

## **ORDINANCE 2014-03**

**AN ORDINANCE AMENDING CHAPTER 22 REGARDING BUILDINGS AND BUILDING REGULATIONS; AMENDING SECTION 22-32 CONTRACTOR REGISTRATION; DELETING ARTICLE II, DIVISION 2 MECHANICAL CONTRACTORS; DELETING ARTICLE IV ELECTRICAL CODE; DELETING ARTICLE V PLUMBING CODE; DELETING ARTICLE VI MECHANICAL CODE; PROVIDING FOR ADOPTION OF THE FLORIDA BUILDING CODE; PROVIDING FOR INCOMPLETE STRUCTURES; PROVIDING FOR UNSAFE STRUCTURES; DELETING SECTION 22-213 EXTERMINATION OF RODENTS, VERMIN AND INSECTS PRIOR TO DEMOLITION; DELETING ARTICLE VIII ENERGY EFFICIENCY CODE; DELETING ARTICLE XIV ACCESSIBILITY BY PHYSICALLY DISABLED PERSONS; RENUMBERING THE PROVISIONS OF CHAPTER 22; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission has previously provided for buildings and building regulations in the City of Belleview in Chapter 22 of the City of Belleview Code of Ordinances; and

**WHEREAS**, the City Commission has determined that it is in the best interest of the Citizens of the City of Belleview and of public safety to continue to provide for buildings and building regulations; and

**WHEREAS**, the City Commission has determined that it is in the best interest of the Citizens of the City of Belleview and of the public welfare to amend Section 22-32 regarding contractor registration; to provide for incomplete structures; to amend the provisions regarding unsafe structures; and

**WHEREAS**, the City Commission has determined that it is in the best interest of the Citizens of the City of Belleview and of the public welfare to delete the following provisions of the City Code which are in conflict with other sections of the City Code or are obsolete, to wit: Article II, Division 2 Mechanical Contractors; Article IV Electrical Code; Article V Plumbing Code; Article VI Mechanical Code; Section 22-213 Extermination Of Rodents, Vermin And Insects Prior To Demolition; Article VIII Energy Efficiency Code and Article XIV Accessibility By Physically Disabled Persons; and

**WHEREAS**, The Florida Building Code as published by the Florida Building Commission (hereafter referred to as "The Florida Building Code") has been adopted by the State of Florida, as Rule 9N-1.001, Florida Administrative Code; and

**WHEREAS**, the City of Belleview has previously adopted the requirements of The Florida Building Code for construction standards within the City of Belleview; and

**WHEREAS**, the City Commission desires to adopt by reference, the Florida Building Code, as set forth herein-below.

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Belleview, Florida, that Chapter 22 of the City of Belleview Code of Ordinances, regarding buildings and building regulations is amended to read as follows, to wit:

## **Chapter 22 BUILDINGS AND BUILDING REGULATIONS**

### **ARTICLE I. IN GENERAL**

#### **Sec. 22-10. Apportionment of fees.**

All fees required to be paid under this chapter and corresponding county resolutions and ordinances shall be required to be paid to the city at the Belleview City Hall.

### **ARTICLE II. CONTRACTORS**

#### **Sec. 22-20. Issuance of contractor and subcontractor registrations.**

- (a) Construction contractors who have an office located in the city must pay a business tax; however, an office is not needed to do a construction project within the city.
- (b) Contractors who are performing construction work within the city and who are licensed by the county or certified or registered by the state, but are not registered within the city, must register with the city who shall maintain a file of such individual's or firm's state certification/registration of competency and licensure, insurance, county competency. A registration certificate shall be issued to the contractor for a fee established by resolution of the city commission upon presentation of a valid county or state certification or license.
- (c) The applicant shall furnish the city evidence that such applicant is carrying a policy of public liability insurance with respect to such business in an insurance company authorized to do business in the state. If such insurance expires or is at any time canceled, during the term of the registration, then the registration issued to the insured shall be immediately and automatically suspended. It shall be unlawful thereafter for the contractor to engage in such business until such license is reinstated. No new registration shall be required as long as the original bond or insurance remains sufficient and in full force and effect. Any registration suspended by the terms of this section may be reinstated upon new compliance with the requirements of this section.
- (d) Any person, firm or individual doing business in the city in any category of contractor shall be subject to any other provision as may exist by resolution of the city commission or by ordinance, any fees set by the city for maintaining an active file in city records of such individual's or firm's state certification of competency or county licensure.

## **ARTICLE III. BUILDING CODE**

### **Sec. 22-30. Adoption of Florida Building Code.**

The Florida Building Code as published by the Florida Building Commission, as may hereafter be amended from time to time, and which is adopted by Rule 9N-1.001, Florida Administrative Code is adopted by reference as the building code of the city, and its regulations shall govern the construction, maintenance, repair and condemnation of buildings in the city. Such Florida Building Code is adopted with the provision that all amendments to the code whether state or local shall automatically be adopted by the City.

### **Sec. 22-31. Violations.**

Violations of the Florida Building Code shall be subject to the penalties of Section 1-14.

### **Sec. 22-32. Incomplete structures.**

No building or structure not completed in substantial conformity with plans and specifications upon which the building permit for its construction was issued shall be maintained or be permitted to remain unfinished for more than 12 months after the first inspection of such building was begun except under such conditions and for such period as may be determined as reasonable by the board of adjustment, based on conformity with the promotion of the spirit and purpose of the zoning code.

## **ARTICLE IV. UNSAFE STRUCTURES**

### **Sec. 22-40. In general.**

- (a) Unsafe structures shall be as defined by the Florida Building Code and shall include all buildings and structures, including swimming pools, which are unsafe, unsanitary, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to public health or safety.
- (b) All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Florida Building Code.

### **Sec. 22-41. Violations.**

Violations of this article shall be subject to the penalties of section 1-14.

### **Sec. 22-42. Determination of unsafe structures**

Unsafe buildings shall be as determined by the City Building Official upon inspection of the structure.

## **ARTICLE V. SWIMMING POOLS**

### **Sec. 22-50. Fence required.**

No owner or occupant of any property shall construct or install, or cause to be constructed or installed, either above ground or in the ground, any pool which requires a filter system, without constructing and installing a fence which totally encloses such swimming pool.

## **ARTICLE VI. ADDRESSING OF BUILDINGS**

### **Sec. 22-60. Existing structures.**

The owner or occupant of any existing building or structure, residential or commercial, designated and assigned a number under a quadrant system by the city shall affix such number in a conspicuous place above or on the front of the building or structure, or to a permanent fixture located in the front yard of the property on which the building or structure is situated more than 50 feet from the street line, such number shall be affixed to a permanent fixture located near the front walk, driveway or common entrance to the building or structure.

### **Sec. 22-61. Future structures.**

Whenever any building or structure shall be hereafter erected or located in the city, it shall be the duty of the owner, or the contractor on behalf of the owner, to procure the correct number designated and assigned to the building or structure under a quadrant system, and to affix the number in the manner provided in section 22-60 prior to occupancy. The city shall not provide water or sewer services to property containing new constructions until this section is complied with.

### **Sec. 22-62. Specifications.**

The number required to be affixed as provided by sections 22-610 and 22-61 shall be not less than 2½ inches in height, shall be of a color that contrasts with the color of the part of the building or structure or other fixture to which such number is affixed, and shall be located in a position to be easily discernible from the street fronting the building or structure.

### **Sec. 22-63. Responsibility for replacement.**

Once the number is affixed as provided in this article, it shall be the duty of the owner or occupant of any building or structure to replace the number if it is removed therefrom for any reason.

## **ARTICLE VII. FIRE LANES FOR NEW BUILDING CONSTRUCTION**

### **Sec. 22-70. Requirements for access roadways (fire lanes).**

Every commercial building hereafter constructed shall be accessible to fire department apparatus by way of access roadways of not less than 20 feet of unobstructed width, capable of supporting the imposed loads of fire apparatus and having a minimum vertical clearance of 13 feet, six inches. During construction, when combustibles are brought onto the site in such quantities as deemed hazardous, access roads and a suitable temporary supply of water, acceptable to the city commission, shall be provided and maintained.

### **Sec. 22-71. Requirements for access entranceways.**

Every commercial building hereafter constructed shall also be accessible to fire department personnel and equipment by way of an access entranceway to the building of not less than ten feet for all buildings up to 150 feet in length. Any building in excess of 150 feet in length shall be required to have a ten-foot access way every 50 feet thereafter, wherever entrances or exits exist. The required width of these entranceways shall not be obstructed in any manner, including the parking of vehicles. Installation of "no parking" signs or other appropriate notice, or of approved obstructions inhibiting parking, may be required and, if installed, shall be maintained.

### **Sec. 22-73. Modification or waiver of clearances.**

Where approved fire protection systems are provided, the clearances required in this article may be modified or waived by the city commission.

### **Sec. 22-74. City commission to determine widths of access ways.**

The city commission shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

## **ARTICLE VIII. DESIGN-BUILD CONTRACTS**

### **Sec. 22-80. Title.**

This article shall be known as the "Design-Build Ordinance."

### **Sec. 22-81. 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:

*Design-build contract* means a single contract with a design-build firm for the design and construction of a public construction project.

*Design-build firm* means a partnership, corporation or other legal entity which:

- (1) Is certified under F.S. § 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; and
- (2) Is certified under F.S. § 471.001 et seq. to practice or to offer to practice engineering; certified under F.S. § 481.219 to practice or offer to practice architectural or interior design; or certified under F.S. § 481.319 to practice or offer to practice landscape architecture.

*Design criteria package* means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information so as to permit design-build firms to prepare a bid or a response to an agency's request for proposal or to permit an agency to enter into a negotiated design-build contract. The design criteria package shall specify such performance-based criteria for the public construction project including, but not limited to, the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal and parking requirements as may be applicable to the project.

#### **Sec. 22-82. Design criteria package.**

Prior to awarding a design-build contract, the city shall prepare a design criteria package for the design and construction of the public construction contract.

#### **Sec. 22-83. Selection.**

The city shall qualify and select no fewer than three design-build firms as the most qualified based on the qualifications, availability and past work of the firms, including the partners or members.

#### **Sec. 22-84. Criteria.**

Design-build contract proposals or bids shall be evaluated based on price, technical and design aspects of the public construction project weighted for the project.

#### **Sec. 22-85. Solicitation of proposals.**

Design-build proposals shall be solicited pursuant to a design criteria package from those qualified design-build firms. Such bids or responses shall be evaluated based upon the evaluation criteria and procedure established prior to the solicitation of the competitive proposal.

#### **Sec. 22-86. Design criteria professional.**

If the city shall employ a design criteria professional, then the city shall consult with the employed or retained design criteria professional concerning the evaluation of the responses or

bids submitted by the design-build firms. The city shall supervise preparation or shall approve the detailed working drawings of the project if the city hires a design criteria package.

**Sec. 22-87. Public emergency.**

In the case of public emergencies so declared by the city commission, the city may negotiate with the best qualified design-build firm available at that time.

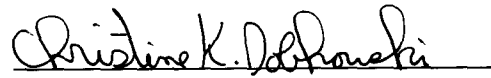
**BE IT FURTHER ORDAINED** by the City Commission of the City of Belleview, Florida that Sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

This Ordinance shall become effective immediately upon adoption.

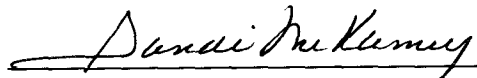
**CERTIFICATE OF ADOPTION AND APPROVAL**

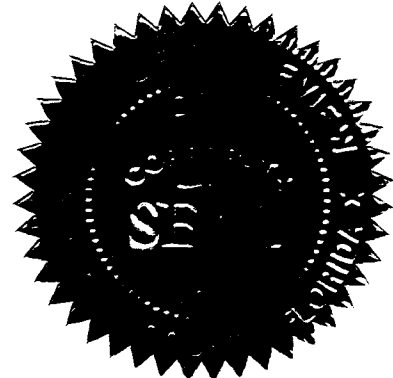
The above and foregoing ordinance was duly read and approved upon **First Reading** by a 4 – 0 vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on the 4<sup>th</sup> day of February, 2014. Said ordinance was duly read, passed, and adopted upon **Final Reading** by a 4 – 0 vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on the 18<sup>th</sup> day of February, 2014.

City of Belleview, Florida

  
CHRISTINE K. DOBKOWSKI  
Mayor/Commissioner

Attest:

  
SANDI MCKAMEY, MMC, CPM  
City Clerk/Administrator



Approved as to Form and Legality for the  
Use and Benefit of the City of Belleview only:



FREDERICK E. LANDT, III  
City Attorney

**CERTIFICATE OF ADVERTISING**

**I HEREBY CERTIFY** that foregoing Ordinance was advertised for a Public Hearing in the February 6, 2014 edition of the Voice of South Marion newspaper in accordance with Florida Statutes.



Margaret DeGennaro, MMC, CPS  
Deputy City Clerk