



COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month at 5:30 p.m. in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: 11/02/2016 Meeting Date: December 1, 2016

Name: Randy Jones Department: Building And Zoning

Division Manager's Signature: *Ben Scott*

1. Nature and purpose of agenda item:

Repealing Ordinance numbers 89-6, 95-39, 99-24 and replacing them with Ordinance 2016-30 as amended.

Attach any correspondence information, documents and forms for action i.e., contract agreements, quotes, memorandums, etc.

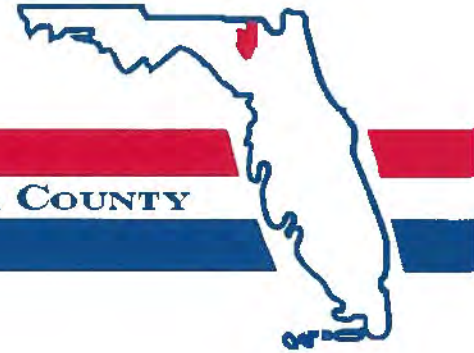
2. Fiscal impact on current budget.

Is this a budgeted item? N/A
 Yes Account No. _____
 No Please list the proposed budget amendment to fund this request

Budget Amendment Number: _____ Fund: _____

FROM: _____ TO: _____ AMOUNT: _____


For Use of County Manger Only:
 Consent Item Discussion Item



BOARD OF COUNTY COMMISSIONERS • COLUMBIA COUNTY

MEMORANDUM

TO: Ben Scott, County Manager
Joel Foreman, County Attorney
Scott Ward, Assistant County Attorney

FR: Laurie Hodson, Office Manager 

DA: October 21, 2016

RE: Ordinance and Fee Resolution Amendments

We are requesting the addition of a plan review fee; and to raise the minimum permit fee; and to amend Ordinance 89-6 by removing the County Specialty Contractor section including any subsequent revisions and fee resolutions associated with this section of the ordinance.

A survey was conducted of these Building Departments: Suwannee County, City of Live Oak, City of Lake City, City of Palatka and St. Johns County. All five Departments surveyed charge a plan review fee that ranges from 30 to 75 percent of the permit fee. Their minimum permit fee is \$100.00 dollars and none have a County or City Specialty Contractor License.

Currently we do not charge any plan review fees. We propose this fee be charged at the rate of 25 percent of the building permit fee. For example, on a 2000 square foot house the building permit fee is \$500.00, the plan review fee would be \$125.00. Even with this increase our building permit fees are still below all departments surveyed.

Currently our minimum permit fee is \$25.00. We propose this be increased to \$75.00. For example, our average re-roof permits are \$50.00 and the surveyed departments range from \$110.00 to \$150.00 for the same permit. There are no plan review fees for these types of permits. Permits of this type require multiple inspections, which at the current fees cost the county to perform the inspections.

County Specialty Contractor license fees collected biennial average \$26,500.00. The revenue proposed with the addition of a plan review fee and raising the minimum permit fee will average \$57,400.00 a year. Administering these county Specialty licenses adds a minimum of three days to the permitting review process and takes many hours of data entry each day to maintain; in short this license cost more to maintain than the revenues collected.

**BOARD MEETS THE FIRST THURSDAY AT 5:30 P.M.
AND THIRD THURSDAY AT 5:30 P.M.**

The State of Florida has licenses for Specialty Contractors and provides that any person who is not required to obtain a State License may perform contracting services without obtaining a local license if such person is under the supervision of a State Licensed contractor. We currently have 16 trades of county licenses with the only qualifications being that three State licensed contractors recommend the person to be licensed. These county Specialty license holders are then issued a license that still requires them to be under a State licensed contractor's supervision by statute.

The State of Florida has written requirements for the types of construction that do and do not require a license to perform. All of the trades we issue competency licenses' for either require a state license or are shown on the state's "does not requires a license" list.

None of five departments surveyed, in fact no other county contacted, issues a local competency license for specialty trades. Those that do also have a County administered test and a department that governs those county issued license holders. Our Competency Board has never taken action against a county Specialty license holder.

PLAN REVIEW FEE		
12 Month Totals from April 2015 to March 2016		
	Permit Fees Collected	Plan Review Fee at 25%
House Permits	63,410.00	15,900.00
Commercial Permits	43,464.00	10,900.00
Others 10% that require plan review	31,041.00	3,100.00
	TOTAL	29,900.00
MINIMUM PERMIT FEE		
	Permits	100.00 Minimum Fee
Re Roof Permits Only	275	27,500.00
NOTE: There are other permits issued at the minimum permit fee, not included in this total. This total revenue is a low estimate.		
	TOTAL REVENUES	57,400.00

COLUMBIA COUNTY, FLORIDA
ORDINANCE NO. ~~89-6~~ 2016-30

AN ORDINANCE PROHIBITING PERSONS FROM CARRYING ON THE TRADE OR BUSINESS OR GENERAL CONTRACTOR, BUILDING CONTRACTOR, RESIDENTIAL CONTRACTOR, SHEET METAL CONTRACTOR, MECHANICAL CONTRACTOR, POOL CONTRACTOR, ELECTRICAL CONTRACTOR OR PLUMBING CONTRACTOR OR SPECIALTY CONTRACTING IN COLUMBIA COUNTY, FLORIDA UNLESS THEY HAVE BEEN ISSUED A CERTIFICATE OF COMPETENCY FOR SUCH TRADE OR BUSINESS; DESIGNATING THE BUILDING DEPARTMENT AS RESPONSIBLE FOR ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE PROVIDING WHO MAY BE ELIGIBLE FOR ISSUANCE OF SUCH CERTIFICATES; PROVIDING A PROCEDURE FOR APPLICATION AND ISSUANCE OF CERTIFICATION, PROVIDING FOR A COLUMBIA COUNTY COMPETENCY ADVISORY BOARD AND PRESCRIBING MEMBERS AND DUTIES OF THE SAME; PROVIDING FOR THE FORM AND TERMS OF CERTIFICATES; PROVIDING PROPERTY OWNER EXEMPTIONS; PRESCRIBING STANDARDS OF CONDUCT; PROVIDING A REVOCATION PROCEDURE AND FOR APPEALS; PROVIDING PENALTIES; REPEALING ORDINANCE NO. ~~82-4; 89-6, 95-39, 99-24;~~ AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA.

Section 1: Certificate of Competency.

~~a.~~ It shall be unlawful for any person to carry on the trade or business of general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, air conditioning contractor, mechanical contractor, pool contractor, electrical contractor, plumbing contractor, solar contractor or specialty contractor in Columbia County, Florida unless such person has been issued a Certificate of Competency by Columbia County, Florida for such trade or business as provided in this ordinance.

~~b. Any person registered or certified by the State of Florida as a General, Building, or Residential contractor, and who holds a certificate of competency issued pursuant to this Ordinance as such, shall be licensed to engage in any specialty without the necessity of obtaining a Specialty Contractor's Competency card.~~

~~Section 2: Definition of Specialty Contractor.~~

~~Specialty Contractor shall mean anyone engaged in any of the following fields of work: Mason, Concrete Finisher, Painter, Aluminum and Vinyl Siding Contractor, Insulation Contractor, Drywall Contractor, Stucco Contractor, Plaster Contractor, Glass Contractor, Garage Door Installer, Floor Covering Contractor, Ceramic Tile Contractor, Cabinet Installer, Acoustical Ceiling Contractor, Framing Contractor, Metal Building Erector.~~

Section 3 2: Designation of the Department.

The Columbia County Building Department is hereby designated by the Board of County Commissioners as the County department responsible for the administration and enforcement of this ordinance. The Building Department is authorized to review and determine an applicant's qualifications, for a certificate of competency, to collect the appropriate fees, to issue certificates of competency to successful applicants, and to perform such other duties as may be necessary or appropriate to carry out the provisions of this ordinance.

Section 4 3: Eligible Applicants.

Only the applicants meeting at least one of the following criteria shall be entitled to be issued a Certificate of Competency:

a. Those applicants who show satisfactory proof that they ~~have been certified by the State of Florida~~ possess a State of Florida Registered license in such trade or business under the applicable Florida laws, and that such ~~State-Certificate~~ registered license is current and in good standing by Union County, Gilchrist County, Hamilton County or Suwannee County, Florida, or who hereafter may be issued such certification by any of those said counties of Florida or any other counties of Florida within whom Columbia County, Florida may enter into reciprocal certification agreements;

~~b. Those persons who, on the effective date of the enactment of this ordinance, are doing business, or are employed, either full time or part time, in such trade or specialty in Columbia County. Such individual shall have one hundred twenty (120) days from the effective date of this ordinance to apply for a Certificate;~~

~~c. Those persons who, on the date of the enactment of this ordinance, are certified to carry on such trade or business by Union County, Gilchrist County, Hamilton County or Suwannee County, Florida, or who hereafter may be issued such certification by any of those said counties of Florida or any other counties of Florida within whom Columbia County, Florida may enter into reciprocal certification agreements;~~

d. b. Those persons who have taken a certification registered exam for that particular trade or specialty proctored and administered by Bloek and Associates of Gainesville, a Columbia County, Florida approved testing facility, and have made a passing grade of 75% or higher upon such exam as required thereby and furnish proof of such to the Building Department of Columbia County, Florida;

c. Those applicants who show satisfactory proof they possess a State of Florida Certified License in such trade or business under the applicable Florida laws, and that such certified license is current and in good standing.

Section 5 4: Local Certification Process.

Any person desiring to engage in or carry on any of the trades or businesses set forth in Section 1, within the territorial limits of Columbia County, Florida, must be qualified and approved by the Building Official or a designee of such and shall make application to the Columbia County Building Department on ~~such form or forms approved from time to time by the Board of County Commissioners-~~ approved forms for issuance of a Certificate of Competency and pay such fee as may be established ~~from time to time by the Board of County Commissioners-~~ by an adopted Resolution. ~~To defray the costs of processing such application.~~

a. ~~All applications shall be verified under oath by the applicant and shall be accompanied by the fee established by the Board. All applications shall include:~~

- ~~1. Name, residence, and business address and phone number of the applicant.~~
- ~~2. The type and class of certificate being applied for.~~
- ~~3. For those persons applying under Section 4(b) the work experience and education of the applicant, and the names and addresses of at least (3) local residence who can attest to the character and reputation of the applicant.~~
- ~~4. A letter from three (3) different licensed contractor, either General, Building, or Residential, who have personal knowledge of the applicant, attesting to the competency of the applicant in the trade or specialty applied for. This requirement is applicable only to those applicants applying for a Certificate under Section 4(c) above.~~
- ~~5. One (1) recent passport size photograph of the applicant.~~
- ~~6. Satisfactory evidence of Public liability and property damage insurance in such amounts as are determined by the Board.~~
- ~~7. Evidence of State Certification, or passing grade on Bloek and Associates examination, or certification by reciprocating County.~~

~~8.—Such other information and reports as the County deems necessary, provided such information and reports are related to the application and the certification sought.~~

~~b.—Within forty-five (45) days of the submittal by the applicant of the appropriate fees and completed application form, the County shall advise the applicant in writing whether he or she has qualified to receive a local certification of competency.~~

a. Applicants shall:

- 1) be a resident of Columbia County, Florida; and
- 2) submit a completed exam registration form; and
- 3) submit the nature of the applicant's proposed contracting business and the type license the applicant is applying; and
- 4) submit a detailed work history of the applicant and business in which the applicant has worked during the past five years; and
- 5) such other information and reports as the county deems necessary provided such information is related to the application sought.

b. Within ten working days (10) of the completed exam registration forms and a completed application the County shall notify the applicant whether the qualifications have been met to sit for the state registration exam.

c. Once the applicant has met Section 3(b) and provided proof of such from the approved testing company, a county competency card may be issued.

d. To complete to process the applicant shall provide:

- 1) an active state of Florida Registered license; and
- 2) a current certificate of liability insurance with limits meeting or exceeding those adopted by resolution; and
- 3) a current certificate of workers' compensation; or
- 4) an active workers' compensation exemption; and
- 5) a current Florida Division of Corporations documentation of an active corporation; and
- 6) all insurance certificates and corporation names must match the states registration company name.

Section 6 5: Columbia County Competency Advisory Board.

- a. There is hereby established a Columbia County Competency Advisory Board, which shall consist of five (5) members who have had substantial experience in the building trades, to be appointed by the Board of County Commissioners, Florida all of whom shall be residents of Columbia County, Florida and licensed and engaged in an area of the building trades. The Building Official, or his representative, shall act as the non-voting executive officer of this Board and shall keep records of all proceedings.
- b. ~~Of the Members first~~ appointed to such Board, ~~two (2) shall be for a term of one (1) year, two (2) for a term of two (2) years, one (1) for a term of three (3) years, and thereafter all members~~ shall be appointed for a term of three (3) years. Members can be reappointed to consecutive terms. The Board of County Commissioners may for good cause remove any member from office.
- c. Three (3) members of the Board shall constitute a quorum. No board member shall act in a case in which he or she has a personal interest and whereby a conflict of interest would exist.
- d. The Board shall meet as needed when called by the Building Official, or ~~his~~ representative
- e. The Board shall elect from its membership the following officers whose term shall be for one (1) year: Chairman, Vice Chairman. Secretary of the Board will be a representative of the Building Official.
- f. The duties of the Competency Advisory Board shall include the following:
- 1) Upon request of the Building ~~Department~~ Official, review applications for competency certificate filed with the Building Department and make recommendations to the Building ~~Department~~ Official as to approval or denial of such applications.
 - 2) Upon request by the Building ~~Department~~ Official review ~~possible building code violations~~ complaints of Columbia County registered contractors and submit recommended action to the Building Department.
 - 3) Review and make recommendation to Building ~~Department~~ Official as to proceedings for revocation or suspension of a Certificate of Competency.

Section 7 6: Certificate Form; Term.

a. A certificate of competency shall be issued only to an individual person. A firm or corporation which is engaging in ~~contracting in a trade~~ or carry on any of the trades or businesses set forth in Section 1, within the territorial limits of Columbia County, Florida, shall have at least one principal who is ~~certified~~ licensed in the trade in which the firm or corporation is engaged, and such person shall be responsible to supervise and approve the work performed by such firm or corporation. Each certificate of competency shall expire on September 30th of every other calendar year. A certificate of competency may be renewed for subsequent terms by application of the ~~certificate~~ competency holder, to the BuildingDepartment and payment of the applicable fee within ninety (90) days prior to the expiration date of the current competency certificate. Failure to renew a competency certificate at the

time of biennial renewal will result in the certification becoming involuntarily inactive. Failure to reactivate an involuntarily inactive certificate after the first consecutive renewal period has lapsed, will result in the certificate becoming null and void as shall require the [competency](#) certificate holder to make reapplication and pay the applicable fee in order to engage in any of the trades or businesses defined in this ordinance. Renewal of an involuntarily inactive [competency](#) certificate will require payment of a double renewal fee.

b. Any competency certificate holder, for good cause shown, and upon proper application and payment of the applicable fee may have his [or her competency](#) certificate placed on voluntarily inactive status. Such voluntary inactive status may continue for subsequent renewal periods so long as the applicable application and fee is paid. The status of voluntarily inactive shall waive any insurance requirements of ~~Section 5(a)(7) above.~~ [this ordinance](#). Prior to again engaging in such trade or ~~specialty business~~, any person whose [competency](#) certificate has been placed on voluntarily inactive status shall reactivate their [competency](#) certificate by paying the applicable fee and providing proof of [current and active state license and proof of the required](#) sufficient insurance as is required ~~by Section 5(a)(7)~~.

Section 8 7: Property Owner Exceptions and Exemptions and Restrictions.

Nothing in this ordinance shall prevent ~~any homeowner from installing or maintaining plumbing, electrical, heating, air conditioning, or other construction work within the homeowner's own property boundaries, provided such work is done by the homeowner and the home is to be used exclusively by the homeowner or his or her immediate family. However, any subcontractor employed by the homeowner to perform any trade or specialty on such home shall not be exempt from the requirements of this ordinance.~~ [a person from the owner-builder exemption in Florida statute 489.103. To qualify for the exemption under this subsection, an owner must personally appear and sign the building permit and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in the Owner Builder Disclosure Statement, which is required to be submitted prior to obtaining a permit in Columbia County, Florida.](#) Further, such privilege does not convey the right to violate any provision of this ordinance or any building codes or regulations, nor is it to be construed as exempting any such homeowner from obtaining any applicable permits and paying the required fees ~~therefore. The construction work shall be approved by the County Building Official before use.~~ [and obtaining all approved and required building inspections.](#)

Section 9 8: Standards of Conduct.

The holder of a competency certificate shall:

- a. Comply with all applicable building and construction codes.
- ~~b. Use generally accepted and approved construction methods.~~
- ~~e. b.~~ Maintain compliance with all local and state laws as to disposal of solid wastes.
- ~~d. c.~~ Maintain in effect such ~~public~~ general liability and property damage insurance ~~as approved by the Building Department.~~ policies with minimums as provided by the Building Department and workers' compensation as provided by State of Florida law.
- ~~e. d.~~ Be honest in his or her business dealings with others in the construction industry and with the public being served.

Section 10 9: Revocation Procedure.

- a. The County Building Official, or ~~his~~ designee, following notice and ~~a hearing,~~ an appearance before the Competency Advisory Board, shall have the authority to suspend or revoke a certificate of competency issued pursuant to this ordinance.
 - 1) The competency certificate holder has violated or failed to comply with the provisions of this ordinance.
 - 2) The competency certificate holder has been convicted of violating state or federal laws or regulations governing the trade or activity engaged in by the certificate holder.
- b. Prior to suspending or revoking a certificate of competency, the holder shall be given notice of the intent to suspend or revoke, which notice shall set forth a statement of reason(s) why such action is being considered. Within fifteen (15) days of such notice, a ~~hearing~~ Board meeting shall be held at which the holder shall be given an opportunity to respond to the notice. Following such ~~hearing~~ Board meeting, the Building Official, or ~~his~~ designee, shall issue an order setting forth findings of fact and conclusions and a decision regarding the suspension or revocation.

Section 11 10: Appeal.

The final decision of the Building ~~Department~~ Official to suspend or revoke a certificate of competency or to deny the issuance of a certificate of competency may be appealed to the Board of County Commissioners by written petition filed within fifteen (15) days after the entry of such final decision.

Section 12 11: Violation/Penalties.

Any person who violates the provisions of this ordinance shall be guilty of a misdemeanor of the Second Degree and shall be prosecuted in the ~~name of the~~ State in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and upon conviction shall be punished as provided by law.

Section 13 12: Repeal of Prior Law.

Columbia County Ordinance ~~No. 82-4 is~~ numbers 89-6, 95-39, 99-24 are hereby repealed.

Section 14 13: Effective Date.

This ordinance shall take effect upon receipt of official acknowledgement from the Department of State that a certified copy of this ordinance has been filed with said Department.

PASSED AND ADOPTED in regular session this ~~6th~~ ____ day of ~~June~~ November, 1989 ~~2016~~.

BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, FLORIDA

By: _____
~~Ron Williams, Chairman~~

Bucky Nash, Chairman

Approved as to form:

ATTEST: _____
P. DeWitt Cason, Clerk of Courts

Joel F. Foreman, County Attorney

**COLUMBIA COUNTY, FLORIDA
ORDINANCE NO. 2016-30**

AN ORDINANCE PROHIBITING PERSONS FROM CARRYING ON THE TRADE OR BUSINESS OR GENERAL CONTRACTOR, BUILDING CONTRACTOR, RESIDENTIAL CONTRACTOR, SHEET METAL CONTRACTOR, MECHANICAL CONTRACTOR, POOL CONTRACTOR, ELECTRICAL CONTRACTOR OR PLUMBING CONTRACTOR OR SPECIALTY CONTRACTING IN COLUMBIA COUNTY, FLORIDA UNLESS THEY HAVE BEEN ISSUED A CERTIFICATE OF COMPETENCY FOR SUCH TRADE OR BUSINESS; DESIGNATING THE BUILDING DEPARTMENT AS RESPONSIBLE FOR ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE PROVIDING WHO MAY BE ELIGIBLE FOR ISSUANCE OF SUCH CERTIFICATES; PROVIDING A PROCEDURE FOR APPLICATION AND ISSUANCE OF CERTIFICATION, PROVIDING FOR A COLUMBIA COUNTY COMPETENCY ADVISORY BOARD AND PRESCRIBING MEMBERS AND DUTIES OF THE SAME; PROVIDING FOR THE FORM AND TERMS OF CERTIFICATES; PROVIDING PROPERTY OWNER EXEMPTIONS; PRESCRIBING STANDARDS OF CONDUCT; PROVIDING A REVOCATION PROCEDURE AND FOR APPEALS; PROVIDING PENALTIES; REPEALING ORDINANCE NO. 89-6, 95-39, 99-24; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA.

Section 1: Certificate of Competency.

It shall be unlawful for any person to carry on the trade or business of general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, air conditioning contractor, mechanical contractor, pool contractor, electrical contractor, plumbing contractor, solar contractor or specialty contractor in Columbia County, Florida unless such person has been issued a Certificate of Competency by Columbia County, Florida for such trade or business as provided in this ordinance.

Section 2: Designation of the Department.

The Columbia County Building Department is hereby designated by the Board of County Commissioners as the County department responsible for the administration and enforcement of this ordinance. The Building Department is authorized to review and determine an applicant's qualifications, for a certificate of competency, to collect the appropriate fees, to issue certificates of competency to successful applicants, and to perform such other duties as may be necessary or appropriate to carry out the provisions of this ordinance.

Section 3: Eligible Applicants.

Only the applicants meeting at least one of the following criteria shall be entitled to be issued a Certificate of Competency:

- a. Those applicants who show satisfactory proof that they possess a State of Florida Registered license in such trade or business under the applicable Florida laws, and that such registered license is current and in good standing by Union County, Gilchrist County, Hamilton County or Suwannee County, Florida, or who hereafter may be issued such certification by any of those said counties of Florida or any other counties of Florida within whom Columbia County, Florida may enter into reciprocal certification agreements;
- b. Those persons who have taken a registered exam for that particular trade or specialty proctored and administered by, a Columbia County, Florida approved testing facility, and have made a passing grade of 75% or higher upon such exam as required thereby and furnish proof of such to the Building Department of Columbia County, Florida;
- c. Those applicants who show satisfactory proof they possess a State of Florida Certified License in such trade or business under the applicable Florida laws, and that such certified license is current and in good standing.

Section 4: Local Certification Process.

Any person desiring to engage in or carry on any of the trades or businesses set forth in Section 1, within the territorial limits of Columbia County, Florida, must be qualified and approved by the Building Official or a designee of such and shall make application to the Columbia County Building Department on approved forms for issuance of a Certificate of Competency and pay such fee as may be established by an adopted Resolution.

- a. Applicants shall:
 - 1) be a resident of Columbia County, Florida; and
 - 2) submit a completed exam registration form; and
 - 3) submit the nature of the applicant's proposed contracting business and the type license the applicant is applying; and
 - 4) submit a detailed work history of the applicant and business in which the applicant has worked during the past five years; and
 - 5) such other information and reports as the county deems necessary provided such information is related to the application sought.

- b. Within ten working days (10) of the completed exam registration forms and a completed application the County shall notify the applicant whether the qualifications have been met to sit for the state registration exam.
- c. Once the applicant has met Section 3(b) and provided proof of such from the approved testing company, a county competency card may be issued.
- d. To complete to process the applicant shall provide:
 - 1) an active state of Florida Registered license; and
 - 2) a current certificate of liability insurance with limits meeting or exceeding those adopted by resolution; and
 - 3) a current certificate of workers' compensation; or
 - 4) an active workers' compensation exemption; and
 - 5) a current Florida Division of Corporations documentation of an active corporation; and
 - 6) all insurance certificates and corporation names must match the states registration company name.

Section 5: Columbia County Competency Advisory Board.

- a. There is hereby established a Columbia County Competency Advisory Board, which shall consist of five (5) members who have had substantial experience in the building trades, to be appointed by the Board of County Commissioners, Florida all of whom shall be residents of Columbia County, Florida and licensed and engaged in an area of the building trades. The Building Official, or his representative, shall act as the non-voting executive officer of this Board and shall keep records of all proceedings.
- b. Members appointed to such Board shall be appointed for a term of three (3) years. Members can be reappointed to consecutive terms. The Board of County Commissioners may for good cause remove any member from office.
- c. Three (3) members of the Board shall constitute a quorum. No board member shall act in a case in which he or she has a personal interest and whereby a conflict of interest would exist.
- d. The Board shall meet as needed when called by the Building Official, or representative.
- e. The Board shall elect from its membership the following officers whose term shall be for one (1) year: Chairman, Vice Chairman. Secretary of the Board will be a representative of the Building Official.

- f. The duties of the Competency Advisory Board shall include the following:
- 1) Upon request of the Building Official, review applications for competency certificate filed with the Building Department and make recommendations to the Building Official as to approval or denial of such applications.
 - 2) Upon request by the Building Official review complaints of Columbia County registered contractors and submit recommended action to the Building Department.
 - 3) Review and make recommendation to Building Official as to proceedings for revocation or suspension of a Certificate of Competency.

Section 6: Certificate Form; Term.

a. A certificate of competency shall be issued only to an individual person. A firm or corporation which is engaging in or carry on any of the trades or businesses set forth in Section 1, within the territorial limits of Columbia County, Florida, shall have at least one principal who is licensed in the trade in which the firm or corporation is engaged, and such person shall be responsible to supervise and approve the work performed by such firm or corporation. Each certificate of competency shall expire on September 30th of every other calendar year. A certificate of competency may be renewed for subsequent terms by application of the competency holder, to the Building Department and payment of the applicable fee within ninety (90) days prior to the expiration date of the current competency certificate. Failure to renew a competency certificate at the time of biennial renewal will result in the certification becoming involuntarily inactive. Failure to reactivate an involuntarily inactive certificate after the first consecutive renewal period has lapsed, will result in the certificate becoming null and void as shall require the competency certificate holder to make reapplication and pay the applicable fee in order to engage in any of the trades or businesses defined in this ordinance. Renewal of an involuntarily inactive competency certificate will require payment of a double renewal fee.

b. Any competency certificate holder, for good cause shown, and upon proper application and payment of the applicable fee may have his or her competency certificate placed on voluntarily inactive status. Such voluntary inactive status may continue for subsequent renewal periods so long as the applicable application and fee is paid. The status of voluntarily inactive shall waive any insurance requirements of this ordinance. Prior to again engaging in such trade or business, any person whose competency certificate has been placed on voluntarily inactive status shall re-activate their competency certificate by paying the applicable fee and providing proof of current and active state license and proof of the required sufficient insurance as is required.

Section 7: Property Owner Exemptions and Restrictions.

Nothing in this ordinance shall prevent a person from the owner-builder exemption in Florida statute 489.103. To qualify for the exemption under this subsection, an owner must personally appear and sign the building permit and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in the Owner Builder Disclosure Statement, which is required to be submitted prior to obtaining a permit in Columbia County, Florida. Further, such privilege does not convey the right to violate any provision of this ordinance or any building codes or regulations, nor is it to be construed as exempting any such homeowner from obtaining any applicable permits and paying the required fees and obtaining all approved and required building inspections.

Section 8: Standards of Conduct.

The holder of a competency certificate shall:

- a. Comply with all applicable building and construction codes.
- b. Maintain compliance with all local and state laws as to disposal of solid wastes.
- c. Maintain in effect such general liability and property damage insurance policies with minimums as provided by the Building Department and workers' compensation as provided by State of Florida law.
- d. Be honest in his or her business dealings with others in the construction industry and with the public being served.

Section 9: Revocation Procedure.

a. The County Building Official, or designee, following notice and an appearance before the Competency Advisory Board, shall have the authority to suspend or revoke a certificate of competency issued pursuant to this ordinance.

- 1) The competency certificate holder has violated or failed to comply with the provisions of this ordinance.
- 2) The competency certificate holder has been convicted of violating state or federal laws or regulations governing the trade or activity engaged in by the certificate holder.

b. Prior to suspending or revoking a certificate of competency, the holder shall be given notice of the intent to suspend or revoke, which notice shall set forth a statement of reason(s) why such action is being considered. Within fifteen (15) days of such notice, a Board meeting shall be held at which the holder shall be given an opportunity to respond to the notice. Following such Board meeting, the Building Official, or designee, shall issue an order setting forth findings of fact and conclusions and a decision regarding the suspension or revocation.

Section 10: Appeal.

The final decision of the Building Official to suspend or revoke a certificate of competency or to deny the issuance of a certificate of competency may be appealed to the Board of County Commissioners by written petition filed within fifteen (15) days after the entry of such final decision.

Section 11: Violation/Penalties.

Any person who violates the provisions of this ordinance shall be guilty of a misdemeanor of the Second Degree and shall be prosecuted in the State in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and upon conviction shall be punished as provided by law.

Section 12: Repeal of Prior Law.

Columbia County Ordinance numbers 89-6, 95-39, 99-24 are hereby repealed.

Section 13: Effective Date.

This ordinance shall take effect upon receipt of official acknowledgement from the Department of State that a certified copy of this ordinance has been filed with said Department.

PASSED AND ADOPTED in regular session this ____ day of November, 2016.

**BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, FLORIDA**

By: _____
Bucky Nash, Chairman

Approved as to form:

ATTEST: _____
P. DeWitt Cason, Clerk of Courts

Joel F. Foreman, County Attorney