



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

May 27, 2025

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is a copy of Ordinance No. 012-2025 of the Board of County Commissioners of Monroe County, Florida, adopting amendments to Chapter 6 – Buildings and Construction, Article III – Construction Industry, to update the membership requirements and duties of the Contractors Examining Board, to update the procedure for disciplinary proceedings, to update the legal representation to the Contractors Examining Board, and to update penalties and establish a Schedule of Penalties; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the Department of Commerce and the Secretary of State; providing for codification; providing for an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on May 21, 2025. Should you have any questions please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

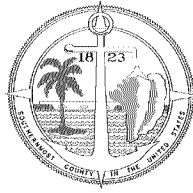
Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners
by: Liz Yongue, Deputy Clerk

cc: County Administrator
County Attorney
MuniCode
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040

MARATHON
3117 Overseas Highway
Marathon, Florida 33050

PLANTATION KEY
88770 Overseas Highway
Plantation Key, Florida 33070



MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
ORDINANCE NO. 012 - 2025

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO CHAPTER 6 – BUILDINGS AND CONSTRUCTION, ARTICLE III – CONSTRUCTION INDUSTRY, TO UPDATE THE MEMBERSHIP REQUIREMENTS AND DUTIES OF THE CONTRACTORS EXAMINING BOARD, TO UPDATE THE PROCEDURE FOR DISCIPLINARY PROCEEDINGS, TO UPDATE THE LEGAL REPRESENTATION TO THE CONTRACTORS EXAMINING BOARD, AND TO UPDATE PENALTIES AND ESTABLISH A SCHEDULE OF PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (BOCC) has designated the Contractors Examining Board (CEB) as the local enforcement body for licensed and unlicensed contractors, as authorized by Sections 489.131 and 489.531, Florida Statutes; and

WHEREAS, the Contractors Examining Board has reviewed the current penalties and has issued a recommendation to increase the maximum penalty for unlicensed contracting as permitted under state law; and

WHEREAS, the Contractors Examining Board has recommended eliminating the requirement for two alternate members who have previously served as regular members due to the difficulty in filling those positions; and

WHEREAS, the BOCC seeks to update Monroe County Code (MCC) Chapter 6, Article III to ensure that language and regulations are consistent throughout the article; and

WHEREAS, the Contractors Examining Board conducts disciplinary proceedings pursuant to MCC Section 6-201 and the BOCC seeks to require that certain violations of Monroe County Code will require a disciplinary proceeding pursuant to Section 6-201; and

WHEREAS, the BOCC seeks to clarify that the county attorney, or his designee, shall provide legal counsel to the building official and Monroe County staff, and the County shall provide independent outside counsel to provide legal counsel to the CEB; and

WHEREAS, the BOCC seeks to eliminate the requirement for two alternate members who have previously served as regular members of the CEB due to the challenges in meeting the requirements and filling those positions; and

WHEREAS, Monroe County Code authorizes code enforcement inspectors, acting under the authority of MCC Chapter 8, to enforce the provisions of Chapter 6, Article III. The BOCC seeks to grant these code enforcement inspectors the authority to issue a Notice to Appear for a disciplinary proceeding pursuant to Section 6-201 as updated herein, as well as issue citations; and

WHEREAS, Section 489.127(5), Florida Statutes, grants local governments the authority to enact an ordinance establishing a schedule of penalties against unlicensed contractors to be assessed by a designated code enforcement officer, with a maximum civil penalty of \$2,000; and

WHEREAS, Monroe County Code currently allows a maximum civil penalty of \$500, and does not contain a schedule of penalties specific to enforcement of the provisions of Chapter 6, Article III; and

WHEREAS, the BOCC recognizes the detrimental impact of unlicensed contracting on property owners and properly licensed contractors; and

WHEREAS, the BOCC recognizes the benefit of a schedule of penalties to provide notice to violators and prevent arbitrary enforcement; and

WHEREAS, the BOCC seeks to establish a schedule of penalties for violations of Chapter 6, Article III, including increased penalties for unlicensed contracting.

NOW, THEREFORE, BE IT ORDAINED BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS:

Section 1. – Recitals and Legislative Intent. The foregoing recitals, findings of fact, statements of legislative intent, and conclusions of law are true and correct and are hereby incorporated as if fully stated herein.

Section 2. – Amendment. Chapter 6, Article III, of the Code of Ordinances of Monroe County is hereby amended as follows (deletions are stricken through; additions are underlined):

Sec. 6-201. - Disciplinary proceedings.

- (a) ~~The secretary of the contractors examining board may, upon his own motion, or shall, upon finding probable cause to believe that an alleged violation has occurred, issue a Notice to Appear to the contractor and issue subpoenas to any witnesses to appear before the contractors examining board and answer the charges, if: upon a sworn complaint in writing of any person, investigate or cause to be investigated by a special investigator appointed by the board, the charges against any unlicensed contractor or any licensed contractor qualified hereunder, and, upon finding probable cause to believe that an alleged violation did occur, issue subpoenas to the contractor and any witnesses to appear before the examining board and answer charges.~~

- (1) A sworn complaint in writing has been submitted to the secretary of the contractors examining board by any person, which shall be investigated by the secretary or his designee; or
- (2) Probable cause has been found to believe the contractor violated any of the following sections: 6-32, 6-202(2), 6-202(3), 6-202(4), 6-202(6), 6-202(7), 6-202(10).

~~If a qualified contractor fails to keep in force the insurance policy required in this article, the secretary of the board shall immediately suspend the local certificate of competency and report the matter to the examining board for revocation action. All disciplinary actions under this article shall be initiated within four years of the occurrence of the event complained of or be forever barred.~~

- (b) All disciplinary actions under this article shall be initiated within four years of the occurrence of the event complained of or be forever barred.

- (c) ~~(b)~~ The secretary shall send, by registered mail, a subpoena Notice to Appear to the contractor at his last known address, as shown by the board's records, setting out the name of the complainant (if any), the time of commission of the alleged offense, and the section of this article alleged to be violated, and notifying the contractor to appear before the board to answer the charges, or waive his right to appear before the board, at a time and place fixed, not sooner than 20 days from the mailing of the registered letter Notice to Appear and, in the case of a licensed contractor, to show cause why his certificate of competency should not be suspended or revoked or why his permit-pulling privileges should not be suspended or revoked.

- (d) ~~(e)~~ The administrative hearing provided for in this section shall be open to the public.

- (1) The proceedings at the hearing shall be recorded and may be transcribed at the expense of the party requesting the transcript. For purposes of administrative hearings only the building official shall present the case before the contractors examining board, and the building official shall designate an employee of his department to act as secretary for the board during the hearing and the subsequent retention of exhibits. The county attorney, or designee, shall provide serve as legal counsel to the contractors examining board building

official and County staff. Independent outside counsel shall be furnished by the County to provide legal counsel to the board. All testimony shall be under oath.

- (2) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if the board finds it competent and reliable, regardless of the existence of any common law or statutory rule that might make improper the admission of such evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.
- (3) Each party shall have the following rights:
 - a. To call and examine witnesses;
 - b. To introduce exhibits;
 - c. To cross examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination;
 - d. To impeach any witness, regardless of which party first called him to testify; and
 - e. To rebut the evidence against him.
- (e) ~~(d)~~ A decision shall be made by ~~the examining board~~ by a majority of the contractors examining board within five days after the close of the hearing and delivered to the contractor.
- (f) For licensed contractors, the decision shall be one or more of the following:
 - (1) Not guilty.
 - (2) Finding of violation; suspension of certificate of competency, stating the time term of suspension.
 - (3) Finding of violation; revocation of certificate of competency, naming the effective date.
 - (4) Finding of violation; a letter of reprimand stating the nature of the offense and any action required for correction. A copy of the letter shall also be retained by the Building Department in an active file pertaining to the party for a period of three years. When three years have elapsed with no further disciplinary actions, a letter of reprimand shall be removed from a contractor's active file and placed in an inactive file.
 - (5) Finding of violation; imposition of an administrative fine not less than the amount set by section 6-270(f) or the amount set forth in the citation, if applicable, but not more than \$5,000.00 for each of the charges upon which a certificate holder has been found in violation by the board. This penalty may be imposed separately or in addition to the penalties of suspension, revocation and reprimand authorized in subsections ~~(d)(f)(2)~~, ~~(d)(f)(3)~~ and ~~(d)(f)(4)~~ of this section. The payment of such fines shall be made to the county Building Department within a time specified by the board, but no less than seven days

and no more than 30 days from the date of imposition. If a certificate holder fails to pay the fine as assessed by the board, the certificate of such person or firm shall be administratively suspended until the fine has been paid; and the certificate holder, the department of professional regulation for the state and all municipalities within the county shall be so notified; and a certified copy of the order issuing the fine shall be filed in the public records of the county, thereby creating a lien.

- (6) Finding of violation; imposition of restitution.
- (7) Finding of violation; imposition of an administrative fee for all costs incurred by the county Building Department, county code compliance department and the county attorney's office in investigating and resolving the complaint that gave rise to the disciplinary proceedings.
- ~~(g) (e)~~ ~~A decision shall be made by the examining board by a majority of the board within five days after the close of the hearing and delivered to the contractor. For~~ unlicensed contractors, the decision shall be one or more of the following:
 - (1) Not guilty.
 - (2) Finding of violation; imposition of an administrative fine ~~If the enforcement of licensing board or designated special magistrate finds that a violation exists, the enforcement or licensing board or designated special magistrate may order the violator to pay a civil penalty of not less than the amount set by 6-270(f) or the amount set forth in the citation, if applicable, but not more than \$2,500.00 per day for each violation. The payment of such fines shall be made to the county Building Department within a time specified by the board, but no less than seven days and no more than 30 days from the date of imposition. In determining the amount of the penalty, the~~ contractors examining board ~~enforcement or licensing board or designated special magistrate shall consider the following factors:~~
 - a. The gravity of the violations.
 - b. Any actions taken by the violator to correct the violation.
 - c. Any previous violations committed by the violator.
 - (3) Finding of violation; imposition of an administrative fee for all costs incurred by the county Building Department, county code compliance department and the county attorney's office in investigating and resolving the complaint that gave rise to the disciplinary proceedings.
 - (4) Finding of violation; issue an order to cease and desist a violation of any provision of this chapter which relates to the practice of a profession regulated by this board or Building Department or any rule adopted pursuant thereto.
- ~~(h) (f)~~ Each day a willful, knowing violation continues shall constitute a separate offense under the provisions of this section.
- ~~(i) (g)~~ The decision of the contractors examining board constitutes final administrative action that is subject to judicial review.

- (j) ~~(g)~~ Imposition of penalties pursuant to this section shall be based upon consideration of guidelines duly adopted by the contractor's examining board, or upon guidelines established by the state construction industry licensing board.

Sec. 6-263. - Created.

A contractors examining board is hereby created that shall consist of:

- (1) One person holding an engineering contractor's license;
- (2) One person holding a general/residential/building contractor's license;
- (3) One person holding a plumber's contractor's license;
- (4) One person holding an electrical contractor's license;
- (5) One person holding a mechanical/air conditioning contractor's license;
- (6) Or, if a contractor from above disciplines is not found to be available or does not apply then a contractor holding a swimming pool, roofing, marine or fire alarm license;
- (7) Also, if a contractor from paragraphs (1) through (5) above is otherwise qualified and that position is already filled, a second board member may be selected holding that contractor's license. A maximum of two board members with the same license shall be permitted;
- ~~(8) Two persons, holding any of the foregoing qualifications and having previously served as regular members of the contractors examining board shall be designated alternates to serve at any regularly scheduled meeting of the contractors examining board only upon the inability of a quorum to be met in the absence of the alternates; and~~
- (8) Three persons who are not and have never been, engaged in any of the occupations for which licensing is required under this chapter and who are not engaged in any related profession;
- (9) Allow certified contractors to serve on the contractors examining board so long as the certified contractor has a principle place of business in Monroe County.

Sec. 6-264. - Membership.

- (a) The contractors examining board shall consist of eight regular voting members ~~and two alternate voting members~~ appointed by the board of county commissioners. ~~The building official or his designated agent shall serve as secretary to the board and shall have no vote. Legal counsel shall be furnished by the county attorney or his designated representative.~~ The members of the board shall be proportionately representative of the trade related to the subject matter concerned in the examination and qualifications, and professions within and connected with the particular trades concerned shall be represented. The eight regular member composition shall, at all times, include at least one representative from each of the Lower, Middle and Upper Keys of the county. No member of the examining board shall receive any compensation for duties involved.
- (b) No officer, director or administrator of a state, county or regional professional or occupational organization or association, while holding such position, shall be eligible to serve as a member of the examining board for the profession or occupation. Each regular member who is a licensed contractor shall have five

years of active participation in his respective field and shall be currently involved as a licensed contractor in that field to qualify for appointment. ~~The alternate member shall be a prior member of the contractors examining board and shall be currently involved as a licensed contractor.~~

- (c) The building official or his designee shall serve as secretary to the board and shall have no vote. The county attorney or his designee shall serve as legal counsel to the building official and County staff. Independent outside counsel shall be furnished by the County to provide legal counsel to the board.

Sec. 6-241. - Suspension or revocation; effect.

- (a) *Permissive.* The certificate of competency issued by the county to a contractor may be suspended for a fixed term or revoked by the contractors examining board's determination only by a majority vote of the entire board after hearing if the contractor as an individual or the firm by its officers, directors, or qualified representatives has violated any of the provisions of this article.
- (b) *Mandatory.* The building official shall administratively suspend a contractor's local certificate of competency for a period of six months upon receipt of sufficient evidence that the contractor has failed to obtain the required building permits prior to starting construction and that such violation is the third such violation by such contractor within the preceding two-year period.
- (c) *Insurance coverage.* The building official shall administratively suspend ~~or revoke~~ a contractor's certificate of competency if, ~~after hearing,~~ it is found that the contractor: Fails to maintain at all times with an insurance company, authorized to do business in the state, the limits of insurance required by all applicable laws and authorities having jurisdiction over the contractor, and at least the following: workers' compensation insurance or executed exemption; public liability insurance for specialty contractors not subject to 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.) in the amount of \$100,000.00; and property damage insurance coverage in the amounts of \$50,000.00 and to file certificates, signed by the qualified agent of the insured, with the secretary of the contractors examining board showing the type of policy, the policy number, the name of the insurer, the effective date of the policy, an agreement by the insurer to give 30 days' written notice by registered mail to the secretary of the examining board of the intent to cancel the policy for any reason. If the contractor fails to supply full insurance coverage as required by this article within 30 days of suspension, the building official shall refer the matter to the contractors examining board for revocation of the contractor's certificate of competency. The building official may reinstate such suspended or revoked certificate of competency at such time as the contractor again supplies full insurance coverage as required by this article.

- (d) *Unlawful disposal of garbage; conviction of a crime.* The contractor's examining board shall suspend or revoke a contractor's certificate of competency if, after hearing, it is found that the contractor:
 - (1) Has been convicted of violating the provisions of this Code relating to the unlawful disposal of garbage, rubbish, offal, trash or junk; or
 - (2) Has been convicted of a crime and is currently serving a term of imprisonment.
- (e) *Effect on license.* The suspension or revocation of a certificate of competency shall automatically suspend or revoke, as the case may be, any business license issued by the county.

Sec. 6-270. - Powers and duties.

- (a) The examining board shall be the local construction regulation board, and shall have the following powers:
 - (1) To conduct disciplinary proceedings pursuant to section 6-201.
 - (2) To hear appeals of citations pursuant to this section.
 - (3) ~~(4)~~ To determine if a license or certificate of competency of any local contractor should be suspended or revoked for any violation of this chapter and to fix the length of time for such suspension;
 - (4) ~~(2)~~ To call upon members of the industry to advise and assist it;
 - (5) ~~(3)~~ To determine if a state certified contractor is guilty of fraud or has willfully violated any of the building codes of the county or has, within the past 12 months, been found by the local construction regulation board of any other county or municipality to be guilty of fraud or a willful building code violation that would have been fraud or a building code violation if committed in the county; and
 - (6) ~~(4)~~ To determine if the authority of state certified contractors to obtain a building permit should be revoked, suspended or limited to obtaining permits with specific conditions and to set the terms of suspension or conditions.
 - (7) ~~(5)~~ To determine that a licensee, certificateholder, or registrant licensed under Chapter 455, Chapter 471, Chapter 481 and Chapter 489, has committed a material violation of the Florida Bbuilding Ceode and failed to correct the violation in a reasonable time. In such case a fine may be imposed in an amount not less than \$500.00 and no more than \$5,000.00 per violation. The violation may be disputed as set forth in F.S. § 553.781 (2)(b). For purposes of this section, a material code violation is a violation that exists within a completed building, structure, or facility which may reasonably result, or has resulted, in physical harm to a person or significant damage to the performance of a building or its systems. Except when the fine is abated as provided in F.S. § 553.781 (2)(b), failure to pay the fine within 30 days shall result in a suspension of the licensee's, certificate holder's, or registrant's ability to obtain permits within this state until such time as the fine is paid.

- (b) When the board has reason to believe that any person not licensed by the board or building official has violated any provision of this chapter which relates to the practice of a profession regulated by this board or Building Department or any rule adopted pursuant thereto, the board or the building official may issue and deliver to such person a notice to cease and desist from such violation. In addition, the board or the building official may issue and deliver a notice ~~of~~ to cease and desist to any person who aids and abets the unlicensed practice of a profession and/or contracts with such unlicensed person.
- (c) ~~(1)~~ Code enforcement inspectors acting under the authority of chapter 8 are hereby designated to enforce the provisions of this article.
- (d) Code enforcement inspectors acting under the authority of chapter 8 are hereby designated to issue, with approval of the secretary of the contractors examining board, Notices to Appear pursuant to section 6-201.
- (e) ~~(2)~~ Except as otherwise stated in this section, cCode enforcement inspectors ~~as designated in this subsection~~ may issue a citation for any violation of this article whenever, based upon personal investigation, the code enforcement ~~officer~~ inspector has reasonable and probable grounds to believe that such a violation has occurred. The citation form shall be prescribed by resolution of the board of county commissioners and shall contain the following information:
- a. The time and date of issuance.
 - b. The name and address of the person to whom the citation is issued.
 - c. The time and date of violation.
 - d. A brief description of the violation and the facts constituting reasonable cause.
 - e. The name of the code enforcement ~~officer~~ inspector.
 - f. The procedure for the person to follow in order to:
 1. Pay the civil penalty or contest the citation for violations; or
 2. Appear before the contractors examining board to answer a summons.
 - g. The applicable civil penalty if the person elects not to contest the citation.
- (f) Schedule of civil penalties. The following table shows the sections of this article, as they may be amended from time to time, which may be enforced pursuant to the provisions of this article, and the dollar amount of the civil penalty for the violation of these sections. The “descriptions of violations” below are for informational purposes only and are not meant to limit the nature of the violations or the subject matter of the listed sections of this code, except to the extent that different types of violations of the same section may carry different penalties. To determine the exact nature of any activity proscribed, the relevant section must be examined. For the purposes of this section, “life safety risk” means any condition that creates a present or imminent danger to life, property, health, or public safety, as determined by the building official or his designee.

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
<u>6-77</u>	<u>Unlicensed Contractor, Certificate of Competency Required – Life Safety Risk</u>	<u>\$2,000</u>
<u>6-77</u>	<u>Unlicensed Contractor, Certificate of Competency Required – No Life Safety Risk</u>	<u>\$1,500</u>
<u>6-202(1)</u>	<u>Unlicensed Contractor, Work outside scope of operation</u>	<u>\$1,500</u>
<u>6-202(5)</u>	<u>Violation of building, safety, health, insurance or workmen's compensation laws</u>	<u>\$500</u>
<u>6-202(8)</u>	<u>Assist in engaging in unlicensed contracting</u>	<u>\$1,500</u>
<u>6-202(9)</u>	<u>Allow unlicensed contractor to use certificate/registration</u>	<u>\$1,500</u>
<u>6-202(11)(a)</u>	<u>Violate any county ordinance concerned with building/construction standards or contracting</u>	<u>\$500</u>
<u>6-202(11)(b)</u>	<u>Violate any state statute concerned with building/construction standards or contracting</u>	<u>\$500</u>
<u>6-234(a)</u>	<u>Advertisement by unlicensed contractor</u>	<u>\$500</u>
<u>6-234(b)</u>	<u>Failure to identify vehicle(s) used in furtherance of contracting business</u>	<u>\$500</u>
<u>6-234(c)</u>	<u>Failure to include certificate of competency number in advertisement</u>	<u>\$500</u>

(g) (e) A citation for a repeat violation shall require appearance before the contractors examining board for a disciplinary proceeding under section 6-201. A repeat violation is a violation after the imposition of a fine or civil penalty or other

disciplinary action for another violation. A violation shall be considered a repeat violation:

- (1) Regardless of the chronological relationship of the acts underlying the various disciplinary actions; and
 - (2) Regardless of whether the violations in the present and prior disciplinary actions are of the same or different provisions of this chapter.
 - (3) Repeat violations of unlicensed activity may be referred to the state attorney's office for criminal prosecution by motion of the contractors examining board.
- (h) Violations of 6-32, 6-202(2), 6-202(3), 6-202(4), 6-202(6), 6-202(7) 6-202(10) shall result in a Notice to Appear before the contractors examining board pursuant to section 6-201(a)(2).
- (i) ~~(d)~~ Any party receiving a ~~monetary~~ citation may appeal to the contractors examining board by filing a notice for appeal with the contractor license coordinator within ten days of a citation, exclusive of weekends and legal holidays.
- (j) ~~(e)~~ The contractors examining board may impose a fine and shall impose an administrative fee pursuant to the provisions of sections 6-201~~(d)~~(f)(7) and 6-201~~(e)~~(g)(3) or this section for any violations of this chapter upon a finding of violation. Upon a finding that such violation has occurred, the board shall deny the appeal, make a finding of violation and impose a fine in an amount not less than the amount of the civil penalty listed in the citation and no more than the amount of the fine authorized under this chapter and shall assess an administrative fee. The board, at its discretion, may reduce the amount of the fine or civil penalty but not the administrative fee upon a finding of mitigating circumstances.
- (k) ~~(f)~~ The act for which the citation is issued shall be ceased immediately upon receipt of the citation. The person charged with the violation in a monetary citation shall correct the violation and pay the fine in the manner indicated on the citation unless an appeal is filed by the person charged.
- (l) ~~(g)~~ If the fine is not paid within the time period required on the citation or ordered by the board upon appeal, the board's secretary shall cause a notice of lien to be filed in the official records of the county. The lien shall run against any real or personal property the violator may own. The lien may be foreclosed in accordance with Florida Statutes.
- (m) ~~(h)~~ Upon any final judgment foreclosing such lien, the court shall award to the county all costs as a result of this violation, including investigation costs, filing fees, court costs, and reasonable attorney's fees.
- (n) ~~(i)~~ In addition to or in lieu of any other remedies provided in this section, the county may seek the imposition of injunctive relief and/or a civil penalty through the circuit court for any violation. The civil penalty shall be no less than \$500.00 and no more than \$5,000.00 for each offense. The court may award to the county all costs as a result of this violation, including investigation costs, filing fees, court costs, and reasonable attorney's fees.

(o) ~~(f)~~ This article constitutes the exclusive statement of the board's authority and jurisdiction, and does not confer any powers not specifically granted.

Section 3. – Construction. The interpretation of this ordinance, and all provisions of the Monroe County Codes, Comprehensive Plan, floodplain management regulations, and Florida Building Code whose interpretation arises out of, relates to, or are interpreted in connection with this ordinance, these being necessary for the health, safety, and welfare of the residents of and visitors to Monroe County, shall be liberally construed to effectuate the public purpose(s) and policy(ies) hereof, and such interpretations shall be construed in favor of the Monroe County BOCC, and such interpretation shall be entitled to great weight in adversarial administrative proceedings, at trial, and on appeal.

Section 4. – Severability, Partial Invalidity, and Survival of Provisions. If any provision of this ordinance, or any section, subsection, or part or portion thereof, is held to be invalid or unenforceable by any administrative hearing officer or court of competent jurisdiction, the invalidity or unenforceability of such provision, or any part or portion thereof, shall neither limit nor impair the operation, enforceability, or validity of any other provision of this ordinance, or any remaining section(s), subsection(s), part(s), or portion(s) thereof. All other provisions thereof shall continue unimpaired in full force and effect.

Section 5. – Repeal of Inconsistent Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict herein. Such repeal shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed hereby.

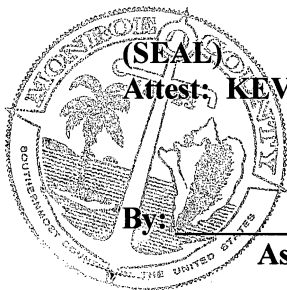
Section 6. – Captions and Paragraph Headings. Captions and paragraph headings, where used herein, are inserted for convenience only and are not intended to descriptively limit the scope and intent of the particular paragraph or text to which they refer.

Section 7. – Inclusion in the Monroe County Code of Ordinances. The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of Monroe County, Florida, and shall be numbered to conform with the uniform numbering system of the Code.

Section 8. – Effective Date. This ordinance shall be filed in the Office of the Secretary of the State of Florida and shall become effective as provided by law.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 21st day of May, 2025.

Mayor James K. Scholl	Yes
Mayor <i>pro tem</i> Michelle Lincoln	Yes
Commissioner Craig Cates	Yes
Commissioner David Rice	Yes
Commissioner Holly Merrill Raschein	Yes



(SEAL)
Attest: KEVIN MADOK, Clerk

By: Kevin Madok
As Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: James K. Scholl
Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Kelly Dugan 5/5/25

KELLY DUGAN
ASSISTANT COUNTY ATTORNEY

FILED FOR RECORD
2025 MAY 27 PM 12:04
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MONROE COUNTY, FLA

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legals@keysnews.com

MONROE CO BUILDING DEPT
2798 OVERSEAS HWY STE 300
MARATHON FL 33050

Account: 422333

Ticket: 3959780

PUBLISHER'S AFFIDAVIT

**STATE OF FLORIDA
COUNTY OF MONROE**

Before the undersigned authority personally appeared

_____ Jill Kelli Di Benedetto _____, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of NOI Amend Section 6 CEB was published in said newspaper in the issues of:

Saturday, May 10, 2025

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Jill Kelli Di Benedetto
(Signature of Affiant)

Affirmed and subscribed before me this 12th day of May 2025

Laura M Robins
(Notary Public Signature)

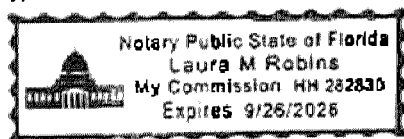
_____ Laura M Robins _____
(Notary Public Printed Name)

(Notary Seal)

My commission expires _____ 9/26/2026 _____

Personally Known X Produced Identification _____

Type of Identification Produced _____ (Notary Seal) _____



**NOTICE OF INTENTION TO CONSIDER
ADOPTION OF COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on May 21, 2025, at 9:00 A.M. or as soon thereafter as the matter may be heard, at the Harvey Government Center, 1200 Truman Avenue, Key West, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider adopting the following ordinance:

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO CHAPTER 6 – BUILDINGS AND CONSTRUCTION, ARTICLE III – CONSTRUCTION INDUSTRY, TO UPDATE THE MEMBERSHIP REQUIREMENTS AND DUTIES OF THE CONTRACTORS EXAMINING BOARD, TO UPDATE THE PROCEDURE FOR DISCIPLINARY PROCEEDINGS, TO UPDATE THE LEGAL REPRESENTATION TO THE CONTRACTORS EXAMINING BOARD, AND TO UPDATE PENALTIES AND ESTABLISH A SCHEDULE OF PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Monroe County website by viewing the agenda packet for the May 21, 2025 meeting, which will be posted beginning May 13, 2025 at: <http://monroecountyfl.iqm2.com/citizens/default.aspx>. The ordinance may also be viewed at the Monroe County Attorney's office at 1111 12th St. Ste. 408 Key West, FL 33040.

The public can participate in the May 21, 2025 meeting of the Board of County Commissioners of Monroe County, FL by attending in person or via Zoom. The Zoom link can be found in the agenda at <http://monroecountyfl.iqm2.com/citizens/default.aspx>.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30a.m.—5:00p.m., prior to the scheduled meeting; if you are hearing or voice-impaired, call "711". Live Closed-Captioning is available via our web portal @ <http://monroecountyfl.iqm2.com/Citizens/Default.aspx> for meetings of the Monroe County Board of County Commissioners.

Dated at Key West, Florida, this 10th day of May, 2025.
(SEAL) KEVIN MADOK, Clerk of the Circuit Court and
Ex Officio Clerk of the Board of County Commissioners of Monroe County, Florida
05/10/25 - KWC
422333 3959780

