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**ORDINANCE  
NUMBER 2022-7**

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**AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF LEVY COUNTY, FLORIDA RELATING TO FEES, RATES AND CHARGES; BY CREATING A NEW APPENDIX B TITLED “SCHEDULE OF FEES, RATES AND CHARGES” TO THE CODE; BY REVISING AND ADDING DEVELOPMENT DEPARTMENT, PLANNING AND ZONING DEPARTMENT AND ROAD DEPARTMENT FEES TO THE NEW APPENDIX B; BY MAKING COORESPONDING AND NECESSARY REVISIONS TO THE TEXT OF THE CODE, INCLUDING DELETING OBSOLETE CONSTRUCTION LICENSING PROVISIONS IN ARTICLE II OF CHAPTER 22, AND DELETING RELATED REFERENCES TO ADOPTING FEES BY RESOLUTION; ADOPTING FINDINGS OF FACT; PROVIDING A SEVERABLITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

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**WHEREAS**, Florida law authorizes counties to adopt reasonable fees, rates and charges for various county services and functions that are requested by and of benefit to private persons/entities; and

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**WHEREAS**, it has been the practice of Levy County to adopt such fees, rates and charges by various resolutions; and

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**WHEREAS**, the Board of County Commissioners of Levy County now finds it would be easier to budget and manage and it would be more user friendly to the public to adopt its fees, rates and charges by ordinances that are codified in a single appendix to the Code of Ordinances which is available for viewing in the online code library at [municode.com](http://municode.com); and

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**WHEREAS**, this Ordinance creates Appendix B – Schedule of Fees, Rates and Charges and revises and adds certain Development Department, Planning and Zoning Department and Road Department Fees to the new Appendix B; and

Note: Additions shown underlined, deletions shown ~~stricken~~.

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2       **WHEREAS**, in accordance with State law, the fees proposed in this ordinance are  
3 recommended by County staff as reasonable and reflective of the cost of providing the  
4 services and functions for which the fees are charged, and in the case of the fees related  
5 to enforcement of the Florida Building Code, will be separately accounted for and  
6 administered as required by Section 553.80, Florida Statutes; and  
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8       **WHEREAS**, over time, the Board intends to move all County regulatory fees, rates  
9 and charges into Appendix B by adopting separate, future ordinances; and  
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11       **WHEREAS**, until such future ordinances are adopted, current fees, rates and  
12 charges for other County regulatory services and functions which were adopted by prior  
13 resolutions (that have not been repealed) and are not in conflict with this ordinance will  
14 remain in force and effect; and  
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16       **WHEREAS**, in the preparation of this ordinance, County staff identified  
17 corresponding and necessary revisions to the Code and has included those in this  
18 ordinance; and  
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20       **WHEREAS**, those corresponding and necessary revisions include deleting the  
21 entirety of Chapter 22, Article II titled “Building Contractors, Electrical Contractors and  
22 other Construction Contractors” as the County has not in recent years had a local  
23 construction industry licensing board or issued local licenses and with the adoption of  
24 House Bill 735 (now Chapter Law 2021-214) effective July 1, 2021, with few exceptions,  
25 occupational licensing and construction licensing is now preempted to the State of  
26 Florida; and  
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28       **WHEREAS**, those corresponding and necessary revisions include deleting related  
29 references in the Code to adopting these fees by resolution; and  
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31       **WHEREAS**, at least ten (10) days’ notice has been given once by publication in a  
32 newspaper of general circulation notifying the public of this proposed ordinance and of a  
33 public hearing in the Levy County Government Center in Bronson, Florida; and  
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35       **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners  
36 of Levy County, Florida, that:  
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38       **SECTION 1.** A new Appendix B titled “Schedule of Fees, Rates and Charges” is  
39 created within the Levy County Code to read as follows:  
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| <b><u>APPENDIX B – SCHEDULE OF FEES, RATES AND CHARGES</u></b><br><b><u>DEVELOPMENT DEPARTMENT</u></b> |
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Note: Additions shown underlined, deletions shown ~~stricken~~.

Note regarding refunds: Once an application is filed with the County and the associated fees, rates or charges are paid to the County, no refunds will be issued to the applicant, unless a refund is specifically provided for in this Appendix or unless the permit was issued in error by the County.

Note regarding additional costs: The permit fees do not include additional costs to be paid by applicant for the services of engineers, legal counsel, or other professional consultants that are retained by the County in connection with review of any application or permit.

Note 1 - For the purpose of determining fees, floor area shall be the gross overall outside area of a building at each story, including all portions under roofs.

Note 2 – The building permit fee for a new building or addition includes flat work, such as stoops, sidewalks, patios, garage aprons or other walking surfaces incidental to the building, provided that no foundations are incorporated in the flat work.

Note 3 - A separate building permit is required for each building, structure, or improvement of existing buildings, even when located on the same lot, tract, or parcel.

Note 4 - Where a fee is based on value of the improvement and the valuation is not provided by the applicant, valuation will be determined by the County Development Department based on valuation data published by Southern Building Code Congress International or International Code Council, multiplied by the appropriate regional modifier. When the applicant provides the valuation, the County Development Department reserves the right to review and require documentation to support the valuation as reasonable and appropriate.

Note 5 - Separate permit fees are required for electrical, plumbing, mechanical, fuel gas, or other permits shown elsewhere in this schedule, unless otherwise indicated.

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| <b><u>1. Minimum fee for any building permit</u></b>  | <u>\$125.00</u>   |
| <b><u>2. Fee for inspection/reinspection trips</u></b><br><br><u>Note: The number of inspection trips required for each project will be determined by the plans examiner. Inspection trip fees are in addition to the permit fee, unless otherwise stated in the specific permit section.</u> | <u>\$70.00 per trip for initial inspection, 1<sup>st</sup> reinspection or 2<sup>nd</sup> reinspection</u><br><br><u>\$120.00 per trip for 3rd or subsequent reinspection</u> |
| <b><u>3. Manufactured (Mobile) move-on permits – residential and commercial</u></b>   | <u>\$720.00, includes plans review, 2 inspections and all subcontractor fees</u>  |

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| <b><u>4. Used manufactured (Mobile) pre-inspections</u></b>   | <u>\$125.00 in county</u><br><u>\$150.00 out of county</u> |
| <b><u>5. New construction, renovation, addition or remodel of building – Residential</u></b>          |  |
| <u>First \$1,000 of value of improvement</u>  | <u>\$125.00</u>  |
| <u>Each additional \$1,000 of value, up to \$100,000</u>  | <u>\$8.00</u>  |
| <u>Each additional \$1,000 of value, up to \$400,000</u>  | <u>\$7.00</u>  |
| <u>Each additional \$1,000 of value that exceeds \$400,000</u>  | <u>\$5.00</u>  |
| <b><u>6. New construction, renovation, addition or remodel of building – Commercial</u></b>           |  |
| <u>Note: Fire review/inspections are additional</u>   |  |
| <u>First \$1,000 of value of improvement</u>  | <u>\$250.00</u>  |
| <u>Each additional \$1,000 of value, up to \$100,000</u>  | <u>\$8.00</u>  |
| <u>Each additional \$1,000 of value, up to \$400,000</u>  | <u>\$7.00</u>  |
| <u>Each additional \$1,000 of value that exceeds \$400,000</u>  | <u>\$5.00</u>  |
| <b><u>7. New construction, renovation, addition or remodel of structures other than buildings</u></b> |  |
| <u>First \$1,000 of value of improvement</u>  | <u>\$250.00</u>  |
| <u>Each additional \$1,000 of value, up to \$100,000</u>  | <u>\$8.00</u>  |
| <u>Each additional \$1,000 of value, up to \$400,000</u>  | <u>\$7.00</u>  |
| <u>Each additional \$1,000 of value that exceeds \$400,000</u>  | <u>\$5.00</u>  |

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| <p><b><u>8. Re-roofing and roof-over permits</u></b></p> <p><u>Note: For structural re-roofs, the fee schedule in 5 (for residential) or 6 (for commercial) above shall apply.</u></p>  | <p><u>\$225.00 for residential, includes 2 inspections</u></p> <p><u>\$300.00 for commercial, includes 2 inspections</u></p>   |
| <p><b><u>9. Dock and sea wall permits</u></b></p> <p><u>Note: Separate permits are required for any dock that has separate electrical service and/or electrical wiring.</u></p>   | <p><u>\$225.00 for residential, includes 2 inspections</u></p> <p><u>See fee schedule in 7 above for commercial, includes 2 inspections</u></p>  |
| <p><b><u>10. Screened enclosures, carports, gazebos and DBPR shed permits</u></b></p> <p><u>Note: Also requires building plans review fee in 22 below.</u></p>  | <p><u>\$125.00; plus \$8.00 per each 100 square feet and plus \$.01 per square foot for state surcharge</u></p>  |
| <p><b><u>11. Swimming pool permit</u></b></p> <p><u>Note: Pool permit includes pool construction, child resistant barrier and water circulation equipment only. Separate permits are required for electrical wiring, electrical upgrade of service, separate electrical services, pool water heaters, gas piping to water heaters, screen enclosures and other amenities or trades.</u></p> | <p><u>\$400.00 for residential, includes plans review and 2 inspections</u></p> <p><u>\$900.00 for commercial, includes plans review, fire inspection and review and 2 inspections</u></p> |
| <p><b><u>12. Public amusement device permit</u></b></p> <p><u>Note: this includes, but is not limited to, mechanical ride, slide, sailing, swinging; but not applicable to temporary/mobile carnivals, circuses, or amusements.</u></p>   | <p><u>\$125.00</u></p>   |
| <p><b><u>13. Demolition of building permit</u></b></p>  | <p><u>\$125.00, includes 2 inspections</u></p>   |
| <p><b><u>14. Minor excavation or fill permit</u></b></p>  | <p><u>\$125.00</u></p>   |
| <p><b><u>15. Sign permit</u></b></p> <p><u>Note: Separate permits required for electrical permit for lighting and for zoning review.</u></p>  | <p><u>\$250.00, includes plans review</u></p>  |

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| <p><b><u>16. Plumbing permit</u></b></p>  | <p><u>\$125.00 for residential, includes 1 inspection</u></p> <p><u>\$250.00 for commercial, includes 1 inspection</u></p>       |
| <p><b><u>17. Electrical permit</u></b></p>  | <p><u>\$125.00 for residential, includes 1 inspection</u></p> <p><u>\$250.00 for commercial, includes 1 inspection</u></p>       |
| <p><b><u>18. Heat, vent, air conditioning and refrigeration permit</u></b></p> <p><u>Note: Window units (25,000BTUs or less) do not require a permit</u></p>                      | <p><u>\$125.00 for residential, includes 1 inspection</u></p> <p><u>\$250.00 for commercial, includes 1 inspection</u></p>       |
| <p><b><u>19. Fuel gas permit</u></b></p>  | <p><u>\$125.00 for residential, includes 1 inspection</u></p> <p><u>\$250.00 for commercial, includes 1 inspection</u></p>       |
| <p><b><u>20. Bulk fuel tank installation or replacement permit</u></b></p> <p><u>Note: Separate permits are required for electrical and/or mechanical systems or devices.</u></p> | <p><u>\$125.00 for propane, includes 1 inspection</u></p> <p><u>\$250.00 for all other fuel types, includes 1 inspection</u></p> |
| <p><b><u>21. Mechanical/gas permit</u></b></p>  | <p><u>\$125.00 for residential, includes 1 inspection</u></p> <p><u>\$250.00 for commercial, includes 1 inspection</u></p>       |
| <p><b><u>22. Building plans review</u></b></p> <p><u>Note: The minimum building plans review fee is \$70.00</u></p>   | <p><u>20% of building permit fee for residential</u></p> <p><u>30% of building permit fee for commercial</u></p>                 |

Note: Additions shown underlined, deletions shown ~~stricken~~.

**23. Renewal/transfer of building permit**

a) Building permits that have expired because construction was not commenced within six months of issuance, or because more than six months have elapsed since passing a required inspection, may be renewed for 50% of the original building permit fees (excluding impact fees and service fees such as zoning review, site plan approval, flood hazard determination and plans review); but only if the request for renewal is submitted within six months of the date the building permit expired.

b) Building permits that have expired because construction was not commenced within 12 months of issuance, or because construction has ceased for more than 12 months, or because more than 12 months have elapsed since passing a required inspection, may be renewed for 100% of the original building permit fees (excluding impact fees, service fees such as zoning review, site plan approval, flood hazard determination, and plans review fees); but only if the request for renewal is submitted within 24 months of the date the building permit expired.

c) Building permits that have expired because construction was not commenced within 24 months, or because construction has ceased for more than 24 months, or because more than 24 months have elapsed since passing a required inspection, are null and void and may not be renewed. Any subsequent application will be treated as a new application and all fees (other than impact fees) must be paid. Whenever construction has ceased for 5 years or more, impact fees must be paid.

d) Upon written notarized authorization by the permit holder, a valid or otherwise active building permit may be transferred to another applicant with the payment of an administration fee of 25% of the original building permit fees paid (excluding impact fees and service fees such as zoning review, site plan approval, flood hazard determination, and plans review.) In no case shall the administration fee to transfer a valid or otherwise active building permit be less than \$30.00.

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**APPENDIX B – SCHEDULE OF FEES, RATES AND CHARGES**  
**PLANNING AND ZONING DEPARTMENT**

Note regarding refunds: Once an application is filed with the County and the associated fees, rates or charges are paid to the County, no refunds will be issued to the applicant, unless a refund is specifically provided for in this Appendix or unless the permit was issued in error by the County.

Note regarding additional costs: The fees do not include additional costs to be paid by applicant for the services of engineers, legal counsel, or other professional

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| <u>consultants that are retained by the County in connection with review of any application or permit.</u> |  |
| <b><u>1. Development of Regional Impact (DRI)</u></b>  |  |
| <u>Review of initial application</u>   | <u>\$7,500.00</u>  |
| <u>Review of substantial deviation (DRI)</u>   | <u>\$7,500.00</u>  |
| <u>Notice of Proposed Change (DRI) or other Amendment (non-Substantial Deviation of a DRI)</u>             | <u>\$3,000.00</u>  |
| <b><u>2. Comprehensive Plan amendments</u></b>   |  |
| <u>Large-scale land use map amendment (50+ acres)</u>  | <u>\$1,250.00</u>  |
| <u>Small-scale land use map amendment</u>  | <u>\$600.00</u>  |
| <u>Text amendment to Comprehensive Plan</u>  | <u>\$1,750.00</u>  |
| <b><u>3. Zoning amendments</u></b>   |  |
| <u>Zoning map amendment</u>  | <u>\$600.00</u>  |
| <u>Text amendment to Land Development Code</u>   | <u>\$600.00</u>  |
| <b><u>4. Special Exception</u></b>   |  |
| <u>a) Major mining</u>   | <u>\$1,600.00, plus costs of public notice when mining operation includes blasting or 50 or more truck trips per day</u> |
| <u>b) Concentrated commercial farming</u>  | <u>\$1,750.00</u>  |
| <u>c) Private cemetery</u>   | <u>\$500.00</u>  |
| <u>d) For profit cemetery</u>  | <u>Same fees as Subdivision/ Platting</u>  |
| <u>e) Towers, communication or broadcasting (350' or greater above ground level)</u>                       | <u>\$1,100.00</u>  |

Note: Additions shown underlined, deletions shown ~~stricken~~.



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| <u>f) Landfills</u>   | <u>\$1,250.00, plus \$5.00 per acre</u>   |
| <u>g) Mobile home parks</u>   | <u>\$1,100.00, plus \$5.00 per lot</u>  |
| <u>h) Prisons, jails and correction facilities</u>                                      | <u>\$1,100.00, plus \$5.00 per acre</u>   |
| <u>i) Shopping centers</u>  | <u>\$1,100.00, plus \$5.00 per acre</u>   |
| <u>j) Travel trailer/RV park</u>  | <u>\$1,100.00, plus \$5.00 per space</u>  |
| <u>k) Commercial boat landings, sport fisheries and marinas</u>                         | <u>\$1,100.00, \$5.00 per acre</u>  |
| <u>l) Large-scale developments, such as multi-family residential and shopping malls</u> | <u>\$1,250.00, plus \$5.00 per acre</u>   |
| <u>m) Asphalt or cement plants</u>  | <u>\$1,100.00</u>   |
| <u>n) All other special exceptions</u>  | <u>\$600.00</u>   |
| <b><u>5. Conditional Use Permit</u></b>   | <u>\$600.00</u>   |
| <b><u>6. Special permits for noise</u></b>  | <u>\$600.00</u>   |
| <b><u>7. Variance</u></b>   | <u>\$350.00</u>   |
| <b><u>8. Hardship variance (medical)</u></b>  | <u>\$150.00</u>   |
| <b><u>9. Subdivision/platting</u></b>   |   |
| <u>Preliminary Plat</u>   | <u>\$500.00</u>   |
| <u>Construction Plans Review</u>  | <u>\$125.00, plus \$5.00 per lot for residential or \$5.00 per acre for non-residential</u> |
| <u>Final Plat</u>   | <u>\$400.00</u>   |
| <u>Plat Amendment, Resubmittal Review</u>   | <u>\$100.00, plus \$3.00 per lot for residential or \$3.00 per acre for non-residential</u> |

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| <u>Lineal heir homestead density exemption</u>   | <u>\$125.00</u>   |
| <u>Plat vacation</u>   | <u>\$225.00</u>   |
| <b><u>10. Planned Unit Development</u></b>   |   |
| <u>Residential</u>   | <u>\$2,000.00</u>   |
| <u>Non-residential or mixed-use</u>  | <u>\$3,000.00</u>   |
| <u>Amendment to any PUD</u>  | <u>\$500.00</u>   |
| <b><u>11. Appeal of administrative decision to Board of Adjustment</u></b>   | <u>\$750.00</u>   |
| <b><u>12. Fees to postpone or cancel a hearing - In the event the applicant requests a postponement or cancellation of a scheduled hearing that has been noticed, the applicant shall pay all costs associated with re-noticing the hearing.</u></b> | <u>Actual costs</u>                                       |
| <b><u>13. Zoning compliance review</u></b>   |   |
| <u>a) Single-Family Residential</u>  | <u>\$100.00</u>   |
| <u>b) Additions to Single-Family Residence</u>   | <u>\$100.00</u>   |
| <u>c) Residential Accessory Building</u>   | <u>\$25.00</u>  |
| <u>d) Multi-Family Residential Developments</u>  | <u>\$100.00, plus \$5.00 per acre and \$5.00 per unit</u> |
| <u>e) Commercial</u>   | <u>\$100.00 plus \$5.00 per acre</u>                      |
| <u>f) Additions to Commercial Structures</u>   | <u>\$50.00</u>  |
| <u>g) Commercial Accessory Structure</u>   | <u>\$50.00</u>  |
| <u>h) Towers, communication or broadcast 350' or greater above ground level</u>  | <u>\$250.00</u>   |
| <u>i) Temporary Asphalt Plants (per 6 months of operation)</u>   | <u>\$25.00</u>  |

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| j) <u>New or Transfer of Alcohol Package Sales License</u> | <u>\$25.00</u> |

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| <b><u>APPENDIX B – SCHEDULE OF FEES, RATES AND CHARGES</u></b><br><b><u>ROAD DEPARTMENT</u></b>  |   |
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| <p><u>Note regarding refunds: Once an application is filed with the County and the associated fees, rates or charges are paid to the County, no refunds will be issued to the applicant, unless a refund is specifically provided for in this Appendix or unless the permit was issued in error by the County.</u></p> <p><u>Note regarding additional costs: The fees do not include additional costs to be paid by applicant for the services of engineers, legal counsel, or other professional consultants that are retained by the County in connection with review of any application or permit.</u></p> |   |
| <p><b><u>1. Abandonment of right-of-way/road closure</u></b></p> <p><u>Note: Costs associated with public notification that are in addition to road posting and legal advertisement must be paid by the applicant.</u></p>   | <u>\$250.00</u>   |
| <p><b><u>2. Road construction inspection</u></b> - includes the following required inspections: <u>clearing and grubbing entire rights-of-way, boxing-out for sub-grade and inspection of sub-grade material prior to mixing, inspection of sub-grade, finish rock and surface course (when applicable)</u></p> <p><u>Note: For developments that include curb and gutter stormwater collection and/or other infrastructure requiring County approval, such as, but not limited to, central water, sewer or fuel gas, there will be additional fees or development agreements required.</u></p>                | <u>\$460.00 per mile (without surface course)</u><br><br><u>\$520.00 per mile (with surface course, ridged or flexible)</u> |
| <p><b><u>3. Driveway connection permits</u></b></p> <p><u>Residential (Single-Family, Duplexes and Triplexes)</u></p> <p><u>Commercial, Industrial or Multi-Family (4 dwelling units or more)</u></p> <p style="margin-left: 20px;">i. <u>Uses with 1 - 600 VTPD</u></p> <p style="margin-left: 20px;">ii. <u>Uses with 601 - 1200 VTPD</u></p>  | <u>\$50.00 per connection</u><br><br><u>\$250.00 per connection</u><br><u>\$1,000.00 per connection</u>                     |

Note: Additions shown underlined, deletions shown ~~stricken~~.

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| iii. <u>Uses with 1201 - 4000 VTPD</u>   | <u>\$2,000.00 per connection</u> |
| iv. <u>Uses with 4000 - 10,000 VTPD</u>  | <u>\$3,000.00 per connection</u> |
| <u>Note: VTPD means Projected Vehicular Trips Per Day, which shall be provided by a registered professional engineer using the latest edition of either the FDOT "A Manual on Uniform Traffic Studies", or the Institute of Transportation Engineers "Trip Generation" manual.</u> |                                  |

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**SECTION 2.** Chapter 22, Article II. titled "Building Contractors, Electrical Contractors and other Construction Contractors" is deleted in its entirety, as follows:

**~~Sec. 22-31. 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:~~

~~*Board* means the construction industry licensing board of the county.~~

~~*Certificate* means a certificate of competency issued by the board as provided in this article unless the context otherwise requires.~~

~~*Certification* means the act of obtaining or holding a certificate of competency from the board as provided in this article or from the state construction industry licensing board and such certificate shall be unlimited in any county in this state.~~

~~*Contractor* means as provided in F.S. §§ 489.105 and 489.505.~~

~~*Contracting* means, except as exempted in this article, engaging in business as a contractor.~~

~~*Registration* means the act of registering with the board as provided in this article or with the state licensing board and counties and is limited to those counties that are named on such registration, and if any county named shall lift the registration, then the state registration shall also be lifted.~~

**~~Sec. 22-32. Purpose.~~**

~~It is hereby declared to be the public policy of this county 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 interests, and any person engaging~~

Note: Additions shown underlined, deletions shown ~~stricken~~.

1 in the business should be required to establish his competency and qualifications to be  
2 certified as provided in this article.

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4 **~~Sec. 22-33. Applicability.~~**

5  
6 The provisions of this article do not apply to persons who are exempt from the provisions  
7 of F.S. ch. 489, pt. I (F.S. § 489.101 et seq.) or F.S. ch. 489, pt. II (F.S. § 489.501 et seq.).  
8

9 **~~Sec. 22-34. Construction industry licensing board.~~**

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11 ~~(a) The construction industry licensing board of the county is hereby created, consisting~~  
12 ~~of five members who are familiar with the building trade. All members of the board shall~~  
13 ~~be appointed by the county commission for terms of two years. Vacancies in the~~  
14 ~~membership of the board for any cause shall be filled by appointment by the county~~  
15 ~~commission for the balance of the unexpired term.~~

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17 ~~(b) The board shall meet regularly as the need presents itself.~~

18  
19 ~~(c) The board shall elect officers from its membership, whose terms shall expire on June~~  
20 ~~30 of each year. Special meetings of the board may be held as the board provides in its~~  
21 ~~rules and regulations. Three members of the board constitute a quorum.~~

22  
23 ~~(d) The board is authorized to adopt rules and regulations to carry out the provisions of~~  
24 ~~this article.~~

25  
26 ~~(e) Any member of the board of duly appointed hearing officers designated by the board~~  
27 ~~may administer oaths and take testimony about all matters within the jurisdiction of the~~  
28 ~~board.~~

29  
30 ~~(f) The board is authorized to incur expenses as authorized by the county commission to~~  
31 ~~perform its duties and enforce this article and shall have the right to sue and be sued in~~  
32 ~~its official name.~~

33  
34 ~~(g) The board shall adopt a seal for its use containing the words "Construction Industry~~  
35 ~~Licensing Board of Levy County, Florida."~~

36  
37 ~~(h) The county construction industry licensing board may establish new categories of~~  
38 ~~contractors and qualifications for such contractors as needed.~~

39  
40 ~~(i) All monies collected by the board shall be received, deposited, expended and~~  
41 ~~accounted for pursuant to law. The expenses of the board and its officers and of the~~  
42 ~~examinations held by the board, and of other matters in connection with this article, shall~~  
43 ~~be paid from the monies collected under this article. Members of the board shall receive~~  
44 ~~per diem and mileage as provided by law.~~

Note: Additions shown underlined, deletions shown ~~stricken~~.

1  
2 **Sec. 22-35. Enforcement procedure.**

3  
4 ~~(a) The county development department shall, through its inspectors, act as the enforcing~~  
5 ~~agency for the board and is hereby specifically empowered to initiate the enforcement~~  
6 ~~procedures as provided in this article.~~

7  
8 ~~(b) Upon determining a violation exists, the county development department shall act in~~  
9 ~~the following manner:~~

10  
11 ~~(1) Give the involved party reasonable time to correct the error prior to filing the complaint.~~

12  
13 ~~(2) Immediately notify the builder and/or owner of the site where the violation exists and~~  
14 ~~explain the nature of the violation.~~

15  
16 ~~(3) File a uniform complaint card with the board and send a copy of such complaint card~~  
17 ~~to the builder and/or owner and maintain a copy of its files.~~

18  
19 ~~(4) Post official notice of the violation on the site where the violation exists.~~

20  
21 ~~(5) Request a hearing before the board.~~

22  
23 **Sec. 22-36. Registration.**

24  
25 ~~All contractors who are certified pursuant to F.S. ch. 489, pt. I (F.S. § 489.101 et seq.) or~~  
26 ~~F.S. ch. 489, pt. II (F.S. § 489.501 et seq.) shall register with the board in the proper~~  
27 ~~classification. To be registered with the board, the applicant shall file evidence of his~~  
28 ~~qualifications with the county construction industry licensing board on a form prescribed~~  
29 ~~by the board.~~

30  
31 **Sec. 22-37. Unlawful acts prohibited.**

32  
33 ~~It is unlawful for any person certified or registered under this article to commit any of the~~  
34 ~~acts constituting cause for disciplinary action against a contractor certified under this~~  
35 ~~article.~~

36  
37 **DIVISION 2. CERTIFICATION**

38  
39 **Sec. 22-56. Required.**

40  
41 ~~It is unlawful for any person to engage in the business or act in the capacity of a contractor~~  
42 ~~in the county without having been duly certified by the construction industry licensing~~  
43 ~~board of the county.~~

44  
Note: Additions shown underlined, deletions shown ~~stricken~~.

1 **~~Sec. 22-57. Application.~~**

2 ~~To obtain a certificate, an applicant shall submit an application in writing to the board~~  
3 ~~containing the statement that the applicant desires the issuance of a certificate and the~~  
4 ~~class of certificate desired on a form containing the information prescribed by the board~~  
5 ~~and shall be accompanied by the required fee.~~

6  
7 **~~Sec. 22-58. Examination.~~**

8  
9 (a) ~~Except as otherwise provided, no certificate shall be issued unless the applicant has~~  
10 ~~passed an examination approved by the board.~~

11  
12 (b) ~~Examinations shall be held at times and places within the county as the board~~  
13 ~~determines, but there shall be at least two examinations a year. Each applicant shall take~~  
14 ~~an objective written and/or oral examination about his fitness for a certificate in the~~  
15 ~~category for which application is made. There shall be a type of examination for each of~~  
16 ~~the three categories of certificates which shall apply to the type of work covered by the~~  
17 ~~certificate applied for. The examination shall cover knowledge of basic principles of~~  
18 ~~contracting and construction applicable to the category for which a certificate is~~  
19 ~~requested. It shall be an open book examination consisting of multiple choice, fill-in, true-~~  
20 ~~false, or short-answer questions and may include or consist of diagrams, plans, or~~  
21 ~~sketches in connection with which the applicant is required to demonstrate his knowledge~~  
22 ~~of construction by answering questions keyed to such diagrams, plans, or sketches. A~~  
23 ~~passing grade on the examination is 75 percent.~~

24  
25 **~~Sec. 22-59. Investigation; informing applicant of qualification.~~**

26  
27 ~~Following receipt of the fee and application, the board shall investigate the financial~~  
28 ~~responsibility and credit, and business reputation, of the applicant and of any business~~  
29 ~~organization on behalf of which he proposes to engage in contracting, as well as the~~  
30 ~~education and experience of the applicant. After successful completion of the~~  
31 ~~examination, within 30 days from the date of the examination, the board shall inform the~~  
32 ~~applicant in writing whether he has qualified or not and, if the applicant has qualified, that~~  
33 ~~it is ready to issue a certificate in the category for which application was made, subject to~~  
34 ~~compliance with the requirements of section 22-60.~~

35  
36 **~~Sec. 22-60. Evidence of insurance required.~~**

37  
38 ~~As a prerequisite to issuance of a certificate, the board shall require the applicant to~~  
39 ~~submit satisfactory evidence that he has obtained public liability insurance in amounts to~~  
40 ~~be determined by the board, but not less than the amounts required by the state~~  
41 ~~construction industry licensing board. Thereupon, the certificate shall be issued forthwith,~~  
42 ~~but this subsection does not apply to inactive certificates.~~

43  
44 **~~Sec. 22-61. Issuance to individuals and business organizations.~~**

Note: Additions shown underlined, deletions shown stricken.

1  
2 ~~(a) When a individual proposes to do business in his own name, certification, when~~  
3 ~~granted, shall be issued only to that individual.~~

4  
5 ~~(b) If the applicant proposing to engage in contracting is a partnership, corporation,~~  
6 ~~business trust, or other legal entity, the application shall state the name of the partnership~~  
7 ~~and of its partners, or the name of the corporation and of its officers and directors, or the~~  
8 ~~name of the business trust and its trustees, or the name of such other legal entity and its~~  
9 ~~members, and furnish evidence of statutory compliance if a fictitious name is used. Such~~  
10 ~~application shall also show that the person applying for the examination is legally qualified~~  
11 ~~to act for the business organization in all matters connected with its contracting business;~~  
12 ~~and that he has authority to supervise construction undertaken by such business~~  
13 ~~organization. The certification, when issued upon application of a business organization,~~  
14 ~~shall be in the name of such business organization and the name of the qualifying~~  
15 ~~individual shall be noted thereon.~~

16  
17 ~~(c) (1) At least one member or supervising employee of the business organization shall~~  
18 ~~be qualified under this law in order for the business organization to hold a current~~  
19 ~~certificate in the category of the business conducted~~

20  
21 ~~for which the member or supervising employee is qualified. If any individual so qualified~~  
22 ~~on behalf of such business organization ceases to be affiliated with such business~~  
23 ~~organization, he shall inform the board. In addition, if such individual is the only qualified~~  
24 ~~individual affiliated with the business organization, the business organization shall notify~~  
25 ~~the board of the individual's termination and shall have a period of 60 days from the~~  
26 ~~termination of the individual's affiliation with the business organization in which to qualify~~  
27 ~~another person under the provisions of this article, failing which the certificate of the~~  
28 ~~business organization shall be subject to revocation by the board.~~

29  
30 ~~(2) The individual shall also inform the board in writing when he proposes to engage in~~  
31 ~~contracting in his own name or in affiliation with another business organization; and he or~~  
32 ~~such new business organization shall supply the same information to the board as~~  
33 ~~required for applicants under this article.~~

34  
35 ~~(3) After an investigation of the financial responsibility, credit, and business reputation of~~  
36 ~~the individual, or the new business organization, upon a favorable determination, the~~  
37 ~~board shall forthwith issue without charge or examination a new certificate in the~~  
38 ~~individual's name, or in the name of the new business organization, as provided in this~~  
39 ~~section.~~

40  
41 **Sec. 22-62. Expiration and renewal.**

42  
43 ~~(a) Certificates shall expire annually at 12:00 midnight on June 30. Failure to renew the~~  
44 ~~certificate during June shall cause the certificate to become inoperative, and it is unlawful~~

Note: Additions shown underlined, deletions shown stricken.



1 ~~thereafter for any person to engage or offer to engage or hold himself out as engaging in~~  
2 ~~contracting under the certificate unless the certificate is restored or reissued.~~

3 ~~(b) A certificate which is inoperative because of failure to renew shall be restored on~~  
4 ~~payment of the proper renewal fee, if the application for restoration is made within two~~  
5 ~~years after June 30. If the application for restoration is not made within the two-year~~  
6 ~~period, the fee for restoration shall be equal to the original application fee; and, in addition,~~  
7 ~~the board may require reexamination of the applicant.~~

8  
9 ~~(c) A person who holds a valid certificate from the board may go on inactive status during~~  
10 ~~which time he shall not engage in contracting but may retain his certificate on an inactive~~  
11 ~~basis on payment of an annual renewal fee during the inactive period in the amount~~  
12 ~~established by resolution.~~

13  
14 **~~Sec. 22-63. Fees; disposition of funds~~**

15  
16 ~~(a) Certificate application fees and fees for certificate renewals shall be established by~~  
17 ~~resolution.~~

18  
19 ~~(b) Any funds received by the board from certification fees which remain uncommitted~~  
20 ~~and unexpended at the end of each biennium shall be paid into the general revenue fund.~~

21  
22 ~~(c) If an applicant for an original certificate, after having been notified to do so, does not~~  
23 ~~appear for examination within one year from the date of filing his application, the fee paid~~  
24 ~~by him shall be credited to the board as an earned fee. New applications for a certificate~~  
25 ~~shall be accompanied by another application fee fixed by this article. Forfeiture of a fee~~  
26 ~~may be waived by the board for good cause.~~

27  
28 **~~Sec. 22-64. Revocation or suspension of certificate.~~**

29  
30 ~~(a) On its own motion or on the verified written complaint of the county development~~  
31 ~~department or of any other person, the board may investigate the action of any contractor~~  
32 ~~certified under this article and hold hearings. The board may take appropriate disciplinary~~  
33 ~~action if the contractor is found to be guilty of or has committed any one or more of the~~  
34 ~~acts or omissions constituting cause for disciplinary action set out in this article or adopted~~  
35 ~~as rules or regulations by the board.~~

36  
37 ~~(b) The following acts constitute cause for disciplinary action:~~

38  
39 ~~(1) Those enumerated in F.S. §§ 489.129(1), 489.531(1).~~

40  
41 ~~(2) Failure in any material respect to comply with the provisions of this article.~~

42  
43 ~~(c) The board is authorized to take the following disciplinary action:~~

44  
Note: Additions shown underlined, deletions shown ~~stricken~~.

1 ~~(1) Suspend the certificate holder from all operations as a contractor during the period~~  
2 ~~fixed by the board, but the board may permit the certificate holder to complete any~~  
3 ~~contracts then uncompleted.~~

4  
5 ~~(2) Revoke a certificate.~~

6  
7 ~~(3) Impose an administrative find or penalty not to exceed \$5,000.00, which shall be~~  
8 ~~recoverable by the board only in an action at law.~~

9  
10 ~~(d) After suspension of the certificate on any grounds set forth in this section, the board~~  
11 ~~may remove the suspension on proof of compliance by the contractor with all conditions~~  
12 ~~prescribed by the board for removal of suspension; or, in the absence of such conditions,~~  
13 ~~as in the sound discretion of the board.~~

14  
15 ~~(e) After revocation of a certificate, the certificate shall not be renewed or reissued for at~~  
16 ~~least one year after revocation and then only on a showing of rehabilitation of the~~  
17 ~~contractor.~~

18  
19 ~~(f) The lapse or suspension of a certificate by operation of law or by order of the board or~~  
20 ~~a court, or its voluntary surrender by a certificate holder does not deprive the board of~~  
21 ~~jurisdiction to investigate or act in disciplinary proceedings against the holder.~~

22  
23 ~~(g) The filing of a petition in bankruptcy, either voluntarily or involuntarily, or the making~~  
24 ~~of a composition of creditors or the appointment of a receiver for the business of the~~  
25 ~~certificate holder may be considered by the board as just cause for suspension of a~~  
26 ~~certificate.~~

27  
28 **~~Sec. 22-65. Records.~~**

29  
30 ~~(a) All information required by the board of any applicant for certification shall be a public~~  
31 ~~record, except financial information and examination grades which are confidential and~~  
32 ~~shall not be discussed with anyone except members of the board and its staff, but the~~  
33 ~~applicant is entitled to see his examination papers and grades.~~

34  
35 ~~(b) If a certificate holder changes his name style, address or employment from that which~~  
36 ~~appears on his current certificate, he shall notify the board of the changes within 30 days~~  
37 ~~after it occurs.~~

38  
39 ~~(c) All examinations shall be retained for a period of one year from the date of the~~  
40 ~~examination.~~

41  
42  
43 **SECTION 3.** Section 50-381(f) regarding "driveway connections" is amended as  
44 follows:

Note: Additions shown underlined, deletions shown ~~stricken~~.

1  
2 (f) *Fee.* The application fee for the driveway construction shall be as established in Appendix B – Schedule of Fees, Rates and Charges, ~~by resolution.~~  
3  
4

5  
6 **SECTION 4.** Section 50-532(h) regarding “Submission and approval of preliminary  
7 plat” is amended as follows:  
8

9 (h) After a preliminary plat application has been distributed to the appropriate  
10 departments for review and comment and the applicant wishes to revise the preliminary  
11 plat, ~~a fee of 50 percent of the original filing fee will be paid~~ the fee set forth in Appendix  
12 B – Schedule of Fees, Rates and Charges must be paid and the revised preliminary plat  
13 review will be commenced after such payment. After planning commission or board of  
14 county commissioner action on a preliminary plat application, if an applicant proposes  
15 any substantive change to the preliminary plat application, the applicant shall pay ~~400~~  
16 ~~percent of a preliminary plat application fee~~ the fee set forth in Appendix B – Schedule of  
17 Fees, Rates and Charges and shall submit a new application for review as a new  
18 application.  
19

20  
21 **SECTION 5.** Section 50-533(g) regarding “Submittal and approval of construction  
22 plans” is amended as follows:  
23

24 (g) *Fees.* The fee schedule for construction plan review shall be set forth in Appendix B  
25 – Schedule of Fees, Rates and Charges, ~~adopted by resolution by the board of county~~  
26 ~~commissioners, and it shall be posted and displayed in the development department~~  
27 ~~office.~~  
28

29  
30 **SECTION 6.** A portion of Section 50-798(a) regarding “Application procedures” is  
31 amended as set forth below. Except as amended herein, the remainder of 50-798(a)  
32 remains in full force and effect.  
33

34 (a) *Written petition.* An application for a special exception shall be obtained from and  
35 filed with the zoning official and shall be accompanied by the applicable fee set forth in  
36 Appendix B – Schedule of Fees, Rates and Charges ~~to be established by resolution of~~  
37 ~~the board of county commissioners.~~ The zoning official shall review an application for  
38 sufficiency, which includes completeness of the application. If additional data or  
39 information is required, the zoning official shall advise the applicant and shall allow a  
40 reasonable time for the applicant to provide the additional data or information. Upon a  
41 finding by the zoning official that an application is complete, the application shall be  
42 scheduled for public hearings before the planning commission at the next planning  
43 commission meeting at which such application may reasonably be heard and before the  
44 board of county commissioners at a board of county commissioner's meeting in the month

Note: Additions shown underlined, deletions shown ~~stricken~~.

1 following the month of the planning commission meeting. Should an error in an application  
2 be discovered prior to a scheduled hearing, the zoning official shall have the discretion to  
3 require the applicant to reapply or submit revised or additional information. Special  
4 exception applications shall include but not be limited to the following, as applicable:  
5  
6

7 **SECTION 7.** Section 50-861(c) regarding “Appeals” is amended to read as follows:  
8

9 (c) The fee for an administrative appeal shall be set forth in Appendix B – Schedule of  
10 Fees, Rates and Charges. ~~established by the board of county commissioners through a~~  
11 ~~resolution.~~  
12  
13

14 **SECTION 8. Findings of Fact.** The Board of County Commissioners of Levy  
15 County, Florida, finds and declares that the statements set forth in the whereas clauses  
16 of this ordinance are true and correct.  
17  
18

19 **SECTION 9. Severability.** If any section, subsection, sentence, clause, phrase,  
20 portion or provision of this ordinance is for any reason declared or held invalid or  
21 unconstitutional by any court of competent jurisdiction, such section, subsection,  
22 sentence, clause, phrase, portion or provision shall be deemed a separate, distinct and  
23 independent provision, and the remainder of this ordinance shall be not affected by such  
24 declaration or holding.  
25  
26

27 **SECTION 10. Repeal.** All ordinances or parts of ordinances and all resolutions or  
28 parts of resolutions of Levy County (including but not limited to Resolution 2013-38  
29 recorded in Official Record Book 1301, Page 659, Resolution 2017-032 recorded in  
30 Official Record Book 1428, Page 961 and Resolution 2019-048 recorded in Official  
31 Record Book 1500, Page 821) that are in conflict with this ordinance are, to the extent of  
32 the conflict, hereby repealed.  
33  
34

35 **SECTION 11. Inclusion in the Code.** The provisions of Sections 1 through 7 of  
36 this ordinance shall become and be made a part of the Levy County Code, and the  
37 sections of this ordinance may be renumbered or relettered and the word “ordinance” may  
38 be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase  
39 in order to accomplish the codification.  
40  
41

42 **SECTION 12. Effective Date.** In accordance with Section 125.66, Florida  
43 Statutes, the Clerk to the Board of County Commissioners is directed to file this ordinance

Note: Additions shown underlined, deletions shown ~~stricken~~.

1 with the Florida Department of State within 10 days after adoption and upon such filing,  
2 this ordinance shall become effective.

3  
4  
5 **PASSED AND DULY ADOPTED** this 8th day of March, 2022.

6  
7 **BOARD OF COUNTY COMMISSIONERS**  
8 **OF LEVY COUNTY, FLORIDA**

9  
10  
11 \_\_\_\_\_  
12 Russell Meeks, Jr., Chairman

13 **ATTEST:** Danny J. Shipp, Clerk of  
14 the Circuit Court and Ex-Officio Clerk  
15 to the Board of County Commissioners

16  
17 \_\_\_\_\_  
18 Danny J. Shipp

19  
20  
21 Approved as to form and legal sufficiency

22  
23 \_\_\_\_\_  
24 Nicolle M. Shalley, County Attorney

Note: Additions shown underlined, deletions shown ~~stricken~~.