

ORDINANCE NO. 25-02-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA; AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES "LICENSES, PERMITS AND MISCELLANEOUS" TO ADDRESS CONTRACTOR INSURANCE AND CONTRACTOR REVOCATIONS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CITY CODE OF ORDINANCES; PROVIDING FOR A BUSINESS IMPACT ESTIMATE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter and Section 166.021, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council desires to remove from the Land Development Code the regulations set forth in Section 20.08.00 relating to contractor insurance and contractor revocation of permits, licenses or registration; and

WHEREAS, the City Council desires to additionally amend the Code of Ordinances to include updated and efficient regulations relating to contractors, by this separate publicly noticed Ordinance 25-02-CC;

WHEREAS, the City Council desires to amend the Code of Ordinances relating to contractor insurance and contractor revocation of permits, licenses or registration; and

WHEREAS, City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol * represents sections of the Code of Ordinances that have been skipped and remain unchanged.**

AMENDMENTS TO CHAPTER 13, LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS

ARTICLE IV. LOCAL LICENSING OF CONTRACTORS

Sec. 13-80 – Contractors Insurance

All contractors shall furnish proof of compliance with the following:

- (1) The applicant has a public liability insurance policy for the ensuing year with an insurance company authorized to do business in the State of Florida.
- (2) Liability limits shall at minimum be that required of Florida Statutes.
 - a. The policy shall contain a provision adding the City of Destin as an additional insured or a provision holding the City of Destin, its officers, agents, employees, assigns, mayor and councilmen, both individually and collectively harmless from any liability caused by the negligence, carelessness, or wanton act of the contractor or his agents, employees or assigns. If the policy does not contain either provision, the contractor shall sign a hold harmless form provided by the City of Destin.
 - b. The policy shall contain a provision or statement from the company that the policy will not be canceled without thirty days' prior notice to the City of Destin. If at any time the said liability policy becomes canceled or terminated, the certificate so issued shall become null and void.
- (3) The applicant has worker's compensation insurance for the ensuing year with an insurance company authorized to do business in the State of Florida or an exemption certificate accepted by State of Florida Department of Labor and Employment Security, Bureau of Workers' Compensation Compliance.

Sec. 13-81 – Contractor Revocation.

Revocation. The city may suspend or revoke any permit, license or contractor registration for the following:

- (1) Fraud, deceit or misrepresentation in obtaining a permit, city license or contractor registration;
- (2) Incompetence or negligence in conducting work which is in violation of existing codes;
- (3) Fraudulent departure from or willful disregard of plans or specifications in any manner, without the consent of the owner or his duly authorized representative, or the commission of any fraudulent act by the contractor which results in injury to the owner or supplier;
- (4) A contractor permitting any other person, firm, corporation or other entity to use the contractor's certificate of competency for the purpose of obtaining permits or performing work under such a certificate of competency.

Sec. 13-82 – 13-100 Reserved.

SECTION 4. BUSINESS IMPACT ESTIMATE. Prior to enactment of this Ordinance, a business impact estimate was prepared and posted in accordance with section 166.041, Florida Statutes.

SECTION 5. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the mayor.

ADOPTED THIS 21ST DAY OF APRIL 2025
By:



Bobby Wagner, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney, For the City of Destin, only.



Rey Bailey, City Clerk



Kimberly Romano Kopp, City Attorney

First Reading: 4/3/25
Second Reading: 4/21/25