

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA
OFFICE OF THE COUNTY MANAGER
AGENDA ITEM COVER SHEET**

DATE: 04/20/2015

TO: David Heath, County Manager

THRU:

Melanie Marsh, Deputy County Attorney

MEETING DATE: 05/05/2015

ITEM TYPE: Public Hearing

ITEM ID: 2175

BY: Nova Atkinson, Paralegal

SUBJECT: Adoption of an ordinance amending Lake County Code, Chapter 6, entitled "Buildings and Construction," Article VI, entitled "Locally Registered and Locally Licensed Contractors".

RECOMMENDATION/REQUIRED ACTION:

Request adoption of an ordinance amending Lake County Code, Chapter 6, entitled "Buildings and Construction," Article VI, entitled "Locally Registered and Locally Licensed Contractors"; there is no fiscal impact.

BACKGROUND SUMMARY: Commissioners were approached by a local contractor requesting a "Grandfathering" option to allow a registered contractor who has an active license to make an application to receive a local license for a specialty classification within Lake County. Several years ago this option was available; however, it has since been removed from the County Code.

At the request of the Board, staff has reviewed the issues and is recommending adoption of an ordinance to allow an experienced registered contractor who has an active license with Lake County on or before March 1, 2015 as a residential, building, or general contractor to submit an application to receive a local license for a specialty classification contractor without taking an examination if they meet specific criteria. This exception would expire on March 1, 2016.

Fiscal Impact: None

Account No.:

Advertised Date: April 24, 2015

Paper: Lake Sentinel

Attachments:

1.	Economic Impact Statement
2.	Proposed Ordinance

STAFF APPROVALS AND DATES:

Atkinson, Nova

Created/Initiated - 04/20/2015

Minkoff, Sanford A.

Approved - 04/21/2015

Nguyen, Binh

Approved - 04/21/2015

Thornton, Todd
Koontz, Steve
Minkoff, Sanford A.
Booth, Niki

Approved - 04/21/2015
Approved - 04/22/2015
Approved - 04/23/2015
Final Approval - 04/23/2015

ACTION TAKEN BY BOARD:

Action: New
Other:

Continued/Deferred Until:



LAKE COUNTY
FLORIDA

ECONOMIC IMPACT STATEMENT

Contact Information

Date: March 23, 2015 Contact Name: Shane Gerwig
Dept./Division: Building Division Contact Phone: 352-343-9653

Ordinance Information

Describe the ordinance:

The purpose of this Ordinance is to allow a registered contractor who has an active license with Lake County on or before March 1, 2015 as a residential, building, or general contractor to make application to receive a license for a specialty classification contractor without taking an examination.

Describe the direct economic impact of the ordinance upon the operation of the County:

There is no impact.

Describe the direct economic impact of the ordinance upon the property owner/taxpayers/citizens who are expected to be affected:

There is no impact

Identify any potential indirect economic impacts, positive or negative which might occur as a result of the ordinance:

There is no impact

1 **ORDINANCE SUMMARY**
2 **EXCEPTION TO LOCAL LICENSING REQUIREMENTS**
3

4 This ordinance proposes to amend the Lake County Code, Chapter 6, entitled "Buildings and
5 Construction", Article VI, entitled "Locally Registered and Locally Licensed Contractors" to allow a
6 registered or certified contractor who has an active license with Lake County on or before March 1,
7 2015 as a residential, building or general contractor to make application to receive a license for a
8 specialty classification contractor with Lake County, without taking an examination if they meet
9 specific criteria. The exception would expire on March 1, 2016.

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11 **ORDINANCE NO. 2015-_____**

12 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY,**
13 **FLORIDA; CREATING A NEW SECTION 6-84, LAKE COUNTY CODE, TO BE ENTITLED**
14 **"EXCEPTION TO LOCAL LICENSING REQUIREMENTS;" EXEMPTING A LICENSED**
15 **RESIDENTIAL, BUILDING OR GENERAL CONTRACTOR FROM THE EXAMINATION**
16 **REQUIREMENTS OF A LOCAL LICENSE; RENUMBERING SECTIONS 6-84 THROUGH 6-95;**
17 **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING**
18 **FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE**
19 **DATE.**

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21 **WHEREAS,** Chapter 6, Lake County Code, entitled "Buildings and Construction," Article VI,
22 entitled "Locally Registered and Locally Licensed Contractors" sets forth the requirements for locally
23 registered and locally licensed contractors; and
24

25 **WHEREAS,** the Board of County Commissioners desires to amend Chapter 6, Lake County
26 Code, entitled "Buildings and Construction", Article VI, entitled "Locally Registered and Locally
27 Licensed Contractors" in order to allow an exception to the requirements to obtain a local specialty
28 classification contractor license; and
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30 **WHEREAS,** the Board of County Commissioners has determined that an exception to the
31 requirements of a local specialty license serves the best interests of the citizens of Lake County,
32 Florida.
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34 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake
35 County, Florida, that:

36 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein
37 by reference.

38 **Section 2. Amendment.** Section 6-82, Lake County Code, entitled "Locally Licensed
39 Contractors," shall be amended as follows. Changes are shown as follows: ~~Strikethrough~~ for
40 deletions and Underline for additions to existing Code sections.
41

1 **ARTICLE VI. LOCALLY REGISTERED AND LOCALLY LICENSED CONTRACTORS**

2 **Sec. 6-82. Locally licensed contractors.**

3 To obtain a local license or to locally register for any contractor classification listed in F.S. § 489.105
4 | Pt. I (a)—(o) and Pt. II, or for the following specialty classification categories, a person must first
5 establish and register such license as required.

6 | The specialty classification categories are:

- 7 (1) Aluminum siding contractor.
- 8 (2) Carpentry contractor.
- 9 (3) Concrete contractor.
- 10 (4) Concrete and masonry contractor.
- 11 (5) Garage door installer.
- 12 (6) Hurricane protection installation contractor.
- 13 (7) Masonry contractor.
- 14 (8) Marine contractor (seawalls and docks).
- 15 (9) Siding, windows and doors contractor.
- 16 (10) Stucco/plastering.
- 17 (11) Irrigation/sprinkler contractor.
- 18 (12) Demolition contractor.
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20 **Section 3. Creation.** A new Section 6-84, Lake County Code, to be entitled “Exception
21 to Local Licensing Requirements,” shall be created to read as follows:
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23 **Sec. 6-84. Exception to local licensing requirements.**

24 A registered or certified contractor who has an active license with Lake County on or before March 1,
25 2015 as a residential, building or general contractor shall be allowed to make application to receive a
26 license for a specialty classification contractor without taking an examination, if the following
27 requirements are met:

28 (a) Submit proof of experience in the form of a notarized affidavit executed by a licensed
29 architect, licensed engineer, licensed contractor or building official not related to the
30 applicant that the applicant has twenty (20) years of active experience as a craftsman,
31 with ten (10) years of supervisory experience in the specialty classification category in which
32 the person seeks to qualify.

33 (b) In addition to the application form, each applicant must provide the following:

34 (1) The appropriate fee for the local license as established by the Board of County
35 Commissioners.

36 (2) An affidavit stating that the applicant will not undertake any work which is outside the
37 scope of the local license for which he/she is applying and that he/she will comply
38 with all county regulations applicable to his/her work.

39 (3) A list of any disciplinary actions against the applicant in any jurisdiction within the last
40 five (5) years, if applicable.

41 (4) Verification that residential, building or general contractor’s license is active and in
42 good standing.

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2 (c) The building official shall issue a local license to each person who meets all of the
3 qualifications of this Section. If the application is denied, the applicant has the right to appeal
4 the decision to the Board of Building Examiners.

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6 (d) This exception to the licensing requirement shall expire on March 1, 2016.
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9 **Section 4. Renumbering.** The following sections shall be renumbered as follows:

<u>Existing Section</u>	<u>New Section</u>
6-84	6-85
6-85	6-86
6-86	6-87
6-87	6-88
6-88	6-89
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26 **Section 5. Severability.** If any section, sentence, clause or phrase or the Ordinance is
27 held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in
28 no way effect the validity of the remaining portion of this Ordinance.

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30 **Section 6. Inclusion in the Code.** It is the intent of the Board of County
31 Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake
32 County Code and that the sections of this Ordinance may be renumbered or relettered and the word
33 "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order
34 to accomplish such intentions.

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36 **Section 7. Filing with the Department of State.** The clerk shall be and is hereby
37 directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of
38 Florida.

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40 **Section 8. Effective Date.** This Ordinance shall become effective upon filing with the
41 Secretary of State.
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1 Ordinance No. 2015-____; Exemption to Local License Examination Requirements

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Enacted this _____ day of _____, 2015.

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Filed with the Secretary of State _____, 2015.

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ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

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Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Jimmy Conner, Chairman

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Approved as to form and legality:

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Sanford A. Minkoff, County Attorney