional one thousand dollars, or fraction thereof. <u>\$150.00 (under 10,000 sq. feet)</u> <u>\$250.00 (over 10,000 sq. feet)</u>
<u>Residential Certificate of Occupancy</u>	<u>No charge</u>
<u>Commercial Certificate of Occupancy</u>	<u>No charge</u>
<u>Certificate of Completion</u>	<u>No charge</u>
\$25,000.01 to \$50,000.00 <u>Replace Building Permit Card</u>	\$250.00 (for the first \$25,000.01) plus \$5.00 for each additional one thousand dollars, or fraction thereof. <u>\$5.00</u>
<u>Extension of Residential Permits (90 days maximum)</u>	<u>Greater of 10% of original permit fee or \$60</u>
<u>Extensions of Commercial Permits (90 days maximum)</u>	<u>Greater of 10% of original permit fee or \$125</u>

<u>\$50,000.001 to \$100,000.00 Special Inspection Fees</u> <u>(after hours, weekends, holidays, etc.)</u>	<u>\$400.00 (for the first \$50,000.01) plus \$5.00 for each additional one thousand dollars, or fraction thereof. \$100.00 per hour</u>
<u>Contractor Licensing Maintenance File</u>	<u>No charge</u> <u>(Voluntary-renewable on 9/30 annually)</u>
<u>\$100,000.01 and above Research Fees for Permits, Violations, and Records</u> <ul style="list-style-type: none"> • <u>Over ten (10) 8 ½ X 11 pages</u> • <u>Copies over 8 ½ X 11 in Size</u> • <u>Electronic Copies (if on file)</u> • <u>Within the Last Ten (10) Years</u> • <u>Greater than Ten (10) Years and less than Twenty (20) years</u> • <u>Complete History (Permits & Violations)</u> 	<u>\$675.00 (for the first \$100,000.01) plus \$5.00 for each additional one thousand dollars, or fraction thereof.</u> <u>\$0.25 per page</u> <u>Will be charged cost of outside copying</u> <u>No Cost</u> <u>\$7.25 per search</u> <u>\$24.50 per search</u> <u>\$29.35 per search</u>

~~b. Technology fee: All construction permits shall have three percent of the total permit fee added on all permit fees stated herein. The purpose of this fee is to offset the costs associated with technology related items used to provide a greater degree of customer service and reduce response time in providing permits and inspections.~~

~~c. Reinspection fee (must be paid in advance before a second inspection is made): \$40.00.~~

Electrical permit fees:

~~(2) The following is a schedule of electrical permit fees:~~

~~a. Service installation:~~

(3) Cancellation of Building Permit

Permit may be cancelled within 30 days following issuance provided construction has not started.

(4) Refunds

There should be no refunds for permits and/or plan reviews once the permit is issued.

(5) Technology Fee:

A three percent (3%) surcharge shall be added to each permit fee to offset technology-related costs of the city's planning and permitting review process, including but not limited to software maintenance and licensing fees, computer hardware and peripherals costs, and professional/technical services related to and in support thereof.

(6) State of Florida Permit Surcharge:

All permits shall have a two and one-half percent (2½%) surcharge added to each permit as required by Florida Statute 553. (1½% for Department of Business and Professional Regulation and 1% for Building Code Administrators and Inspector Board)

(7) Commercial Permit

<u>Size of Permit/Service</u>	<u>Fee</u>
<u>Calculated at square footage rate (Under roof) (includes building, electrical, plumbing, mechanical & roof permits) Plan Review fees not included</u>	<u>\$1.95 per sq. ft.</u>
<u>200 Amperes Alteration/Addition (600 sq. ft. and less (minimum charge-))</u>	<u>\$46.35-\$0.70 per sq. ft.</u>
<u>Alteration/Addition (over 600 sq. ft.)</u>	<u>\$1.05 per sq. ft.</u>
<u>Accessory Structure (600 sq. ft. and less)</u>	<u>\$0.40 per sq. ft.</u>
<u>Accessory Structure (Over 200 Amperes: 600 sq. ft.)</u>	<u>\$0.70 per sq. ft.</u>
<u>If any work is commenced on a building or structure before obtaining the necessary permit, they shall be subject to a penalty.</u>	<u>\$150.00 or double permit fee, whichever is greater</u>
<u>Electrical, Plumbing</u>	<u>\$.33 per sq. ft. (\$150.00 minimum)</u>

<u>Mechanical/Gas Piping Fixtures</u>	<u>\$.32 per sq. ft.</u> <u>\$150.00 minimum</u>
First 200 Amperes Commercial <u>Mechanical Change out (per Tiers):</u>	\$46.35
<u>Tier 1 (1-3 Units)</u>	<u>\$150.00</u>
<u>Tier 2 (4-7 Units)</u>	<u>\$200.00</u>
<u>Tier 3 (8 Units or more)</u>	<u>\$250.00</u>
Each additional Ampere Modular <u>Buildings, DCA DBPR approved</u> <u>(per section)</u>	\$0.30 <u>300.00</u>
<u>Irrigation</u>	<u>\$150.00</u>
<u>Retaining Wall</u>	<u>\$150.00</u>
<u>Commercial Demolition (Interior Building)</u>	<u>\$.12 per sq. ft.</u> <u>\$150.00 minimum</u>
<u>Commercial Demolition of any bldg. or structure per parcel</u>	<u>\$150.00 Flat Rate per Parcel</u>
<u>Commercial Driveway/Access (per site & per driveway)</u>	<u>\$75.00</u>
<u>Solar Panels (per Tier)</u>	
<u>Tier 1(1-7 Solar Panels)</u>	<u>\$150.00 plus plan review</u>
<u>Tier 2 (8-15 Solar Panels)</u>	<u>\$200.00 plus plan review</u>
<u>Tier 3 (15 Solar Panels or more)</u>	<u>\$250.00 plus plan review</u>
<u>Solar Water Heater</u>	<u>\$150.00</u>
<u>Emergency Generators Systems</u>	<u>\$150.00 plus plan review</u>
<u>Underground Utilities Permit (not owned by utility company)</u>	<u>\$150.00 plus plan review</u>

<u>Fence Commercial</u>	<u>\$100.00</u>
<u>Early Start</u> <u>(Construction may start at own risk but no inspections until issuance of permit)</u>	<u>\$100.00</u>

b. ~~Reinspection fee (must be paid in advance before a second inspection is made):~~
~~\$40.00.~~

~~(3) All other electrical related services, such as, but not limited to, rewiring or electrical alterations:~~

a. ~~Generally:~~

(8) Commercial Plan Review

<u>Valuation by Contract Prices Permit/Service</u>	<u>Fee</u>
\$1,000.00 and less <u>New Construction</u> <u>(includes building, electrical, mechanical, plumbing & roof)</u>	\$75.00 <u>\$.15 per sq. ft.</u>
All over \$1,000.00:	
First \$1,000.00	\$100.00
Each additional \$1,000.00 or fraction thereof	\$5.00
Low voltage burglar alarm, home theater, and cable systems <u>All alterations/renovations/interior build-outs and shell only (includes Building, Electric, Mechanical, Plumbing & Gas)</u>	<u>\$.13 per sq. ft.</u>
Labels (four per page) minimum purchase at \$25.00 each <u>Stand Alone Permit</u>	<u>Building – \$0.75 per sq. ft. within scope of work area</u> <u>Electric/Plumbing – \$0.03 per sq. ft. within scope of work area</u>

	<u>Gas/Mechanical (HVAC)</u> <u>– \$0.02 per sq. ft. within</u> <u>scope of work</u> <u>area</u> \$100.00
<u>Site Plan Review</u>	
• <u>Under 10 Acres</u>	<u>\$225.00</u>
• <u>Over 10 Acres</u>	<u>\$635.00</u>

~~b. Reinspection fee (must be paid in advance before a second inspection is made)~~
~~\$40.00.~~

Gas permit fees:

~~(4) The following is the schedule of gas permit fees:~~

~~a. Generally:~~

(9) Mobile Homes and Modular Residential Buildings

<u>Valuation — by — Contract — Prices</u> <u>Permit/Service</u>	<u>Fee</u>
\$1,000.00 <u>Mobile/Manufactured Homes Permit Fees</u>	\$75 <u>Single Wide -</u> <u>\$325.00</u> <u>Double Wide - \$375.00</u> <u>Triple Wide \$425.00</u>
<u>NOTE:</u>	
• <u>Fees include set-up and less-plumbing</u>	
• <u>Fees do not include electric & HVAC,</u> <u>which require separate permits</u>	
• <u>Fees for additions to manufactured</u> <u>homes shall be calculated the same as</u> <u>building permit fee/aluminum permit</u> <u>fee.</u>	

All over \$1,000.00:	
—First \$1,000.00 <u>Modular Residential</u> <u>Buildings, Florida DBPR Approved</u>	\$100 <u>525.00</u>

—Each additional \$1,000.00 or fraction thereof	\$5.00
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~~b. Reinspection fee (must be paid in advance before second inspection) \$40.00.~~

~~Mechanical permit fees:~~

~~(5) The following is the schedule of mechanical permit fees:~~

~~a. Generally:~~

(10) Residential Permit

<u>Valuation by Contract Prices Permit/Service</u>	<u>Fee/Cost</u>
<u>New Construction (includes building, electrical, HVAC, plumbing, & roof permit)</u>	<u>\$1.05 per sq. ft. (plan review fee included)</u>
<u>\$1,000.00 and less Alterations/Renovations</u>	<u>\$75.00 <u>\$0.75 per sq. ft.</u> less than 601 sq. ft. <u>\$0.87 per sq. ft.</u> 601 sq. ft. and greater</u>
<u>All over \$1,000.00:- Aluminum construction permit fees</u>	<u>\$.35 per sq. ft. (\$75.00 minimum)</u>
<u>Concrete</u>	<u>\$.15 per sq. ft. (\$75.00 minimum)</u>
<u>Fence Residential</u>	<u>\$0.25 per linear foot (\$75.00 minimum)</u>
<u>Flood Permit (construction in a FEMA Flood Zone)</u>	<u>\$70.00</u>
<u>Pool Enclosures</u>	<u>One half the alum rate (\$75.00 minimum)</u>
<u>Greenhouse buildings</u>	<u>\$175.00 (includes roofing)</u>
<u>Roofing</u>	<u>\$.13 per sq. ft. (\$75.00 minimum)</u>
<u>Tree Removal Permit (protected trees)</u>	<u>\$25.00</u>

<u>NOTE: See COLC Code of Ordinances, Chapter 104, Article II</u>	
<u>Irrigation-Residential</u>	<u>\$75.00</u>
<u>Plumbing permit fees</u>	<u>\$.13 per sq. ft.</u> <u>(\$75.00 minimum)</u>
<u>Gas Piping/fixtures</u>	<u>\$.12 per sq. ft.</u> <u>(\$75.00 minimum)</u>
<u>Electrical Permit fees</u>	<u>\$.13 per sq. ft.</u> <u>(\$75.00 minimum)</u>
<u>–First \$1,000.00 Solar Photovoltaic Panels (per Tier)</u> <ul style="list-style-type: none"> • <u>Tier 1 (1-7 Solar Panels)</u> <u>\$125.00</u> • <u>Tier 2 (8-15 Solar Panels)</u> <u>\$175.00</u> • <u>Tier 3 (15 Solar Panels or more)</u> <u>One-half of installation permit fee for applicable tier (above)</u> <u>Removal and Replacement for Re-Roof</u>	<u>\$100</u> <u>\$75.00</u>
<u>Solar Water Heater</u>	<u>\$75.00</u>
<u>–Electrical</u> <ul style="list-style-type: none"> • <u>Individual basis; each service installation</u> <u>\$75.00</u> • <u>Each additional \$1,000.00 distribution/sub panel/disconnect new or fraction thereof replacement</u> <u>\$75.00</u> 	 <u>\$75.00</u>
<u>Mechanical permit fees</u>	<u>\$.12 per sq. ft.</u> <u>(\$75.00 minimum)</u>
<u>Miscellaneous</u>	<u>\$.15 per sq. ft.</u> <u>(\$75.00 minimum)</u>
<u>Right-of-Way Utilization Permit</u>	<u>\$195.00</u>
<u>Door/Garage Door Replacement</u>	<u>\$75.00</u>

<u>Window Replacement (per Tier)</u> <ul style="list-style-type: none"> • <u>Tier 1 (1-5 Windows)</u> <u>\$75.00</u> • <u>Tier 2 (6-10 Windows)</u> <u>\$100.00</u> • <u>Tier 3 (11 Windows or more)</u> <u>\$125.00</u> 	
<u>Residential Plan Review Fees</u> <ul style="list-style-type: none"> • <u>New construction (includes electrical, plumbing, HVAC, building, gas)</u> <u>\$0.26 per square foot</u> • <u>Stand alone permits (electrical, plumbing, HVAC, building, gas)</u> <u>\$0.15 per square foot</u> 	

~~b. Reinspection fee (must be paid in advance before second inspection) \$40.00.~~

~~Plumbing permit fees:~~

~~(6) The following is the schedule of plumbing permit fees:~~

~~a. Generally:~~

~~(11) Permit Renewal~~

~~When renewing a building permit, the following percentage of the original permit fee shall be used to calculate the building fee (the percentage represents the work not yet completed). This shall not include electrical services.~~

Valuation by Contract Prices-Project Inspection Progress	Fee-Percentage of Original Permit Fee
No inspections performed	100%
\$1,000.00 and less-Slab inspection approved and slab poured	\$75.00-80%
All over \$1,000.00:-Lintel inspection approved	60%
—First \$1,000.00-Framing and rough all inspections approved	\$100.00-40%
—Each additional \$1,000.00 or fraction thereof-Insulation inspection approved	\$5.00-20%

<u>For final inspections only</u>	<u>10%</u>
<u>Electrical, Plumbing, Fire, Gas, Mechanical Permit renewal fee</u>	<u>Renewal of sub permits shall be the minimum permit fee</u>

~~b. Reinspection fee (must be paid in advance before second inspection is made) \$40.00.~~

~~Plan review fees:~~

~~(7) The following is the schedule of plan review fees:~~

~~a. Generally:~~

~~1. Commercial plan review fees: The fees for plan review shall be 50 percent of the building permit fees on the same unit. (Example: \$1,000.00 permit fee equals \$500.00 plan review fee for a total fee of \$1,500.00.)~~

~~2. Residential plan review fees: The fees for plan review shall be 25 percent of permit fee. (Example: \$1,000.00 permit fee plus (12) Re-Inspection Fees~~

~~\$250.00 (25 percent) = \$1,250.00.)~~

~~b. State of Florida surcharge fees: Two and one-half percent of the total permit fee.~~

~~Research fees:~~

~~(8) The following is the schedule of research fees for open permit, open code enforcement violations and liens:~~

<u>Permits within past three years Permit/Service</u>	<u>\$5.15-Fee</u>
<u>Permits older than three years Re-inspection fee (commercial or residential)</u>	<u>\$20.60-50.00</u>

<u>Complete history</u>	<u>\$25.75</u>
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~~Sec. 22-5. Definitions:~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

(13) Residential Miscellaneous Permit

<u>Permit/Service</u>	<u>Fee</u>
<u>Modular Storage Buildings</u> <u>(DCA DBPR Approved; 400 sq. ft. or less)</u>	<u>\$100.00</u>
<u>Preliminary inspection prior to moving</u> <u>any building or structure</u>	<u>\$25.00</u>
<u>Penalty for commencement of work on a</u> <u>building or structure before obtaining the</u> <u>necessary permit(s)</u>	<u>Penalty is greater of:</u> <u>\$150.00 or double</u> <u>permit fee</u>
<u>Residential Mechanical Change Out</u>	<u>\$85.00</u>
<u>Re-Roof or Roof-Over</u>	<u>\$155.00</u>
<u>Early Start</u> <u>(Construction may start at own risk but</u> <u>no inspections until issuance of permit)</u>	<u>\$50.00</u>

(14) Sign Permit (requirements per Land Development Regulations 4.2.20)

<u>Permit</u>	<u>Fee</u>
<u>Each permit</u>	<u>\$75.00</u>
<u>With electric</u>	<u>\$100.00</u>
<u>Monument Base</u>	<u>\$150.00</u>
<u>Banner</u>	<u>\$10.00</u>
<u>Grand Opening Sign Application</u>	<u>\$25.00</u>
<u>Sign Face Changes</u> <u>(no structural alterations)</u>	<u>\$25.00</u>

(15) Swimming Pool Permit

<u>Permit</u>	<u>Cost</u>
<u>Spa/whirlpool</u>	<u>\$75.00</u>

<u>(includes electrical, plan review, plumbing & gas)</u>	
<u>Private above-ground swimming pool</u> <u>(includes electrical, plumbing, plan review & gas)</u>	<u>\$75.00</u>
<u>Private in-ground swimming pool</u> <u>(includes electrical, plumbing, plan review & gas)</u>	<u>\$225.00</u>
<u>Commercial swimming pool</u> <u>(includes electrical, plumbing, plan review & gas)</u>	<u>\$310.00</u>
<u>Residential portable pools with water depth of less than 24" are exempt from permitting</u>	<u>No Fee</u>

(16) Utility Permits (Located outside of city limits)

All inspections for Utility Permits shall be inspected prior to covering or concealing of the installation.

<u>Permit</u>	<u>Cost</u>
<u>Building sanitary connection to City Sewer by contractor</u>	<u>\$100.00</u>
<u>Building water connection to City Water by contractor</u>	<u>\$100.00</u>
<u>Backflow Preventer for City Water Protection installed by contractor (due to Irrigation Systems and/or well located on Property)</u>	<u>\$75.00</u>
<u>Backflow Preventer for City Water Protection installed by contractor (due to Swimming Pool and/or Spa located on Property)</u>	<u>\$75.00</u>

<u>Hourly Charge for City Utility Workers and equipment to Uncover the above installations for Inspection. (City workers shall not make corrections and are not responsible for damage due to uncovering the installation)</u>	<u>\$500.00/hour (3-hour minimum charge)</u>
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(17) Military Veteran Building Permit Discount

A city building permit fee shall be reduced by fifty (50) percent for an honorably discharged veteran of the United States Armed Forces where such permit is for work to be performed on a dwelling owned by the veteran which is used as the veteran’s residence . For purposes of this provision, “Armed Forces” shall have the meaning set forth in Section 250.01, Florida Statutes (2024).

- a. The reduced fee applies to all construction activity not just improvements relating to a disability.
- b. The discount can be coupled with any statutory exemption from licensing and permitting fees, including, but not limited to the exemption set forth in Section 295.16. Florida Statutes (2024).
- c. The work to be performed pursuant to a permit obtained pursuant to this provision of the Code of Ordinances shall be performed by a Florida licensed contractor or the homeowner.
- d. Except in the event of an applicable statutory exception, all fees other than a building permit fee shall be paid at full value by the veteran and no discount shall apply.

(18) Private Provider

An owner may use a private provider (as defined in Section 553.791, Florida Statutes (2024)) at such owner’s discretion. In the event an owner uses a private provider the fee reductions set forth in the applicable fee schedule shall be applied.

(19) Fire Permits, plan review and inspections

Fire Review Fees Residential/Commercial Development (PUD’s shall be required to satisfy fire protection requirements based on planned development).

<u>Permit/Service</u>	<u>Fee</u>
<u>Fire Plan Review</u>	<u>\$0.03 per square foot (\$75.00 minimum)</u>

<u>Fire Alarm Systems permit</u> <u>(Fire plan review not included)</u>	<u>\$0.01/square foot</u> <u>(\$169.00 minimum)</u>
<u>Fire Sprinkler Systems permit</u> <u>(Fire plan review not included)</u>	<u>\$0.01/square foot</u> <u>(\$169.00 minimum)</u>
<u>Change of building use/occupancy permit</u> <u>NOTE:</u> <ul style="list-style-type: none"> • <u>Fire inspection required</u> • <u>Includes one inspection per type/ category</u> • <u>Does not include repairs/ renovations/ corrections/ alterations</u> 	<u>\$181.00</u>
<u>Hood Systems permit</u> <u>NOTE:</u> <ul style="list-style-type: none"> • <u>includes Fire Inspector's test</u> • <u>does not include mechanical permit for hood installation.</u> • <u>Includes one inspection per type (category)</u> 	<u>\$181.00 per hood system</u>
<u>Residential Fire Sprinkler System Inspection</u> <u>NOTE:</u> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>1-2 family and mobile home</u> • <u>Includes one inspection per type (category)</u> 	<u>\$91.00</u>
<u>Residential Fire Alarm System Inspection</u> <u>NOTE:</u> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>1-2 family and mobile home</u> • <u>Includes one inspection per type (category)</u> 	<u>\$91.00</u>

<p><u>Hazardous Chemical Storage Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included)</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$181.00</u></p>
<p><u>Paint Booth Suppression Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$181.00</u></p>
<p><u>Fire Suppression (wet/dry) Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$181.00</u></p>
<p><u>Stand Pipe Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$121.00</u></p>
<p><u>Tent Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Inspection required for tents exceeding 900 square feet</u> • <u>Fire plan review not included</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$121.00 primary tent</u> <u>\$25.00 each additional tent on property per permit</u></p>
<p><u>Fire System Monitoring Inspection</u></p>	<p><u>\$121.00</u></p>

<p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Includes one inspection per type (category)</u> 	
<p><u>Remediation Systems</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Includes one inspection per type (category)</u> 	<p><u>\$121.00</u></p>
<p><u>Fire underground mains inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$181.00 1st 200 linear ft.</u> <u>\$50.00 each additional 200 linear ft. or fraction thereof</u></p>
<p><u>Food Vendors/Food Truck (Open Air Vendor) Inspections</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Includes one inspection per type (category)</u> 	<p><u>\$45.00 per truck or food vendor</u></p>
<p><u>Sparkler Sales Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Pursuant to Chapter 791, Florida Statutes</u> • <u>Includes one inspection per type (category)</u> 	<p><u>\$105.00 per location</u></p>
<p><u>Fire Works Sales Inspection</u></p> <p><u>NOTE:</u></p> <ul style="list-style-type: none"> • <u>Fire plan review not included</u> • <u>Pursuant to Chapter 791, Florida Statutes</u> 	<p><u>\$125.00 per location</u></p>

<ul style="list-style-type: none"> • <u>Includes one inspection per type (category)</u> 	
<u>Change of Tenant Permit/Inspection or Routine Inspection</u> NOTE: <ul style="list-style-type: none"> • <u>Includes one inspection per type (category)</u> 	<u>\$65.00</u>
<u>Commercial access gates inspection</u> NOTE: <ul style="list-style-type: none"> • <u>Includes residential subdivisions</u> • <u>Includes one inspection per type (category)</u> • <u>Fire plan review not included</u> 	<u>\$75.00</u>
<u>Fire Site Plan Review (Fire Department access, fire hydrant(s) locations)</u> NOTE: <ul style="list-style-type: none"> • <u>Includes one inspection per type (category)</u> 	<u>\$125.00</u>
<u>FALSE ALARMS</u> <u>Two per month allowable with no charge</u> <u>Third or more False Alarms in a month</u> NOTE: <ul style="list-style-type: none"> • <u>Includes one inspection per type (category)</u> 	<u>\$250.00 each occurrence</u>

- Each required **Fire** inspection type (category) is one inspection for each type. Additional inspection of the same type are \$50.00 per inspection.

- Re-inspection fee for rejected **Fire** inspection (must be paid in advance before second inspection is made) \$50.00.

Sec. 22-5. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advertise ~~shall mean~~means to tell about, communicate, inform, advise, in or through any public or private manner or form, including, but not limited to through newspaper(s), handbill(s), or flyer(s), business card(s), magazine(s), telephone directory(ies), radio, television, telephone solicitation, and/or conversation.

~~Applicant means any person who makes application for a certificate as provided in this article.~~

~~Board or contractor's board means the city contractor's board of examiners and appeals for the construction industry.~~

~~Certificate means a certificate of competency issued by the board as provided in this article.~~

~~Certification means the act of obtaining or holding a certificate of competency from the board as provided in this article.~~

Code enforcement officer ~~shall mean~~means any authorized agent or employee of the city whose duty it is to assure code compliance and is authorized by the growth management director or building official to enforce this chapter.

Contracting means, except as exempted in this article, engaging in business as a contractor and includes, but is not limited to, performance of any of the acts as set forth in the definition of the word "contractor" which defines types of contractors. The attempted sale of contracting services and the negotiation or bid for a contract on these services also constitutes contracting. If the services offered require licensure or agent qualification, the offering, negotiation for a bid, or attempted sale of these services requires the corresponding licensure. However, the term "contracting" shall not extend to an individual, partnership, corporation, trust, or other legal entity that offers to sell or sells completed residences on property on which the individual or business entity has any legal or equitable interest, if the services of a qualified contractor certified or registered pursuant to the requirements of this article have been or will be retained for the purpose of constructing such residences.

Contractor means the person who is qualified for, and shall only be responsible for, the project contracted for and means, except as exempted in this article, the person who, for compensation, undertakes to, submits a bid to, or does himself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the subsequent paragraphs of this subsection.

For the purposes of regulation under this article, the term "demolish" applies only to demolition of steel tanks over 50 feet in height; towers over 50 feet in height; other structures over 50 feet in height, other than buildings or residences over three stories tall; and buildings or residences over three stories tall. Contractors are subdivided into two divisions: Division I, consisting of those contractors defined in subsections (1)—(3) of this definition, and ~~Division~~ Division II, consisting of those contractors defined in subsections (4)—(17) of this definition:

- (1) *General contractor* means a contractor whose services are unlimited as to the type of work which he may do, except as provided in this article.
- (2) *Building contractor* means a contractor whose services are limited to construction of commercial buildings and single-dwelling or multiple-dwelling residential buildings, which commercial or residential buildings do not exceed three stories in height, and accessory use structures in connection therewith or a contractor whose services are limited to remodeling, repair, or improvement of any size building if the services do not affect the structural members of the building.
- (3) *Residential contractor* means a contractor whose services are limited to construction, remodeling, repair, or improvement of one-family, two-family, or three-family residences not exceeding two habitable stories above no more than one uninhabitable story and accessory use structures in connection therewith.
- (4) *Sheet metal contractor* means a contractor whose services are unlimited in the sheet metal trade and who has the experience, knowledge, and skill necessary for the manufacture, fabrication, assembling, handling, erection, installation, dismantling, conditioning, adjustment, insulation, alteration, repair, servicing, or design, when not prohibited by law, of ferrous or nonferrous metal work of U.S. No. 10 gauge or its equivalent or lighter gauge and of other materials including, but not limited to, fiberglass, used in lieu thereof and of air-handling systems, including the setting of air-handling equipment and reinforcement of same and including the balancing of air-handling systems.
- (5) *Roofing contractor* means a contractor whose services are unlimited in the roofing trade and who has the experience, knowledge, and skill to install, maintain, repair, alter, extend, or design, when not prohibited by law, and use materials and items used in the installation, maintenance, extension, and alteration of all kinds of roofing, waterproofing, and coating, except when coating is not represented to protect, repair, waterproof, stop leaks, or extend the life of the roof.
- (6) *Class A air conditioning contractor* means a contractor 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; 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, and pneumatic control piping; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air conditioning control wiring; and to install 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.

- (7) *Class B air conditioning contractor* means a contractor whose services are limited to 25 tons of cooling and 500,000 Btu of heating in any one system 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 being installed under this classification; to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping and insulation of pipes, vessels, and ducts; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air conditioning control wiring; and to install 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.
- (8) *Class C air conditioning contractor* means a contractor whose business is limited to the servicing of air conditioning, heating, or refrigeration systems, including duct alterations in connection with those systems he is servicing, and whose certification or registration, issued pursuant to this part, was valid on October 1, 1988. No person not previously registered or certified as a class

C air conditioning contractor as of October 1, 1988, shall be so registered or certified after October 1, 1988. However, the board shall continue to license and regulate those class C air conditioning contractors who held class C licenses prior to October 1, 1988.

- (9) *Mechanical contractor* means a contractor 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, lift station equipment and piping, and all appurtenances, apparatus, or equipment used in connection therewith; 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 installations and piping for same, standpipes, air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines, and natural gas fuel lines within buildings; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air conditioning control wiring; and to install 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 gas fuel lines within buildings, potable water lines or connections thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring.
- (10) *Commercial pool/spa contractor* means a contractor whose scope of work involves, but is not limited to, the construction, repair, water treatment, and servicing of any swimming pool, or hot tub or spa, whether public, private, or otherwise, regardless of use. The scope of such work includes layout, excavation, operation of construction pumps for dewatering purposes, steelwork, installation of light niches, construction of floors, gunting, fiberglassing, installation of tile and coping, installation of all perimeter and filter piping, installation of all filter equipment and chemical feeders of any type, plastering of the interior, construction of decks, construction of equipment rooms or housing for pool equipment, and installation of package pool heaters. However, the scope of such work does not include direct connections to a sanitary sewer system or to potable water lines.
- (11) *Residential pool/spa contractor* means a contractor whose scope of work involves, but is not limited to, the construction, repair, water treatment, and servicing of any residential swimming pool or hot tub or spa, regardless of

use. The scope of such work includes layout, excavation, operation of construction pumps for dewatering purposes, steelwork, installation of light niches, construction of floors, guniting, fibreglassing, installation of tile and coping, installation of all perimeter and filter piping, installation of all filter equipment and chemical feeders of any type, plastering of the interior, construction of decks, installation of housing for pool equipment, and installation of package pool heaters. However, the scope of such work does not include direct connections to a sanitary sewer system or to potable water lines.

(12) *Swimming pool/spa servicing contractor* means a contractor whose scope of work involves the servicing, repair, water treatment including, but not limited to, the direct infusion of chlorine gas accomplished through the use of machinery attached to the pool, and maintenance of any swimming pool or hot tub or spa, 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, reconstruction of decks, and reinstallation or addition of pool heaters.

(13) *Plumbing contractor* means a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge, and skill to install, maintain, repair, alter, extend, or, when not prohibited by law, design plumbing. A plumbing contractor may install, maintain, repair, alter, extend, or, when not prohibited by law, design 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 heating water 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 the design, when not prohibited by law, and installation, maintenance, repair, alteration, or extension of air-piping, vacuum line piping, oxygen line piping, 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. Such contractor shall subcontract, 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 a plumbing contractor. Nothing in this definition shall be construed to limit the scope of work of any specialty contractor certified pursuant to F.S. § 489.113(6). Nothing in this definition shall be construed to require certification or registration under this part of any authorized employee of a public natural gas utility or of a private natural gas utility regulated by the public service commission when disconnecting and reconnecting water lines in the servicing or replacement of an existing water heater.

- (14) *Underground utility and excavation contractor* means a contractor whose services are limited to the construction, installation, and repair, on public or private property, of main sanitary sewer collection systems, main water distribution systems, storm sewer collection systems, and the continuation of utility lines from the main systems to a point of termination up to and including the meter location for the individual occupancy, sewer collection systems at property line on residential or single-occupancy commercial properties, or on multi-occupancy properties at manhole or wye lateral extended to an invert elevation as engineered to accommodate future building sewers, water distribution systems, or storm sewer collection systems at storm sewer structures. However, an underground utility and excavation contractor may install empty underground conduits in rights-of-way, easements, platted rights-of-way in new site development and sleeves for parking lot crossings no smaller than two inches in diameter, provided that each conduit system installed is designed by a licensed professional engineer or an authorized employee of a municipality, county, or public utility and that the installation of any such conduit does not include installation of any conductor wiring or connection to an energized electrical system. An underground utility and excavation contractor shall not install any piping that is an integral part of a fire protection system as defined in F.S. § 633.021(7) beginning at the point where the piping is used exclusively for such system.
- (15) *Solar contractor* means a contractor whose services consist of the installation, alteration, repair, maintenance, relocation, or replacement of solar panels for potable solar water heating systems, swimming pool solar heating systems, and photovoltaic systems and any appurtenances, apparatus, or equipment used in connection therewith, whether public, private, or otherwise, regardless of use. A contractor, certified or registered pursuant to the provisions of this article, is not required to become a certified or registered solar contractor or to contract with a solar contractor in order to provide any services enumerated in this definition that are within the scope of the services such contractors may render under this article.

(16) *Pollutant storage systems contractor* means a contractor whose services are limited to, and who has the experience, knowledge, and skill to install, maintain, repair, alter, extend, or design, when not prohibited by law, and use materials and items used in the installation, maintenance, extension, and alteration of, pollutant storage tanks. Any person installing a pollutant storage tank shall perform such installation in accordance with the standards adopted pursuant to F.S. § 376.303.

(17) *Specialty contractor* means a contractor whose scope of work and responsibility is limited to a particular phase of construction and whose scope is limited to a subset of the activities described in the categories established in one of the sections of this definition.

Owner builder means an owner of property, building, or improving one- or two-family residences thereof for the occupancy of such owners and not offered for sale. In all actions brought under this article, proof of the sale or offering for sale of more than one such structure by the owner builder within one year after completion of same is presumptive evidence that such structure was undertaken for purpose of sale.

Qualifying agent means a person as defined in F.S. § 489.105(4), (5).

Registered contractor means any contractor who has registered with the state department of professional regulation pursuant to fulfilling the competency requirements of the board and is primarily disciplined by the local board.

Repeat violation ~~shall mean~~ means a recurring violation of a provision of this article by a violator who has previously been found to have violated the same provisions, or a violator against whom penalties were assessed for the same provision, within five years prior to the current violation.

Serve ~~shall mean~~ means that all notices required by this article shall be provided to the alleged violator by certified mail, return receipt requested; by hand delivery by the sheriff or other law enforcement officer or code enforcement officer; or by leaving the notice at the alleged violator's usual place of residence with some person of his or her family above 15 years of age and informing such person of the contents of the notice.

Unlicensed contractor means any person who does not hold a current state certification, state registration, ~~or city certificate~~ of competency while acting as a contractor ~~or journeyman~~.

Handyman Services means a company or person that holds a Business Tax Receipt from the city for installation of fences (permit required); carpet, linoleum, ceramic tile, terrazzo, marble, and wood flooring; ceiling fan installation limited to connection with the electrical source by a plug/outlet connection and not "hard wiring" or other means of connection; change of door locks (NO installation of doors or windows); asphalt paving and coating with required permit; painting and

wall coverings; housecleaning; lawn maintenance and/or tree service; commercial and residential landscaping not requiring the installation or repair of irrigation systems; power washing; rescreening not requiring the installation or repair of aluminum, wood or vinyl siding and/or frames; trash hauling and construction job-site cleanup; acoustical treatment on interior walls only; installation of window treatments such as curtains and/or blinds, whether vertical or horizontal; assembly of prefabricated furnishings and shelving; replace intake air handler filters where duct work or dismantling of any part of the HVAC system is not required; swimming pool and spa treatment. This is not an inclusive list. Work requiring a license as set forth under the definitions of *Contractors* in items (1) through (17), above, is specifically excluded from the definition of *Handyman Services* and must be performed by Florida licensed contractors.

Sec. 22-6. —Exemptions.

(a) Shall be as set forth in ~~F.S. §~~Section 489.103, Florida Statutes.

(b) This article shall not apply to:

- (1) An authorized employee of the United States, this state, or any municipality, county, irrigation district, reclamation district, or any other municipal or political subdivision, except school boards, the board of regents, and community colleges, unless for the purpose of performing routine maintenance or repair or construction not exceeding \$200,000.00 to existing installations, if the employee does not hold himself or herself out for hire or otherwise engage in contracting except in accordance with his or her employment. If the construction, remodeling, or improvement exceeds \$200,000.00, school boards, the board of regents, and community colleges, shall not divide the project into separate components for the purpose of evading this section.
- (2) Public utilities, including special gas districts as defined in ~~{F.S.} ch. Chapter~~ 189, telecommunications companies as defined in ~~{F.S.} §Section~~ 364.02(14), Florida Statutes, and natural gas transmission companies as defined in ~~{F.S.} §Section~~ 368.103(4), Florida Statutes, on construction, maintenance, and development work performed by their employees, which work, including, but not limited to, work on bridges, roads, streets, highways, or railroads, is incidental to their business. The board shall define, by rule, the term "incidental to their business" for purposes of this subsection.
- (3) Owners of property when acting as their own contractor and providing direct, onsite supervision themselves of all work not performed by licensed contractors:
 - a. When building or improving farm outbuildings or one-family or two-family residences on such property for the occupancy or use of such

owners and not offered for sale or lease, or building or improving commercial buildings, at a cost not to exceed \$75,000.00, on such property for the occupancy or use of such owners and not offered for sale or lease. In an action brought under this part, proof of the sale or lease, or offering for sale or lease, of any such structure by the owner-builder within one year after completion of same creates a presumption that the construction was undertaken for purposes of sale or lease.

- b. When repairing or replacing wood shakes or asphalt or fiberglass shingles on one-family, two-family, or three-family residences for the occupancy or use of such owner or tenant of the owner and not offered for sale within one year after completion of the work and when the property has been damaged by natural causes from an event recognized as an emergency situation designated by executive order issued by the governor declaring the existence of a state of emergency as a result and consequence of a serious threat posed to the public health, safety, and property in this state.

This subsection does not exempt any person who is employed by or has a contract with such owner and who acts in the capacity of a contractor. The owner may not delegate the owner's responsibility to directly supervise all work to any other person unless that person is registered or certified under this part and the work being performed is within the scope of that person's license. For the purposes of this subsection, the term "owners of property" includes the owner of a mobile home situated on a leased lot. To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, providing that the owner has a complete understanding of the owner's obligations under the law as specified in the disclosure statement in this section. If any person violates the requirements of this subsection, the local permitting agency shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued. The local permitting agency shall provide the person with a disclosure statement in substantially the following form:

Disclosure Statement

State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions

even though you do not have a license. You must provide direct, onsite supervision of the construction yourself. You may build or improve a one-family or two-family residence or a farm outbuilding. You may also build or improve a commercial building, provided your costs do not exceed \$75,000. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within 1 year after the construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

- (4) Any construction, alteration, improvement, or repair ~~carried on~~ executed within the limits of any site the title to which is in the United States or with respect to which federal law supersedes this part.
- (5) Any one-family, two-family, or three-family residence constructed by Habitat for Humanity International, Inc., or its local affiliates. Habitat for Humanity International, Inc., or its local affiliates, must:
 - a. Obtain all necessary building permits.
 - b. Obtain all required building code inspections.
 - c. Provide for supervision of all work by an individual with construction experience.
- (6) A disaster recovery mitigation organization or a not-for-profit organization repairing or replacing a one-family, two-family, or three-family residence that has been impacted by a disaster when such organization:
 - a. Is using volunteer labor to assist the owner of such residence in mitigating unsafe living conditions at the residence;

- b. Is not holding itself out to be a contractor;
 - c. Obtains all required building permits;
 - d. Obtains all required building code inspections; and
 - e. Provides for the supervision of all work by an individual with construction experience.
- (7) The sale, delivery, assembly, or tie-down of prefabricated portable sheds ~~that are of~~ not more than 250 square feet in interior size and ~~are~~ not intended for use as a residence or as living quarters. This exemption may not be construed to interfere with the ~~Florida~~ Building Code or any applicable local technical amendment to the ~~Florida~~ Building Code, local licensure requirements, or other local ordinance provisions. A permit is not required for the on-site assembly or tie-down of prefabricated portable sheds of not more than 250 square feet in interior size and not intended for use as a residence or living quarters, or portion/auxiliary unit thereof.
- (8) The sale, delivery, assembly, or tie-down of lawn storage buildings and storage buildings not exceeding 400 square feet in interior size and bearing the insignia of approval from the ~~department~~State of ~~community affairs~~Florida Department of Business and Professional Regulation showing compliance with the ~~Florida~~ Building Code. A permit is required for the on-site assembly and/or tie down of prefabricated storage buildings being more than 250 square feet, but not more than 400 square feet in interior size and not intended for use as a residence or living quarters, or portion/auxiliary unit thereof.

~~Secs. 22-7—22-10.—Reserved.~~

ARTICLE II. ~~—INSURANCE, CERTIFICATION AND LICENSURE~~

Sec. 22-11. ~~—Insurance requirements.~~

- (a) Workers' compensation and liability insurance. Every contractor and subcontractor granted a license under the terms of this article shall be required to maintain at all times, with an insurer authorized to do business in the state, workers' compensation insurance (unless exempt by law) and public liability insurance with minimum limits of the latter of not less than \$50,000.00 for one person and \$100,000.00 for more than one person, in any one accident, and public property damage insurance with a minimum of not less than \$5,000.00 for any one accident.
- (b) Filing of insurance certificate. Before a license can be issued the certified person shall file with the office of the building official a certificate as prescribed ~~and provided~~ by the city, signed by a qualified agent of the insurance carrier, stating that policies have been issued to the licensee for:

workers' compensation insurance in minimum statutory amounts and other insurance as prescribed in this section; the policy numbers; the name of the company; the effective date of such policies; the expiration date of such policies; together with a statement and a copy of an endorsement placed on such policies requiring 30 days' written notice by registered mail to the office of the building official if it becomes necessary to cancel the policies for any reason.

~~(c) Revocation of certificate of competency on cancellation of insurance. In the event of a cancellation of a policy or policies, required by subsection (a) of this section, the certificate of such licensee shall automatically be revoked, but shall be reinstated when the licensee has furnished a certificate of insurance in compliance with this section.~~

~~Sec. 22-12. —Certification required.~~

~~(a) It shall be unlawful for any person to engage in business in the city as a contractor without being certified pursuant to the provisions of this subdivision.~~

~~(b) It shall be unlawful for any firm or corporation to engage in business as a contractor unless the firm or corporation shall at all times be under the direction, supervision and management of a person certified for such activity.~~

~~(c) This section shall not require city certification of a person as a contractor if he is certified as such by the state.~~

~~Sec. 22-13. —Reciprocity.~~

~~(a) Any person who holds a current certificate obtained by examination equivalent to that provided in section 22-14 in any other city or county in the state having similar requirements and operating under similar provisions, and such city or county grants reciprocity to similar occupations and businesses of the City of Lake City, shall be granted a certificate upon payment of the certificate fee and the occupational license upon payment of the certificate fee and the occupational license fee for his classification, and upon compliance with the insurance requirements of this article.~~

~~(b) Any person holding a valid certificate of competency issued by the state construction industry licensing board for any business or trade regulated in this article shall likewise be granted a certificate upon payment of the certificate and occupational license fees for his classification and upon compliance with the insurance requirements of this article.~~

~~(c) Certificates issued through reciprocity shall be subject to each and every provision contained in this article.~~

~~Sec. 22-14. —Application; examination; financial report; fees and costs.~~

~~(a) Application. To obtain a certificate an applicant shall submit an application in writing to the board containing the statement that the applicant desires the issuance of a certificate and the class of certificate desired on a form containing the information prescribed by the board and shall be accompanied by the fee established by this section.~~

~~(b) Examinations. Examinations shall be conducted as follows:~~

~~(1) Examinations shall be held at times and places the board determines to be appropriate within the state. Each applicant shall take a written examination about his fitness for a certificate in the category for which application is made. There shall be a type of examination for each of the categories defined in section 22-5 which shall apply to the type of work covered by the certificate for which application is made. The examination shall cover knowledge of basic principles of contracting and construction applicable to the category for which a request for a certificate is made. All examinations are to be prepared by an independent testing agency, subject to approval by the board.~~

~~(2) A passing grade on the examination shall be established by the board and such examinations shall be administered by the independent testing agency and grades reported to the board.~~

~~(c) Financial or credit report. Each applicant for a certificate shall furnish to the board a financial or credit report containing sufficient facts as determined by the board for the board to investigate the financial responsibility and credit reputation of the applicant and of any business organization on behalf of which he proposes to engage in contracting.~~

~~(d) Fees; costs of examination. The application must be accompanied by a nonrefundable fee of \$50.00. The applicant must pay all costs of the examination administered by the independent testing agency.~~

~~Sec. 22-15. Investigation and certification of applicants; duration and renewal.~~

~~(a) Investigation; issuance or denial of certificate. The chair of the board shall cause an investigation of the applicant to be made and, if upon the investigation of the applicant, the board in the exercise of its reasonable discretion determines that the applicant has satisfactorily passed the examination provided for in section 22-14, and is otherwise a fit and proper person to engage in the business within the city, the board shall cause a certificate to be issued to the applicant; otherwise, the application will be denied. Such certificate shall specify the type or kind of work for which the applicant is qualified to perform with the city and shall show on its face that it is subject to revocation or suspension.~~

~~(b) Duration; renewal of certificate. All certificates of competency shall be issued for one year and shall expire on September 30 of each calendar year. Any certificate of competency not renewed within 30 days after its expiration date~~

~~shall be void and may not be renewed without examination and payment of fees required therefor, provided time spent in the armed forces of the United States shall not be counted in such 30 day period. Certificates of competency may be renewed within 30 days after expiration by payment of the renewal fee.~~

~~(c) Renewal fee. The renewal fee for a certificate of competency issued under this article shall be \$50.00.~~

~~Sec. 22-16. Eligibility; reapplication after denial.~~

~~(a) Eligibility generally. A person shall be qualified to be certified as a contractor if:~~

~~(1) He has a good business and performance reputation in the community in which he has been engaged in business;~~

~~(2) He has a practical and working knowledge of the business in which he seeks to engage;~~

~~(3) He has a practical and working knowledge of the statutes of the state and ordinances of the city applicable to the business in which he seeks to engage, including the zoning, building, electrical, plumbing and gas codes of the city;~~

~~(4) He pays the required fee, makes the necessary application, meets the insurance requirements, and passes the required examination; and~~

~~(5) He has been a journeyman plumber (if he is applying to be a plumbing contractor) or a journeyman electrician (if he is applying to be an electrical contractor) and can provide satisfactory evidence that he has worked in his trade as a licensed journeyman for a minimum of two years.~~

~~(b) Eligibility of firms and corporations. Any firm or corporation shall be qualified to engage in business in the city as a contractor if:~~

~~(1) The applicant has a good business and performance reputation in the community in which the applicant has been engaged in business.~~

~~(2) The business of such firm or corporation in the future shall at all time be under the direction, supervision, or management of a certified contractor.~~

~~(c) Reapplication. If an application for certification is denied, the applicant may renew his application at the expiration of six months from the date it was denied, unless the board of examiners and appeals shall shorten such period for good cause shown.~~

~~Sec. 22-17. Payment of business tax fees required prior to engagement in licensed trade.~~

~~Before~~Except in the case of a Florida Certified Contractor, before any person licensed under this article shall engage in the licensed trade within the city, he shall pay to the city the necessary business tax fee in effect for that occupation or trade at the time of application if his primary business address is within the city limits or provide proof that the required business tax was paid in the jurisdiction of the primary business address.

~~Sec. 22-18.~~ 13. Duration of licenses.

All licenses shall expire on and shall be null and void and subject to renewal after September 30 of each year, and no contracting work shall be done by, and no permits shall be issued to, any person licensed under this article who has no such license in full force and effect.

~~Sec. 22-19. Building permit.~~

~~Building permits shall be procured from the office of the building official by every contractor or subcontractor licensed under this article before doing any work or construction of any character as required by ordinances of the city.~~

~~Sec. 22-20. Reserved.~~

~~ARTICLE III. ELECTRICAL~~

~~Sec. 22-21. Purpose of article; enforcement.~~

~~(a) For the better protection of life and property and in the interest of public safety, the following rules and regulations are hereby adopted for the sale, installation, use, repair and maintenance of electrical wiring, apparatus or equipment for light, heat or power inside of or attached to buildings within the limits of the city or served by electricity through any distribution system within the city.~~

~~(b) The enforcement of this article shall be under the supervision and control of the building official.~~

~~Sec. 22-22. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Applicant means any person who makes application for a certificate as provided in section 22-24.~~

~~Approved means acceptable to the authority enforcing this article.~~

~~Board means the board of examiners of electricians.~~

~~Electrical construction means and governs all work and materials used in the installing, maintaining or extending of any system of electrical wiring, for light, heat or power and all apparatus and appurtenances used in connection therewith, inside of or attached to any building, structure, lot or premises.~~

~~Electrical inspector means a person who possesses the necessary training and technical knowledge and who has been appointed by the city council to inspect electrical wiring for the city.~~

~~Electrician means a person who is engaged in the trade of electrical construction.~~

~~Journeyman electrician means a person who possesses the necessary training and technical knowledge to install electrical wiring, apparatus or equipment.~~

~~Master electrician means a person who possesses the necessary qualifications, training and technical knowledge to plan, supervise and install electrical wiring, apparatus and equipment.~~

~~Sec. 22-23. National Electrical Code adopted.~~

~~Except for special rules set forth in this chapter, the National Electrical Code, as adopted with the Florida Building Code, shall be taken as the rule and guidance for the installation, use, maintenance, and sale of all electrical wiring, apparatus, equipment and appliances in the city. The National Electrical Code is hereby adopted as a part of this article as fully as if set out at length in this section. All wire, apparatus and appliances installed, used, sold or offered for sale shall conform to such rules and regulations as are incorporated in the National Electrical Code, and in addition thereto, shall bear the label of, or shall be listed by the Underwriters' Laboratories, Inc., or with other standards approved by the American Standards Association. Such labeling or listing shall be prima facie evidence that the materials, apparatus or appliances comply with the provisions of this article.~~

~~Sec. 22-24. Board of examiners of electricians; certificate required; application; examinations; fees and costs; reexamination; duration and renewal.~~

~~(a) Board of examiners. Shall be as set forth in article VI of this chapter.~~

~~(b) Certificate required. Any person desiring to engage in the businesses or occupations described in section 22-22 must hold a certificate of competency issued by the board.~~

~~(c) Application. To obtain a certificate, an applicant shall submit an application in writing to the board containing the statement that the applicant desires the issuance of a certificate and the~~

~~class of certificate desired on a form containing the information prescribed by the board and shall be accompanied by the fee established by this section.~~

~~(d) Examinations. Examinations shall be conducted as follows:~~

~~(1) Examinations shall be held at times and places as the board determines to be appropriate within the state. Each applicant shall take a written examination about his fitness for a certificate in the category for which application is made. There shall be a type of examination for each of the categories defined in section 22-22 which shall apply to the type of work covered by the certificate for which application is made. The examination shall cover knowledge of basic principles of contracting and construction applicable to the category for which a request for certificate is made. All examinations may be prepared by an independent testing agency, subject to approval by the board.~~

~~(2) A passing grade on the examination shall be established by the board and such examinations may be administered by the independent testing agency and grades reported to the board.~~

~~(e) Fees and costs. The application must be accompanied by a nonrefundable fee of \$50.00. The applicant must pay all costs of the examination administered by the independent testing agency.~~

~~(f) Reexamination. Should any applicant for certification fail to achieve a passing grade on his examination, he shall not be reexamined until after a period of not less than six months from the date of his first examination. If, after such six month period, the applicant should wish to be reexamined, he shall make application as required in this section. Should the applicant fail to achieve a passing grade on the examination the second time, he shall not be examined again until after a period of one year from the time of the second examination.~~

~~(g) Duration; renewal. All certificates of competency shall be issued for one year and shall expire on September 30 of each calendar year. Any certificate of competency not renewed within 30 days after its expiration date shall be void and may not be renewed without examination and payment of fees as required in this section, provided time spent in the armed forces of the United States shall not be counted in such 30 day period. Certificates of competency may be renewed within 30 days after expiration by payment of the renewal fee of \$50.00.~~

~~Sec. 22-25. — Exceptions to examinations.~~

~~Each and every person who, on November 4, 1968, has been issued an occupational license by the city under the classification of electrician or electrical contractor, which license is in good standing on such date, or each and every person who provides proof acceptable to the board of the satisfactory completion of an equivalent examination as required in this article, shall be issued a certificate of competency without being required to be examined as provided in section~~

~~22-24. Such certificates of competency issued under this section shall expire and shall be renewed as required by section 22-24(g).~~

~~Sec. 22-26. Payment of business tax fees required prior to engagement in licensed trade.~~

~~Before any person licensed under this article shall engage in a licensed trade within the city, he shall pay to the city the necessary business tax fee in effect for that occupation or trade at the time of application if his primary business address is within the city limits or provide proof that the required business tax was paid in the jurisdiction of the primary business address.~~

~~Sec. 22-27. Expiration of licenses.~~

~~All licenses shall expire on and shall be null and void and subject to renewal after September 30 of each year, and no electrical work shall be done by and no permits shall be issued to any master electrician who does not have such license in full force and effect.~~

~~Sec. 22-28. Certified electricians required for electrical work; exceptions.~~

~~Except as provided for in subsections (1), (2), and (3) of this section, it shall be unlawful for any person not a certified electrician to install, change or alter, repair or extend any system of electrical wiring, apparatus or equipment inside of or attached to any building, structure, lot or premises:~~

~~(1) The employees of the privately owned utilities within the city may make any or all necessary extensions to the distribution system of the same, either overhead or underground; install all meters and metering equipment within the buildings; install primary services to and into buildings wherein the distribution transformers are located within the building; install all service wires on privately owned property from the pole to the house to the point of connection with the owner's service wires; may change, install, alter or repair any system of electrical wiring, apparatus or equipment in or on any municipally owned building, structure, lot or premises; and may install decorative lighting in the city streets and parks of the city. No certificate of competency, license or bond will be required of such employees in connection with their duties as designated in this subsection.~~

~~(2) A certificate of competency, license or bond will not be required of the employees of the telephone or telegraph companies in connection with their duties while installing the signaling equipment or any wiring in connection therewith, either inside or outside of buildings, also the installation of their pole lines in the streets of the city. No employee of the telephone or telegraph companies shall install, change or alter any system of electrical wiring, apparatus or equipment for light, heat or power in the city without first being in possession of a certificate of competency from the examining board in full force and effect.~~

~~(3) No part of this article shall be held to prohibit the working of helpers on any electrical construction when the work done by such helpers is under the actual and full-time supervision of a licensed electrician.~~

~~Sec. 22-29. Permits—Required for electrical construction.~~

~~A permit will be required to install, change, alter (or repair) any electrical wiring, apparatus or equipment within the limits of the city or served by electricity through the distribution system within the city, except that permits will not be required for making repairs to existing wiring, provided that such repairs will not change or alter the wiring or apparatus connected thereto. All permits shall be signed by the city inspector. The city inspector shall have the authority to reject any application for a permit which does not comply with the provisions of this article.~~

~~Sec. 22-30. Same—Issued only to master electricians; exceptions.~~

~~Except as provided in section 22-109, permits shall be issued to master electricians only. Master electricians shall make application for electrical permits at the office of the city inspector. The master electrician shall furnish a complete set of plans and specifications on all large and complicated jobs, and such other information as shall be required before the permit is issued. The electrical inspector shall examine all applications for permits to determine if they conform to the provisions of this article. Should the electrical inspector find that the application is incomplete or does not conform to the provisions of this article, he shall promptly notify the building official to that effect. Upon being so notified, the building official shall have the authority to reject the application or order the master electrician to change it so it will conform to this article.~~

~~Sec. 22-31. Same—Applications to be in writing.~~

~~All applications for permits to install, change, alter or repair electrical wiring, apparatus or equipment shall be in writing and shall be filled in on blanks furnished by the city. Master electricians may obtain the blank forms at the office of the city inspector.~~

~~Sec. 22-32. Reserved.~~

~~Sec. 22-33. Same—Use of name by others to obtain.~~

~~No master electrician shall allow his name to be used by any person, either for the purpose of obtaining a permit for, or to do any electrical work under his license.~~

~~Sec. 22-34. Maintenance electricians; registration.~~

~~Maintenance electricians will be required to register at the office of the building official, giving their names and addresses and also the names and addresses of their employers. Maintenance~~

~~electricians may be either master or journeyman electricians, except maintenance electricians required to install electrical wiring, apparatus or equipment shall be master electricians.~~

~~Sec. 22-35. Electrician to be responsible for complete installation.~~

~~The electrician installing the interior wiring in any building, structure or premises shall be required to and it shall be his duty to see that all equipment is protected from the weather before applying for final inspection. It shall also be his duty to see that installation is complete in every detail.~~

~~Sec. 22-36. Electrical inspector—Appointment; qualifications.~~

~~The electrical inspector shall be appointed by the city council. Such inspector shall have the necessary training and technical knowledge to enable him to carry on the duties of office.~~

~~Sec. 22-37. Same—Duties and powers.~~

~~It shall be the duty of the electrical inspector to inspect all buildings, structures or premises in or on which electrical wiring, apparatus or equipment is to be used, in the course of erection or repair, and to enter into and examine any building where electric current is utilized for light, heat or power for the purpose of ascertaining any violation of this article and enforcing compliance therewith; and upon finding any wiring, apparatus or equipment defective or dangerous, such inspector shall deliver a written notice of such violation of this article, or of any regulation of the city council, to the constructing contractor, owner or agent of any building, and direct him or them to promptly remove or repair such defective wiring, apparatus or equipment within a reasonable time. The time allowed for making such repairs shall be so stated in the notice. Should the party neglect or refuse to remove or repair the defective wiring, apparatus or equipment within the specified time stated in the notice, and in case of neglect or refusal on the part of the party so notified to remove or repair the same within the time and in the manner prescribed in such notice, the party so offending shall be punished as provided in section 22-132, and shall cease to use such wiring, apparatus or equipment until after it has been repaired, altered or changed and made to comply with the provisions of this article. The electrical inspector shall have the authority to disconnect the current from any wiring which is immediately dangerous to life or property.~~

~~Sec. 22-38. Same—To have access to buildings.~~

~~The electrical inspector shall have the right to enter any building, manhole or subway during any reasonable hour of the day in the discharge of his duties, for the purpose of making any tests on the electrical wiring, apparatus or equipment therein contained, and for that purpose he shall be given prompt access to all buildings, private and public, and to all manholes and subways, on~~

~~application to the persons owning, or in charge of such places. It shall be unlawful for any person to interfere with, or in any manner hinder the electrical inspector, or any of his assistants, while in the discharge of his or their duty under the terms of this article.~~

~~Sec. 22-39. Inspection—Required; conformance to provisions of this article.~~

~~(a) Except as provided for in section 22-28, no system of electrical wiring shall be connected to the distribution lines of any utility, and no current shall be supplied through any system of electrical wiring which has not been inspected and approved by the electrical inspector.~~

~~(b) No addition or extension shall be connected to any system of electrical wiring which does not conform to the provisions of this article until after it has been changed, altered or repaired and made to conform to the rules and regulations of this article. Any existing system of electrical wiring, apparatus or equipment which is immediately dangerous to life and property shall be cut off, and the electrical service shall not be again reconnected to the distribution lines of the municipal utility until after it has been repaired, changed or altered and made to conform to the rules and regulations of this article. No electrician, owner, lessee or agent shall increase the load on any wiring system without first consulting the electrical inspector.~~

~~Sec. 22-40. Same—Concealing wiring before it is inspected.~~

~~It shall be unlawful for any person to conceal or enclose any wiring before it has been inspected and approved by the electrical inspector.~~

~~Sec. 22-41. Same—Application; notices; reinspections; fees.~~

~~All electrical work must be in place before the electrical wiring will be considered as complete and ready for inspection. After the wiring is complete and all electrical work in place, the permittee shall request the required inspection(s). The electrical inspector shall inspect the wiring, apparatus, equipment or appliance, and should he find they have been installed in a satisfactory manner and in accordance with the terms of this article, he shall place a notice at the service equipment, or some other suitable place, stating the electrical wiring and equipment in connection therewith has been inspected and approved. If, after inspecting the wiring or apparatus, the electrical inspector should find that it does not conform to this article, he shall notify the permittee that the wiring, apparatus or equipment has been condemned, and that the same shall not be covered or concealed until after it has been changed to meet the provisions of this article. After it has been changed to meet the provisions of this article, the permittee shall request the required inspection(s). Should it become necessary to make a third inspection before the approval of the work, the electrical inspector shall do so only on notice from the permittee together with payment of a reinspection fee as set forth in section 22-4 of this chapter. Requests for inspections shall be made at least 24 hours prior to the requested time of inspection. A~~

~~request for inspection made before 12:00 noon may be inspected the following morning. A request made after 12:00 noon may be inspected the following afternoon. On large and complicated jobs, the electrical may be inspected in sections.~~

~~Sec. 22-42. Temporary connections.~~

~~The electrical inspector may permit temporary connection of any system of wiring, either during the course of construction or for temporary light, heat or power, provided that no temporary connection shall be for a period of over 30 days or such time as shall be specified in writing by the electrical inspector.~~

~~Sec. 22-43. Service wires and tubing.~~

~~All service wires shall be installed in approved conduit.~~

~~Sec. 22-44. Location of service entrance.~~

~~The electrical inspector, together with an authorized representative of the utility, shall designate the location of the service entrance to the building, and once the point of service entrance to the building has been designated, it shall not be changed without the consent of both.~~

~~Sec. 22-45. Wiring—In buildings.~~

~~(a) Schoolhouses, theatres, churches, auditoriums, hotels, rooming houses. Schoolhouses, theatres, churches, auditoriums, hotels, rooming houses of over ten rooms, apartment houses of over four apartments, business, commercial and industrial installation shall be wired with approved conduit.~~

~~(b) Wired according to National Electrical Code. Any class of occupancy not specifically mentioned in this article shall be wired according to the rules of the National Electrical Code governing the wiring, apparatus or equipment for that particular class of occupancy.~~

~~Sec. 22-46. Same—Installation by owner.~~

~~Nothing contained in this article shall be held to prohibit any bona fide owner from installing his own wiring on his own premises, provided that the owner shall comply with the rules and regulations contained in this section. Any owner wishing to install his own wiring on his own premises shall satisfy the electrical inspector that he is capable of and has the ability to install electrical wiring. He shall apply for and secure a permit, install the wiring in accordance with the provisions of this article, and apply for inspection when necessary. The wiring shall be approved by the electrical inspector before the electricity is connected to it.~~

~~Sec. 22-47. Overcurrent protection—Circuit breakers.~~

~~All circuits for light, heat or power shall be protected against short circuits and overloading by approved automatic circuit breakers. All breakers shall be of nontamperable type and shall be so designed that the zero to 15 ampere breaker will not interchange with the 16 to 30 ampere breaker. No installation of electrical wiring will be considered as complete until a complete set of automatic circuit breakers is installed to protect the circuits and equipment.~~

~~Sec. 22-48. Same — Bridging or tampering with.~~

~~It shall be unlawful for any person to, in any manner, bridge an automatic circuit breaker or in any manner tamper with an automatic circuit breaker or change it so it will not properly protect the circuit in which it is connected.~~

~~Secs. 22-49 — 22-60. Reserved.~~

~~ARTICLE IV. — PLUMBING~~

~~Sec. 22-61. — Plumbing work to comply with building code, with article and with state rules; exception.~~

~~All plumbing work done in the city shall be under the control of the building official and shall be done in accordance with the requirements of the Florida Building Code, as adopted by Florida Statutes, the regulations of this chapter, and the rules promulgated by the state department of health and rehabilitative services under F.S. § 381.0011(4); except, however, that it shall be unlawful for any person within the city to use any type of fiber pipe or fittings to drain sewage into the city sewage system or any private sewage system.~~

~~Sec. 22-62. — Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Applicant means any person who makes application for a certificate as provided in this article.~~

~~Board means the board of examiners of plumbers.~~

~~Journeyman plumber means a person who performs the manual work of installing plumbing under the direction of a master plumber, and who holds a journeyman plumber's certificate issued by the board of examiners of plumbers certifying his fitness to perform such manual work.~~

~~Master plumber means a person who assumes responsible charge and direction of other persons in the installation of plumbing and holds a master plumber's certificate issued by the board of examiners of plumbers certifying his fitness to assume such responsibility.~~

~~Plumbing means the practices, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances in connection with any of the following: sanitary drainage or storm drainage facilities and venting system, and the public or private water supply system within or adjacent to any building, structure or conveyance. It shall also mean the practice and materials used in the installation, maintenance, extension or alteration of the stormwater or sewage and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.~~

~~Plumbing facilities means water closets, toilets, bathtubs, catch basins, slop sinks, kitchen sinks, urinals, washtrays, washbasins, shower baths, lavatories, pantry sinks, drinking fountains, floor drains, cuspidors, laundry tubs and all other appliances for the disposal of sewage, wastewater or human excreta.~~

~~Plumbing fixtures means installed receptacles, devices or appliances which are supplied with water or which receive or discharge liquids or other liquid borne waste, with or without discharge into the drainage system with which they may be directly or indirectly connected.~~

~~Plumbing inspector means the person charged with the enforcement of the rules and regulations governing plumbing.~~

~~Plumbing system means the water supply and distribution pipes; plumbing fixtures and traps; soil, waste and vent pipes; building drains and building sewers including their respective connections, devices and appurtenances within the property lines of the premises.~~

~~Sec. 22-63.— Enforcement of article.~~

~~Responsibility for enforcement of this article shall be with the plumbing inspector or his duly authorized representative, who may enter any building, structure, or premises in the city to perform any duty imposed upon him by this article.~~

~~Sec. 22-64.— Board of examiners of plumbers; certificate required; application; examinations; fees and costs; reexamination; duration and renewal.~~

~~(a) Board of examiners. Shall be as set forth in article VI of this chapter.~~

~~(b) Certificate required. Any person desiring to engage in the business or occupation of journeyman plumber or master plumber must hold a certificate of competency issued by the board.~~

~~(c) Application. To obtain a certificate, an applicant shall submit an application in writing to the board containing the statement that the applicant desires the issuance of a certificate and the~~

~~class of certificate desired on a form containing the information prescribed by the board and shall be accompanied by the fee established by this section.~~

~~(d) Examinations. Examinations shall be administered as follows:~~

~~(1) Examinations shall be held at times and places as the board determines to be appropriate within the state. Each applicant shall take a written examination about his fitness for a certificate in the category for which application is made. There shall be a type of examination for each of the categories defined in section 22-62 which shall apply to the type of work covered by the certificate for which application is made. The examination shall cover knowledge of basic principles of plumbing applicable to the category for which a request for a certificate is made. All examinations may be prepared by an independent testing agency, subject to approval by the board.~~

~~(2) A passing grade on the examination shall be established by the board and such examinations may be administered by the independent testing agency and grades reported to the board.~~

~~(e) Fees and costs. The application must be accompanied by a nonrefundable fee of \$50.00. The applicant must pay all costs of the examination administered by the independent testing agency.~~

~~(f) Reexamination. Should any applicant for certification fail to achieve a passing grade on his examination, he shall not be reexamined until after a period of not less than six months from the date of his first examination. If, after such six month period, the applicant should wish to be reexamined, he shall make application as required in this section. Should the applicant fail to achieve a passing grade on the examination the second time, he shall not be examined again until after a period of one year from the time of the second examination.~~

~~(g) Duration and renewal. All certificates of competency shall be issued for one year and shall expire on September 30 of each calendar year. Any certificate of competency not renewed within 30 days after its expiration date shall be void and may not be renewed without examination and payment of fees as required in this section; provided, however, that time spent in the armed forces of the United States shall not be counted in such 30 day period. Certificates of competency may be renewed within 30 days after expiration by payment of the renewal fee of \$50.00.~~

~~Sec. 22-65.— Business tax fees to be paid prior to engagement in licensed trade.~~

~~Before any person licensed under this article shall engage in a licensed trade within the city, he shall pay to the city the necessary business tax fee in effect for that occupation or trade at the time of application if his primary business address is within the city limits or provide proof that the required business tax was paid in the jurisdiction of the primary business address.~~

~~Sec. 22-66.— Expiration of licenses.~~

~~All licenses shall expire on and shall be null and void and subject to renewal after September 30 of each year, and no plumbing work shall be done by and no permits shall be issued to any master plumber who has no such license in full force and effect.~~

~~Sec. 22-67. Certified plumbers required for plumbing work; exceptions.~~

~~It shall be unlawful for any person not a certified plumber to install, change or alter, repair or extend any system of plumbing, apparatus or equipment inside of or attached to any building, structure, lot or premises except as provided in this section. No part of this article shall be held to prohibit the working of helpers on any plumbing when the work done by such helpers is under the actual and full-time supervision of a licensed plumber.~~

~~Sec. 22-68. Permits—Required for plumbing.~~

~~A permit will be required to install, change, alter (or repair) any plumbing, apparatus or equipment within the limits of the city. All permits shall be signed by the city plumbing inspector. The city plumbing inspector shall have the authority to reject any application for a permit which does not comply with the provisions of this article.~~

~~Sec. 22-69. Same—Issued only to master plumbers; exceptions.~~

~~Permits shall be issued to master plumbers only. Master plumbers shall make application for plumbing permits at the office of the city plumbing inspector. The master plumber shall furnish a complete set of plans and specifications on all large and complicated jobs, and such other information as shall be required before the permit is issued. The plumbing inspector shall examine all applications for permits to determine if they conform to the provisions of this article. Should the plumbing inspector find that the application is incomplete or does not conform to the provisions of this article, he shall promptly notify the building official to that effect. Upon being so notified, the building official shall have the authority to reject the application or order the master plumber to change it so it will conform to this article.~~

~~Sec. 22-70. Same—Use of name by others to obtain.~~

~~No master plumber shall allow his name to be used by any person or party, either for the purpose of obtaining a permit for, or to do any plumbing work under his license.~~

~~Sec. 22-71. Same—Applications to be in writing.~~

~~All applications for permits to install, change, alter or repair plumbing, apparatus or equipment shall be in writing and shall be filled in on blank forms furnished by the city. Master plumbers may obtain the blank forms at the office of the city plumbing inspector.~~

~~Sec. 22-72. Maintenance plumbers; registration.~~

~~Maintenance plumbers will be required to register at the office of the building official, giving their names and addresses and also the names and addresses of their employers. Maintenance plumbers may be either master or journeyman plumbers, except maintenance plumbers required to install plumbing, apparatus or equipment shall be master plumbers.~~

~~Sec. 22-73. Reserved.~~

~~Sec. 22-74. Plumbing inspector—Appointment; qualifications.~~

~~The plumbing inspector shall be appointed by the city council. Such inspector shall have the necessary training and technical knowledge to enable him to carry on the duties of office.~~

~~Sec. 22-75. Same—Duties and powers.~~

~~It shall be the duty of the plumbing inspector to inspect all buildings, structures or premises in or on which plumbing, apparatus or equipment is to be used, in the course of erection or repair, and to enter into and examine any building where plumbing is utilized for the purpose of ascertaining any violation of this article and enforcing compliance therewith; and upon finding any plumbing, apparatus or equipment defective or dangerous, such inspector shall deliver a written notice of such violation of this article, or of any regulation of the city council, to the constructing contractor, owner or agent of any building, and direct him or them to promptly remove or repair such defective plumbing, apparatus or equipment within a reasonable time stated in the notice. In case of neglect or refusal on the part of the party so notified to remove or repair the same within the time and in the manner prescribed in such notice, the party so offending shall be punished as provided in this article, and shall cease to use such plumbing, apparatus or equipment until after it has been repaired, altered or changed and made to comply with the provisions of this article. The plumbing inspector shall have the authority to disconnect the plumbing which is immediately dangerous to life or property.~~

~~Sec. 22-76. Same—Right of entry.~~

~~The plumbing inspector shall have the right to enter any building, manhole or subway during any reasonable hour of the day in the discharge of his duties, for the purpose of making any tests on the plumbing, apparatus or equipment therein contained, and for that purpose he shall be given prompt access to all buildings, private and public, and to all manholes and subways, on application to the person owning or in charge of the same. It shall be unlawful for any person to interfere with, or in any manner hinder the plumbing inspector, or any of his assistants, while in the discharge of his or their duty under the terms of this article.~~

~~Sec. 22-77. Inspection—Required; conformance to provisions of article.~~

~~No plumbing shall be installed on or in any premises within the city, or connected to the city water distribution system or sewer system, either within or outside of the city limits, which has not been inspected and approved by the plumbing inspector, and which does not conform to the provisions of this article.~~

~~Sec. 22-78.— Same—Concealment of plumbing before.~~

~~It shall be unlawful to install, conceal or enclose any plumbing before it has been inspected and approved by the plumbing inspector.~~

~~Sec. 22-79.— Same—Application; notices; reinspections; fees.~~

~~All plumbing and pipe work must be in place before the plumbing will be considered as complete and ready for inspection. After the plumbing is complete and in place, the permittee shall request the required inspection(s). The plumbing inspector shall inspect the plumbing, apparatus, equipment or appliance, and should he find they have been installed in a satisfactory manner and in accordance with the terms of this article, he shall place a notice at the service equipment, or some other suitable place, stating the plumbing and equipment in connection therewith has been inspected and approved. If, after inspecting the plumbing, the plumbing inspector should find that it does not conform to this article, he shall notify the permittee that the plumbing or equipment has been condemned, and that the same shall not be covered or concealed until after it has been changed to meet the provisions of this article. After it has been changed to meet the provisions of this article, the plumbing inspector shall reinspect it only on request from the permittee. Should it become necessary to make a third inspection before the approval of the work, the plumbing inspector shall do so only on request from the permittee together with payment of a reinspection fee as set forth in section 22-4 of this chapter. Requests for inspections shall be made at least 24 hours prior to the requested time of inspection. A request for inspection made before 12:00 noon may be inspected the following morning. A request made after 12:00 noon may be inspected the following afternoon. On large and complicated jobs, the plumbing may be inspected in sections.~~

~~Sec. 22-80.— Temporary connections.~~

~~The plumbing inspector may permit temporary connection of any system of plumbing, either during the course of construction or for temporary use, provided that no temporary connection shall be for a period of over 30 days or such time as shall be specified in writing by the plumbing inspector.~~

~~Sec. 22-81.— Location of service entrance.~~

~~The plumbing inspector, together with an authorized representative of the utility, shall designate the location of the service entrance to the building, and once the point of service entrance to the building has been designated, it shall not be changed without the consent of both.~~

~~Sec. 22-82.— Installation of plumbing by owner.~~

~~Nothing contained in this article shall be held to prohibit any bona fide owner from installing his own plumbing on his own premises, provided that the owner shall comply with the rules and regulations contained in this section. Any owner wishing to install his own plumbing on his own premises shall satisfy the plumbing inspector that he is capable of and has the ability to install plumbing; he shall apply for and secure a permit, install the plumbing in accordance with the provisions of this article; apply for inspection when necessary. The plumbing shall be approved by the plumbing inspector before the plumbing is connected to the city utility system or private system.~~

~~Sec. 22-83.— Exceptions to examinations.~~

~~Each and every person who, at the time this Code is adopted, has been issued an occupational license by the city under the classification of plumber or plumbing contractor, which license is in good standing at the time this Code is adopted, or each and every person who provides proof acceptable to the board of the satisfactory completion of an equivalent examination as required in this article, shall be issued a certificate of competency without being required to be examined as provided in section 22-64. Such certificates of competency issued under this section shall expire and shall be renewed as required by section 22-64(g).~~

~~Secs. 22-84—22-90.— Reserved.~~

~~ARTICLE V.— FUEL GAS~~

~~Sec. 22-91.— Short title of article.~~

~~This article shall be known and may be cited as "The Gas Code of the City of Lake City, Florida."~~

~~Sec. 22-92.— Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Consumer means any person using gas for residential, commercial, or industrial purposes, or any combination of such purposes.~~

~~Gas means artificial gas, natural gas, liquefied petroleum gas, or mixed gas consisting of both artificial and natural gas.~~

~~Gas appliance means any domestic appliance, such as a stove, heater, burner, water heater, or other appliance or device used for burning gas or using gas in its operation.~~

~~Gas company means any person, company, or other entity engaged in any aspect of the gas business including, but not limited to, the provision of services, goods, or equipment to any customer of the city's gas system.~~

~~Gas facility means piping, fittings, meters, and other facilities for the distribution, transmission or the delivery of gas to or for use in gas appliances.~~

~~Gas inspector means the gas inspector of the city, the officer charged with the responsibility of inspecting gas facilities and gas appliances and performing other functions, as described in this article.~~

~~Gas system means the city natural gas distribution system.~~

~~Gasfitter means any person who constructs, installs, extends, alters or repairs any gas facility or gas appliance.~~

~~Permittee means a person having a valid permit issued under this article.~~

~~Residence or residential unit means any property, structure or premises used by the consumer as the consumer's principal separate independent dwelling or housekeeping unit, whether owned or leased, and containing sleeping, kitchen and sanitary facilities. For purposes of this definition, each apartment and/or mobile home so used constitutes a residence or residential unit.~~

~~Vent and vent connector means a pipe, flue, or chimney designed or installed to carry the products of combustion from a gas appliance to the outside atmosphere.~~

~~Sec. 22-93. — Florida Building Code, Fuel Gas Code adopted; application.~~

~~The construction, installation, extension, maintenance, alteration or repair of any gas facility, gas appliance, vent or vent connector, or any work pertaining to gas facilities and gas appliances within the purview of this article shall be performed in accordance with the provisions of this article, the Florida Building Code, Fuel Gas Code, and the requirements, standards, and provisions of the Florida Fire Prevention Code, and National Fire Protection Association, as contained in the pamphlet known as "NFPA No. 54, National Fuel Gas Code, 1992 edition," all such requirements, standards, and provisions being on file in the office of the city clerk and available for public inspection at all times and being hereby adopted by reference and incorporated in this article to the same extent as if included in verbatim form, with the exception of paragraph 2.5.2 of the National Fuel Gas Code, which is eliminated and not applicable to this article, and constituting~~

~~standards of the city for the purpose of this article. If any of the provisions of such standards conflict with any of the provisions of this article, the provisions of this article shall govern and be controlling. All amendments and additions to the provisions of such standards, when filed with the city clerk prior to the date of adoption of this Code, shall thereupon become amendments and additions hereto and shall have the same force and effect as the original standards identified in this section, provided that if any provisions of such amendments and additions are in conflict with any of the provisions of this article, the provisions of this article shall govern and be controlling.~~

~~Sec. 22-94. License—Required; issuance; transferral; posting.~~

~~No person shall construct, install, extend, alter, repair or improve any gas facility or gas appliance within the gas distribution system of the city unless such person has first procured a license in accordance with article IV of this chapter. All licenses issued under the provisions of this article shall expire within one year from the date of issuance, unless sooner revoked, as provided in article VI of this chapter, shall be nontransferable and shall be posted conspicuously to public view in the principal place of business of the licensee.~~

~~Sec. 22-95. Permits—Required.~~

~~No person shall construct, install, extend, alter or repair any gas facility or gas appliance without first obtaining a permit to do such work from the gas inspector; provided, however, that the provisions of this section shall apply only to such work as is performed on the property or premises of consumers.~~

~~Sec. 22-96. Same—Emergencies; next day application.~~

~~In the event of any emergency endangering the life, safety, health, or property of any person, necessitating immediate repairs to any gas facility or gas appliance, the owners of such gas facility or appliance, without first obtaining a permit under this article, shall take or cause to be taken immediate emergency action for the protection of life, health, safety, and property, through such appropriate measures as may be required to cure or remedy the dangerous conditions, and not later than the next succeeding business day, such owner shall apply for a permit as required under this article.~~

~~Sec. 22-97. Same—Effect.~~

~~The issuance or granting of a permit shall not be deemed or construed to be a permit for or approval of any violation of the provisions of this article or any other law. No permit purporting to give authority to violate or cancel the provisions of this article shall be valid.~~

~~Sec. 22-98. Liability insurance required.~~

~~Insurance requirements shall be as set forth in article IV of this chapter.~~

~~Sec. 22-99. Inspection—Duties and functions of gas inspector.~~

~~The gas inspector is authorized and directed to enforce the provisions of this article and shall promulgate and enforce reasonable rules and regulations for carrying out its provisions and intent. The gas inspector, upon presentation of proper credentials, may enter any building or premises at reasonable times for the purpose of making inspection and ascertaining whether there has been compliance with the provisions of this article. It shall be the duty of the gas inspector to confer from time to time with appropriate representatives of the gas companies, the local health department, and the local fire department and otherwise obtain from proper sources all helpful information and advice respecting the safe and proper operation of gas facilities and gas appliances, and he shall present to the council recommendations for its consideration with reference thereto.~~

~~Sec. 22-100. Same—Notice to gas inspector of readiness of work.~~

~~When any work upon the permit issued by the gas inspector is completed and ready for inspection, the person to whom the permit has been issued shall, within 24 hours after completion, give notice to the gas inspector that the same has been completed and is ready for inspection, and the gas inspector shall cause such work to be inspected within a reasonable time thereafter.~~

~~Sec. 22-101. Same—Certificate of approval.~~

~~Upon the completion of the work for which a permit has been issued, the gas inspector shall issue a certificate of approval if, after inspection, it is found that such work has complied with the provisions of this article and has been performed in full conformity with this article. A duplicate of each certificate of approval shall be delivered to the gas company or gas system and used as its authority to grant gas service to the consumer. The form and contents of such certificate shall be prescribed by the gas inspector.~~

~~Sec. 22-102. Same—Defective work or materials; reinspection; reinspection fees.~~

~~If the inspection shall show that defective or unauthorized materials have been used or defective workmanship has been performed in the construction, alteration, installation, repair or extension of any gas pipe fixtures in or on any consumer's premises, such defective or unauthorized material or work shall be replaced by the permittee within three days, after which the gas inspector shall reinspect the replaced materials or work. Should it become necessary to make a third inspection before the approval of the work, the gas inspector shall do so only on notice in~~

~~writing from the permittee in charge of the work, together with payment of a reinspection fee as set forth in section 22-4 of this chapter.~~

~~Sec. 22-103. Same—Disconnection of dangerous or defective facilities.~~

~~The gas inspector is authorized to cause to be disconnected any gas facility or appliance connected before a certificate of approval has been issued, which, upon inspection, shall be found defective or in such condition as to endanger life, health, safety, or property. In all cases where such disconnection is made, a notice shall be affixed thereto and shall state the same has been disconnected by the gas inspector, together with the reasons therefor, and it shall be unlawful for any person to remove such notice or to reconnect such gas facility or appliance until authorized by the gas inspector to do so.~~

~~Sec. 22-104. City's gas system; refusal of service.~~

~~The city gas system is authorized to disconnect or refuse to supply gas or any gas facility or gas appliance which it may find to be defective or leaky, or in such condition as to endanger life, health, safety, or property. In such case, the city gas system shall immediately give written notice of discontinuance or refusal of service to the consumers. The gas inspector shall immediately make an investigation of the conditions reported by the city gas system, and it shall be unlawful for any person to reconnect the gas facility or appliance until authorized by the gas inspector.~~

~~Sec. 22-105. Requirements of new or used gas appliances.~~

~~After January 25, 1960, it shall be unlawful for any person to install or use any new gas appliance which has not been approved by the gas inspector. If a new gas appliance is approved by the American Gas Association Testing Laboratories, it shall be considered an approved appliance within the meaning of this section, provided it is marked or labeled with a distinctive trademark or name, as a means of identification and bears information showing the approval of such laboratories and the rated heat input in Btu per hours. All new hot water heaters and heating appliances shall also be equipped with an American Gas Association approved complete shutoff type pilot. Used gas appliances hereafter installed for use on consumer's premises shall be approved by the gas inspector for safety, and shall be identified accordingly.~~

~~Sec. 22-106. Exceeding rated appliance capacity.~~

~~In no case shall a gas appliance be fired or adjusted to pass a greater amount of gas than the rated capacity of the particular gas appliance.~~

~~Sec. 22-107. Repairs or alterations.~~

~~Repairs or alterations to gas facilities or gas appliances shall be made with such materials by such methods and accordingly to such standards as are provided for by this article upon new work, except when in the opinion of the gas inspector it is impractical to do so.~~

~~Sec. 22-108. Conversion of appliance to natural gas.~~

~~Before a natural gas supply is furnished to a consumer who has previously been using butane or other liquefied petroleum gases, all appliances shall be properly adjusted to ensure safe operation of the burners and proper combustion of the gases.~~

~~Sec. 22-109. Devices for reducing gas consumption.~~

~~No person shall install or use any device intended as an adjunct or addition to a gas appliance or to be suspended above or wholly or partially to enclose any burner of a gas appliance in such manner as to reduce the effectiveness of the ignition of the gas issuing from the burner or impair combustion of such burner. No person shall cause gas supplied by the city gas system to bypass the meter by which the amount of gas supplied by the city is measured.~~

~~Sec. 22-110. Unauthorized devices.~~

~~No person shall sell or offer to sell, lease, or connect within the gas distribution system of the city any device purporting to reduce gas consumption when such device is intended as an adjunct or addition to a gas appliance which in any way will reduce the effectiveness of ignition of the gas issuing from the burner or impair the combustion of such burner.~~

~~Sec. 22-111. Air test requirement.~~

~~It shall be unlawful for any person to install or use any gas appliance without first having each such installation undergo an air test for a period of not less than 30 minutes under pressure of not less than 30 pounds. Until such air test has been completed and the installation inspected by the gas inspector, it shall be unlawful to connect or turn on gas to any installation.~~

~~Sec. 22-112. Unauthorized turning on or off of gas meters.~~

~~It shall be unlawful for any person to turn off or on gas meters connected to the city's natural gas distribution system, other than authorized city inspectors, unless in a case of extreme emergency endangering property or life.~~

~~Sec. 22-113. Unauthorized use of gas.~~

~~No person shall turn gas on from the city natural gas distribution system after such gas has been cut off by the city for nonpayment of charges or for any other purpose.~~

~~Secs. 22-114—22-120.—Reserved.~~

~~ARTICLE VI.—BOARD OF EXAMINERS AND APPEALS~~

~~Sec. 22-121.—Established.~~

~~(a) The municipal code enforcement board established pursuant to chapter 2, article X, of this Code, shall constitute the contractor's board of examiners and appeals (herein "the contractor's board" or "board"). When serving as the contractor's board, the municipal code enforcement board shall follow the procedures and other provisions set forth in this article.~~

~~(b) The contractor's board shall be the local construction regulation board, as defined by F.S. § 489.105(12), for the city.~~

~~(c) The contractor's board shall not be the local administrative board of the city for purposes of F.S. § 553.73(9). Rather, for purposes of F.S. § 553.73(9)(d), no local administrative board shall be deemed to exist.~~

~~Sec. 22-122.—Purpose.~~

~~It is the intent and purpose of the city council that the contractor's board promote, protect and improve the health, safety and welfare of the citizens of the city through contractor certification and licensure, and by imposing administrative fines and other noncriminal penalties, and to provide an equitable, expeditious, effective and inexpensive method of enforcing applicable state statutes and the codes and ordinances in effect in the city where an initial or repeated violation is charged, including but not limited to violations of the building, plumbing, electrical or mechanical codes, and fire codes, violations of provisions pertaining to the activities of unlicensed contractors, and violations of other provisions of this chapter. It is also the intent and purpose of the city council that The contractor's board provides an effective mechanism for any appeals regarding the manner and mode of construction as required in the sections relating to the standards of construction set forth in this Code and their interpretation by the building official.~~

~~Sec. 22-123.—Jurisdiction.~~

~~The contractor's board shall:~~

~~(a) Hear complaints against licensed contractors and journeymen charged with violations of the codes and ordinances in effect in the city relating to the standards of construction, including but not limited to building, plumbing, electrical and mechanical codes.~~

~~(b) Hear complaints regarding unlicensed contractor activities in violation of the codes and ordinances in effect in the city.~~

~~(c) Administer, through the building official, certification, and licensure of contractors and journeymen as set forth in this article.~~

~~(d) Hear appeals of decisions rendered by the building official concerning interpretation of the codes and ordinances relating to the standards of construction.~~

~~(e) Hear complaints regarding city licensed or city registered contractors in violation of F.S. §§ 489.101 through 489.146, pursuant to F.S. § 489.131(7), and F.S. § 489.531.~~

~~Sec. 22-124. — Composition; term of members; removal of members; secretary; records.~~

~~(a) The contractor's board shall consist of the members appointed to the municipal code enforcement board. The qualifications, term, and removal of members, the filling of vacancies, and the use of alternates shall be the same as required for the municipal code enforcement board.~~

~~(b) The building official and the fire chief, or their designees, shall be ex-officio members of the contractor's board.~~

~~(c) The building official or his designee shall serve as secretary of the board.~~

~~(d) The secretary shall keep record of all its proceedings, together with a register showing all applications for examination and certificates, the date of application, any qualifications, place of business, place of residence for each, and whether the application was granted or refused. The secretary shall prepare a roster of all persons examined who have been approved by the board and who are entitled to certificates from the city.~~

~~Sec. 22-125. — Meetings; quorum; voting.~~

~~(a) The contractor's board shall meet at least once every month, at a time and place determined by the board, unless such meeting is deemed unnecessary by the building official, and at such other times as shall be necessary to discharge the duties of the board, as provided in this article.~~

~~(b) A quorum shall consist of at least four members duly empowered to vote, including any alternates properly substituting for regular members.~~

~~(c) The board may conduct routine business according to a majority vote of the members present and duly empowered to vote. However, any finding by the board that a violation has occurred or that disciplinary action is warranted must be supported by the votes of at least the majority of the quorum.~~

~~Sec. 22-126. — Chairman and vice-chairman; adoption of rules and procedures.~~

~~(a) The contractor's board shall elect from among its regular members a chairman and vice-chairman, whose terms of office shall run for one year. In the absence of the chairman and vice-chairman, the members present shall elect a temporary chairman for the duration of the meeting, or until the chairman or vice-chairman appears.~~

~~(b) The board shall adopt rules or procedures for governing the conduct of its affairs. The rules or procedures of the board may be adopted or amended only by a concurring vote of a majority of a quorum of members present and duly empowered to vote.~~

~~Sec. 22-127. Powers and duties.~~

~~(a) The contractor's board shall have the power to:~~

~~(1) Adopt rules for the conduct of hearings.~~

~~(2) Take testimony under oath.~~

~~(3) Determine whether cited violations occurred.~~

~~(4) Determine whether a reasonable time period for compliance was given.~~

~~(5) Subpoena evidence, alleged violators, and witnesses to its hearings. Subpoenas may be served by the city police department, the building official, or any duly authorized person.~~

~~(6) Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.~~

~~(7) Give notices of hearings and conduct hearings upon charges of a violation of the provisions of this article or a violation of any section of this Code for which the board has jurisdiction.~~

~~(8) Impose disciplinary penalties, including the imposition of an order of restitution, against any person found by the board to have violated any provision of this article or any section of this Code for which the board has jurisdiction.~~

~~(9) Impose liens as provided herein.~~

~~(10) Impose the disciplinary penalties allowed pursuant to F.S. ch. 489.~~

~~(b) The board shall be empowered to hear the appeal of any person who may be aggrieved by any ruling or order of the building official, in accordance with section 22-137.~~

~~(c) The board shall administer the responsibilities imposed on it by this article.~~

~~Sec. 22-128. Compensation of members.~~

~~Members of the contractor's board shall not be entitled to compensation.~~

~~Sec. 22-129. Immunity of enforcement officers.~~

~~Any officer, employee of the city, or member of the contractor's board, charged with the enforcement of this article, acting for the applicable governing body in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer, employee or member because of such act performed by him in the enforcement of any provision of this article shall be defended by the city attorney or by an attorney appointed by the city council until the final termination of the proceedings.~~

~~Sec. 22-130. Lien for amount of penalties; collection and recovery of penalties.~~

~~(a) A certified copy of an order imposing a civil penalty against any violator may be recorded in the public records, and thereafter shall constitute a lien against any real or personal property owned by the violator. Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by the sheriffs of this state, including a levy against personal property; however, such order shall not be deemed to be a court judgment except for enforcement purposes. A civil penalty imposed pursuant to this article shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever occurs first. After three months from the filing of any such lien which remains unpaid, the contractor's board may authorize the city attorney to foreclose on the lien. No lien created pursuant to this article may be foreclosed on real property which is a homestead under article X, § 4 of the state constitution.~~

~~(b) The city shall provide for the appropriate guidelines and procedures for the administration, collection, recordkeeping, reporting, and accountability of penalties assessed under this article.~~

~~(c) The city may institute proceedings in a court of competent jurisdiction to compel payment of civil penalties.~~

~~(d) Monies collected pursuant to this chapter shall be used to supplement future code enforcement activities related to unlicensed contractors.~~

~~(e) Nothing contained in this article shall prohibit the city from collecting civil penalties through any other means.~~

~~Sec. 22-131. Grounds for disciplinary action.~~

~~(a) The following are the grounds for disciplinary action by the contractor's board of examiners and appeals against a licensed contractor or journeyman:~~

~~(1) Failure to obey a stop work order of the building department.~~

~~(2) Misrepresentation of any material fact in the application for a certificate of competency, certificate of renewal or permit.~~

~~(3) Failure to qualify a firm, or acting in the capacity of a contractor under any name other than the name of the certificate holder set forth in the issued certificate or registration.~~

~~(4) Abandoning a construction project in which the contractor is engaged or under contract as a contractor. A project is to be considered abandoned after 90 days if the contractor terminates the project without just cause or without proper notification to the owner, including the reason for termination, or fails to perform work without just cause for 90 consecutive days.~~

~~(5) Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Financial mismanagement or misconduct occurs when:~~

~~a. Valid liens have been recorded against the property of a contractor's customer for supplies or services ordered by the contractor for the customer's job when the contractor has received funds from the customer to pay for the supplies or services and the contractor has not had the liens removed from the property, by payment or by bond, within 30 days after the date of such payment.~~

~~b. The contractor has abandoned a customer's job and the percentage of completion is less than the percentage of the total contract price paid to the contractor at the time of abandonment, unless the contractor is entitled to retain such funds under the terms of the contract or refunds the excess funds within 30 days after the date the job is abandoned.~~

~~c. The contractor's job has been completed and it is shown that the customer has had to pay more for the contracted job than the original contract price, as adjusted for subsequent change orders, unless such increase in cost was the result of circumstances beyond the control of the contractor, was the result of circumstances caused by the customer, or was otherwise permitted by the terms of the contract between the contractor and the customer.~~

~~d. Any violation of subsection (a)(5)a, b or c of this section is committed by a subcontractor when an owner is acting as his own contractor.~~

~~(6) Material deviation from the approved plans accompanying the application for a permit issued to the certificate holder.~~

~~(7) Misrepresenting the requirements of this article regulating work in order to obtain or increase the scope of the work in any contract or work.~~

~~(8) Failing in any material respect to comply with the provisions of F.S. ch. 489 or any provision of this Code which directly relates to contracting.~~

~~(9) Failing to report or attempting to conceal from the building department a violation of any provision of this article.~~

~~(10) Knowingly colluding or conspiring with an unlicensed person by allowing his certificate and any permit issued thereunder to be used by the unlicensed person with the intent to evade the provisions of this article, if such person is not working under the supervision or as a regular employee of the certificate holder. Allowing one's certificate to be used by one or more business organizations without having any active participation in the operation, management, or control of such business organization constitutes prima facie evidence of intent to evade the provisions of this subsection.~~

~~(11) Contracting beyond the scope of a certificate.~~

~~(12) Proceeding and/or completing any contracting work, for which a permit is required, without properly obtaining all applicable permits or inspections.~~

~~(13) Failing to comply with the provisions of this Code, section [22-11] regarding workers' compensation and liability insurance.~~

~~(14) Failing to post any required building permit in a conspicuous place in front of the premises where the work is being performed.~~

~~(15) Failure to list the certificate or registration number in any advertisement, in accordance with the provisions of this article.~~

~~(16) Being convicted or found guilty or entering a plea of nolo contendere in a court of law, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting.~~

~~(17) Committing fraud or deceit or negligence, incompetency or misconduct in the practice of contracting, further described as follows:~~

~~a. Fraud occurs when there is an intentional perversion of the truth in order to induce someone to part with something of value.~~

~~b. Deceit occurs when a person has imposed a false idea or belief on another in order to obscure the truth.~~

~~c. Negligence occurs when a person has not attended to his duties or business with proper care and diligence.~~

~~d. Incompetency occurs when a person is not qualified, or is inadequately trained and is unable to function properly in attempting to effectuate that purpose.~~

~~e. Misconduct occurs when a person has intentionally done wrong or has deliberately violated a law or regulation.~~

~~(18) Willfully or deliberately violating applicable state or local building codes, statutes or ordinances.~~

~~(19) Failure to mark vehicles in conformity with the provisions of state statutes.~~

~~(20) Falsely certifying another's qualifications in order to obtain a certificate of competency.~~

~~(21) Being disciplined by any municipality or county which has reciprocity with the city for an act or violation of any regulatory provision which directly relates to the practice of contracting, which discipline shall be reviewed by the board before taking any disciplinary action on its own.~~

~~(22) Filing a voluntary petition in bankruptcy with the intention of defrauding a property owner or avoiding payment for materials furnished or labor performed.~~

~~(23) Attempting to influence a member of the board regarding a pending disciplinary matter.~~

~~(24) Signing a statement with respect to a project or contract falsely indicating that the work is bonded, falsely indicating that payment has been made for all subcontracted work, labor, and materials, which indication results in a financial loss to the owner, purchaser, or contractor, or falsely indicating that worker's compensation and public liability insurance are provided.~~

~~(25) Performing any act which assists a person in engaging in the prohibited unlicensed and unregistered practice of contracting, if the certificate holder or registrant knows or has reasonable grounds to know that the person was unlicensed and unregistered.~~

~~(b) The following are the grounds for disciplinary action by the board against an unlicensed contractor or any person who assists an unlicensed contractor:~~

~~(1) Falsely advertising or holding oneself or a business organization out as a contractor or journeyman.~~

~~(2) Falsely impersonating a contractor or journeyman.~~

~~(3) Presenting as one's own the certificate or registration of another.~~

~~(4) Giving false or forged evidence for the purpose of obtaining a certificate or registration.~~

~~(5) Using or attempting to use a certificate or registration which has been suspended or revoked.~~

~~(6) Engaging in the business or acting in the capacity of a contractor advertising oneself or a business organization as available to be engaged in business, or acting in the capacity of a contractor without being duly registered or certified.~~

~~(7) Engage in the business or act in the capacity of a contractor or advertise himself or herself or a business organization as available to engage in the business or act in the capacity of a contractor without an occupational license.~~

~~(8) Operating a business organization engaged in any new contracting after 60 days following the termination of its only primary qualifying agent without designating another primary qualifying agent, as defined in F.S. ch. 489.~~

~~(9) Commencing or performing work for which a building permit is required pursuant to any applicable building code provisions without such permit being in effect.~~

~~(10) Intentionally furnishing any materially false or misleading information on an application for a permit.~~

~~(11) Willfully or deliberately aiding or abetting an unlicensed or unregistered person in the practice of contracting, when such person is required to be certified or registered according to the provisions of state law or municipal or county ordinances.~~

~~(12) As an unlicensed or unregistered person associated with a contracting firm qualified by a licensee under state law or county or municipal ordinance:~~

~~a. Concealing or causing to be concealed, or assisting in concealing, from the primary qualifying agent, any material activities, or information about the contracting firm.~~

~~b. Excluding or facilitating the exclusion of any aspect of the contracting firm's financial or other business activities from the primary qualifying agent.~~

~~c. Knowingly causing any part of the contracting firm's activities, financial or otherwise, to be conducted without the primary qualifying agent's supervision.~~

~~d. Assisting or participating with any qualifying agent in the violation of any provision of state law or county or municipal ordinance.~~

~~(13) Disregarding any municipal ordinance relating to unlicensed or unregistered contractors.~~

~~(14) Committing any act which would constitute a violation of subsection (a) of this section if committed by a licensed contractor or journeyman.~~

~~Sec. 22-132. Penalties for violations by licensed contractor or journeyman.~~

~~(a) Multiple violations. Upon finding that an individual has committed one or more violations in one or more cases being considered together, the contractor's board of examiners and appeals shall issue cumulative and consecutive civil disciplinary penalties as set forth in this section.~~

~~(b) Schedule. The following constitutes the range of civil disciplinary penalties, one or more of which may be imposed against licensed contractors and journeymen upon a finding that a violation has occurred and that disciplinary action is justified:~~

~~(1) Reprimand the holder of the certificate.~~

~~(2) Suspend any certificate holder who has obtained his certificate of competency from the city or the county, or through reciprocity, from all operations of construction for a period of not less than 30 days and not more than five years.~~

~~(3) Suspend the permitting privileges of a certificate holder who has obtained his certification or registration from the state. The suspension shall remain in effect for a period of not less than 30 days and not more than five years.~~

~~(4) Revoke the certificate of a certificate holder who has obtained his certificate of competency from the city or through reciprocity.~~

~~(5) Revoke the permitting privileges of a certificate holder who has obtained his certification or registration from the state.~~

~~(6) Bar the issuance or renewal of a certificate held by a certificate holder who has obtained his certificate of competency from the city or through reciprocity, or bar the renewal of permitting privileges of a certificate holder who has obtained his certification or registration from the state.~~

~~(7) Require that restitution be provided to any party aggrieved by a violation of any provision of this article.~~

~~(8) Impose a fine of not more than \$500.00 per violation per day, up to a maximum of \$5,000.00 per day when multiple violations exist. In determining the amount of the fine, per violation, the board shall consider the following factors:~~

~~a. The gravity of the violation.~~

~~b. Any actions taken by the violator to correct the violation.~~

~~c. Any previous violations committed by the violator.~~

~~(c) Investigative and legal fees. Any person disciplined by the board may be assessed a fee corresponding to the reasonable investigative and legal costs incurred by the city in prosecuting any violation against the person.~~

~~(d) Continuing violations. Each day a willful, knowing violation continues shall constitute a separate offense under the provisions of this section and shall be punishable as such. For purposes of this section, a violation shall be deemed to commence:~~

~~(1) If a notice is given by the building department pursuant to section 22-134, on the expiration of the time specified in such notice to correct a violation.~~

~~(2) Otherwise, on the date the violation first occurs.~~

~~(e) Reduction of fine. The board may reduce a fine imposed pursuant to this section.~~

~~Sec. 22-133. Penalties for violations by unlicensed contractor or journeyman.~~

~~(a) Multiple violations. Upon finding that an individual has committed one or more violations in one or more cases being considered together, the contractor's board of examiners and appeals shall issue cumulative and consecutive civil disciplinary penalties as set forth in this section.~~

~~(b) Schedule. The following constitutes the range of civil disciplinary penalties, one or more of which may be imposed against licensed contractors and journeymen upon a finding that a violation has occurred and that disciplinary action is justified:~~

~~(1) Require that restitution be provided to any party aggrieved by a violation of any provision of this article.~~

~~(2) Impose a fine of not more than \$500.00 per violation per day, up to a maximum of \$5,000.00 per day when multiple violations exist. In determining the amount of the fine, per violation, the board shall consider the following factors:~~

~~a. The gravity of the violation.~~

~~b. Any actions taken by the violator to correct the violation.~~

~~c. Any previous violations committed by the violator.~~

~~(c) Investigative and legal costs. Any person disciplined by the board may be assessed a fee corresponding to the reasonable investigative and legal costs incurred by the city in prosecuting any violation against the person.~~

~~(d) Continuing violations. Each day a willful, knowing violation continues shall constitute a separate offense under the provisions of this section and shall be punishable as such. For purposes of this section, a violation shall be deemed to commence on the date the violation first occurs.~~

~~(e) Reduction of fine. The board may reduce a fine imposed pursuant to this section.~~

~~Sec. 22-134. Investigation of complaints; notice of violation; notice of hearing.~~

~~(a) It shall be the duty of the growth management department to expeditiously investigate complaints and initiate enforcement proceedings against licensed contractors, unlicensed contractors, journeymen and persons who knowingly assist unlicensed contractors or journeymen to the extent that such persons violate the provisions of this article relating to licensed and unlicensed contracting activities. Any person may bring a complaint to the contractor's board of examiners and appeals. Any board member bringing a complaint shall excuse himself from consideration of that complaint.~~

~~(b) As to licensed contractors and journeymen, if a violation of any regulatory law in which it is reasonable to assume that the violator was unaware of such a law or unclear as to how to comply with it occurs; the code enforcement officer shall notify the violator and give him a reasonable amount of time to correct the violation. Should the violation continue beyond the time specified for correction, the code enforcement officer shall issue a notice of violation and notice of hearing.~~

~~(c) As to licensed contractors and journeymen, if a violation of any portion of this Code pertaining to licensed contractors is found, except a violation as stated in subsection (b), the code enforcement officer shall issue a notice of violation and notice of hearing whenever, based upon personal investigation, the code enforcement officer has reasonable grounds to believe that such a violation has occurred.~~

~~(d) As to any unlicensed contractors or journeymen or persons who knowingly assist unlicensed contractors:~~

~~(1) The department shall designate one or more code enforcement officers to enforce, as set out in this subsection, the applicable provisions of this article against persons who engage in activities for which city certification is required.~~

~~(2) A code enforcement officer designated pursuant to this subsection shall issue a notice of violation and notice of hearing for any violation of section 22-131 whenever, based upon personal investigation, the code enforcement officer has reasonable grounds to believe that such a violation has occurred.~~

~~(e) A notice of hearing issued by a code enforcement officer shall be in the form prescribed by the building department and shall state:~~

~~(1) The date of issuance.~~

~~(2) The name of the person to whom the notice of hearing is issued.~~

~~(3) The case number.~~

~~(4) The name of the code enforcement officer.~~

~~(5) The time, date, and place of the hearing on the alleged violation.~~

~~(f) Any acts for which a notice of hearing is issued shall cease upon receipt of such notice.~~

~~(g) A formal hearing shall be held before the board pursuant to section 22-136 unless all parties, including the building department, agree in writing that there is no disputed issue of material fact as stated and included in the formal complaint, in which case the board shall proceed to impose the penalties set forth in this article. If any party raises an issue of disputed fact as stated in the formal complaint, a formal hearing pursuant to section 22-136 shall be held.~~

~~(h) If the person issued the notice of hearing, or his designated representative, shows the basis why the notice of violation is invalid or that the violation has been corrected prior to appearing before the board, the board may dismiss the notice of hearing unless the violation is irreparable or irreversible or a repeat offense.~~

~~Sec. 22-135. Service of notices.~~

~~All notices required by this chapter shall be provided as set forth in chapter 2, article X of this Code.~~

~~Sec. 22-136. Conduct of hearings; orders by board.~~

~~Hearings before the contractor's board shall be handled in the following manner:~~

~~(1) Hearings shall be held in accordance with the provisions of chapter 2, article X of this Code.~~

~~(2) After the conclusion of each hearing, the board shall, through its chairman, issue an order, based upon evidence presented, containing findings and indicating any action taken by the board consistent with the powers granted by this article. The order shall be by motion approved by a majority of those present and voting. The order may include a notice that it must be complied with by a specific date, and that additional penalties may be imposed if the order is not complied with by such date. The order shall constitute final agency action. Any consent order or agreed settlement shall be subject to the approval of the building department.~~

~~(3) In addition to any action taken by the board which affects the license of a contractor who has a state registration or certification, or which results in a fine, the board shall issue a recommendation as to further action to be taken by the Florida Construction Industry Licensing Board (CILB) and/or the Electrical Contractor's Licensing Board (ECLB). The board may recommend that the CILB order suspension, revocation, restriction of registration or a monetary fine or any combination thereof. Recommendations of investigation may also be forwarded to the state attorney's office.~~

~~(4) The board shall render each decision promptly and by an order as set forth in subsection (2) of this section. Any order shall take effect immediately, unless ordered otherwise by the board. A copy of the order shall be transmitted to the complainant, the alleged violator and his counsel (if any), the CILB or ECLB, and any other persons so named by the board, within ten days of the conclusion of the hearing. Such order shall also indicate any recommendation by the board as to further action by the CILB or ECLB, the rights of the violator to appeal such recommendation and the fact that failure to appeal such recommendation may result in the automatic acceptance and enforcement thereof by the CILB or ECLB.~~

~~(5) Lack of a state certificate, state certification, or state registration may be established by confirming with the state department of professional regulation, that the named violator does not hold a state certificate/certification/registration. An original or certified copy of a written statement from the code enforcement officer that he or she contacted the state department of professional regulation, and confirmed no record of certification or registration exists for the named violator, shall be admissible into evidence and sufficient to establish the presumption that the alleged violator is not a state-certified contractor. The alleged violator has the right to present evidence to overcome this presumption.~~

~~(6) Lack of a city certificate or city certification may be established by confirming with the city growth management department, that the named violator does not hold a city certificate/certification. An original or certified copy of a written statement from the code enforcement officer that he or she has reviewed the records of the growth management department and confirmed that no record of city certification exists for the alleged violator shall be admissible into evidence and sufficient to establish the presumption that the alleged violator is not a city-certified contractor. The alleged violator has the right to present evidence to overcome this presumption.~~

~~Sec. 22 137. Review of decisions of building official; variances.~~

~~(a) Appeals generally.~~

~~(1) If there is a claim that the true intent and meaning of this article or any of the regulations under this article have been misconstrued or wrongly interpreted, or the building official or his designee shall rule, reject, or refuse:~~

~~a. To approve the mode or manner of construction proposed to be followed or materials to be used in the erection or alteration of a building or structure;~~

~~b. That the provisions of this Code do not apply to this specific case; or~~

~~c. To allow an equally good or more desirable form of construction or materials to be employed in any specific case;~~

~~Then the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the building official or his designee to the contractor's board.~~

~~(2) Notice of appeal shall be in writing and filed within 30 days after the decision is rendered by the building official or his designee. A fee in the following amount shall accompany the notice of appeal:~~

~~a. If the appeal concerns the mode or manner of construction or the materials to be used, \$75.00.~~

~~b. If the appeal concerns matters not covered by subsection (a)(2)a, \$50.00.~~

~~(3) The provisions of this section are inapplicable to dangerous buildings as defined and governed by article VII of this chapter.~~

~~(b) Variances generally. The contractor's board, when so appealed to and after a hearing, may vary the application of any provision of this article or any applicable building code in this Code, to any particular case, when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this article or the codes or public interest, and also finds all of the following:~~

~~(1) That special conditions and circumstances exist which are peculiar to the building, structure, or service system involved and which are not applicable to others.~~

~~(2) That the special conditions and circumstances do not result from the action or inaction of the applicant.~~

~~(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other buildings, structures, or service systems.~~

~~(4) That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure, or service system.~~

~~(5) That the grant of the variance will be in harmony with the general intent and purpose of this Code and will not be detrimental to the public health, safety and general welfare.~~

~~(c) Specifications for variations or modifications. A decision of the contractor's board of examiners and appeals to vary the application of any provision of this article or to modify an order of the building official or his designee shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.~~

~~(d) Conditions of variances. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed, or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of the conditions of a variance shall be deemed a violation of this Code.~~

~~(e) Decisions of board to be final; filing and notification of decisions. Every decision of the contractor's board shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the building official and shall be open to public inspection. A certified copy shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing.~~

~~(f) Time for decisions. The contractor's board shall, in every case, reach a decision without unreasonable or unnecessary delay.~~

~~(g) Duty of building official to comply with decisions of board. If a decision of the contractor's board reverses or modifies a ruling, refusal, order, or disallowance of the building official or his designee, or varies the application of any provision of this article, the building official or his designee shall immediately take action in accordance with such decision.~~

~~Sec. 22-138. Rehearings.~~

~~A violator may petition the contractor's board for a rehearing within ten days of the execution of any such order or decision of the board and upon payment of an applicable fee, if any, in an amount to be fixed by the board. The building department may petition for rehearing within ten days, except that no fee need be paid. The filing of a motion for rehearing shall not stay the enforcement of the order which is the subject of the motion. A petition for a rehearing may be requested only if there is any information directly related to the hearing that was not presented at the original hearing. In its order granting or denying a rehearing, the board shall notify all persons subject to complaint pursuant to the provisions of this article. No rehearing shall be allowed unless ordered by a majority vote of the board.~~

~~Sec. 22-139. Denial and reinstatement of certificate or license.~~

~~(a) Denial. The contractor's board may deny the certification or registration of a city-licensed contractor or journeyman who has violated any of the provisions of this article.~~

~~(b) Reinstatement after suspension. The board shall not reinstate the certificate or registration or issue a new certificate or registration for a city-licensed contractor or journeyman whose certificate or any privileges thereof have been suspended unless proof is shown that all requirements or stipulations imposed in any final order against the contractor have been met.~~

~~(c) Reinstatement after revocation.~~

~~(1) The board shall not register a city-licensed contractor or journeyman whose certificate or any privileges thereof have been revoked until appropriate rehabilitation has been shown. In addition, proof must be shown that all requirements or stipulations imposed in any final order against the contractor have been met. The contractor may not apply for reinstatement of a certificate or of permitting privileges for a period of one year from the date of revocation.~~

~~(2) The board shall not recertify a city-licensed contractor or journeyman whose certificate has been revoked unless he passes the current licensing examination and meets all other current requirements for certification. The contractor or journeyman may not apply for a license for a period of one year from the date of revocation.~~

~~(3) The board shall not accept reciprocity for the licensure of an individual whose license the board has previously revoked, unless the jurisdiction of the individual requesting reciprocity requires the individual to meet all current requirements to demonstrate competency, including examination, and the individual satisfies the provisions of subsections (c)(1) and (c)(2) of this section.~~

~~(d) Issuance or reinstatement prohibited under certain conditions. The board shall not issue, renew, reinstate, or otherwise reissue the license or permitting privileges of a license holder who has been barred from the issuance of a license or permitting privileges.~~

~~(e) Lapse, suspension or surrender of certificate not to affect jurisdiction of board. The lapse or suspension of a certificate of competency by operation of law or by order of the board or a court, or its voluntary surrender by a certificate holder, does not deprive the board of jurisdiction to investigate or act in disciplinary proceedings against the certificate holder.~~

~~Sec. 22-140. Appeal of orders of board.~~

~~An aggrieved party, including the city, may appeal a final administrative order of the contractor's board of examiners and appeals to the circuit court. Such an appeal shall not be a hearing de~~

~~novo, but shall be limited to appellate review of the record created before the board. An appeal shall be filed within 30 days of the date of execution of the written order issued by the board or, if a timely motion for rehearing is filed pursuant to section 22-138, within ten days of the resolution of such motion by the board. An appeal shall not stay the enforcement of the order appealed.~~

~~Sec. 22-141. Schedule of civil penalties.~~

~~The city council hereby adopts the schedule of civil penalties, as set out below, to be cited by code enforcement officers in citations issued to alleged violators. This schedule of civil penalties may be amended by resolution, from time to time, as the city council sees fit.~~

~~The following table sets forth the code violations and applicable civil penalties which shall be cited by code enforcement officers under this article. The descriptions of violations are provided for purposes of general identification only.~~

~~SCHEDULE OF CIVIL PENALTIES~~

	Violation	Civil Penalty	
		First Violation	Repeat Violation
(1)	Failing to obey a stop work order.	\$250.00	\$500.00
(2)	Misrepresentation of any material fact in the application for a certificate of competency, certificate of renewal or permit.	250.00	500.00
(3)	Failure to qualify a firm, or acting in the capacity of a contractor under any name other than the name of the certificate holder set forth in the issued certificate or registration.	250.00	500.00
(4)	Abandoning a construction project.	250.00	500.00
(5)	Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer.	250.00	500.00
(6)	Material deviation from the approved plans accompanying the application for a permit issued to the certificate holder.	250.00	500.00

(7)	Misrepresenting the requirements of this article regulating work in order to obtain or increase the scope of the work in any contract or work.	250.00	500.00
(8)	Failing in any material respect to comply with the provisions of F.S. Ch. 489 or any provision of this Code which directly relates to contracting.	250.00	500.00
(9)	Failing to report or attempting to conceal from the building department a violation of any provision of this article.	250.00	500.00
(10)	Knowingly colluding or conspiring with an unlicensed person by allowing his certificate and any permit issued thereunder to be used by the unlicensed person with the intent to evade the provisions of this article, if such person is not working under the supervision or as a regular employee of the certificate holder.	250.00	500.00
(11)	Contracting beyond the scope of a certificate.	250.00	500.00
(12)	Proceeding and/or completing any contracting work, for which a permit is required, without properly obtaining all applicable permits or inspections.	150.00	300.00
(13)	Failing to comply with sections of the City Code regarding worker's compensation and liability insurance.	250.00	500.00
(14)	Failing to properly post required building permit(s).	150.00	300.00
(15)	Failing to display certificate number on advertisements.	250.00	500.00
(16)	Being convicted or found guilty or entering a plea of nolo contendere in a court of law, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting.	250.00	500.00
(17)	Committing fraud or deceit or negligence, incompetency, or misconduct in the practice of contracting.	250.00	500.00

(18)	Willfully or deliberately violating applicable state or local building codes, statutes or ordinances.	250.00	500.00
(19)	Failing to display certificate number of vehicle, when applicable.	250.00	500.00
(20)	Falsely certifying another's qualifications in order to obtain a certificate of competency.	250.00	500.00
(21)	Being disciplined by any municipality or county which has reciprocity with the city for an act or violation of any regulatory provision which directly relates to the practice of contracting, which discipline shall be reviewed by the board before taking any disciplinary action on its own.	250.00	500.00
(22)	Filing a voluntary petition in bankruptcy with the intention of defrauding a property owner or avoiding payment for materials furnished or labor performed.	250.00	500.00
(23)	Attempting to influence a member of the board regarding a pending disciplinary matter.	250.00	500.00
(24)	Signing a statement with respect to a project or contract falsely indicating that the work is bonded, falsely indicating that payment has been made for all subcontracted work, labor, and materials, which indication results in a financial loss to the owner, purchaser, or contractor, or falsely indicating that worker's compensation and public liability insurance are provided.	250.00	500.00
(25)	Performing any act which assists a person in engaging in the prohibited unlicensed and unregistered practice of contracting, if the certificate holder or registrant knows or has reasonable grounds to know that the person was unlicensed and unregistered.	250.00	500.00
(26)	Falsely hold himself or herself or a business organization out as a licensee, certificate holder, or registrant.	250.00	500.00
(27)	Falsely impersonating a contractor or journeyman.	250.00	500.00

(28)	Presenting as one's own the certificate or registration of another.	250.00	500.00
(29)	Give false or forged evidence to the board or a member thereof for the purpose of obtaining a certificate or registration.	250.00	500.00
(30)	Use or attempt to use a certificate or registration which has been suspended or revoked.	250.00	500.00
(31)	Engaging in the business or acting in the capacity of a contractor advertising oneself or a business organization as available to be engaged in business, or acting in the capacity of a contractor without being duly registered or certified.	250.00	500.00
(32)	Act in the capacity of a contractor or advertise himself or herself or a business organization as available to engage in the business or act in the capacity of a contractor without an occupational license.	150.00	300.00
(33)	Operate a business organization engaged in contracting after sixty (60) days following the termination of its only qualifying agent without designating another primary qualifying agent.	250.00	500.00
(34)	Proceeding on any job without first obtaining applicable local building permits and inspections.	150.00	300.00
(35)	Intentionally furnishing any materially false or misleading information on an application for a permit.	250.00	500.00
(36)	Willfully or deliberately aiding or abetting an unlicensed or unregistered person in the practice of contracting, when such person is required to be certified or registered according to the provisions of state law or municipal or county ordinances.	250.00	500.00
(37)	Conceal or cause to be concealed, or assist in concealing from the primary qualifying agent, any material activities, or information about the contracting firm.	250.00	500.00

(38)	Exclude or facilitate the exclusion of any aspect of the contracting firm's financial or other business activities from the primary qualifying agent.	250.00	500.00
(39)	Knowingly cause any part of the contracting firm's activities, financial or otherwise, to be conducted without the primary qualifying agent's supervision.	250.00	500.00
(40)	Assist or participate with any qualifying agent in the violation of any provision of this chapter.	250.00	500.00
(41)	Disregarding any municipal ordinance relating to unlicensed or unregistered contractors.	250.00	500.00
(42)	Committing any act which would constitute a violation of subsection (a) of this section if committed by a licensed contractor or journeyman.	250.00	500.00

~~Sec. 22-142. Provisions contained herein are supplemental.~~

~~Nothing contained in this article shall prohibit the city from enforcing the provisions of this article by any other means.~~

~~Secs. 22-143—22-150. Reserved.~~